

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 19,
2 Section 105.499, Line 41, by inserting after all of said line the following:

3 "[130.011. As used in this chapter, unless the context clearly indicates otherwise, the
4 following terms mean:

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

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

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

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

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

31 (b) Knows or has reason to know that contributions are being received or expenditures are
32 being made or space or facilities are being reserved with the intent to promote the person's candidacy
33 for office; except that, such individual shall not be deemed a candidate if the person files a statement
34 with the appropriate officer within five days after learning of the receipt of contributions, the making
35 of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the
36 person will not accept nomination or take office if elected; provided that, if the election at which

Action Taken _____ Date _____

1 such individual is supported as a candidate is to take place within five days after the person's learning
2 of the above-specified activities, the individual shall file the statement disavowing the candidacy
3 within one day; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 (i) "Contribution" does not include:

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

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

9 c. Interest earned on deposit of committee funds;

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

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

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

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

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

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

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

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

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

45 (e) "Expenditure" does not include:

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

1 b. The internal dissemination by any membership organization, proprietorship, labor
2 organization, corporation, association or other entity of information advocating the election or defeat
3 of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors,
4 officers, members, employees or security holders, provided that the cost incurred is reported
5 pursuant to subsection 2 of section 130.051;

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

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

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

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

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

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

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

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

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

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

43 (22) "Political action committee", a committee of continuing existence which is not formed,
44 controlled or directed by a candidate, and is a committee other than a candidate committee, political
45 party committee, campaign committee, exploratory committee, or debt service committee, whose
46 primary or incidental purpose is to receive contributions or make expenditures to influence or
47 attempt to influence the action of voters whether or not a particular candidate or candidates or a
48 particular ballot measure or measures to be supported or opposed has been determined at the time the

committee is required to file any statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

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

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

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

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

(b) One state party committee per political party;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 d. A labor organization organized or operated for a primary or principal purpose other than
40 that of influencing or attempting to influence the action of voters for or against the nomination or
41 election to public office of one or more candidates, or the qualification, passage, or defeat of any
42 ballot measure, and it accepts no contributions, and expenditures made by the organization are from
43 its own funds or property received from membership dues or membership fees which were given or
44 solicited for the purpose of supporting the normal and usual activities and functions of the
45 organization and which are not contributions as defined by subdivision (12) of this section;

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

1 account of each receipt or other transaction in the detail required by the treasurer to comply with all
 2 record-keeping and reporting requirements of this chapter;

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

5 (b) The term "committee" includes, but is not limited to, each of the following committees:
 6 campaign committee, candidate committee, continuing committee and political party committee;

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

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

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

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

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

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

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

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

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

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

15 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other
 16 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the
 17 loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an
 18 election campaign or used or intended for the payment of such debts or obligations of a candidate or
 19 committee previously incurred, or which was made or received by a committee;

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

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

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

31 (i) "Contribution" does not include:

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

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

38 c. Interest earned on deposit of committee funds;

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

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

44 (14) "Covered communication":

45 (a) Paid advertisements broadcast over radio, television, cable, or satellite in this state;

46 (b) Paid placement of content on the internet or other electronic communication network
 47 targeted to voters in this state;

48 (c) Paid advertisements published in a periodical or on a billboard in this state;

- 1 (d) Paid telephone communications to five hundred or more households in this state;
2 (e) Mailings sent or distributed through the United States Postal Service or similar private
3 mail carriers to two thousand or more recipients in this state; and
4 (f) Printed materials exceeding two thousand copies distributed in this state;
5 (15) "Covered organization", any organization that is exempt from taxation under Section
6 501(c)(4) of the Internal Revenue Code of 1986, as amended;
7 (16) "Disclosure report", an itemized report of receipts, expenditures and incurred
8 indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at
9 the times and places prescribed;
10 [(15)] (17) "Election", any primary, general or special election held to nominate or elect an
11 individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to
12 the voters, and any caucus or other meeting of a political party or a political party committee at
13 which that party's candidate or candidates for public office are officially selected. A primary
14 election and the succeeding general election shall be considered separate elections;
15 (18) "Electioneering activities":
16 (a) Any covered communication that influences or attempts to influence the action of voters
17 for or against the nomination or election to public office of one or more candidates or the
18 qualification, passage or defeat of any ballot measure; and
19 (b) Any covered communication made within forty-five days of a primary election or ninety
20 days of a general election that:
21 a. Identifies or depicts a particular candidate by name but does not specifically call for his or
22 her election or defeat; or
23 b. Identifies or depicts a particular ballot measure by name or by its proposition or
24 amendment number but does not specifically call for its qualification, passage, or defeat;
25 [(16)] (19) "Expenditure", a payment, advance, conveyance, deposit, donation or
26 contribution of money or anything of value for the purpose of supporting or opposing the nomination
27 or election of any candidate for public office or the qualification or passage of any ballot measure or
28 for the support of any committee which in turn supports or opposes any candidate or ballot measure
29 or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the
30 debts or obligations of a committee; a payment, or an agreement or promise to pay, money or
31 anything of value, including a candidate's own money or property, for the purchase of goods,
32 services, property, facilities or anything of value for the purpose of supporting or opposing the
33 nomination or election of any candidate for public office or the qualification or passage of any ballot
34 measure or for the support of any committee which in turn supports or opposes any candidate or
35 ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a
36 candidate or the debts or obligations of a committee. An expenditure of anything of value shall be
37 deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is
38 not limited to:
39 (a) Payment by anyone other than a committee for services of another person rendered to
40 such committee;
41 (b) The purchase of tickets, goods, services or political merchandise in connection with any
42 testimonial affair or fund-raising event of or for candidates or committees, or the purchase of
43 advertising in a brochure, booklet, program or pamphlet of a candidate or committee;
44 (c) The transfer of funds by one committee to another committee;
45 (d) The direct or indirect payment by any person, other than a connected organization for a
46 committee, of the costs of establishing, administering or maintaining a committee, including legal,
47 accounting and computer services, fund raising and solicitation of contributions for a committee; but
48 (e) "Expenditure" does not include:

