

HOUSEAMENDMENT NO. ___Offered byof

1 AMEND House Committee Substitute for House Bill Nos. 1258 & 1267,
 2 Page 1, In the Title, Lines 3 and 4, by deleting all of said
 3 lines and inserting in lieu thereof the following: "no. 1120,
 4 ninety-first general assembly, second regular session, sections
 5 105.473, 130.011, 130.021, 130.026, 130.028, and 130.031, as
 6 enacted by conference committee substitute no. 3"; and
 7

8 Further amend said bill, Page 1, In the Title, Line 8, by
 9 inserting immediately after the word "session," the following:
 10 "section 130.026 as enacted by conference committee substitute
 11 for house committee substitute for senate committee substitute
 12 for senate bill no. 262, eighty-eighth general assembly, first
 13 regular session, section 130.028 as enacted by conference
 14 committee substitute for house committee substitute for senate
 15 bill no. 650, eighty-ninth general assembly, second regular
 16 session,"; and
 17

18 Further amend said bill, Page 1, Section A, Lines 2 and 3,
 19 by deleting all of said lines and inserting in lieu thereof the
 20 following: "house bill no. 1120, ninety-first general assembly,
 21 second regular session, sections 105.473, 130.011, 130.021, and
 22 130.031 as enacted by conference committee substitute no. 3 for";
 23 and
 24

25 Further amend said bill, Page 1, Section A, Line 7, by
 26 inserting immediately after the word "session," the following:
 27 "section 130.026 as enacted by conference committee substitute
 28 for house committee substitute for senate committee substitute
 29 for senate bill no. 262, eighty-eighth general assembly, first

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1 regular session, section 130.028 as enacted by conference
2 committee substitute for house committee substitute for senate
3 bill no. 650, eighty-ninth general assembly, second regular
4 session,"; and
5

6 Further amend said bill, Pages 14 to 22, both appearances of
7 Section 130.031, by deleting both appearances of said sections
8 and inserting in lieu thereof the following:

9 "[130.011. As used in this chapter, unless the
10 context clearly indicates otherwise, the following
11 terms mean:

12 (1) "Appropriate officer" or "appropriate
13 officers", the person or persons designated in section
14 130.026 to receive certain required statements and
15 reports;

16 (2) "Ballot measure" or "measure", any proposal
17 submitted or intended to be submitted to qualified
18 voters for their approval or rejection, including any
19 proposal submitted by initiative petition, referendum
20 petition, or by the general assembly or any local
21 governmental body having authority to refer proposals
22 to the voter;

23 (3) "Campaign committee", a committee, other than
24 a candidate committee, which shall be formed by an
25 individual or group of individuals to receive
26 contributions or make expenditures and whose sole
27 purpose is to support or oppose the qualification and
28 passage of one or more particular ballot measures in an
29 election or the retention of judges under the
30 nonpartisan court plan, such committee shall be formed
31 no later than thirty days prior to the election for
32 which the committee receives contributions or makes
33 expenditures, and which shall terminate the later of
34 either thirty days after the general election or upon
35 the satisfaction of all committee debt after the
36 general election, except that no committee retiring
37 debt shall engage in any other activities in support of
38 a measure for which the committee was formed;

39 (4) "Candidate", an individual who seeks
40 nomination or election to public office. The term
41 "candidate" includes an elected officeholder who is the
42 subject of a recall election, an individual who seeks
43 nomination by the individual's political party for
44 election to public office, an individual standing for
45 retention in an election to an office to which the

1 individual was previously appointed, an individual who
2 seeks nomination or election whether or not the
3 specific elective public office to be sought has been
4 finally determined by such individual at the time the
5 individual meets the conditions described in paragraph
6 (a) or (b) of this subdivision, and an individual who
7 is a write-in candidate as defined in subdivision (28)
8 of this section. A candidate shall be deemed to seek
9 nomination or election when the person first:

10 (a) Receives contributions or makes expenditures
11 or reserves space or facilities with intent to promote
12 the person's candidacy for office; or

13 (b) Knows or has reason to know that
14 contributions are being received or expenditures are
15 being made or space or facilities are being reserved
16 with the intent to promote the person's candidacy for
17 office; except that, such individual shall not be
18 deemed a candidate if the person files a statement with
19 the appropriate officer within five days after learning
20 of the receipt of contributions, the making of
21 expenditures, or the reservation of space or facilities
22 disavowing the candidacy and stating that the person
23 will not accept nomination or take office if elected;
24 provided that, if the election at which such individual
25 is supported as a candidate is to take place within
26 five days after the person's learning of the
27 above-specified activities, the individual shall file
28 the statement disavowing the candidacy within one day;
29 or

30 (c) Announces or files a declaration of candidacy
31 for office;

32 (5) "Candidate committee", a committee which
33 shall be formed by a candidate to receive contributions
34 or make expenditures in behalf of the person's
35 candidacy and which shall continue in existence for use
36 by an elected candidate or which shall terminate the
37 later of either thirty days after the general election
38 for a candidate who was not elected or upon the
39 satisfaction of all committee debt after the election,
40 except that no committee retiring debt shall engage in
41 any other activities in support of the candidate for
42 which the committee was formed. Any candidate for
43 elective office shall have only one candidate committee
44 for the elective office sought, which is controlled
45 directly by the candidate for the purpose of making
46 expenditures. A candidate committee is presumed to be
47 under the control and direction of the candidate unless
48 the candidate files an affidavit with the appropriate

1 officer stating that the committee is acting without
2 control or direction on the candidate's part;

3 (6) "Cash", currency, coin, United States postage
4 stamps, or any negotiable instrument which can be
5 transferred from one person to another person without
6 the signature or endorsement of the transferor;

7 (7) "Check", a check drawn on a state or federal
8 bank, or a draft on a negotiable order of withdrawal
9 account in a savings and loan association or a share
10 draft account in a credit union;

11 (8) "Closing date", the date through which a
12 statement or report is required to be complete;

13 (9) "Committee", a person or any combination of
14 persons, who accepts contributions or makes
15 expenditures for the primary or incidental purpose of
16 influencing or attempting to influence the action of
17 voters for or against the nomination or election to
18 public office of one or more candidates or the
19 qualification, passage or defeat of any ballot measure
20 or for the purpose of paying a previously incurred
21 campaign debt or obligation of a candidate or the debts
22 or obligations of a committee or for the purpose of
23 contributing funds to another committee:

24 (a) "Committee", does not include:

25 a. A person or combination of persons, if neither
26 the aggregate of expenditures made nor the aggregate of
27 contributions received during a calendar year exceeds
28 five hundred dollars and if no single contributor has
29 contributed more than two hundred fifty dollars of such
30 aggregate contributions;

31 b. An individual, other than a candidate, who
32 accepts no contributions and who deals only with the
33 individual's own funds or property;

34 c. A corporation, cooperative association,
35 partnership, proprietorship, or joint venture organized
36 or operated for a primary or principal purpose other
37 than that of influencing or attempting to influence the
38 action of voters for or against the nomination or
39 election to public office of one or more candidates or
40 the qualification, passage or defeat of any ballot
41 measure, and it accepts no contributions, and all
42 expenditures it makes are from its own funds or
43 property obtained in the usual course of business or in
44 any commercial or other transaction and which are not
45 contributions as defined by subdivision (11) of this
46 section;

47 d. A labor organization organized or operated for
48 a primary or principal purpose other than that of

1 influencing or attempting to influence the action of
2 voters for or against the nomination or election to
3 public office of one or more candidates, or the
4 qualification, passage, or defeat of any ballot
5 measure, and it accepts no contributions, and
6 expenditures made by the organization are from its own
7 funds or property received from membership dues or
8 membership fees which were given or solicited for the
9 purpose of supporting the normal and usual activities
10 and functions of the organization and which are not
11 contributions as defined by subdivision (11) of this
12 section;

13 e. A person who acts as an authorized agent for a
14 committee in soliciting or receiving contributions or
15 in making expenditures or incurring indebtedness on
16 behalf of the committee if such person renders to the
17 committee treasurer or deputy treasurer or candidate,
18 if applicable, an accurate account of each receipt or
19 other transaction in the detail required by the
20 treasurer to comply with all record-keeping and
21 reporting requirements of this chapter;

22 f. Any department, agency, board, institution or
23 other entity of the state or any of its subdivisions or
24 any officer or employee thereof, acting in the person's
25 official capacity;

26 (b) The term "committee" includes, but is not
27 limited to, each of the following committees: campaign
28 committee, candidate committee, political action
29 committee, exploratory committee, and political party
30 committee;

31 (10) "Connected organization", any organization
32 such as a corporation, a labor organization, a
33 membership organization, a cooperative, or trade or
34 professional association which expends funds or
35 provides services or facilities to establish,
36 administer or maintain a committee or to solicit
37 contributions to a committee from its members,
38 officers, directors, employees or security holders. An
39 organization shall be deemed to be the connected
40 organization if more than fifty percent of the persons
41 making contributions to the committee during the
42 current calendar year are members, officers, directors,
43 employees or security holders of such organization or
44 their spouses;

45 (11) "Contribution", a payment, gift, loan,
46 advance, deposit, or donation of money or anything of
47 value for the purpose of supporting or opposing the
48 nomination or election of any candidate for public

1 office or the qualification, passage or defeat of any
2 ballot measure, or for the support of any committee
3 supporting or opposing candidates or ballot measures or
4 for paying debts or obligations of any candidate or
5 committee previously incurred for the above purposes.
6 A contribution of anything of value shall be deemed to
7 have a money value equivalent to the fair market value.
8 "Contribution" includes, but is not limited to:

9 (a) A candidate's own money or property used in
10 support of the person's candidacy other than expense of
11 the candidate's food, lodging, travel, and payment of
12 any fee necessary to the filing for public office;

13 (b) Payment by any person, other than a candidate
14 or committee, to compensate another person for services
15 rendered to that candidate or committee;

16 (c) Receipts from the sale of goods and services,
17 including the sale of advertising space in a brochure,
18 booklet, program or pamphlet of a candidate or
19 committee and the sale of tickets or political
20 merchandise;

21 (d) Receipts from fund-raising events including
22 testimonial affairs;

23 (e) Any loan, guarantee of a loan, cancellation
24 or forgiveness of a loan or debt or other obligation by
25 a third party, or payment of a loan or debt or other
26 obligation by a third party if the loan or debt or
27 other obligation was contracted, used, or intended, in
28 whole or in part, for use in an election campaign or
29 used or intended for the payment of such debts or
30 obligations of a candidate or committee previously
31 incurred, or which was made or received by a committee;

32 (f) Funds received by a committee which are
33 transferred to such committee from another committee or
34 other source, except funds received by a candidate
35 committee as a transfer of funds from another candidate
36 committee controlled by the same candidate but such
37 transfer shall be included in the disclosure reports;

38 (g) Facilities, office space or equipment
39 supplied by any person to a candidate or committee
40 without charge or at reduced charges, except gratuitous
41 space for meeting purposes which is made available
42 regularly to the public, including other candidates or
43 committees, on an equal basis for similar purposes on
44 the same conditions;

45 (h) The direct or indirect payment by any person,
46 other than a connected organization, of the costs of
47 establishing, administering, or maintaining a
48 committee, including legal, accounting and computer

1 services, fund raising and solicitation of
2 contributions for a committee;

3 (i) "Contribution" does not include:

4 a. Ordinary home hospitality or services provided
5 without compensation by individuals volunteering their
6 time in support of or in opposition to a candidate,
7 committee or ballot measure, nor the necessary and
8 ordinary personal expenses of such volunteers
9 incidental to the performance of voluntary activities,
10 so long as no compensation is directly or indirectly
11 asked or given;

12 b. An offer or tender of a contribution which is
13 expressly and unconditionally rejected and returned to
14 the donor within ten business days after receipt or
15 transmitted to the state treasurer;

16 c. Interest earned on deposit of committee funds;

17 d. The costs incurred by any connected
18 organization listed pursuant to subdivision (4) of
19 subsection 5 of section 130.021 for establishing,
20 administering or maintaining a committee, or for the
21 solicitation of contributions to a committee which
22 solicitation is solely directed or related to the
23 members, officers, directors, employees or security
24 holders of the connected organization;

