

**HOUSE**

**AMENDMENT NO.\_\_\_\_**

**Offered by**

**of**

1 AMEND House Committee Substitute for Senate Committee Substitute  
2 for Senate Bill No. 854, Page 1, In the Title, Line 5, by  
3 inserting immediately after "RSMo," the following: "section  
4 130.011 as enacted by conference committee substitute no. 3 for  
5 house committee substitute no. 2 for senate bill no. 844, ninety-  
6 fifth general assembly, second regular session, and section  
7 130.011 as enacted by conference committee substitute for senate  
8 substitute for house committee substitute for house bill no.  
9 1900, ninety-third general assembly, second regular session,";  
10 and  
11

12 Further amend said bill, Page 1, Section A, Line 4, by  
13 inserting immediately after "RSMo," the following: "section  
14 130.011 as enacted by conference committee substitute no. 3 for  
15 house committee substitute no. 2 for senate bill no. 844, ninety-  
16 fifth general assembly, second regular session, and section  
17 130.011 as enacted by conference committee substitute for senate  
18 substitute for house committee substitute for house bill no.  
19 1900, ninety-third general assembly, second regular session,";  
20 and  
21

22 Further amend said bill, Page 28, Section 105.935, Line 54,  
23 by inserting after all of said line the following:

24 "[130.011. As used in this chapter, unless the  
25 context clearly indicates otherwise, the following  
26 terms mean:

27 (1) "Appropriate officer" or "appropriate  
28 officers", the person or persons designated in section

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 130.026 to receive certain required statements and  
2 reports;

3 (2) "Ballot measure" or "measure", any proposal  
4 submitted or intended to be submitted to qualified  
5 voters for their approval or rejection, including any  
6 proposal submitted by initiative petition, referendum  
7 petition, or by the general assembly or any local  
8 governmental body having authority to refer proposals  
9 to the voter;

10 (3) "Campaign committee", a committee, other than  
11 a candidate committee, which shall be formed by an  
12 individual or group of individuals to receive  
13 contributions or make expenditures and whose sole  
14 purpose is to support or oppose the qualification and  
15 passage of one or more particular ballot measures in an  
16 election or the retention of judges under the  
17 nonpartisan court plan, such committee shall be formed  
18 no later than thirty days prior to the election for  
19 which the committee receives contributions or makes  
20 expenditures, and which shall terminate the later of  
21 either thirty days after the general election or upon  
22 the satisfaction of all committee debt after the  
23 general election, except that no committee retiring  
24 debt shall engage in any other activities in support of  
25 a measure for which the committee was formed;

26 (4) "Candidate", an individual who seeks  
27 nomination or election to public office. The term  
28 "candidate" includes an elected officeholder who is the  
29 subject of a recall election, an individual who seeks  
30 nomination by the individual's political party for  
31 election to public office, an individual standing for  
32 retention in an election to an office to which the  
33 individual was previously appointed, an individual who  
34 seeks nomination or election whether or not the  
35 specific elective public office to be sought has been  
36 finally determined by such individual at the time the  
37 individual meets the conditions described in paragraph  
38 (a) or (b) of this subdivision, and an individual who  
39 is a write-in candidate as defined in subdivision (28)  
40 of this section. A candidate shall be deemed to seek  
41 nomination or election when the person first:

42 (a) Receives contributions or makes expenditures  
43 or reserves space or facilities with intent to promote  
44 the person's candidacy for office; or

45 (b) Knows or has reason to know that  
46 contributions are being received or expenditures are  
47 being made or space or facilities are being reserved  
48 with the intent to promote the person's candidacy for

1 office; except that, such individual shall not be  
2 deemed a candidate if the person files a statement with  
3 the appropriate officer within five days after learning  
4 of the receipt of contributions, the making of  
5 expenditures, or the reservation of space or facilities  
6 disavowing the candidacy and stating that the person  
7 will not accept nomination or take office if elected;  
8 provided that, if the election at which such individual  
9 is supported as a candidate is to take place within  
10 five days after the person's learning of the  
11 above-specified activities, the individual shall file  
12 the statement disavowing the candidacy within one day;  
13 or

