

FIRST REGULAR SESSION

HOUSE BILL NO. 1103

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCMANUS.

0241L.03I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 105.485, 105.955, 130.011, 130.021, 130.026, 130.028, 130.041, 130.046, 130.057, and 226.033 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, sections 130.011 and 130.046 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as enacted by house bill no. 2058, ninety-fourth general assembly, second regular session, sections 105.955, 130.031, and 130.041 as enacted by senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.026 as enacted by senate bill no. 262, eighty-sixth general assembly, first regular session, section 130.028 as enacted by senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 226.033 as enacted by house bill no. 668, ninety-fourth general assembly, first regular session, section 130.028 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof eleven new sections relating to ethics, with penalty provisions and an effective date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 105.485, 105.955, 130.011, 130.021, 130.026, 130.028, 130.041,
2 130.046, 130.057, and section 226.033 as enacted by senate bill no. 844, ninety-fifth general
3 assembly, second regular session, sections 130.011 and 130.046 as enacted by house bill no.
4 1900, ninety-third general assembly, second regular session, section 105.485 as enacted by house
5 bill no. 2058, ninety-fourth general assembly, second regular session, sections 105.955, 130.031,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6 and 130.041 as enacted by senate bills nos. 31 & 285, ninety-second general assembly, first
7 regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly,
8 first regular session, section 130.026 as enacted by senate bill no. 262, eighty-sixth general
9 assembly, first regular session, section 130.028 as enacted by senate bill no. 650, eighty-ninth
10 general assembly, second regular session, section 130.057 as enacted by house bill no. 676
11 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session,
12 section 226.033 as enacted by house bill no. 668, ninety-fourth general assembly, first regular
13 session, section 130.028 as enacted by senate bill no. 491, ninety-seventh general assembly,
14 second regular session, are repealed and eleven new sections enacted in lieu thereof, to be known
15 as sections 105.485, 105.955, 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.046,
16 130.057, and 226.033, to read as follows:

2 [105.485. 1. Each financial interest statement required by sections
3 105.483 to 105.492 shall be on a form prescribed by the commission and shall be
4 signed and verified by a written declaration that it is made under penalties of
5 perjury; provided, however, the form shall not seek information which is not
6 specifically required by sections 105.483 to 105.492.

7 2. Each person required to file a financial interest statement pursuant to
8 subdivisions (1) to (12) of section 105.483 shall file the following information
9 for himself, his spouse and dependent children at any time during the period
10 covered by the statement, whether singularly or collectively; provided, however,
11 that said person, if he does not know and his spouse will not divulge any
12 information required to be reported by this section concerning the financial
13 interest of his spouse, shall state on his financial interest statement that he has
14 disclosed that information known to him and that his spouse has refused or failed
15 to provide other information upon his bona fide request, and such statement shall
16 be deemed to satisfy the requirements of this section for such financial interest
17 of his spouse; and provided further if the spouse of any person required to file a
18 financial interest statement is also required by section 105.483 to file a financial
19 interest statement, the financial interest statement filed by each need not disclose
20 the financial interest of the other, provided that each financial interest statement
21 shall state that the spouse of the person has filed a separate financial interest
22 statement and the name under which the statement was filed:

23 (1) The name and address of each of the employers of such person from
24 whom income of one thousand dollars or more was received during the year
25 covered by the statement;

26 (2) The name and address of each sole proprietorship which he owned;
27 the name, address and the general nature of the business conducted of each
28 general partnership and joint venture in which he was a partner or participant; the
29 name and address of each partner or coparticipant for each partnership or joint
30 venture unless such names and addresses are filed by the partnership or joint
venture with the secretary of state; the name, address and general nature of the

31 business conducted of any closely held corporation or limited partnership in
32 which the person owned ten percent or more of any class of the outstanding stock
33 or limited partners' units; and the name of any publicly traded corporation or
34 limited partnership which is listed on a regulated stock exchange or automated
35 quotation system in which the person owned two percent or more of any class of
36 outstanding stock, limited partnership units or other equity interests;

37 (3) The name and address of any other source not reported pursuant to
38 subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which
39 such person received one thousand dollars or more of income during the year
40 covered by the statement, including, but not limited to, any income otherwise
41 required to be reported on any tax return such person is required by law to file;
42 except that only the name of any publicly traded corporation or limited
43 partnership which is listed on a regulated stock exchange or automated quotation
44 system need be reported pursuant to this subdivision;

45 (4) The location by county, the subclassification for property tax
46 assessment purposes, the approximate size and a description of the major
47 improvements and use for each parcel of real property in the state, other than the
48 individual's personal residence, having a fair market value of ten thousand dollars
49 or more in which such person held a vested interest including a leasehold for a
50 term of ten years or longer, and, if the property was transferred during the year
51 covered by the statement, the name and address of the persons furnishing or
52 receiving consideration for such transfer;