25 (12) "County", any one of the several counties of
26 this state or the city of St. Louis;

27 (13) "Disclosure report", an itemized report of
28 receipts, expenditures and incurred indebtedness which
29 is prepared on forms approved by the Missouri ethics
30 commission and filed at the times and places
31 prescribed;

32 (14) "Election", any primary, general or special
33 election held to nominate or elect an individual to
34 public office, to retain or recall an elected
35 officeholder or to submit a ballot measure to the
36 voters, and any caucus or other meeting of a political
37 party or a political party committee at which that
38 party's candidate or candidates for public office are
39 officially selected. A primary election and the
40 succeeding general election shall be considered
41 separate elections;

42 (15) "Expenditure", a payment, advance,
43 conveyance, deposit, donation or contribution of money
44 or anything of value for the purpose of supporting or
45 opposing the nomination or election of any candidate
46 for public office or the qualification or passage of
47 any ballot measure or for the support of any committee
48 which in turn supports or opposes any candidate or

1 ballot measure or for the purpose of paying a
2 previously incurred campaign debt or obligation of a
3 candidate or the debts or obligations of a committee; a
4 payment, or an agreement or promise to pay, money or
5 anything of value, including a candidate's own money or
6 property, for the purchase of goods, services,
7 property, facilities or anything of value for the
8 purpose of supporting or opposing the nomination or
9 election of any candidate for public office or the
10 qualification or passage of any ballot measure or for
11 the support of any committee which in turn supports or
12 opposes any candidate or ballot measure or for the
13 purpose of paying a previously incurred campaign debt
14 or obligation of a candidate or the debts or
15 obligations of a committee. An expenditure of anything
16 of value shall be deemed to have a money value
17 equivalent to the fair market value. "Expenditure"
18 includes, but is not limited to:

19 (a) Payment by anyone other than a committee for
20 services of another person rendered to such committee;

21 (b) The purchase of tickets, goods, services or
22 political merchandise in connection with any
23 testimonial affair or fund-raising event of or for
24 candidates or committees, or the purchase of
25 advertising in a brochure, booklet, program or pamphlet
26 of a candidate or committee;

27 (c) The transfer of funds by one committee to
28 another committee;

29 (d) The direct or indirect payment by any person,
30 other than a connected organization for a committee, of
31 the costs of establishing, administering or maintaining
32 a committee, including legal, accounting and computer
33 services, fund raising and solicitation of
34 contributions for a committee; but

35 (e) "Expenditure" does not include:

36 a. Any news story, commentary or editorial which
37 is broadcast or published by any broadcasting station,
38 newspaper, magazine or other periodical without charge
39 to the candidate or to any person supporting or
40 opposing a candidate or ballot measure;

41 b. The internal dissemination by any membership
42 organization, proprietorship, labor organization,
43 corporation, association or other entity of information
44 advocating the election or defeat of a candidate or
45 candidates or the passage or defeat of a ballot measure
46 or measures to its directors, officers, members,
47 employees or security holders, provided that the cost
48 incurred is reported pursuant to subsection 2 of

1 section 130.051;

2 c. Repayment of a loan, but such repayment shall
3 be indicated in required reports;

4 d. The rendering of voluntary personal services
5 by an individual of the sort commonly performed by
6 volunteer campaign workers and the payment by such
7 individual of the individual's necessary and ordinary
8 personal expenses incidental to such volunteer
9 activity, provided no compensation is, directly or
10 indirectly, asked or given;

11 e. The costs incurred by any connected
12 organization listed pursuant to subdivision (4) of
13 subsection 5 of section 130.021 for establishing,
14 administering or maintaining a committee, or for the
15 solicitation of contributions to a committee which
16 solicitation is solely directed or related to the
17 members, officers, directors, employees or security
18 holders of the connected organization;

19 f. The use of a candidate's own money or property
20 for expense of the candidate's personal food, lodging,
21 travel, and payment of any fee necessary to the filing
22 for public office, if such expense is not reimbursed to
23 the candidate from any source;

24 (16) "Exploratory committees", a committee which
25 shall be formed by an individual to receive
26 contributions and make expenditures on behalf of this
27 individual in determining whether or not the individual
28 seeks elective office. Such committee shall terminate
29 no later than December thirty-first of the year prior
30 to the general election for the possible office;

31 (17) "Fund-raising event", an event such as a
32 dinner, luncheon, reception, coffee, testimonial,
33 rally, auction or similar affair through which
34 contributions are solicited or received by such means
35 as the purchase of tickets, payment of attendance fees,
36 donations for prizes or through the purchase of goods,
37 services or political merchandise;

38 (18) "In-kind contribution" or "in-kind
39 expenditure", a contribution or expenditure in a form
40 other than money;

41 (19) "Labor organization", any organization of
42 any kind, or any agency or employee representation
43 committee or plan, in which employees participate and
44 which exists for the purpose, in whole or in part, of
45 dealing with employers concerning grievances, labor
46 disputes, wages, rates of pay, hours of employment, or
47 conditions of work;

48 (20) "Loan", a transfer of money, property or

1 anything of ascertainable monetary value in exchange
2 for an obligation, conditional or not, to repay in
3 whole or in part and which was contracted, used, or
4 intended for use in an election campaign, or which was
5 made or received by a committee or which was
6 contracted, used, or intended to pay previously
7 incurred campaign debts or obligations of a candidate
8 or the debts or obligations of a committee;

9 (21) "Person", an individual, group of
10 individuals, corporation, partnership, committee,
11 proprietorship, joint venture, any department, agency,
12 board, institution or other entity of the state or any
13 of its political subdivisions, union, labor
14 organization, trade or professional or business
15 association, association, political party or any
16 executive committee thereof, or any other club or
17 organization however constituted or any officer or
18 employee of such entity acting in the person's official
19 capacity;

20 (22) "Political action committee", a committee of
21 continuing existence which is not formed, controlled or
22 directed by a candidate, and is a committee other than
23 a candidate committee, political party committee,
24 campaign committee, exploratory committee, or debt
25 service committee, whose primary or incidental purpose
26 is to receive contributions or make expenditures to
27 influence or attempt to influence the action of voters
28 whether or not a particular candidate or candidates or
29 a particular ballot measure or measures to be supported
30 or opposed has been determined at the time the
31 committee is required to file any statement or report
32 pursuant to the provisions of this chapter. Such a
33 committee includes, but is not limited to, any
34 committee organized or sponsored by a business entity,
35 a labor organization, a professional association, a
36 trade or business association, a club or other
37 organization and whose primary purpose is to solicit,
38 accept and use contributions from the members,
39 employees or stockholders of such entity and any
40 individual or group of individuals who accept and use
41 contributions to influence or attempt to influence the
42 action of voters. Such committee shall be formed no
43 later than sixty days prior to the election for which
44 the committee receives contributions or makes
45 expenditures;

46 (23) "Political merchandise", goods such as
47 bumper stickers, pins, hats, ties, jewelry, literature,
48 or other items sold or distributed at a fund-raising

1 event or to the general public for publicity or for the
2 purpose of raising funds to be used in supporting or
3 opposing a candidate for nomination or election or in
4 supporting or opposing the qualification, passage or
5 defeat of a ballot measure;

6 (24) "Political party", a political party which
7 has the right under law to have the names of its
8 candidates listed on the ballot in a general election;

9 (25) "Political party committee", a committee of
10 a political party which may be organized as a
11 not-for-profit corporation under Missouri law and has
12 the primary or incidental purpose of receiving
13 contributions and making expenditures to influence or
14 attempt to influence the action of voters on behalf of
15 the political party. Political party committees shall
16 only take the following forms:

17 (a) One congressional district committee per
18 political party for each congressional district in the
19 state; and

20 (b) One state party committee per political
21 party;

22 (26) "Public office" or "office", any state,
23 judicial, county, municipal, school or other district,
24 ward, township, or other political subdivision office
25 or any political party office which is filled by a vote
26 of registered voters;

27 (27) "Regular session", includes that period
28 beginning on the first Wednesday after the first Monday
29 in January and ending following the first Friday after
30 the second Monday in May;

31 (28) "Write-in candidate", an individual whose
32 name is not printed on the ballot but who otherwise
33 meets the definition of candidate in subdivision (4) of
34 this section.]

35 130.011. As used in this chapter, unless the context
36 clearly indicates otherwise, the following terms mean:

37 (1) "Appropriate officer" or "appropriate officers", the
38 person or persons designated in section 130.026 to receive
39 certain required statements and reports;

40 (2) "Ballot measure" or "measure", any proposal submitted
41 or intended to be submitted to qualified voters for their
42 approval or rejection, including any proposal submitted by
43 initiative petition, referendum petition, or by the general
44 assembly or any local governmental body having authority to refer

1 proposals to the voter;

2 (3) "Candidate", an individual who seeks nomination or
3 election to public office. The term "candidate" includes an
4 elected officeholder who is the subject of a recall election, an
5 individual who seeks nomination by the individual's political
6 party for election to public office, an individual standing for
7 retention in an election to an office to which the individual was
8 previously appointed, an individual who seeks nomination or
9 election whether or not the specific elective public office to be
10 sought has been finally determined by such individual at the time
11 the individual meets the conditions described in paragraph (a) or
12 (b) of this subdivision, and an individual who is a write-in
13 candidate as defined in [subdivision (28) of] this section. A
14 candidate shall be deemed to seek nomination or election when the
15 person first:

16 (a) Receives contributions or makes expenditures or
17 reserves space or facilities with intent to promote the person's
18 candidacy for office; or

19 (b) Knows or has reason to know that contributions are
20 being received or expenditures are being made or space or
21 facilities are being reserved with the intent to promote the
22 person's candidacy for office; except that, such individual shall
23 not be deemed a candidate if the person files a statement with
24 the appropriate officer within five days after learning of the
25 receipt of contributions, the making of expenditures, or the
26 reservation of space or facilities disavowing the candidacy and
27 stating that the person will not accept nomination or take office
28 if elected; provided that, if the election at which such
29 individual is supported as a candidate is to take place within
30 five days after the person's learning of the above-specified
31 activities, the individual shall file the statement disavowing
32 the candidacy within one day; or

33 (c) Announces or files a declaration of candidacy for
34 office;

35 (4) "Cash", currency, coin, United States postage stamps,
36 or any negotiable instrument which can be transferred from one
37 person to another person without the signature or endorsement of

1 the transferor;

2 (5) "Check", a check drawn on a state or federal bank, or a
3 draft on a negotiable order of withdrawal account in a savings
4 and loan association or a share draft account in a credit union;

5 (6) "Closing date", the date through which a statement or
6 report is required to be complete;

7 (7) "Committee", a person or any combination of persons,
8 including organizations exempt from taxation under 26 U.S.C.
9 Section 501(c)(4), as amended, who accepts contributions or makes
10 expenditures for the primary or incidental purpose of influencing
11 or attempting to influence the action of voters for or against
12 the nomination or election to public office of one or more
13 candidates or the qualification, passage or defeat of any ballot
14 measure or for the purpose of paying a previously incurred
15 campaign debt or obligation of a candidate or the debts or
16 obligations of a committee or for the purpose of contributing
17 funds to another committee:

18 (a) "Committee", does not include:

19 a. A person or combination of persons, if neither the
20 aggregate of expenditures made nor the aggregate of contributions
21 received during a calendar year exceeds five hundred dollars and
22 if no single contributor has contributed more than two hundred
23 fifty dollars of such aggregate contributions;

24 b. An individual, other than a candidate, who accepts no
25 contributions and who deals only with the individual's own funds
26 or property;

27 c. A corporation, cooperative association, partnership,
28 proprietorship, or joint venture organized or operated for a
29 primary or principal purpose other than that of influencing or
30 attempting to influence the action of voters for or against the
31 nomination or election to public office of one or more candidates
32 or the qualification, passage or defeat of any ballot measure,
33 and it accepts no contributions, and all expenditures it makes
34 are from its own funds or property obtained in the usual course
35 of business or in any commercial or other transaction and which
36 are not contributions as defined by [subdivision (12) of] this
37 section;