14 (c) Announces or files a declaration of candidacy  
15 for office;

16 (5) "Candidate committee", a committee which  
17 shall be formed by a candidate to receive contributions  
18 or make expenditures in behalf of the person's  
19 candidacy and which shall continue in existence for use  
20 by an elected candidate or which shall terminate the  
21 later of either thirty days after the general election  
22 for a candidate who was not elected or upon the  
23 satisfaction of all committee debt after the election,  
24 except that no committee retiring debt shall engage in  
25 any other activities in support of the candidate for  
26 which the committee was formed. Any candidate for  
27 elective office shall have only one candidate committee  
28 for the elective office sought, which is controlled  
29 directly by the candidate for the purpose of making  
30 expenditures. A candidate committee is presumed to be  
31 under the control and direction of the candidate unless  
32 the candidate files an affidavit with the appropriate  
33 officer stating that the committee is acting without  
34 control or direction on the candidate's part;

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

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

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

45 (9) "Committee", a person or any combination of  
46 persons, who accepts contributions or makes  
47 expenditures for the primary or incidental purpose of  
48 influencing or attempting to influence the action of

1 voters for or against the nomination or election to  
2 public office of one or more candidates or the  
3 qualification, passage or defeat of any ballot measure  
4 or for the purpose of paying a previously incurred  
5 campaign debt or obligation of a candidate or the debts  
6 or obligations of a committee or for the purpose of  
7 contributing funds to another committee:

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

9 a. A person or combination of persons, if neither  
10 the aggregate of expenditures made nor the aggregate of  
11 contributions received during a calendar year exceeds  
12 five hundred dollars and if no single contributor has  
13 contributed more than two hundred fifty dollars of such  
14 aggregate contributions;

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

18 c. A corporation, cooperative association,  
19 partnership, proprietorship, or joint venture organized  
20 or operated for a primary or principal purpose other  
21 than that of influencing or attempting to influence the  
22 action of voters for or against the nomination or  
23 election to public office of one or more candidates or  
24 the qualification, passage or defeat of any ballot  
25 measure, and it accepts no contributions, and all  
26 expenditures it makes are from its own funds or  
27 property obtained in the usual course of business or in  
28 any commercial or other transaction and which are not  
29 contributions as defined by subdivision (11) of this  
30 section;

31 d. A labor organization organized or operated for  
32 a primary or principal purpose other than that of  
33 influencing or attempting to influence the action of  
34 voters for or against the nomination or election to  
35 public office of one or more candidates, or the  
36 qualification, passage, or defeat of any ballot  
37 measure, and it accepts no contributions, and  
38 expenditures made by the organization are from its own  
39 funds or property received from membership dues or  
40 membership fees which were given or solicited for the  
41 purpose of supporting the normal and usual activities  
42 and functions of the organization and which are not  
43 contributions as defined by subdivision (11) of this  
44 section;

45 e. A person who acts as an authorized agent for a  
46 committee in soliciting or receiving contributions or  
47 in making expenditures or incurring indebtedness on  
48 behalf of the committee if such person renders to the

1 committee treasurer or deputy treasurer or candidate,  
2 if applicable, an accurate account of each receipt or  
3 other transaction in the detail required by the  
4 treasurer to comply with all record-keeping and  
5 reporting requirements of this chapter;

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

10 (b) The term "committee" includes, but is not  
11 limited to, each of the following committees: campaign  
12 committee, candidate committee, political action  
13 committee, exploratory committee, and political party  
14 committee;

