

HOUSE

AMENDMENT NO.____

Offered by

of

1 AMEND House Committee Substitute for Senate Committee Substitute
2 for Senate Bill No. 824, Page 1, In the Title, Line 6, 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 27, 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

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.