1 d. A labor organization organized or operated for a primary
2 or principal purpose other than that of influencing or attempting
3 to influence the action of voters for or against the nomination
4 or election to public office of one or more candidates, or the
5 qualification, passage, or defeat of any ballot measure, and it
6 accepts no contributions, and expenditures made by the
7 organization are from its own funds or property received from
8 membership dues or membership fees which were given or solicited
9 for the purpose of supporting the normal and usual activities and
10 functions of the organization and which are not contributions as
11 defined by [subdivision (12) of] this section;

12 e. A person who acts as an authorized agent for a committee
13 in soliciting or receiving contributions or in making
14 expenditures or incurring indebtedness on behalf of the committee
15 if such person renders to the committee treasurer or deputy
16 treasurer or candidate, if applicable, an accurate account of
17 each receipt or other transaction in the detail required by the
18 treasurer to comply with all record-keeping and reporting
19 requirements of this chapter;

20 f. Any department, agency, board, institution or other
21 entity of the state or any of its subdivisions or any officer or
22 employee thereof, acting in the person's official capacity;

23 (b) The term "committee" includes, but is not limited to,
24 each of the following committees: campaign committee, candidate
25 committee, [continuing] political action committee, exploratory
26 committee, and political party committee;

27 (8) "Campaign committee", a committee, other than a
28 candidate committee, which shall be formed by an individual or
29 group of individuals to receive contributions or make
30 expenditures and whose sole purpose is to support or oppose the
31 qualification and passage of one or more particular ballot
32 measures in an election or the retention of judges under the
33 nonpartisan court plan[, such committee shall be formed no later
34 than thirty days prior to the election for which the committee
35 receives contributions or makes expenditures, and which shall
36 terminate the later of either thirty days after the general
37 election or upon the satisfaction of all committee debt after the

1 general election, except that no committee retiring debt shall
2 engage in any other activities in support of a measure for which
3 the committee was formed];

4 (9) "Candidate committee", a committee which shall be
5 formed by a candidate to receive contributions or make
6 expenditures [in] on behalf of the person's candidacy [and which
7 shall continue in existence for use by an elected candidate or
8 which shall terminate the later of either thirty days after the
9 general election for a candidate who was not elected or upon the
10 satisfaction of all committee debt after the election, except
11 that no committee retiring debt shall engage in any other
12 activities in support of the candidate for which the committee
13 was formed]. Any candidate for elective office shall have only
14 one candidate committee for the elective office sought, which is
15 controlled directly by the candidate for the purpose of making
16 expenditures. A candidate committee is presumed to be under the
17 control and direction of the candidate unless the candidate files
18 an affidavit with the appropriate officer stating that the
19 committee is acting without control or direction on the
20 candidate's part;

21 (10) "[Continuing] Political action committee", a committee
22 of continuing existence [which is not formed, controlled or
23 directed by a candidate, and is a committee] other than a
24 candidate committee [or], political party committee, campaign
25 committee, exploratory committee, or debt service committee,
26 whose primary or incidental purpose is to receive contributions
27 or make expenditures to influence or attempt to influence the
28 action of voters whether or not a particular candidate or
29 candidates or a particular ballot measure or measures to be
30 supported or opposed has been determined at the time the
31 committee is required to file any statement or report pursuant to
32 the provisions of this chapter. ["Continuing committee"] Such a
33 committee includes, but is not limited to, any committee
34 organized or sponsored by a business entity, a labor
35 organization, a professional association, a trade or business
36 association, a club or other organization and whose primary

1 purpose is to solicit, accept and use contributions from the
2 members, employees or stockholders of such entity and any
3 individual or group of individuals who accept and use
4 contributions to influence or attempt to influence the action of
5 voters[. Such committee shall be formed no later than sixty days
6 prior to the election for which the committee receives
7 contributions or makes expenditures];

8 (11) "Connected organization", any organization such as a
9 corporation, a labor organization, a membership organization, a
10 cooperative, or trade or professional association which expends
11 funds or provides services or facilities to establish, administer
12 or maintain a committee or to solicit contributions to a
13 committee from its members, officers, directors, employees or
14 security holders. An organization shall be deemed to be the
15 connected organization if more than fifty percent of the persons
16 making contributions to the committee during the current calendar
17 year are members, officers, directors, employees or security
18 holders of such organization or their spouses;

19 (12) "Contribution", a payment, gift, loan, advance,
20 deposit, or donation of money or anything of value for the
21 purpose of supporting or opposing the nomination or election of
22 any candidate for public office or the qualification, passage or
23 defeat of any ballot measure, or for the support of any committee
24 supporting or opposing candidates or ballot measures or for
25 paying debts or obligations of any candidate or committee
26 previously incurred for the above purposes. A contribution of
27 anything of value shall be deemed to have a money value
28 equivalent to the fair market value. "Contribution" includes,
29 but is not limited to:

30 (a) A candidate's own money or property used in support of
31 the person's candidacy other than expense of the candidate's
32 food, lodging, travel, and payment of any fee necessary to the
33 filing for public office;

34 (b) Payment by any person, other than a candidate or
35 committee, to compensate another person for services rendered to
36 that candidate or committee;

37 (c) Receipts from the sale of goods and services, including

1 the sale of advertising space in a brochure, booklet, program or
2 pamphlet of a candidate or committee and the sale of tickets or
3 political merchandise;

4 (d) Receipts from fund-raising events including testimonial
5 affairs;

6 (e) Any loan, guarantee of a loan, cancellation or
7 forgiveness of a loan or debt or other obligation by a third
8 party, or payment of a loan or debt or other obligation by a
9 third party if the loan or debt or other obligation was
10 contracted, used, or intended, in whole or in part, for use in an
11 election campaign or used or intended for the payment of such
12 debts or obligations of a candidate or committee previously
13 incurred, or which was made or received by a committee;

14 (f) Funds received by a committee which are transferred to
15 such committee from another committee or other source, except
16 funds received by a candidate committee as a transfer of funds
17 from another candidate committee controlled by the same candidate
18 but such transfer shall be included in the disclosure reports;

19 (g) Facilities, office space or equipment supplied by any
20 person to a candidate or committee without charge or at reduced
21 charges, except gratuitous space for meeting purposes which is
22 made available regularly to the public, including other
23 candidates or committees, on an equal basis for similar purposes
24 on the same conditions;

25 (h) The direct or indirect payment by any person, other
26 than a connected organization, of the costs of establishing,
27 administering, or maintaining a committee, including legal,
28 accounting and computer services, fund raising and solicitation
29 of contributions for a committee;

30 (i) "Contribution" does not include:

31 a. Ordinary home hospitality or services provided without
32 compensation by individuals volunteering their time in support of
33 or in opposition to a candidate, committee or ballot measure, nor
34 the necessary and ordinary personal expenses of such volunteers
35 incidental to the performance of voluntary activities, so long as
36 no compensation is directly or indirectly asked or given;

37 b. An offer or tender of a contribution which is expressly

1 and unconditionally rejected and returned to the donor within ten
2 business days after receipt or transmitted to the state
3 treasurer;

4 c. Interest earned on deposit of committee funds;

5 d. The costs incurred by any connected organization listed
6 pursuant to subdivision [(4)] (5) of subsection 5 of section
7 130.021 for establishing, administering or maintaining a
8 committee, or for the solicitation of contributions to a
9 committee which solicitation is solely directed or related to the
10 members, officers, directors, employees or security holders of
11 the connected organization;

12 (13) "County", any one of the several counties of this
13 state or the city of St. Louis;

14 (14) "Disclosure report", an itemized report of receipts,
15 expenditures and incurred indebtedness which is prepared on forms
16 approved by the Missouri ethics commission and filed at the times
17 and places prescribed;

18 (15) "Election", any primary, general or special election
19 held to nominate or elect an individual to public office, to
20 retain or recall an elected officeholder or to submit a ballot
21 measure to the voters, and any caucus or other meeting of a
22 political party or a political party committee at which that
23 party's candidate or candidates for public office are officially
24 selected. A primary election and the succeeding general election
25 shall be considered separate elections;

26 (16) "Expenditure", a payment, advance, conveyance,
27 deposit, donation or contribution of money or anything of value
28 for the purpose of supporting or opposing the nomination or
29 election of any candidate for public office or the qualification
30 or passage of any ballot measure or for the support of any
31 committee which in turn supports or opposes any candidate or
32 ballot measure or for the purpose of paying a previously incurred
33 campaign debt or obligation of a candidate or the debts or
34 obligations of a committee; a payment, or an agreement or promise
35 to pay, money or anything of value, including a candidate's own
36 money or property, for the purchase of goods, services, property,
37 facilities or anything of value for the purpose of supporting or

1 opposing the nomination or election of any candidate for public
2 office or the qualification or passage of any ballot measure or
3 for the support of any committee which in turn supports or
4 opposes any candidate or ballot measure or for the purpose of
5 paying a previously incurred campaign debt or obligation of a
6 candidate or the debts or obligations of a committee. An
7 expenditure of anything of value shall be deemed to have a money
8 value equivalent to the fair market value. "Expenditure"
9 includes, but is not limited to:

10 (a) Payment by anyone other than a committee for services
11 of another person rendered to such committee;

12 (b) The purchase of tickets, goods, services or political
13 merchandise in connection with any testimonial affair or
14 fund-raising event of or for candidates or committees, or the
15 purchase of advertising in a brochure, booklet, program or
16 pamphlet of a candidate or committee;

17 (c) The transfer of funds by one committee to another
18 committee;

19 (d) The direct or indirect payment by any person, other
20 than a connected organization for a committee, of the costs of
21 establishing, administering or maintaining a committee, including
22 legal, accounting and computer services, fund raising and
23 solicitation of contributions for a committee; but

24 (e) "Expenditure" does not include:

25 a. Any news story, commentary or editorial which is
26 broadcast or published by any broadcasting station, newspaper,
27 magazine or other periodical without charge to the candidate or
28 to any person supporting or opposing a candidate or ballot
29 measure;

30 b. The internal dissemination by any membership
31 organization, proprietorship, labor organization, corporation,
32 association or other entity of information advocating the
33 election or defeat of a candidate or candidates or the passage or
34 defeat of a ballot measure or measures to its directors,
35 officers, members, employees or security holders, provided that
36 the cost incurred is reported [pursuant to subsection 2 of
37 section 130.051] as provided by law;

1 c. Repayment of a loan, but such repayment shall be
2 indicated in required reports;

3 d. The rendering of voluntary personal services by an
4 individual of the sort commonly performed by volunteer campaign
5 workers and the payment by such individual of the individual's
6 necessary and ordinary personal expenses incidental to such
7 volunteer activity, provided no compensation is, directly or
8 indirectly, asked or given;

9 e. The costs incurred by any connected organization listed
10 pursuant to subdivision [(4)] (5) of subsection 5 of section
11 130.021 for establishing, administering or maintaining a
12 committee, or for the solicitation of contributions to a
13 committee which solicitation is solely directed or related to the
14 members, officers, directors, employees or security holders of
15 the connected organization;

16 f. The use of a candidate's own money or property for
17 expense of the candidate's personal food, lodging, travel, and
18 payment of any fee necessary to the filing for public office, if
19 such expense is not reimbursed to the candidate from any source;

20 (17) "Exploratory [committees] committee", a committee
21 which shall be formed by an individual to receive contributions
22 and make expenditures on behalf of this individual in determining
23 whether or not the individual seeks elective office.
24 Such committee shall terminate no later than December
25 thirty-first of the year prior to the general election for the
26 possible office;

27 (18) "Fund-raising event", an event such as a dinner,
28 luncheon, reception, coffee, testimonial, rally, auction or
29 similar affair through which contributions are solicited or
30 received by such means as the purchase of tickets, payment of
31 attendance fees, donations for prizes or through the purchase of
32 goods, services or political merchandise;

33 (19) "In-kind contribution" or "in-kind expenditure", a
34 contribution or expenditure in a form other than money;

35 (20) "Labor organization", any organization of any kind, or
36 any agency or employee representation committee or plan, in which
37 employees participate and which exists for the purpose, in whole

1 or in part, of dealing with employers concerning grievances,
2 labor disputes, wages, rates of pay, hours of employment, or
3 conditions of work;

4 (21) "Loan", a transfer of money, property or anything of
5 ascertainable monetary value in exchange for an obligation,
6 conditional or not, to repay in whole or in part and which was
7 contracted, used, or intended for use in an election campaign, or
8 which was made or received by a committee or which was
9 contracted, used, or intended to pay previously incurred campaign
10 debts or obligations of a candidate or the debts or obligations
11 of a committee;