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

29 (11) "Contribution", a payment, gift, loan,  
30 advance, deposit, or donation of money or anything of  
31 value for the purpose of supporting or opposing the  
32 nomination or election of any candidate for public  
33 office or the qualification, passage or defeat of any  
34 ballot measure, or for the support of any committee  
35 supporting or opposing candidates or ballot measures or  
36 for paying debts or obligations of any candidate or  
37 committee previously incurred for the above purposes.  
38 A contribution of anything of value shall be deemed to  
39 have a money value equivalent to the fair market value.  
40 "Contribution" includes, but is not limited to:

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

45 (b) Payment by any person, other than a candidate  
46 or committee, to compensate another person for services  
47 rendered to that candidate or committee;

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

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

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

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

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

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

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

35 (i) "Contribution" does not include:

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

44 b. An offer or tender of a contribution which is  
45 expressly and unconditionally rejected and returned to  
46 the donor within ten business days after receipt or  
47 transmitted to the state treasurer;

48 c. Interest earned on deposit of committee funds;

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

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

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

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

26           (15) "Expenditure", a payment, advance,  
27 conveyance, deposit, donation or contribution of money  
28 or anything of value for the purpose of supporting or  
29 opposing the nomination or election of any candidate  
30 for public office or the qualification or passage of  
31 any ballot measure or for the support of any committee  
32 which in turn supports or opposes any candidate or  
33 ballot measure or for the purpose of paying a  
34 previously incurred campaign debt or obligation of a  
35 candidate or the debts or obligations of a committee; a  
36 payment, or an agreement or promise to pay, money or  
37 anything of value, including a candidate's own money or  
38 property, for the purchase of goods, services,  
39 property, facilities or anything of value for the  
40 purpose of supporting or opposing the nomination or  
41 election of any candidate for public office or the  
42 qualification or passage of any ballot measure or for  
43 the support of any committee which in turn supports or  
44 opposes any candidate or ballot measure or for the  
45 purpose of paying a previously incurred campaign debt  
46 or obligation of a candidate or the debts or  
47 obligations of a committee. An expenditure of anything  
48 of value shall be deemed to have a money value

1 equivalent to the fair market value. "Expenditure"  
2 includes, but is not limited to:

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

5 (b) The purchase of tickets, goods, services or  
6 political merchandise in connection with any  
7 testimonial affair or fund-raising event of or for  
8 candidates or committees, or the purchase of  
9 advertising in a brochure, booklet, program or pamphlet  
10 of a candidate or committee;

11 (c) The transfer of funds by one committee to  
12 another committee;

13 (d) The direct or indirect payment by any person,  
14 other than a connected organization for a committee, of  
15 the costs of establishing, administering or maintaining  
16 a committee, including legal, accounting and computer  
17 services, fund raising and solicitation of  
18 contributions for a committee; but

19 (e) "Expenditure" does not include:

20 a. Any news story, commentary or editorial which  
21 is broadcast or published by any broadcasting station,  
22 newspaper, magazine or other periodical without charge  
23 to the candidate or to any person supporting or  
24 opposing a candidate or ballot measure;

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

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

36 d. The rendering of voluntary personal services  
37 by an individual of the sort commonly performed by  
38 volunteer campaign workers and the payment by such  
39 individual of the individual's necessary and ordinary  
40 personal expenses incidental to such volunteer  
41 activity, provided no compensation is, directly or  
42 indirectly, asked or given;

43 e. The costs incurred by any connected  
44 organization listed pursuant to subdivision (4) of  
45 subsection 5 of section 130.021 for establishing,  
46 administering or maintaining a committee, or for the  
47 solicitation of contributions to a committee which  
48 solicitation is solely directed or related to the



1 members, officers, directors, employees or security  
2 holders of the connected organization;

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

8 (16) "Exploratory committees", a committee which  
9 shall be formed by an individual to receive  
10 contributions and make expenditures on behalf of this  
11 individual in determining whether or not the individual  
12 seeks elective office. Such committee shall terminate  
13 no later than December thirty-first of the year prior  
14 to the general election for the possible office;

