

HOUSE

AMENDMENT NO. _____

Offered by

of _____

1 AMEND Senate Committee Substitute for Senate Bill No. 623, Page
2 1, In the Title, Line 2, by inserting immediately after "RSMo,"
3 the following: "section 130.011 as enacted by conference
4 committee substitute no. 3 for house committee substitute no. 2
5 for senate bill no. 844, ninety-fifth general assembly, second
6 regular session, and section 130.011 as enacted by conference
7 committee substitute for senate substitute for house committee
8 substitute for house bill no. 1900, ninety-third general
9 assembly, second regular session"; and

10
11 Further amend said bill, Page 1, Section A, Line 1, by
12 inserting immediately after "RSMo," the following: "section
13 130.011 as enacted by conference committee substitute no. 3 for
14 house committee substitute no. 2 for senate bill no. 844, ninety-
15 fifth general assembly, second regular session, and section
16 130.011 as enacted by conference committee substitute for senate
17 substitute for house committee substitute for house bill no.
18 1900, ninety-third general assembly, second regular session"; and
19

20 Further amend said bill, Page 6, Section 115.506, Line 2, by
21 inserting after all of said line the following:

22 "[130.011. As used in this chapter, unless the
23 context clearly indicates otherwise, the following
24 terms mean:

25 (1) "Appropriate officer" or "appropriate
26 officers", the person or persons designated in section
27 130.026 to receive certain required statements and
28 reports;

29 (2) "Ballot measure" or "measure", any proposal

Action Taken _____ Date _____

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

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

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

39 (a) Receives contributions or makes expenditures
40 or reserves space or facilities with intent to promote
41 the person's candidacy for office; or

42 (b) Knows or has reason to know that
43 contributions are being received or expenditures are
44 being made or space or facilities are being reserved
45 with the intent to promote the person's candidacy for
46 office; except that, such individual shall not be
47 deemed a candidate if the person files a statement with
48 the appropriate officer within five days after learning

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

11 (c) Announces or files a declaration of candidacy
12 for office;

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

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

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

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

42 (9) "Committee", a person or any combination of
43 persons, who accepts contributions or makes
44 expenditures for the primary or incidental purpose of
45 influencing or attempting to influence the action of
46 voters for or against the nomination or election to
47 public office of one or more candidates or the
48 qualification, passage or defeat of any ballot measure

1 or for the purpose of paying a previously incurred
2 campaign debt or obligation of a candidate or the debts
3 or obligations of a committee or for the purpose of
4 contributing funds to another committee:

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

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

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

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

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

42 e. A person who acts as an authorized agent for a
43 committee in soliciting or receiving contributions or
44 in making expenditures or incurring indebtedness on
45 behalf of the committee if such person renders to the
46 committee treasurer or deputy treasurer or candidate,
47 if applicable, an accurate account of each receipt or
48 other transaction in the detail required by the

1 treasurer to comply with all record-keeping and
2 reporting requirements of this chapter;

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

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

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

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

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

42 (b) Payment by any person, other than a candidate
43 or committee, to compensate another person for services
44 rendered to that candidate or committee;

45 (c) Receipts from the sale of goods and services,
46 including the sale of advertising space in a brochure,
47 booklet, program or pamphlet of a candidate or
48 committee and the sale of tickets or political

1 merchandise;

2 (d) Receipts from fund-raising events including
3 testimonial affairs;

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

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

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

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

32 (i) "Contribution" does not include:

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

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

45 c. Interest earned on deposit of committee funds;

46 d. The costs incurred by any connected
47 organization listed pursuant to subdivision (4) of
48 subsection 5 of section 130.021 for establishing,

1 administering or maintaining a committee, or for the
2 solicitation of contributions to a committee which
3 solicitation is solely directed or related to the
4 members, officers, directors, employees or security
5 holders of the connected organization;

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

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

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

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

48 (a) Payment by anyone other than a committee for

1 services of another person rendered to such committee;

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

8 (c) The transfer of funds by one committee to
9 another committee;

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

16 (e) "Expenditure" does not include:

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

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

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

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

40 e. The costs incurred by any connected
41 organization listed pursuant to subdivision (4) of
42 subsection 5 of section 130.021 for establishing,
43 administering or maintaining a committee, or for the
44 solicitation of contributions to a committee which
45 solicitation is solely directed or related to the
46 members, officers, directors, employees or security
47 holders of the connected organization;

48 f. The use of a candidate's own money or property

1 for expense of the candidate's personal food, lodging,
2 travel, and payment of any fee necessary to the filing
3 for public office, if such expense is not reimbursed to
4 the candidate from any source;

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

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

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

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

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

38 (21) "Person", an individual, group of
39 individuals, corporation, partnership, committee,
40 proprietorship, joint venture, any department, agency,
41 board, institution or other entity of the state or any
42 of its political subdivisions, union, labor
43 organization, trade or professional or business
44 association, association, political party or any
45 executive committee thereof, or any other club or
46 organization however constituted or any officer or
47 employee of such entity acting in the person's official
48 capacity;

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

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

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

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

46 (a) One congressional district committee per
47 political party for each congressional district in the
48 state; and