12 (22) "Person", an individual, group of individuals,
13 corporation, partnership, committee, proprietorship, joint
14 venture, any department, agency, board, institution or other
15 entity of the state or any of its political subdivisions, union,
16 labor organization, trade or professional or business
17 association, association, political party or any executive
18 committee thereof, or any other club or organization however
19 constituted or any officer or employee of such entity acting in
20 the person's official capacity;

21 (23) "Political merchandise", goods such as bumper
22 stickers, pins, hats, ties, jewelry, literature, or other items
23 sold or distributed at a fund-raising event or to the general
24 public for publicity or for the purpose of raising funds to be
25 used in supporting or opposing a candidate for nomination or
26 election or in supporting or opposing the qualification, passage
27 or defeat of a ballot measure;

28 (24) "Political party", a political party which has the
29 right under law to have the names of its candidates listed on the
30 ballot in a general election;

31 (25) "Political party committee", [a state, district,
32 county, city, or area committee of a political party, as defined
33 in section 115.603, which may be organized as a not-for-profit
34 corporation under Missouri law, and which committee is of
35 continuing existence, and has the primary or incidental purpose
36 of receiving contributions and making expenditures to influence
37 or attempt to influence the action of voters on behalf of the

1 political party] a committee of a political party which may be
2 organized as a not-for-profit corporation under Missouri law and
3 has the primary or incidental purpose of receiving contributions
4 and making expenditures to influence or attempt to influence the
5 action of voters on behalf of the political party. Political
6 party committees shall only take the form of one state party
7 committee per political party;

8 (26) "Public office" or "office", any state, judicial,
9 county, municipal, school or other district, ward, township, or
10 other political subdivision office or any political party office
11 which is filled by a vote of registered voters;

12 (27) "Regular session", includes that period beginning on
13 the first Wednesday after the first Monday in January and ending
14 following the first Friday after the second Monday in May;

15 (28) "Write-in candidate", an individual whose name is not
16 printed on the ballot but who otherwise meets the definition of
17 candidate in [subdivision (3) of] this section.

18
19 [130.021. 1. Every committee shall have a
20 treasurer who, except as provided in subsection 10 of
21 this section, shall be a resident of this state. A
22 committee may also have a deputy treasurer who, except
23 as provided in subsection 10 of this section, shall be
24 a resident of this state and serve in the capacity of
25 committee treasurer in the event the committee
26 treasurer is unable for any reason to perform the
27 treasurer's duties.

28 2. Every candidate for offices listed in
29 subsection 1 of section 130.016 who has not filed a
30 statement of exemption pursuant to that subsection and
31 every candidate for offices listed in subsection 6 of
32 section 130.016 who is not excluded from filing a
33 statement of organization and disclosure reports
34 pursuant to subsection 6 of section 130.016 shall form
35 a candidate committee and appoint a treasurer.
36 Thereafter, all contributions on hand and all further
37 contributions received by such candidate and any of the
38 candidate's own funds to be used in support of the
39 person's candidacy shall be deposited in a candidate
40 committee depository account established pursuant to
41 the provisions of subsection 4 of this section, and all
42 expenditures shall be made through the candidate,

1 treasurer or deputy treasurer of the person's candidate
2 committee. Nothing in this chapter shall prevent a
3 candidate from appointing himself or herself as a
4 committee of one and serving as the person's own
5 treasurer, maintaining the candidate's own records and
6 filing all the reports and statements required to be
7 filed by the treasurer of a candidate committee.

8 3. A candidate who has more than one candidate
9 committee supporting the person's candidacy shall
10 designate one of those candidate committees as the
11 committee responsible for consolidating the aggregate
12 contributions to all such committees under the
13 candidate's control and direction as required by
14 section 130.041. No person shall form a new committee
15 or serve as a deputy treasurer of any committee as
16 defined in section 130.011 until the person or the
17 treasurer of any committee previously formed by the
18 person or where the person served as treasurer or
19 deputy treasurer has filed all required campaign
20 disclosure reports and statements of limited activity
21 for all prior elections and paid outstanding previously
22 imposed fees assessed against that person by the ethics
23 commission.

24 4. (1) Every committee shall have a single
25 official fund depository within this state which shall
26 be a federally or state-chartered bank, a federally or
27 state-chartered savings and loan association, or a
28 federally or state-chartered credit union in which the
29 committee shall open and thereafter maintain at least
30 one official depository account in its own name. An
31 "official depository account" shall be a checking
32 account or some type of negotiable draft or negotiable
33 order of withdrawal account, and the official fund
34 depository shall, regarding an official depository
35 account, be a type of financial institution which
36 provides a record of deposits, cancelled checks or
37 other cancelled instruments of withdrawal evidencing
38 each transaction by maintaining copies within this
39 state of such instruments and other transactions. All
40 contributions which the committee receives in money,
41 checks and other negotiable instruments shall be
42 deposited in a committee's official depository account.
43 Contributions shall not be accepted and expenditures
44 shall not be made by a committee except by or through
45 an official depository account and the committee
46 treasurer, deputy treasurer or candidate.
47 Contributions received by a committee shall not be
48 commingled with any funds of an agent of the committee,

1 a candidate or any other person, except that
2 contributions from a candidate of the candidate's own
3 funds to the person's candidate committee shall be
4 deposited to an official depository account of the
5 person's candidate committee. No expenditure shall be
6 made by a committee when the office of committee
7 treasurer is vacant except that when the office of a
8 candidate committee treasurer is vacant, the candidate
9 shall be the treasurer until the candidate appoints a
10 new treasurer.

11 (2) A committee treasurer, deputy treasurer or
12 candidate may withdraw funds from a committee's
13 official depository account and deposit such funds in
14 one or more savings accounts in the committee's name in
15 any bank, savings and loan association or credit union
16 within this state, and may also withdraw funds from an
17 official depository account for investment in the
18 committee's name in any certificate of deposit, bond or
19 security. Proceeds from interest or dividends from a
20 savings account or other investment or proceeds from
21 withdrawals from a savings account or from the sale of
22 an investment shall not be expended or reinvested,
23 except in the case of renewals of certificates of
24 deposit, without first redepositing such proceeds in an
25 official depository account. Investments, other than
26 savings accounts, held outside the committee's official
27 depository account at any time during a reporting
28 period shall be disclosed by description, amount, any
29 identifying numbers and the name and address of any
30 institution or person in which or through which it is
31 held in an attachment to disclosure reports the
32 committee is required to file.

33 Proceeds from an investment such as interest or
34 dividends or proceeds from its sale, shall be reported
35 by date and amount. In the case of the sale of an
36 investment, the names and addresses of the persons
37 involved in the transaction shall also be stated.
38 Funds held in savings accounts and investments,
39 including interest earned, shall be included in the
40 report of money on hand as required by section 130.041.

41 5. The treasurer or deputy treasurer acting on
42 behalf of any person or organization or group of
43 persons which is a committee by virtue of the
44 definitions of committee in section 130.011 and any
45 candidate who is not excluded from forming a committee
46 in accordance with the provisions of section 130.016
47 shall file a statement of organization with the
48 appropriate officer within twenty days after the person

1 or organization becomes a committee but no later than
2 the date for filing the first report required pursuant
3 to the provisions of section 130.046. The statement of
4 organization shall contain the following information:

5 (1) The name, mailing address and telephone
6 number, if any, of the committee filing the statement
7 of organization. If the committee is deemed to be
8 affiliated with a connected organization as provided in
9 subdivision (10) of section 130.011, the name of the
10 connected organization, or a legally registered
11 fictitious name which reasonably identifies the
12 connected organization, shall appear in the name of the
13 committee. If the committee is a candidate committee,
14 the name of the candidate shall be a part of the
15 committee's name;

16 (2) The name, mailing address and telephone
17 number of the candidate;

18 (3) The name, mailing address and telephone
19 number of the committee treasurer, and the name,
20 mailing address and telephone number of its deputy
21 treasurer if the committee has named a deputy
22 treasurer;

23 (4) The names, mailing addresses and titles of
24 its officers, if any;

25 (5) The name and mailing address of any connected
26 organizations with which the committee is affiliated;

27 (6) The name and mailing address of its
28 depository, and the name and account number of each
29 account the committee has in the depository. The
30 account number of each account shall be redacted prior
31 to disclosing the statement to the public;

32 (7) Identification of the major nature of the
33 committee such as a candidate committee, campaign
34 committee, political action committee, political party
35 committee, incumbent committee, or any other committee
36 according to the definition of committee in section
37 130.011;

38 (8) In the case of the candidate committee
39 designated in subsection 3 of this section, the full
40 name and address of each other candidate committee
41 which is under the control and direction of the same
42 candidate, together with the name, address and
43 telephone number of the treasurer of each such other
44 committee;

45 (9) The name and office sought of each candidate
46 supported or opposed by the committee;

47 (10) The ballot measure concerned, if any, and
48 whether the committee is in favor of or opposed to such

1 measure.

2 6. A committee may omit the information required
3 in subdivisions (9) and (10) of subsection 5 of this
4 section if, on the date on which it is required to file
5 a statement of organization, the committee has not yet
6 determined the particular candidates or particular
7 ballot measures it will support or oppose.

8 7. A committee which has filed a statement of
9 organization and has not terminated shall not be
10 required to file another statement of organization,
11 except that when there is a change in any of the
12 information previously reported as required by
13 subdivisions (1) to (8) of subsection 5 of this section
14 an amended statement of organization shall be filed
15 within twenty days after the change occurs, but no
16 later than the date of the filing of the next report
17 required to be filed by that committee by section
18 130.046.

19 8. Upon termination of a committee, a termination
20 statement indicating dissolution shall be filed not
21 later than ten days after the date of dissolution with
22 the appropriate officer or officers with whom the
23 committee's statement of organization was filed. The
24 termination statement shall include:
25 the distribution made of any remaining surplus funds
26 and the disposition of any deficits; and the name,
27 mailing address and telephone number of the individual
28 responsible for preserving the committee's records and
29 accounts as required in section 130.036.

30 9. Any statement required by this section shall
31 be signed and attested by the committee treasurer or
32 deputy treasurer, and by the candidate in the case of a
33 candidate committee.

34 10. A committee domiciled outside this state
35 shall be required to file a statement of organization
36 and appoint a treasurer residing in this state and open
37 an account in a depository within this state; provided
38 that either of the following conditions prevails:

39 (1) The aggregate of all contributions received
40 from persons domiciled in this state exceeds twenty
41 percent in total dollar amount of all funds received by
42 the committee in the preceding twelve months; or

43 (2) The aggregate of all contributions and
44 expenditures made to support or oppose candidates and
45 ballot measures in this state exceeds one thousand five
46 hundred dollars in the current calendar year.

47 11. If a committee domiciled in this state
48 receives a contribution of one thousand five hundred

1 dollars or more from any committee domiciled outside of
2 this state, the committee domiciled in this state shall
3 file a disclosure report with the commission. The
4 report shall disclose the full name, mailing address,
5 telephone numbers and domicile of the contributing
6 committee and the date and amount of the contribution.
7 The report shall be filed within forty-eight hours of
8 the receipt of such contribution if the contribution is
9 received after the last reporting date before the
10 election.]

11
12 130.021. 1. Every committee shall have a treasurer who,
13 except as provided in subsection 10 of this section, shall be a
14 resident of this state and reside in the district or county in
15 which the committee sits. A committee may also have a deputy
16 treasurer who, except as provided in subsection 10 of this
17 section, shall be a resident of this state and reside in the
18 district or county in which the committee sits, to serve in the
19 capacity of committee treasurer in the event the committee
20 treasurer is unable for any reason to perform the treasurer's
21 duties.