15 (17) "Fund-raising event", an event such as a  
16 dinner, luncheon, reception, coffee, testimonial,  
17 rally, auction or similar affair through which  
18 contributions are solicited or received by such means  
19 as the purchase of tickets, payment of attendance fees,  
20 donations for prizes or through the purchase of goods,  
21 services or political merchandise;

22 (18) "In-kind contribution" or "in-kind  
23 expenditure", a contribution or expenditure in a form  
24 other than money;

25 (19) "Labor organization", any organization of  
26 any kind, or any agency or employee representation  
27 committee or plan, in which employees participate and  
28 which exists for the purpose, in whole or in part, of  
29 dealing with employers concerning grievances, labor  
30 disputes, wages, rates of pay, hours of employment, or  
31 conditions of work;

32 (20) "Loan", a transfer of money, property or  
33 anything of ascertainable monetary value in exchange  
34 for an obligation, conditional or not, to repay in  
35 whole or in part and which was contracted, used, or  
36 intended for use in an election campaign, or which was  
37 made or received by a committee or which was  
38 contracted, used, or intended to pay previously  
39 incurred campaign debts or obligations of a candidate  
40 or the debts or obligations of a committee;

41 (21) "Person", an individual, group of  
42 individuals, corporation, partnership, committee,  
43 proprietorship, joint venture, any department, agency,  
44 board, institution or other entity of the state or any  
45 of its political subdivisions, union, labor  
46 organization, trade or professional or business  
47 association, association, political party or any  
48 executive committee thereof, or any other club or

1 organization however constituted or any officer or  
2 employee of such entity acting in the person's official  
3 capacity;

4 (22) "Political action committee", a committee of  
5 continuing existence which is not formed, controlled or  
6 directed by a candidate, and is a committee other than  
7 a candidate committee, political party committee,  
8 campaign committee, exploratory committee, or debt  
9 service committee, whose primary or incidental purpose  
10 is to receive contributions or make expenditures to  
11 influence or attempt to influence the action of voters  
12 whether or not a particular candidate or candidates or  
13 a particular ballot measure or measures to be supported  
14 or opposed has been determined at the time the  
15 committee is required to file any statement or report  
16 pursuant to the provisions of this chapter. Such a  
17 committee includes, but is not limited to, any  
18 committee organized or sponsored by a business entity,  
19 a labor organization, a professional association, a  
20 trade or business association, a club or other  
21 organization and whose primary purpose is to solicit,  
22 accept and use contributions from the members,  
23 employees or stockholders of such entity and any  
24 individual or group of individuals who accept and use  
25 contributions to influence or attempt to influence the  
26 action of voters. Such committee shall be formed no  
27 later than sixty days prior to the election for which  
28 the committee receives contributions or makes  
29 expenditures;

30 (23) "Political merchandise", goods such as  
31 bumper stickers, pins, hats, ties, jewelry, literature,  
32 or other items sold or distributed at a fund-raising  
33 event or to the general public for publicity or for the  
34 purpose of raising funds to be used in supporting or  
35 opposing a candidate for nomination or election or in  
36 supporting or opposing the qualification, passage or  
37 defeat of a ballot measure;

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

41 (25) "Political party committee", a committee of  
42 a political party which may be organized as a  
43 not-for-profit corporation under Missouri law and has  
44 the primary or incidental purpose of receiving  
45 contributions and making expenditures to influence or  
46 attempt to influence the action of voters on behalf of  
47 the political party. Political party committees shall  
48 only take the following forms:

1 (a) One congressional district committee per  
2 political party for each congressional district in the  
3 state; and

4 (b) One state party committee per political  
5 party;

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

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

15 (28) "Write-in candidate", an individual whose  
16 name is not printed on the ballot but who otherwise  
17 meets the definition of candidate in subdivision (4) of  
18 this section.]