1 (b) One state party committee per political
2 party;

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

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

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

16 130.011. As used in this chapter, unless the context
17 clearly indicates otherwise, the following terms mean:

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

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

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

1 (a) Receives contributions or makes expenditures or
2 reserves space or facilities with intent to promote the person's
3 candidacy for office; or

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

18 (c) Announces or files a declaration of candidacy for
19 office;

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

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

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

29 (7) "Committee", a person or any combination of persons,
30 including organizations exempt from taxation under 26 U.S.C.
31 Section 501(c)(4), as amended, who accepts contributions or makes
32 expenditures for the primary or incidental purpose of influencing
33 or attempting to influence the action of voters for or against
34 the nomination or election to public office of one or more
35 candidates or the qualification, passage or defeat of any ballot
36 measure or for the purpose of paying a previously incurred
37 campaign debt or obligation of a candidate or the debts or

1 obligations of a committee or for the purpose of contributing
2 funds to another committee:

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

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

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

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

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

34 e. A person who acts as an authorized agent for a committee
35 in soliciting or receiving contributions or in making
36 expenditures or incurring indebtedness on behalf of the committee
37 if such person renders to the committee treasurer or deputy

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

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

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

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

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

1 expenditures. A candidate committee is presumed to be under the
2 control and direction of the candidate unless the candidate files
3 an affidavit with the appropriate officer stating that the
4 committee is acting without control or direction on the
5 candidate's part;

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

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

1 year are members, officers, directors, employees or security
2 holders of such organization or their spouses;

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

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

18 (b) Payment by any person, other than a candidate or
19 committee, to compensate another person for services rendered to
20 that candidate or committee;

21 (c) Receipts from the sale of goods and services, including
22 the sale of advertising space in a brochure, booklet, program or
23 pamphlet of a candidate or committee and the sale of tickets or
24 political merchandise;

25 (d) Receipts from fund-raising events including testimonial
26 affairs;

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

35 (f) Funds received by a committee which are transferred to
36 such committee from another committee or other source, except
37 funds received by a candidate committee as a transfer of funds

1 from another candidate committee controlled by the same candidate
2 but such transfer shall be included in the disclosure reports;

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

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

14 (i) "Contribution" does not include:

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

21 b. An offer or tender of a contribution which is expressly
22 and unconditionally rejected and returned to the donor within ten
23 business days after receipt or transmitted to the state
24 treasurer;

25 c. Interest earned on deposit of committee funds;

26 d. The costs incurred by any connected organization listed
27 pursuant to subdivision [(4)] (5) of subsection 5 of section
28 130.021 for establishing, administering or maintaining a
29 committee, or for the solicitation of contributions to a
30 committee which solicitation is solely directed or related to the
31 members, officers, directors, employees or security holders of
32 the connected organization;

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

35 (14) "Disclosure report", an itemized report of receipts,
36 expenditures and incurred indebtedness which is prepared on forms
37 approved by the Missouri ethics commission and filed at the times

1 and places prescribed;

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

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

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

33 (b) The purchase of tickets, goods, services or political
34 merchandise in connection with any testimonial affair or
35 fund-raising event of or for candidates or committees, or the
36 purchase of advertising in a brochure, booklet, program or
37 pamphlet of a candidate or committee;

1 (c) The transfer of funds by one committee to another
2 committee;

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

8 (e) "Expenditure" does not include:

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

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

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

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

30 e. 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 f. The use of a candidate's own money or property for

1 expense of the candidate's personal food, lodging, travel, and
2 payment of any fee necessary to the filing for public office, if
3 such expense is not reimbursed to the candidate from any source;

4 (17) "Exploratory [committees] committee", a committee
5 which shall be formed by an individual to receive contributions
6 and make expenditures on behalf of this individual in determining
7 whether or not the individual seeks elective office.

8 Such committee shall terminate no later than December
9 thirty-first of the year prior to the general election for the
10 possible office;

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

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

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

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

33 (22) "Person", an individual, group of individuals,
34 corporation, partnership, committee, proprietorship, joint
35 venture, any department, agency, board, institution or other
36 entity of the state or any of its political subdivisions, union,
37 labor organization, trade or professional or business

1 association, association, political party or any executive
2 committee thereof, or any other club or organization however
3 constituted or any officer or employee of such entity acting in
4 the person's official capacity;

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

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

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

29 (26) "Public office" or "office", any state, judicial,
30 county, municipal, school or other district, ward, township, or
31 other political subdivision office or any political party office
32 which is filled by a vote of registered voters;

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

36 (28) "Write-in candidate", an individual whose name is not
37 printed on the ballot but who otherwise meets the definition of

1 candidate in [subdivision (3) of] this section.

2 130.039. Any committee that holds or invests moneys shall
3 only hold or invest such moneys in no- or low-risk investments,
4 such as low-interest bearing accounts, and shall not invest any
5 such moneys in moderate- to high-risk investments, such as the
6 purchase of shares of stock in financial institutions or other
7 entities."; and

8
9 Further amend said title, enacting clause and intersectional
10 references accordingly.