22 2. Every candidate for offices listed in subsection 1 of
23 section 130.016 who has not filed a statement of exemption
24 pursuant to that subsection and every candidate for offices
25 listed in subsection 6 of section 130.016 who is not excluded
26 from filing a statement of organization and disclosure reports
27 pursuant to subsection 6 of section 130.016 shall form a
28 candidate committee and appoint a treasurer. Thereafter, all
29 contributions on hand and all further contributions received by
30 such candidate and any of the candidate's own funds to be used in
31 support of the person's candidacy shall be deposited in a
32 candidate committee depository account established pursuant to
33 the provisions of subsection 4 of this section, and all
34 expenditures shall be made through the candidate, treasurer or
35 deputy treasurer of the person's candidate committee. Nothing in
36 this chapter shall prevent a candidate from appointing himself or
37 herself as a committee of one and serving as the person's own
38 treasurer, maintaining the candidate's own records and filing all
39 the reports and statements required to be filed by the treasurer

1 of a candidate committee.

2 3. [A candidate who has more than one candidate committee
3 supporting the person's candidacy shall designate one of those
4 candidate committees as the committee responsible for
5 consolidating the aggregate contributions to all such committees
6 under the candidate's control and direction as required by
7 section 130.041.]

8 4. (1) Every committee shall have a single official fund
9 depository within this state which shall be a federally or
10 state-chartered bank, a federally or state-chartered savings and
11 loan association, or a federally or state-chartered credit union
12 in which the committee shall open and thereafter maintain at
13 least one official depository account in its own name. An
14 "official depository account" shall be a checking account or some
15 type of negotiable draft or negotiable order of withdrawal
16 account, and the official fund depository shall, regarding an
17 official depository account, be a type of financial institution
18 which provides a record of deposits, cancelled checks or other
19 cancelled instruments of withdrawal evidencing each transaction
20 by maintaining copies within this state of such instruments and
21 other transactions. All contributions which the committee
22 receives in money, checks and other negotiable instruments shall
23 be deposited in a committee's official depository account.
24 Contributions shall not be accepted and expenditures shall not be
25 made by a committee except by or through an official depository
26 account and the committee treasurer, deputy treasurer or
27 candidate. Contributions received by a committee shall not be
28 commingled with any funds of an agent of the committee, a
29 candidate or any other person, except that contributions from a
30 candidate of the candidate's own funds to the person's candidate
31 committee shall be deposited to an official depository account of
32 the person's candidate committee. No expenditure shall be made
33 by a committee when the office of committee treasurer is vacant
34 except that when the office of a candidate committee treasurer is
35 vacant, the candidate shall be the treasurer until the candidate
36 appoints a new treasurer.

37 (2) A committee treasurer, deputy treasurer or candidate

1 may withdraw funds from a committee's official depository account
2 and deposit such funds in one or more savings accounts in the
3 committee's name in any bank, savings and loan association or
4 credit union within this state, and may also withdraw funds from
5 an official depository account for investment in the committee's
6 name in any certificate of deposit, bond or security. Proceeds
7 from interest or dividends from a savings account or other
8 investment or proceeds from withdrawals from a savings account or
9 from the sale of an investment shall not be expended or
10 reinvested, except in the case of renewals of certificates of
11 deposit, without first redepositing such proceeds in an official
12 depository account. Investments, other than savings accounts,
13 held outside the committee's official depository account at any
14 time during a reporting period shall be disclosed by description,
15 amount, any identifying numbers and the name and address of any
16 institution or person in which or through which it is held in an
17 attachment to disclosure reports the committee is required to
18 file. Proceeds from an investment such as interest or dividends
19 or proceeds from its sale, shall be reported by date and amount.
20 In the case of the sale of an investment, the names and addresses
21 of the persons involved in the transaction shall also be stated.
22 Funds held in savings accounts and investments, including
23 interest earned, shall be included in the report of money on hand
24 as required by section 130.041.

25 5. The treasurer or deputy treasurer acting on behalf of
26 any person or organization or group of persons which is a
27 committee by virtue of the definitions of committee in section
28 130.011 and any candidate who is not excluded from forming a
29 committee in accordance with the provisions of section 130.016
30 shall file a statement of organization with the appropriate
31 officer within twenty days after the person or organization
32 becomes a committee but no later than the date for filing the
33 first report required pursuant to the provisions of section
34 130.046. The statement of organization shall contain the
35 following information:

36 (1) The name, mailing address and telephone number, if any,
37 of the committee filing the statement of organization. If the

1 committee is deemed to be affiliated with a connected
2 organization as provided in subdivision (11) of section 130.011,
3 the name of the connected organization, or a legally registered
4 fictitious name which reasonably identifies the connected
5 organization, shall appear in the name of the committee. If the
6 committee is a candidate committee, the name of the candidate
7 shall be a part of the committee's name;

8 (2) The name, mailing address and telephone number of the
9 candidate;

10 (3) The name, mailing address and telephone number of the
11 committee treasurer, and the name, mailing address and telephone
12 number of its deputy treasurer if the committee has named a
13 deputy treasurer;

14 (4) The names, mailing addresses and titles of its
15 officers, if any;

16 (5) The name and mailing address of any connected
17 organizations with which the committee is affiliated;

18 (6) The name and mailing address of its depository, and the
19 name and account number of each account the committee has in the
20 depository. The account number of each account shall be redacted
21 prior to disclosing the statement to the public;

22 (7) Identification of the major nature of the committee
23 such as a candidate committee, campaign committee, [continuing]
24 political action committee, political party committee, incumbent
25 committee, or any other committee according to the definition of
26 committee in section 130.011;

27 (8) In the case of the candidate committee designated in
28 subsection 3 of this section, the full name and address of each
29 other candidate committee which is under the control and
30 direction of the same candidate, together with the name, address
31 and telephone number of the treasurer of each such other
32 committee;

33 (9) The name and office sought of each candidate supported
34 or opposed by the committee;

35 (10) The ballot measure concerned, if any, and whether the
36 committee is in favor of or opposed to such measure.

37 6. A committee may omit the information required in

1 subdivisions (9) and (10) of subsection 5 of this section if, on
2 the date on which it is required to file a statement of
3 organization, the committee has not yet determined the particular
4 candidates or particular ballot measures it will support or
5 oppose.

6 7. A committee which has filed a statement of organization
7 and has not terminated shall not be required to file another
8 statement of organization, except that when there is a change in
9 any of the information previously reported as required by
10 subdivisions (1) to (8) of subsection 5 of this section an
11 amended statement of organization shall be filed within twenty
12 days after the change occurs, but no later than the date of the
13 filing of the next report required to be filed by that committee
14 by section 130.046.

15 8. Upon termination of a committee, a termination statement
16 indicating dissolution shall be filed not later than ten days
17 after the date of dissolution with the appropriate officer or
18 officers with whom the committee's statement of organization was
19 filed. The termination statement shall include: the distribution
20 made of any remaining surplus funds and the disposition of any
21 deficits; and the name, mailing address and telephone number of
22 the individual responsible for preserving the committee's records
23 and accounts as required in section 130.036.

24 9. Any statement required by this section shall be signed
25 and attested by the committee treasurer or deputy treasurer, and
26 by the candidate in the case of a candidate committee.

27 10. A committee domiciled outside this state shall be
28 required to file a statement of organization and appoint a
29 treasurer residing in this state and open an account in a
30 depository within this state; provided that either of the
31 following conditions prevails:

32 (1) The aggregate of all contributions received from
33 persons domiciled in this state exceeds twenty percent in total
34 dollar amount of all funds received by the committee in the
35 preceding twelve months; or

36 (2) The aggregate of all contributions and expenditures
37 made to support or oppose candidates and ballot measures in this

1 state exceeds one thousand five hundred dollars in the current
2 calendar year.

3 11. If a committee domiciled in this state receives a
4 contribution of one thousand five hundred dollars or more from
5 any committee domiciled outside of this state, the committee
6 domiciled in this state shall file a disclosure report with the
7 commission. The report shall disclose the full name, mailing
8 address, telephone numbers and domicile of the contributing
9 committee and the date and amount of the contribution. The
10 report shall be filed within forty-eight hours of the receipt of
11 such contribution if the contribution is received after the last
12 reporting date before the election.

13 12. Each legislative and senatorial district committee
14 shall retain only one address in the district it sits for the
15 purpose of receiving contributions.

16
17 [130.026. 1. For the purpose of this section,
18 the term "election authority" or "local election
19 authority" means the county clerk, except that in a
20 city or county having a board of election commissioners
21 the board of election commissioners shall be the
22 election authority. For any political subdivision or
23 other district which is situated within the
24 jurisdiction of more than one election authority, as
25 defined herein, the election authority is the one in
26 whose jurisdiction the candidate resides or, in the
27 case of ballot measures, the one in whose jurisdiction
28 the most populous portion of the political subdivision
29 or district for which an election is held is situated,
30 except that a county clerk or a county board of
31 election commissioners shall be the election authority
32 for all candidates for elective county offices other
33 than county clerk and for any countywide ballot
34 measures.

35 2. The appropriate officer or officers for
36 candidates and ballot measures shall be as follows:

37 (1) In the case of candidates for the offices of
38 governor, lieutenant governor, secretary of state,
39 state treasurer, state auditor, attorney general,
40 judges of the supreme court and appellate court judges,
41 the appropriate officer shall be the Missouri ethics
42 commission;

43 (2) Notwithstanding the provisions of subsection

1 of this section, in the case of candidates for the
2 offices of state senator, state representative, county
3 clerk, and associate circuit court judges and circuit
4 court judges, the appropriate officers shall be the
5 Missouri ethics commission and the election authority
6 for the place of residence of the candidate;

7 (3) In the case of candidates for elective
8 municipal offices in municipalities of more than one
9 hundred thousand inhabitants and elective county
10 offices in counties of more than one hundred thousand
11 inhabitants, the appropriate officers shall be the
12 Missouri ethics commission and the election authority
13 of the municipality or county in which the candidate
14 seeks office;

15 (4) In the case of all other offices, the
16 appropriate officer shall be the election authority of
17 the district or political subdivision for which the
18 candidate seeks office;

19 (5) In the case of ballot measures, the
20 appropriate officer or officers shall be:

21 (a) The Missouri ethics commission for a
22 statewide measure;

23 (b) The local election authority for any
24 political subdivision or district as determined by the
25 provisions of subsection 1 of this section for any
26 measure, other than a statewide measure, to be voted on
27 in that political subdivision or district.

28 3. The appropriate officer or officers for
29 candidate committees and campaign committees shall be
30 the same as designated in subsection 2 of this section
31 for the candidates or ballot measures supported or
32 opposed as indicated in the statement of organization
33 required to be filed by any such committee.

34 4. The appropriate officer for political party
35 committees shall be as follows:

36 (1) In the case of state party committees, the
37 appropriate officer shall be the Missouri ethics
38 commission;

39 (2) In the case of any district, county or city
40 political party committee, the appropriate officer
41 shall be the Missouri ethics commission and the
42 election authority for that district, county or city.

43 5. The appropriate officers for a political
44 action committee and for any other committee not named
45 in subsections 3, 4 and 5 of this section shall be as
46 follows:

47 (1) The Missouri ethics commission and the
48 election authority for the county in which the

1 committee is domiciled; and

2 (2) If the committee makes or anticipates making
3 expenditures other than direct contributions which
4 aggregate more than five hundred dollars to support or
5 oppose one or more candidates or ballot measures in the
6 same political subdivision or district for which the
7 appropriate officer is an election authority other than
8 the one for the county in which the committee is
9 domiciled, the appropriate officers for that committee
10 shall include such other election authority or
11 authorities, except that committees covered by this
12 subsection need not file statements required by section
13 130.021 and reports required by subsections 6, 7 and 8
14 of section 130.046 with any appropriate officer other
15 than those set forth in subdivision (1) of this
16 subsection.

17 6. The term "domicile" or "domiciled" means the
18 address of the committee listed on the statement of
19 organization required to be filed by that committee in
20 accordance with the provisions of section 130.021.]

21
22 130.026. 1. For the purpose of this section, the term
23 "election authority" or "local election authority" means the
24 county clerk, except that in a city or county having a board of
25 election commissioners the board of election commissioners shall
26 be the election authority. For any political subdivision or
27 other district which is situated within the jurisdiction of more
28 than one election authority, as defined herein, the election
29 authority is the one in whose jurisdiction the candidate resides
30 or, in the case of ballot measures, the one in whose jurisdiction
31 the most populous portion of the political subdivision or
32 district for which an election is held is situated, except that a
33 county clerk or a county board of election commissioners shall be
34 the election authority for all candidates for elective county
35 offices other than county clerk and for any countywide ballot
36 measures.