19 130.011. As used in this chapter, unless the context  
20 clearly indicates otherwise, the following terms mean:

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

24 (2) "Ballot measure" or "measure", any proposal submitted  
25 or intended to be submitted to qualified voters for their  
26 approval or rejection, including any proposal submitted by  
27 initiative petition, referendum petition, or by the general  
28 assembly or any local governmental body having authority to refer  
29 proposals to the voter;

30 (3) "Candidate", an individual who seeks nomination or  
31 election to public office. The term "candidate" includes an  
32 elected officeholder who is the subject of a recall election, an  
33 individual who seeks nomination by the individual's political  
34 party for election to public office, an individual standing for  
35 retention in an election to an office to which the individual was  
36 previously appointed, an individual who seeks nomination or  
37 election whether or not the specific elective public office to be  
38 sought has been finally determined by such individual at the time  
39 the individual meets the conditions described in paragraph (a) or  
40 (b) of this subdivision, and an individual who is a write-in

1 candidate as defined in [subdivision (28) of] this section. A  
2 candidate shall be deemed to seek nomination or election when the  
3 person first:

4 (a) Receives contributions or makes expenditures or  
5 reserves space or facilities with intent to promote the person's  
6 candidacy for office; or

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

21 (c) Announces or files a declaration of candidacy for  
22 office;

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

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

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

32 (7) "Committee", a person or any combination of persons,  
33 including organizations exempt from taxation under 26 U.S.C.  
34 Section 501(c)(4), as amended, who accepts contributions or makes  
35 expenditures for the primary or incidental purpose of influencing  
36 or attempting to influence the action of voters for or against  
37 the nomination or election to public office of one or more

1 candidates or the qualification, passage or defeat of any ballot  
2 measure or for the purpose of paying a previously incurred  
3 campaign debt or obligation of a candidate or the debts or  
4 obligations of a committee or for the purpose of contributing  
5 funds to another committee:

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

7 a. A person or combination of persons, if neither the  
8 aggregate of expenditures made nor the aggregate of contributions  
9 received during a calendar year exceeds five hundred dollars and  
10 if no single contributor has contributed more than two hundred  
11 fifty dollars of such aggregate contributions;

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

15 c. A corporation, cooperative association, partnership,  
16 proprietorship, or joint venture organized or operated for a  
17 primary or principal purpose other than that of influencing or  
18 attempting to influence the action of voters for or against the  
19 nomination or election to public office of one or more candidates  
20 or the qualification, passage or defeat of any ballot measure,  
21 and it accepts no contributions, and all expenditures it makes  
22 are from its own funds or property obtained in the usual course  
23 of business or in any commercial or other transaction and which  
24 are not contributions as defined by [subdivision (12) of] this  
25 section;

26 d. A labor organization organized or operated for a primary  
27 or principal purpose other than that of influencing or attempting  
28 to influence the action of voters for or against the nomination  
29 or election to public office of one or more candidates, or the  
30 qualification, passage, or defeat of any ballot measure, and it  
31 accepts no contributions, and expenditures made by the  
32 organization are from its own funds or property received from  
33 membership dues or membership fees which were given or solicited  
34 for the purpose of supporting the normal and usual activities and  
35 functions of the organization and which are not contributions as  
36 defined by [subdivision (12) of] this section;

37 e. A person who acts as an authorized agent for a committee

1 in soliciting or receiving contributions or in making  
2 expenditures or incurring indebtedness on behalf of the committee  
3 if such person renders to the committee treasurer or deputy  
4 treasurer or candidate, if applicable, an accurate account of  
5 each receipt or other transaction in the detail required by the  
6 treasurer to comply with all record-keeping and reporting  
7 requirements of this chapter;

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

11 (b) The term "committee" includes, but is not limited to,  
12 each of the following committees: campaign committee, candidate  
13 committee, [continuing] political action committee, exploratory  
14 committee, and political party committee;