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

4 b. The internal dissemination by any membership organization, proprietorship, labor
5 organization, corporation, association or other entity of information advocating the election or defeat
6 of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors,
7 officers, members, employees or security holders, provided that the cost incurred is reported
8 pursuant to subsection 2 of section 130.051;

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

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

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

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

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

25 [(18)] (21) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee,
26 testimonial, rally, auction or similar affair through which contributions are solicited or received by
27 such means as the purchase of tickets, payment of attendance fees, donations for prizes or through
28 the purchase of goods, services or political merchandise;

29 [(19)] (22) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in
30 a form other than money;

31 [(20)] (23) "Labor organization", any organization of any kind, or any agency or employee
32 representation committee or plan, in which employees participate and which exists for the purpose,
33 in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of
34 pay, hours of employment, or conditions of work;

35 [(21)] (24) "Loan", a transfer of money, property or anything of ascertainable monetary
36 value in exchange for an obligation, conditional or not, to repay in whole or in part and which was
37 contracted, used, or intended for use in an election campaign, or which was made or received by a
38 committee or which was contracted, used, or intended to pay previously incurred campaign debts or
39 obligations of a candidate or the debts or obligations of a committee;

40 [(22)] (25) "Person", an individual, group of individuals, corporation, partnership,
41 committee, proprietorship, joint venture, any department, agency, board, institution or other entity of
42 the state or any of its political subdivisions, union, labor organization, trade or professional or
43 business association, association, political party or any executive committee thereof, or any other
44 club or organization however constituted or any officer or employee of such entity acting in the
45 person's official capacity;

46 [(23)] (26) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
47 literature, or other items sold or distributed at a fund-raising event or to the general public for
48 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for

1 nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot
2 measure;

3 [(24)] (27) "Political party", a political party which has the right under law to have the
4 names of its candidates listed on the ballot in a general election;

5 [(25)] (28) "Political party committee", a state, district, county, city, or area committee of a
6 political party, as defined in section 115.603, which may be organized as a not-for-profit corporation
7 under Missouri law, and which committee is of continuing existence, and has the primary or
8 incidental purpose of receiving contributions and making expenditures to influence or attempt to
9 influence the action of voters on behalf of the political party;

10 [(26)] (29) "Public office" or "office", any state, judicial, county, municipal, school or other
11 district, ward, township, or other political subdivision office or any political party office which is
12 filled by a vote of registered voters;

13 [(27)] (30) "Regular session", includes that period beginning on the first Wednesday after
14 the first Monday in January and ending following the first Friday after the second Monday in May;

15 [(28)] (31) "Write-in candidate", an individual whose name is not printed on the ballot but
16 who otherwise meets the definition of candidate in subdivision (3) of this section.

17 130.062. 1. By January thirty-first of each year, any covered organization that made
18 expenditures for the purpose of electioneering activities by means of a covered communication, or
19 that made a contribution, including in-kind contributions, to a committee in the previous calendar
20 year shall disclose in an electronic disclosure report to the ethics commission:

21 (1) All expenditures made for purposes of electioneering activities by means of a covered
22 communication in the previous calendar year;

23 (2) All contributions, including in-kind contributions, to a committee in the previous
24 calendar year;

25 (3) The percentage of their total expenditures from the previous calendar year for purposes
26 of electioneering activities by means of a covered communication;

27 (4) The percentage of their total expenditures made from the previous calendar year for
28 contributions including in-kind contributions to a committee during the previous calendar year;

29 (5) The name and address of each person or entity making any single donation over one
30 thousand dollars, and each person or entity who has made, in the aggregate, donations over one
31 thousand dollars to such organization during the previous calendar year; and

32 (6) The date and amount of each donation over one thousand dollars, or of any donation
33 from a person who has made, in the aggregate, donations over one thousand dollars to such
34 organization during the previous calendar year.

35 Such information shall be a matter of public record which the ethics commission shall subsequently
36 make available to the public.

37 2. Any organization required to file disclosure reports under subsection 1 of this section shall
38 make such disclosures electronically.

39 3. (1) Any covered organization that:

40 (a) Makes expenditures in excess of five thousand dollars for the purpose of electioneering
41 activities by means of a covered communication shall make an electronic disclosure report to the
42 ethics commission within forty-eight hours of exceeding such limit. The report shall state
43 specifically the expenditure amount, the person or entity receiving the expenditures, and with what
44 ballot measure or candidate such expenditure concerns. If a covered communication calls
45 specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate
46 such information; or

47 (b) Makes contributions, including in-kind contributions, of over five thousand dollars to a
48 committee shall make an electronic disclosure report to the ethics commission within forty-eight

1 hours of making such contribution. The report shall specifically state the contribution amount and
2 the committee to which the contribution was made.

3 (2) Every electronic disclosure report required under this subsection shall include the date
4 and amount of each donation, as well as the name, address, and employer, occupation if
5 self-employed, or notation of retirement of each donor who has donated over five thousand dollars to
6 the covered organization in the previous twelve month period.

7 (3) The ethics commission shall assess fees on the board of directors of a covered
8 organization in the same manner as provided in section 105.963 for failure to file reports required by
9 this section.

10 Section B. Section A of this act shall become effective January 1, 2016."; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.