37 2. The appropriate officer or officers for candidates and
38 ballot measures shall be as follows:

39 (1) In the case of candidates for the offices of governor,
40 lieutenant governor, secretary of state, state treasurer, state
41 auditor, attorney general, judges of the supreme court and
42 appellate court judges, the appropriate officer shall be the

1 Missouri ethics commission;

2 (2) Notwithstanding the provisions of subsection 1 of this
3 section, in the case of candidates for the offices of state
4 senator, state representative, county clerk, and associate
5 circuit court judges and circuit court judges, the appropriate
6 officers shall be the Missouri ethics commission and the election
7 authority for the place of residence of the candidate;

8 (3) In the case of candidates for elective municipal
9 offices in municipalities of more than one hundred thousand
10 inhabitants and elective county offices in counties of more than
11 one hundred thousand inhabitants, the appropriate officers shall
12 be the Missouri ethics commission and the election authority of
13 the municipality or county in which the candidate seeks office;

14 (4) In the case of all other offices, the appropriate
15 officer shall be the election authority of the district or
16 political subdivision for which the candidate seeks office;

17 (5) In the case of ballot measures, the appropriate officer
18 or officers shall be:

19 (a) The Missouri ethics commission for a statewide measure;

20 (b) The local election authority for any political
21 subdivision or district as determined by the provisions of
22 subsection 1 of this section for any measure, other than a
23 statewide measure, to be voted on in that political subdivision
24 or district.

25 3. The appropriate officer or officers for candidate
26 committees and campaign committees shall be the same as
27 designated in subsection 2 of this section for the candidates or
28 ballot measures supported or opposed as indicated in the
29 statement of organization required to be filed by any such
30 committee.

31 4. The appropriate officer for political party committees
32 shall be as follows:

33 (1) In the case of state party committees, the appropriate
34 officer shall be the Missouri ethics commission;

35 (2) In the case of any district, county or city political
36 party committee, the appropriate officer shall be the Missouri
37 ethics commission and the election authority for that district,

1 county or city.

2 5. The appropriate officers for a [continuing] political
3 action committee and for any other committee not named in
4 subsections 3, 4 and 5 of this section shall be as follows:

5 (1) The Missouri ethics commission and the election
6 authority for the county in which the committee is domiciled; and

7 (2) If the committee makes or anticipates making
8 expenditures other than direct contributions which aggregate more
9 than five hundred dollars to support or oppose one or more
10 candidates or ballot measures in the same political subdivision
11 or district for which the appropriate officer is an election
12 authority other than the one for the county in which the
13 committee is domiciled, the appropriate officers for that
14 committee shall include such other election authority or
15 authorities, except that committees covered by this subsection
16 need not file statements required by section 130.021 and reports
17 required by subsections 6, 7 and 8 of section 130.046 with any
18 appropriate officer other than those set forth in subdivision (1)
19 of this subsection.

20 6. The term "domicile" or "domiciled" means the address of
21 the committee listed on the statement of organization required to
22 be filed by that committee in accordance with the provisions of
23 section 130.021.

24
25 [130.028. 1. Every person, labor organization,
26 or corporation organized or existing by virtue of the
27 laws of this state, or doing business in this state who
28 shall:

29 (1) Discriminate or threaten to discriminate
30 against any member in this state with respect to his
31 membership, or discharge or discriminate or threaten to
32 discriminate against any employee in this state, with
33 respect to his compensation, terms, conditions or
34 privileges of employment by reason of his political
35 beliefs or opinions; or

36 (2) Coerce or attempt to coerce, intimidate or
37 bribe any member or employee to vote or refrain from
38 voting for any candidate at any election in this state;
39 or

40 (3) Coerce or attempt to coerce, intimidate or
41 bribe any member or employee to vote or refrain from

1 voting for any issue at any election in this state; or
2 (4) Make any member or employee as a condition of
3 membership or employment, contribute to any candidate,
4 political committee or separate political fund; or

5 (5) Discriminate or threaten to discriminate
6 against any member or employee in this state for
7 contributing or refusing to contribute to any
8 candidate, political committee or separate political
9 fund with respect to the privileges of membership or
10 with respect to his employment and the compensation,
11 terms, conditions or privileges related thereto shall
12 be guilty of a misdemeanor, and upon conviction thereof
13 be punished by a fine of not more than five thousand
14 dollars and confinement for not more than six months,
15 or both, provided, after January 1, 1979, the violation
16 of this subsection shall be a class D felony.

17 2. No employer, corporation, political action
18 committee, or labor organization shall receive or cause
19 to be made contributions from its members or employees
20 except on the advance voluntary permission of the
21 members or employees. Violation of this section by the
22 corporation, employer, political action committee or
23 labor organization shall be a class A misdemeanor.

24 3. An employer shall, upon written request by ten
25 or more employees, provide its employees with the
26 option of contributing to a political action committee
27 as defined in section 130.011 through payroll
28 deduction, if the employer has a system of payroll
29 deduction. No contribution to a political action
30 committee from an employee through payroll deduction
31 shall be made other than to a political action
32 committee voluntarily chosen by the employee.
33 Violation of this section shall be a class A
34 misdemeanor.

35 4. Any person aggrieved by any act prohibited by
36 this section shall, in addition to any other remedy
37 provided by law, be entitled to maintain within one
38 year from the date of the prohibited act, a civil
39 action in the courts of this state, and if successful,
40 he shall be awarded civil damages of not less than one
41 hundred dollars and not more than one thousand dollars,
42 together with his costs, including reasonable
43 attorney's fees. Each violation shall be a separate
44 cause of action.]

45
46 130.028. 1. Every person, labor organization, or
47 corporation organized or existing by virtue of the laws of this

1 state, or doing business in this state who shall:

2 (1) Discriminate or threaten to discriminate against any
3 member in this state with respect to [his] the member's
4 membership, or discharge or discriminate or threaten to
5 discriminate against any employee in this state, with respect to
6 [his] the employee's compensation, terms, conditions or
7 privileges of employment by reason of [his] the employee's
8 political beliefs or opinions; or

9 (2) Coerce or attempt to coerce, intimidate or bribe any
10 member or employee to vote or refrain from voting for any
11 candidate at any election in this state; or

12 (3) Coerce or attempt to coerce, intimidate or bribe any
13 member or employee to vote or refrain from voting for any issue
14 at any election in this state; or

15 (4) Make any member or employee as a condition of
16 membership or employment, contribute to any candidate, political
17 committee or separate political fund; or

18 (5) Discriminate or threaten to discriminate against any
19 member or employee in this state for contributing or refusing to
20 contribute to any candidate, political committee or separate
21 political fund with respect to the privileges of membership or
22 with respect to [his] such member's or employee's employment and
23 the compensation, terms, conditions or privileges related thereto
24 shall be guilty of a misdemeanor, and upon conviction thereof be
25 punished by a fine of not more than five thousand dollars and
26 confinement for not more than six months, or both, provided,
27 after January 1, 1979, the violation of this subsection shall be
28 a class D felony.

29 2. No employer, corporation, [continuing] political action
30 committee, or labor organization shall receive or cause to be
31 made contributions from its members or employees except on the
32 advance voluntary permission of the members or employees.
33 Violation of this section by the corporation, employer,
34 [continuing] political action committee or labor organization
35 shall be a class A misdemeanor.

36 3. An employer shall, upon written request by ten or more
37 employees, provide its employees with the option of contributing

1 to a [continuing] political action committee [as defined in
2 section 130.011] through payroll deduction, if the employer has a
3 system of payroll deduction. No contribution to a [continuing]
4 political action committee from an employee through payroll
5 deduction shall be made other than to a [continuing] political
6 action committee voluntarily chosen by the employee. Violation
7 of this section shall be a class A misdemeanor.

8 4. Any person aggrieved by any act prohibited by this
9 section shall, in addition to any other remedy provided by law,
10 be entitled to maintain within one year from the date of the
11 prohibited act, a civil action in the courts of this state, and
12 if successful, [he] such person shall be awarded civil damages of
13 not less than one hundred dollars and not more than one thousand
14 dollars, together with [his] such person's costs, including
15 reasonable attorney's fees. Each violation shall be a separate
16 cause of action.

17
18 [130.031. 1. No contribution of cash in an
19 amount of more than one hundred dollars shall be made
20 by or accepted from any single contributor for any
21 election by a political action committee, a campaign
22 committee, a political party committee, an exploratory
23 committee or a candidate committee.

24 2. Except for expenditures from a petty cash fund
25 which is established and maintained by withdrawals of
26 funds from the committee's depository account and with
27 records maintained pursuant to the record-keeping
28 requirements of section 130.036 to account for
29 expenditures made from petty cash, each expenditure of
30 more than fifty dollars, except an in-kind expenditure,
31 shall be made by check drawn on the committee's
32 depository and signed by the committee treasurer,
33 deputy treasurer or candidate. A single expenditure
34 from a petty cash fund shall not exceed fifty dollars,
35 and the aggregate of all expenditures from a petty cash
36 fund during a calendar year shall not exceed the lesser
37 of five thousand dollars or ten percent of all
38 expenditures made by the committee during that calendar
39 year. A check made payable to "cash" shall not be made
40 except to replenish a petty cash fund.

41 3. No contribution shall be made or accepted and
42 no expenditure shall be made or incurred, directly or

1 indirectly, in a fictitious name, in the name of
2 another person, or by or through another person in such
3 a manner as to conceal the identity of the actual
4 source of the contribution or the actual recipient and
5 purpose of the expenditure. Any person who receives
6 contributions for a committee shall disclose to that
7 committee's treasurer, deputy treasurer or candidate
8 the recipient's own name and address and the name and
9 address of the actual source of each contribution such
10 person has received for that committee. Any person who
11 makes expenditures for a committee shall disclose to
12 that committee's treasurer, deputy treasurer or
13 candidate such person's own name and address, the name
14 and address of each person to whom an expenditure has
15 been made and the amount and purpose of the
16 expenditures the person has made for that committee.

17 4. No anonymous contribution of more than
18 twenty-five dollars shall be made by any person, and no
19 anonymous contribution of more than twenty-five dollars
20 shall be accepted by any candidate or committee. If
21 any anonymous contribution of more than twenty-five
22 dollars is received, it shall be returned immediately
23 to the contributor, if the contributor's identity can
24 be ascertained, and if the contributor's identity
25 cannot be ascertained, the candidate, committee
26 treasurer or deputy treasurer shall immediately
27 transmit that portion of the contribution which exceeds
28 twenty-five dollars to the state treasurer and it shall
29 escheat to the state.

30 5. The maximum aggregate amount of anonymous
31 contributions which shall be accepted in any calendar
32 year by any committee shall be the greater of five
33 hundred dollars or one percent of the aggregate amount
34 of all contributions received by that committee in the
35 same calendar year. If any anonymous contribution is
36 received which causes the aggregate total of anonymous
37 contributions to exceed the foregoing limitation, it
38 shall be returned immediately to the contributor, if
39 the contributor's identity can be ascertained, and, if
40 the contributor's identity cannot be ascertained, the
41 committee treasurer, deputy treasurer or candidate
42 shall immediately transmit the anonymous contribution
43 to the state treasurer to escheat to the state.