15 (8) "Campaign committee", a committee, other than a  
16 candidate committee, which shall be formed by an individual or  
17 group of individuals to receive contributions or make  
18 expenditures and whose sole purpose is to support or oppose the  
19 qualification and passage of one or more particular ballot  
20 measures in an election or the retention of judges under the  
21 nonpartisan court plan[, such committee shall be formed no later  
22 than thirty days prior to the election for which the committee  
23 receives contributions or makes expenditures, and which shall  
24 terminate the later of either thirty days after the general  
25 election or upon the satisfaction of all committee debt after the  
26 general election, except that no committee retiring debt shall  
27 engage in any other activities in support of a measure for which  
28 the committee was formed];

29 (9) "Candidate committee", a committee which shall be  
30 formed by a candidate to receive contributions or make  
31 expenditures [in] on behalf of the person's candidacy [and which  
32 shall continue in existence for use by an elected candidate or  
33 which shall terminate the later of either thirty days after the  
34 general election for a candidate who was not elected or upon the  
35 satisfaction of all committee debt after the election, except  
36 that no committee retiring debt shall engage in any other  
37 activities in support of the candidate for which the committee

1 was formed]. Any candidate for elective office shall have only  
2 one candidate committee for the elective office sought, which is  
3 controlled directly by the candidate for the purpose of making  
4 expenditures. A candidate committee is presumed to be under the  
5 control and direction of the candidate unless the candidate files  
6 an affidavit with the appropriate officer stating that the  
7 committee is acting without control or direction on the  
8 candidate's part;

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

32 (11) "Connected organization", any organization such as a  
33 corporation, a labor organization, a membership organization, a  
34 cooperative, or trade or professional association which expends  
35 funds or provides services or facilities to establish, administer  
36 or maintain a committee or to solicit contributions to a

1 committee from its members, officers, directors, employees or  
2 security holders. An organization shall be deemed to be the  
3 connected organization if more than fifty percent of the persons  
4 making contributions to the committee during the current calendar  
5 year are members, officers, directors, employees or security  
6 holders of such organization or their spouses;

7 (12) "Contribution", a payment, gift, loan, advance,  
8 deposit, or donation of money or anything of value for the  
9 purpose of supporting or opposing the nomination or election of  
10 any candidate for public office or the qualification, passage or  
11 defeat of any ballot measure, or for the support of any committee  
12 supporting or opposing candidates or ballot measures or for  
13 paying debts or obligations of any candidate or committee  
14 previously incurred for the above purposes. A contribution of  
15 anything of value shall be deemed to have a money value  
16 equivalent to the fair market value. "Contribution" includes,  
17 but is not limited to:

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

22 (b) Payment by any person, other than a candidate or  
23 committee, to compensate another person for services rendered to  
24 that candidate or committee;

25 (c) Receipts from the sale of goods and services, including  
26 the sale of advertising space in a brochure, booklet, program or  
27 pamphlet of a candidate or committee and the sale of tickets or  
28 political merchandise;

29 (d) Receipts from fund-raising events including testimonial  
30 affairs;

31 (e) Any loan, guarantee of a loan, cancellation or  
32 forgiveness of a loan or debt or other obligation by a third  
33 party, or payment of a loan or debt or other obligation by a  
34 third party if the loan or debt or other obligation was  
35 contracted, used, or intended, in whole or in part, for use in an  
36 election campaign or used or intended for the payment of such  
37 debts or obligations of a candidate or committee previously



1 incurred, or which was made or received by a committee;

2 (f) Funds received by a committee which are transferred to  
3 such committee from another committee or other source, except  
4 funds received by a candidate committee as a transfer of funds  
5 from another candidate committee controlled by the same candidate  
6 but such transfer shall be included in the disclosure reports;

7 (g) Facilities, office space or equipment supplied by any  
8 person to a candidate or committee without charge or at reduced  
9 charges, except gratuitous space for meeting purposes which is  
10 made available regularly to the public, including other  
11 candidates or committees, on an equal basis for similar purposes  
12 on the same conditions;

13 (h) The direct or indirect payment by any person, other  
14 than a connected organization, of the costs of establishing,  
15 administering, or maintaining a committee, including legal,  
16 accounting and computer services, fund raising and solicitation  
17 of contributions for a committee;

18 (i) "Contribution" does not include:

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

25 b. An offer or tender of a contribution which is expressly  
26 and unconditionally rejected and returned to the donor within ten  
27 business days after receipt or transmitted to the state  
28 treasurer;

29 c. Interest earned on deposit of committee funds;

30 d. The costs incurred by any connected organization listed  
31 pursuant to subdivision [(4)] (5) of subsection 5 of section  
32 130.021 for establishing, administering or maintaining a  
33 committee, or for the solicitation of contributions to a  
34 committee which solicitation is solely directed or related to the  
35 members, officers, directors, employees or security holders of  
36 the connected organization;

37 (13) "County", any one of the several counties of this

1 state or the city of St. Louis;

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

6 (15) "Election", any primary, general or special election  
7 held to nominate or elect an individual to public office, to  
8 retain or recall an elected officeholder or to submit a ballot  
9 measure to the voters, and any caucus or other meeting of a  
10 political party or a political party committee at which that  
11 party's candidate or candidates for public office are officially  
12 selected. A primary election and the succeeding general election  
13 shall be considered separate elections;

14 (16) "Expenditure", a payment, advance, conveyance,  
15 deposit, donation or contribution of money or anything of value  
16 for the purpose of supporting or opposing the nomination or  
17 election of any candidate for public office or the qualification  
18 or passage of any ballot measure or for the support of any  
19 committee which in turn supports or opposes any candidate or  
20 ballot measure or for the purpose of paying a previously incurred  
21 campaign debt or obligation of a candidate or the debts or  
22 obligations of a committee; a payment, or an agreement or promise  
23 to pay, money or anything of value, including a candidate's own  
24 money or property, for the purchase of goods, services, property,  
25 facilities or anything of value for the purpose of supporting or  
26 opposing the nomination or election of any candidate for public  
27 office or the qualification or passage of any ballot measure or  
28 for the support of any committee which in turn supports or  
29 opposes any candidate or ballot measure or for the purpose of  
30 paying a previously incurred campaign debt or obligation of a  
31 candidate or the debts or obligations of a committee. An  
32 expenditure of anything of value shall be deemed to have a money  
33 value equivalent to the fair market value. "Expenditure"  
34 includes, but is not limited to:

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

37 (b) The purchase of tickets, goods, services or political

1 merchandise in connection with any testimonial affair or  
2 fund-raising event of or for candidates or committees, or the  
3 purchase of advertising in a brochure, booklet, program or  
4 pamphlet of a candidate or committee;

5 (c) The transfer of funds by one committee to another  
6 committee;

7 (d) The direct or indirect payment by any person, other  
8 than a connected organization for a committee, of the costs of  
9 establishing, administering or maintaining a committee, including  
10 legal, accounting and computer services, fund raising and  
11 solicitation of contributions for a committee; but

12 (e) "Expenditure" does not include:

13 a. Any news story, commentary or editorial which is  
14 broadcast or published by any broadcasting station, newspaper,  
15 magazine or other periodical without charge to the candidate or  
16 to any person supporting or opposing a candidate or ballot  
17 measure;

18 b. The internal dissemination by any membership  
19 organization, proprietorship, labor organization, corporation,  
20 association or other entity of information advocating the  
21 election or defeat of a candidate or candidates or the passage or  
22 defeat of a ballot measure or measures to its directors,  
23 officers, members, employees or security holders, provided that  
24 the cost incurred is reported [pursuant to subsection 2 of  
25 section 130.051] as provided by law;