44 6. Notwithstanding the provisions of subsection 5
45 of this section, contributions from individuals whose
46 names and addresses cannot be ascertained which are
47 received from a fund-raising activity or event, such as
48 defined in section 130.011, shall not be deemed

1 anonymous contributions, provided the following
2 conditions are met:

3 (1) There are twenty-five or more contributing
4 participants in the activity or event;

5 (2) The candidate, committee treasurer, deputy
6 treasurer or the person responsible for conducting the
7 activity or event makes an announcement that it is
8 illegal for anyone to make or receive a contribution in
9 excess of one hundred dollars unless the contribution
10 is accompanied by the name and address of the
11 contributor;

12 (3) The person responsible for conducting the
13 activity or event does not knowingly accept payment
14 from any single person of more than one hundred dollars
15 unless the name and address of the person making such
16 payment is obtained and recorded pursuant to the
17 record-keeping requirements of section 130.036;

18 (4) A statement describing the event shall be
19 prepared by the candidate or the treasurer of the
20 committee for whom the funds were raised or by the
21 person responsible for conducting the activity or event
22 and attached to the disclosure report of contributions
23 and expenditures required by section 130.041. The
24 following information to be listed in the statement is
25 in addition to, not in lieu of, the requirements
26 elsewhere in this chapter relating to the recording and
27 reporting of contributions and expenditures:

28 (a) The name and mailing address of the person or
29 persons responsible for conducting the event or
30 activity and the name and address of the candidate or
31 committee for whom the funds were raised;

32 (b) The date on which the event occurred;

33 (c) The name and address of the location where
34 the event occurred and the approximate number of
35 participants in the event;

36 (d) A brief description of the type of event and
37 the fund-raising methods used;

38 (e) The gross receipts from the event and a
39 listing of the expenditures incident to the event;

40 (f) The total dollar amount of contributions
41 received from the event from participants whose names
42 and addresses were not obtained with such contributions
43 and an explanation of why it was not possible to obtain
44 the names and addresses of such participants;

45 (g) The total dollar amount of contributions
46 received from contributing participants in the event
47 who are identified by name and address in the records
48 required to be maintained pursuant to section 130.036.

1 7. No candidate or committee in this state shall
2 accept contributions from any out-of-state committee
3 unless the out-of-state committee from whom the
4 contributions are received has filed a statement of
5 organization pursuant to section 130.021 or has filed
6 the reports required by sections 130.049 and 130.050,
7 whichever is applicable to that committee.

8 8. Any person publishing, circulating, or
9 distributing any printed matter relative to any
10 candidate for public office or any ballot measure shall
11 on the face of the printed matter identify in a clear
12 and conspicuous manner the person who paid for the
13 printed matter with the words "Paid for by" followed by
14 the proper identification of the sponsor pursuant to
15 this section. For the purposes of this section,
16 "printed matter" shall be defined to include any
17 pamphlet, circular, handbill, sample ballot,
18 advertisement, including advertisements in any
19 newspaper or other periodical, sign, including signs
20 for display on motor vehicles, or other imprinted or
21 lettered material; but "printed matter" is defined to
22 exclude materials printed and purchased prior to May
23 20, 1982, if the candidate or committee can document
24 that delivery took place prior to May 20, 1982; any
25 sign personally printed and constructed by an
26 individual without compensation from any other person
27 and displayed at that individual's place of residence
28 or on that individual's personal motor vehicle; any
29 items of personal use given away or sold, such as
30 campaign buttons, pins, pens, pencils, book matches,
31 campaign jewelry, or clothing, which is paid for by a
32 candidate or committee which supports a candidate or
33 supports or opposes a ballot measure and which is
34 obvious in its identification with a specific candidate
35 or committee and is reported as required by this
36 chapter; and any news story, commentary, or editorial
37 printed by a regularly published newspaper or other
38 periodical without charge to a candidate, committee or
39 any other person.

40 (1) In regard to any printed matter paid for by a
41 candidate from the candidate's personal funds, it shall
42 be sufficient identification to print the first and
43 last name by which the candidate is known.

44 (2) In regard to any printed matter paid for by a
45 committee, it shall be sufficient identification to
46 print the name of the committee as required to be
47 registered by subsection 5 of section 130.021 and the
48 name and title of the committee treasurer who was

1 serving when the printed matter was paid for.

2 (3) In regard to any printed matter paid for by a
3 corporation or other business entity, labor
4 organization, or any other organization not defined to
5 be a committee by subdivision (9) of section 130.011
6 and not organized especially for influencing one or
7 more elections, it shall be sufficient identification
8 to print the name of the entity, the name of the
9 principal officer of the entity, by whatever title
10 known, and the mailing address of the entity, or if the
11 entity has no mailing address, the mailing address of
12 the principal officer.

13 (4) In regard to any printed matter paid for by
14 an individual or individuals, it shall be sufficient
15 identification to print the name of the individual or
16 individuals and the respective mailing address or
17 addresses, except that if more than five individuals
18 join in paying for printed matter it shall be
19 sufficient identification to print the words "For a
20 list of other sponsors contact:" followed by the name
21 and address of one such individual responsible for
22 causing the matter to be printed, and the individual
23 identified shall maintain a record of the names and
24 amounts paid by other individuals and shall make such
25 record available for review upon the request of any
26 person. No person shall accept for publication or
27 printing nor shall such work be completed until the
28 printed matter is properly identified as required by
29 this subsection.

30 9. Any broadcast station transmitting any matter
31 relative to any candidate for public office or ballot
32 measure as defined by this chapter shall identify the
33 sponsor of such matter as required by federal law.

34 10. The provisions of subsection 8 or 9 of this
35 section shall not apply to candidates for elective
36 federal office, provided that persons causing matter to
37 be printed or broadcast concerning such candidacies
38 shall comply with the requirements of federal law for
39 identification of the sponsor or sponsors.

40 11. It shall be a violation of this chapter for
41 any person required to be identified as paying for
42 printed matter pursuant to subsection 8 of this section
43 or paying for broadcast matter pursuant to subsection 9
44 of this section to refuse to provide the information
45 required or to purposely provide false, misleading, or
46 incomplete information.

47 12. It shall be a violation of this chapter for
48 any committee to offer chances to win prizes or money

1 to persons to encourage such persons to endorse, send
2 election material by mail, deliver election material in
3 person or contact persons at their homes; except that,
4 the provisions of this subsection shall not be
5 construed to prohibit hiring and paying a campaign
6 staff.

7 13. Political action committees shall only
8 receive contributions from individuals; unions; federal
9 political action committees; and corporations,
10 associations, and partnerships formed under chapters
11 347 to 360, and shall be prohibited from receiving
12 contributions from other political action committees,
13 candidate committees, political party committees,
14 campaign committees, exploratory committees, or debt
15 service committees. However, candidate committees,
16 political party committees, campaign committees,
17 exploratory committees, and debt service committees
18 shall be allowed to return contributions to a donor
19 political action committee that is the origin of the
20 contribution.

21 14. The prohibited committee transfers described
22 in subsection 13 of this section shall not apply to the
23 following committees:

24 (1) The state house committee per political party
25 designated by the respective majority or minority floor
26 leader of the house of representatives or the chair of
27 the state party if the party does not have majority or
28 minority party status;

29 (2) The state senate committee per political
30 party designated by the respective majority or minority
31 floor leader of the senate or the chair of the state
32 party if the party does not have majority or minority
33 party status.

34 15. No person shall transfer anything of value to
35 any committee with the intent to conceal, from the
36 ethics commission, the identity of the actual source.
37 Any violation of this subsection shall be punishable as
38 follows:

39 (1) For the first violation, the ethics
40 commission shall notify such person that the transfer
41 to the committee is prohibited under this section
42 within five days of determining that the transfer is
43 prohibited, and that such person shall notify the
44 committee to which the funds were transferred that the
45 funds must be returned within ten days of such
46 notification;

47 (2) For the second violation, the person
48 transferring the funds shall be guilty of a class C

1 misdemeanor;

2 (3) For the third and subsequent violations, the
3 person transferring the funds shall be guilty of a
4 class D felony.

5 16. Beginning January 1, 2011, all committees
6 required to file campaign financial disclosure reports
7 with the Missouri ethics commission shall file any
8 required disclosure report in an electronic format as
9 prescribed by the ethics commission.]

10
11 130.031. 1. No contribution of cash in an amount of more
12 than one hundred dollars shall be made by or accepted from any
13 single contributor for any election by a [continuing] political
14 action committee, a campaign committee, a political party
15 committee, an exploratory committee or a candidate committee.

16 2. Except for expenditures from a petty cash fund which is
17 established and maintained by withdrawals of funds from the
18 committee's depository account and with records maintained
19 pursuant to the record-keeping requirements of section 130.036 to
20 account for expenditures made from petty cash, each expenditure
21 of more than fifty dollars, except an in-kind expenditure, shall
22 be made by check drawn on the committee's depository and signed
23 by the committee treasurer, deputy treasurer or candidate. A
24 single expenditure from a petty cash fund shall not exceed fifty
25 dollars, and the aggregate of all expenditures from a petty cash
26 fund during a calendar year shall not exceed the lesser of five
27 thousand dollars or ten percent of all expenditures made by the
28 committee during that calendar year. A check made payable to
29 "cash" shall not be made except to replenish a petty cash fund.

30 3. (1) No contribution shall be made or accepted and no
31 expenditure shall be made or incurred, directly or indirectly, in
32 a fictitious name, in the name of another person, or by or
33 through another person in such a manner as to, or with the intent
34 to, conceal the identity of the actual source of the contribution
35 or the actual recipient and purpose of the expenditure. [Any
36 person who receives contributions for a committee shall disclose
37 to that committee's treasurer, deputy treasurer or candidate the
38 recipient's own name and address and the name and address of the
39 actual source of each contribution such person has received for

1 that committee. Any person who makes expenditures for a
2 committee shall disclose to that committee's treasurer, deputy
3 treasurer or candidate such person's own name and address, the
4 name and address of each person to whom an expenditure has been
5 made and the amount and purpose of the expenditures the person
6 has made for that committee.]

7 (2) No contribution shall be made or accepted, and no
8 expenditure shall be made or incurred, with the intent to conceal
9 the identity of the actual source of the contribution or the
10 actual recipient and purpose of the expenditure. There shall be
11 a rebuttable presumption that a contribution is made or accepted
12 or an expenditure is made or incurred with the intent to conceal
13 the identity of the actual source of the contribution or the
14 actual recipient and purpose of the expenditure when the source
15 of a contribution or the recipient and purpose of an expenditure
16 is purposely misrepresented to the ethics commission through a
17 repeated misspelling of such source or recipient or purpose.

18 (3) No contribution shall be made or accepted, and no
19 expenditure shall be made or incurred, with the intent to
20 circumvent the limitations on contributions or expenditures
21 imposed in this section or section 130.032.

22 (a) There shall be a rebuttable presumption that a
23 contribution is made or accepted with the intent to circumvent
24 the limitations on contributions imposed in this section or
25 section 130.032 when a committee receives a contribution from two
26 or more committees that are primarily funded by a single person,
27 individual, or other committee.

28 (b) There shall be a rebuttable presumption that a
29 contribution is made or accepted with the intent to circumvent
30 the limitations on contributions imposed in this section or
31 section 130.032 when a contribution is received from a committee
32 that is primarily funded by a single person, individual, or other
33 committee that has already reached its contribution limit under
34 any law relating to contribution limitations on the receiving
35 committee.

36 (c) For purposes of this subdivision, a committee shall be
37 deemed to be primarily funded by a single person, individual, or

1 other committee when the committee receives more than fifty
2 percent of its annual funding from that single person,
3 individual, or other committee.

4 (d) When a committee receives a contribution from two or
5 more committees that are primarily funded by a single person,
6 individual, or other committee, or when a contribution is
7 received from a committee that is primarily funded by a single
8 person, individual, or other committee that has already reached
9 its contribution limit under any law relating to contribution
10 limitations on the receiving committee, the ethics commission
11 shall investigate, upon its own initiative, following the
12 procedure for investigation in section 150.959. Such
13 investigation shall, when directed by the ethics commission, be
14 assisted by the office of the attorney general, the elections
15 division of the office of the secretary of state, or the
16 prosecuting attorney of the county in which the violation
17 occurred. The ethics commission, office of the attorney general,
18 elections division of the office of the secretary of state, and
19 any prosecuting attorney of any county or city not within a
20 county assisting an investigation under this paragraph may use
21 electronic communication devices for matters related to such
22 investigation, including telephones and videoconferencing, when
23 subject to shortened time limits required for an investigation
24 under this paragraph.

25 (4) Any person who receives contributions for a committee
26 shall disclose to that committee's treasurer, deputy treasurer,
27 or candidate the recipient's own name and address and the name
28 and address of the actual source of each contribution such person
29 has received for the committee. Any person who makes
30 expenditures for a committee shall disclose to that committee's
31 treasurer, deputy treasurer, or candidate such person's own name
32 and address, the name and address of each person to whom an
33 expenditure has been made, and the amount and purpose of the
34 expenditures such person has made for that committee.