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

28 d. The rendering of voluntary personal services by an  
29 individual of the sort commonly performed by volunteer campaign  
30 workers and the payment by such individual of the individual's  
31 necessary and ordinary personal expenses incidental to such  
32 volunteer activity, provided no compensation is, directly or  
33 indirectly, asked or given;

34 e. The costs incurred by any connected organization listed  
35 pursuant to subdivision [(4)] (5) of subsection 5 of section  
36 130.021 for establishing, administering or maintaining a  
37 committee, or for the solicitation of contributions to a

1 committee which solicitation is solely directed or related to the  
2 members, officers, directors, employees or security holders of  
3 the connected organization;

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

8 (17) "Exploratory [committees] committee", a committee  
9 which shall be formed by an individual to receive contributions  
10 and make expenditures on behalf of this individual in determining  
11 whether or not the individual seeks elective office.  
12 Such committee shall terminate no later than December  
13 thirty-first of the year prior to the general election for the  
14 possible office;

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

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

23 (20) "Labor organization", any organization of any kind, or  
24 any agency or employee representation committee or plan, in which  
25 employees participate and which exists for the purpose, in whole  
26 or in part, of dealing with employers concerning grievances,  
27 labor disputes, wages, rates of pay, hours of employment, or  
28 conditions of work;

29 (21) "Loan", a transfer of money, property or anything of  
30 ascertainable monetary value in exchange for an obligation,  
31 conditional or not, to repay in whole or in part and which was  
32 contracted, used, or intended for use in an election campaign, or  
33 which was made or received by a committee or which was  
34 contracted, used, or intended to pay previously incurred campaign  
35 debts or obligations of a candidate or the debts or obligations  
36 of a committee;

37 (22) "Person", an individual, group of individuals,

1 corporation, partnership, committee, proprietorship, joint  
2 venture, any department, agency, board, institution or other  
3 entity of the state or any of its political subdivisions, union,  
4 labor organization, trade or professional or business  
5 association, association, political party or any executive  
6 committee thereof, or any other club or organization however  
7 constituted or any officer or employee of such entity acting in  
8 the person's official capacity;

9 (23) "Political merchandise", goods such as bumper  
10 stickers, pins, hats, ties, jewelry, literature, or other items  
11 sold or distributed at a fund-raising event or to the general  
12 public for publicity or for the purpose of raising funds to be  
13 used in supporting or opposing a candidate for nomination or  
14 election or in supporting or opposing the qualification, passage  
15 or defeat of a ballot measure;

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

19 (25) "Political party committee", [a state, district,  
20 county, city, or area committee of a political party, as defined  
21 in section 115.603, which may be organized as a not-for-profit  
22 corporation under Missouri law, and which committee is of  
23 continuing existence, and has the primary or incidental purpose  
24 of receiving contributions and making expenditures to influence  
25 or attempt to influence the action of voters on behalf of the  
26 political party] a committee of a political party which may be  
27 organized as a not-for-profit corporation under Missouri law and  
28 has the primary or incidental purpose of receiving contributions  
29 and making expenditures to influence or attempt to influence the  
30 action of voters on behalf of the political party. Political  
31 party committees shall only take the form of one state party  
32 committee per political party;

33 (26) "Public office" or "office", any state, judicial,  
34 county, municipal, school or other district, ward, township, or  
35 other political subdivision office or any political party office  
36 which is filled by a vote of registered voters;

37 (27) "Regular session", includes that period beginning on

1 the first Wednesday after the first Monday in January and ending  
2 following the first Friday after the second Monday in May;

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

6 130.039. Any committee that holds or invests moneys shall  
7 only hold or invest such moneys in no- or low-risk investments,  
8 such as low-interest bearing accounts, and shall not invest any  
9 such moneys in moderate- to high-risk investments, such as the  
10 purchase of shares of stock in financial institutions or other  
11 entities."; and  
12

13 Further amend said title, enacting clause and intersectional  
14 references accordingly.