35 (5) Any violation of this subsection shall be punishable as
36 follows:

37 (a) For the first violation, the ethics commission shall

1 notify such person of such contribution made or accepted or
2 expenditure made or incurred in violation of this subsection
3 within five days of determining that a violation has occurred,
4 and such person shall be subject to a civil penalty of not less
5 than five thousand dollars and shall return the contribution made
6 or accepted or recover the expenditure made or incurred in
7 violation of this subsection within ten days of such
8 notification. If such contribution made or accepted in violation
9 of this subsection is not returned or expenditure made or
10 incurred in violation of this subsection is not recovered within
11 ten days, the ethics commission may impose a fine in an amount
12 not less than the amount of the contribution made or accepted or
13 the expenditure made or incurred in violation of this subsection,
14 but such fine shall not be more than three times the amount of
15 the contribution made or accepted or expenditure made or incurred
16 in violation of this subsection;

17 (b) For the second violation, the person making or
18 accepting the contribution or making or incurring the expenditure
19 in violation of this subsection shall be guilty of a class C
20 misdemeanor, and the ethics commission may also impose a fine in
21 an amount not less than the amount of the contribution made or
22 accepted or the expenditure made or incurred in violation of this
23 subsection, but such fine shall not be more than three times the
24 amount of the contribution made or accepted or expenditure made
25 or incurred in violation of this subsection;

26 (c) For the third and subsequent violations, the person
27 making or accepting the contribution or making or incurring the
28 expenditure in violation of this subsection shall be guilty of a
29 class D felony, and the ethics commission may also impose a fine
30 in an amount not less than the amount of the contribution made or
31 accepted or the expenditure made or incurred in violation of this
32 subsection, but such fine shall not be more than three times the
33 amount of the contribution made or accepted or expenditure made
34 or incurred in violation of this subsection.

35 4. No anonymous contribution of more than twenty-five
36 dollars shall be made by any person, and no anonymous
37 contribution of more than twenty-five dollars shall be accepted

1 by any candidate or committee. If any anonymous contribution of
2 more than twenty-five dollars is received, it shall be returned
3 immediately to the contributor, if the contributor's identity can
4 be ascertained, and if the contributor's identity cannot be
5 ascertained, the candidate, committee treasurer or deputy
6 treasurer shall immediately transmit that portion of the
7 contribution which exceeds twenty-five dollars to the state
8 treasurer and it shall escheat to the state.

9 5. The maximum aggregate amount of anonymous contributions
10 which shall be accepted in any calendar year by any committee
11 shall be the greater of five hundred dollars or one percent of
12 the aggregate amount of all contributions received by that
13 committee in the same calendar year. If any anonymous
14 contribution is received which causes the aggregate total of
15 anonymous contributions to exceed the foregoing limitation, it
16 shall be returned immediately to the contributor, if the
17 contributor's identity can be ascertained, and, if the
18 contributor's identity cannot be ascertained, the committee
19 treasurer, deputy treasurer or candidate shall immediately
20 transmit the anonymous contribution to the state treasurer to
21 escheat to the state.

22 6. Notwithstanding the provisions of subsection 5 of this
23 section, contributions from individuals whose names and addresses
24 cannot be ascertained which are received from a fund-raising
25 activity or event, such as defined in section 130.011, shall not
26 be deemed anonymous contributions, provided the following
27 conditions are met:

28 (1) There are twenty-five or more contributing participants
29 in the activity or event;

30 (2) The candidate, committee treasurer, deputy treasurer or
31 the person responsible for conducting the activity or event makes
32 an announcement that it is illegal for anyone to make or receive
33 a contribution in excess of one hundred dollars unless the
34 contribution is accompanied by the name and address of the
35 contributor;

36 (3) The person responsible for conducting the activity or
37 event does not knowingly accept payment from any single person of

1 more than one hundred dollars unless the name and address of the
2 person making such payment is obtained and recorded pursuant to
3 the record-keeping requirements of section 130.036;

4 (4) A statement describing the event shall be prepared by
5 the candidate or the treasurer of the committee for whom the
6 funds were raised or by the person responsible for conducting the
7 activity or event and attached to the disclosure report of
8 contributions and expenditures required by section 130.041. The
9 following information to be listed in the statement is in
10 addition to, not in lieu of, the requirements elsewhere in this
11 chapter relating to the recording and reporting of contributions
12 and expenditures:

13 (a) The name and mailing address of the person or persons
14 responsible for conducting the event or activity and the name and
15 address of the candidate or committee for whom the funds were
16 raised;

17 (b) The date on which the event occurred;

18 (c) The name and address of the location where the event
19 occurred and the approximate number of participants in the event;

20 (d) A brief description of the type of event and the
21 fund-raising methods used;

22 (e) The gross receipts from the event and a listing of the
23 expenditures incident to the event;

24 (f) The total dollar amount of contributions received from
25 the event from participants whose names and addresses were not
26 obtained with such contributions and an explanation of why it was
27 not possible to obtain the names and addresses of such
28 participants;

29 (g) The total dollar amount of contributions received from
30 contributing participants in the event who are identified by name
31 and address in the records required to be maintained pursuant to
32 section 130.036.

33 7. No candidate or committee in this state shall accept
34 contributions from any out-of-state committee unless the
35 out-of-state committee from whom the contributions are received
36 has filed a statement of organization pursuant to section 130.021
37 or has filed the reports required by sections 130.049 and

1 130.050, whichever is applicable to that committee.

2 8. Any person publishing, circulating, or distributing any
3 printed matter relative to any candidate for public office or any
4 ballot measure shall on the face of the printed matter identify
5 in a clear and conspicuous manner the person who paid for the
6 printed matter with the words "Paid for by" followed by the
7 proper identification of the sponsor pursuant to this section.
8 For the purposes of this section, "printed matter" shall be
9 defined to include any pamphlet, circular, handbill, sample
10 ballot, advertisement, including advertisements in any newspaper
11 or other periodical, sign, including signs for display on motor
12 vehicles, or other imprinted or lettered material; but "printed
13 matter" is defined to exclude materials printed and purchased
14 prior to May 20, 1982, if the candidate or committee can document
15 that delivery took place prior to May 20, 1982; any sign
16 personally printed and constructed by an individual without
17 compensation from any other person and displayed at that
18 individual's place of residence or on that individual's personal
19 motor vehicle; any items of personal use given away or sold, such
20 as campaign buttons, pins, pens, pencils, book matches, campaign
21 jewelry, or clothing, which is paid for by a candidate or
22 committee which supports a candidate or supports or opposes a
23 ballot measure and which is obvious in its identification with a
24 specific candidate or committee and is reported as required by
25 this chapter; and any news story, commentary, or editorial
26 printed by a regularly published newspaper or other periodical
27 without charge to a candidate, committee or any other person.

28 (1) In regard to any printed matter paid for by a candidate
29 from the candidate's personal funds, it shall be sufficient
30 identification to print the first and last name by which the
31 candidate is known.

32 (2) In regard to any printed matter paid for by a
33 committee, it shall be sufficient identification to print the
34 name of the committee as required to be registered by subsection
35 5 of section 130.021 and the name and title of the committee
36 treasurer who was serving when the printed matter was paid for.

37 (3) In regard to any printed matter paid for by a

1 corporation or other business entity, labor organization, or any
2 other organization not defined to be a committee by [subdivision
3 (7) of] section 130.011 and not organized especially for
4 influencing one or more elections, it shall be sufficient
5 identification to print the name of the entity, the name of the
6 principal officer of the entity, by whatever title known, and the
7 mailing address of the entity, or if the entity has no mailing
8 address, the mailing address of the principal officer.

9 (4) In regard to any printed matter paid for by an
10 individual or individuals, it shall be sufficient identification
11 to print the name of the individual or individuals and the
12 respective mailing address or addresses, except that if more than
13 five individuals join in paying for printed matter it shall be
14 sufficient identification to print the words "For a list of other
15 sponsors contact:" followed by the name and address of one such
16 individual responsible for causing the matter to be printed, and
17 the individual identified shall maintain a record of the names
18 and amounts paid by other individuals and shall make such record
19 available for review upon the request of any person. No person
20 shall accept for publication or printing nor shall such work be
21 completed until the printed matter is properly identified as
22 required by this subsection.

23 9. Any broadcast station transmitting any matter relative
24 to any candidate for public office or ballot measure as defined
25 by this chapter shall identify the sponsor of such matter as
26 required by federal law.

27 10. The provisions of subsection 8 or 9 of this section
28 shall not apply to candidates for elective federal office,
29 provided that persons causing matter to be printed or broadcast
30 concerning such candidacies shall comply with the requirements of
31 federal law for identification of the sponsor or sponsors.

32 11. It shall be a violation of this chapter for any person
33 required to be identified as paying for printed matter pursuant
34 to subsection 8 of this section or paying for broadcast matter
35 pursuant to subsection 9 of this section to refuse to provide the
36 information required or to purposely provide false, misleading,
37 or incomplete information.

1 12. It shall be a violation of this chapter for any
2 committee to offer chances to win prizes or money to persons to
3 encourage such persons to endorse, send election material by
4 mail, deliver election material in person or contact persons at
5 their homes; except that, the provisions of this subsection shall
6 not be construed to prohibit hiring and paying a campaign staff.

7 13. No gubernatorial appointee shall make any contribution
8 to or expenditure for the governor or the governor's candidate
9 committee.

10 130.032. 1. In addition to the limitations imposed under
11 section 130.031, the amount of contributions made by or accepted
12 from any person other than the candidate in any one election
13 shall not exceed the following:

14 (1) To elect an individual to the office of governor,
15 lieutenant governor, secretary of state, state treasurer, state
16 auditor, or attorney general, two thousand six hundred dollars;

17 (2) To elect an individual to the office of state senator,
18 one thousand dollars;

19 (3) To elect an individual to the office of state
20 representative or to any other office, including judicial office,
21 five hundred dollars.

22 2. The amount of aggregate contributions made by any single
23 contributor in a calendar year to any political party committee
24 shall not exceed thirty-two thousand four hundred dollars.

25 3. For purposes of this subsection, "base-year amount"
26 shall be the contribution limits prescribed in this section on
27 January 1, 2015. Such limits shall be increased on the first day
28 of January in each even-numbered year by multiplying the base-
29 year amount by the cumulative consumer price index, as defined in
30 section 104.010 and rounded to the nearest twenty-five dollar
31 amount, for all years since January 1, 2015.

32 4. Every committee established under this chapter shall be
33 subject to the limits prescribed in subsection 1 of this section.
34 The provisions of this subsection shall not limit the amount of
35 contributions that may be accumulated by a candidate committee
36 and used for expenditures to further the nomination or election
37 of the candidate who controls such candidate committee.

1 5. Contributions from persons under fourteen years of age
2 shall be considered made by the parents or guardians of such
3 person and shall be attributed toward any contribution limits
4 prescribed in this chapter. Where the contributor under fourteen
5 years of age has two custodial parents or guardians, fifty
6 percent of the contribution shall be attributed to each parent or
7 guardian, and where such contributor has one custodial parent or
8 guardian, all such contributions shall be attributed to the
9 custodial parent or guardian.

10 6. Contributions received and expenditures made before
11 January 1, 2015, shall be reported as a separate account and
12 under the laws in effect at the time such contributions are
13 received or expenditures made. Contributions received and
14 expenditures made after January 1, 2015, shall be reported under
15 the provisions of this chapter as a separate account from the
16 other separate account described in this subsection. The account
17 reported under the prior law shall be retained as a separate
18 account and any remaining funds in such account may be used under
19 this chapter.

20 7. Any committee that accepts or gives contributions other
21 than those allowed shall be subject to a surcharge of one
22 thousand dollars plus an amount equal to the contribution per
23 nonallowable contribution, to be paid to the ethics commission
24 and which shall be transferred to the director of revenue, upon
25 notification of such nonallowable contribution by the ethics
26 commission, and after the candidate has had ten business days
27 after receipt of notice to return the contribution to the
28 contributor. The candidate and the candidate committee treasurer
29 or deputy treasurer owing a surcharge shall be personally liable
30 for the payment of the surcharge or may pay such surcharge only
31 from campaign funds existing on the date of the receipt of
32 notice. Such surcharge shall constitute a debt to the state
33 enforceable under, but not limited to, the provisions of chapter
34 143."; and

35
36 Further amend said title, enacting clause and intersectional
37 references accordingly.