53 (5) The name and address of each entity in which such person owned
54 stock, bonds or other equity interest with a value in excess of ten thousand
55 dollars; except that, if the entity is a corporation listed on a regulated stock
56 exchange, only the name of the corporation need be listed; and provided that any
57 member of any board or commission of the state or any political subdivision who
58 does not receive any compensation for his services to the state or political
59 subdivision other than reimbursement for his actual expenses or a per diem
60 allowance as prescribed by law for each day of such service need not report
61 interests in publicly traded corporations or limited partnerships which are listed
62 on a regulated stock exchange or automated quotation system pursuant to this
63 subdivision; and provided further that the provisions of this subdivision shall not
64 require reporting of any interest in any qualified plan or annuity pursuant to the
65 Employees' Retirement Income Security Act;

66 (6) The name and address of each corporation for which such person
67 served in the capacity of a director, officer or receiver;

68 (7) The name and address of each not-for-profit corporation and each
69 association, organization, or union, whether incorporated or not, except
70 not-for-profit corporations formed to provide church services, fraternal
71 organizations or service clubs from which the officer or employee draws no
72 remuneration, in which such person was an officer, director, employee or trustee

73 at any time during the year covered by the statement, and for each such
74 organization, a general description of the nature and purpose of the organization;

75 (8) The name and address of each source from which such person
76 received a gift or gifts, or honorarium or honoraria in excess of two hundred
77 dollars in value per source during the year covered by the statement other than
78 gifts from persons within the third degree of consanguinity or affinity of the
79 person filing the financial interest statement. For the purposes of this section, a
80 "gift" shall not be construed to mean political contributions otherwise required
81 to be reported by law or hospitality such as food, beverages or admissions to
82 social, art, or sporting events or the like, or informational material. For the
83 purposes of this section, a "gift" shall include gifts to or by creditors of the
84 individual for the purpose of cancelling, reducing or otherwise forgiving the
85 indebtedness of the individual to that creditor;

86 (9) The lodging and travel expenses provided by any third person for
87 expenses incurred outside the state of Missouri whether by gift or in relation to
88 the duties of office of such official, except that such statement shall not include
89 travel or lodging expenses:

90 (a) Paid in the ordinary course of business for businesses described in
91 subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties
92 of office of such official; or

93 (b) For which the official may be reimbursed as provided by law; or

94 (c) Paid by persons related by the third degree of consanguinity or affinity
95 to the person filing the statement; or

96 (d) Expenses which are reported by the campaign committee or candidate
97 committee of the person filing the statement pursuant to the provisions of chapter
98 130; or

99 (e) Paid for purely personal purposes which are not related to the person's
100 official duties by a third person who is not a lobbyist, a lobbyist principal or
101 member, or officer or director of a member, of any association or entity which
102 employs a lobbyist. The statement shall include the name and address of such
103 person who paid the expenses, the date such expenses were incurred, the amount
104 incurred, the location of the travel and lodging, and the nature of the services
105 rendered or reason for the expenses;

106 (10) The assets in any revocable trust of which the individual is the
107 settlor if such assets would otherwise be required to be reported under this
108 section;

109 (11) The name, position and relationship of any relative within the first
110 degree of consanguinity or affinity to any other person who:

111 (a) Is employed by the state of Missouri, by a political subdivision of the
112 state or special district, as defined in section 115.013, of the state of Missouri;

113 (b) Is a lobbyist; or

114 (c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political party committee, candidate committee, or political action committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.]

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to [subdivisions (1) to (12) of] section 105.483 shall file the following information for [himself, his] **such person**, **such person's** spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that [said person,] if [he] **such person** does not know and [his] **such person's** spouse will not divulge any information required to be reported by this section concerning the financial interest of [his] **such person's** spouse, **such person** shall state on [his] **the** financial interest statement that [he] **such person** has disclosed that information known to [him] **such person** and that [his] **such person's** spouse has refused or failed to provide other information upon [his] **such person's** bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of [his] **such person's** spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

23 (2) The name and address of each sole proprietorship which [he] **such person** owned;
24 the name, address and the general nature of the business conducted of each general partnership
25 and joint venture in which [he] **such person** was a partner or participant; the name and address
26 of each partner or coparticipant for each partnership or joint venture unless such names and
27 addresses are filed by the partnership or joint venture with the secretary of state; the name,
28 address and general nature of the business conducted of any closely held corporation or limited
29 partnership in which the person owned ten percent or more of any class of the outstanding stock
30 or limited partners' units; and the name of any publicly traded corporation or limited partnership
31 which is listed on a regulated stock exchange or automated quotation system in which the person
32 owned two percent or more of any class of outstanding stock, limited partnership units or other
33 equity interests;

34 (3) The name and address of any other source not reported pursuant to subdivisions (1)
35 and (2) and subdivisions (4) to (9) of this subsection from which such person received one
36 thousand dollars or more of income during the year covered by the statement, including, but not
37 limited to, any income otherwise required to be reported on any tax return such person is required
38 by law to file; except that only the name of any publicly traded corporation or limited partnership
39 which is listed on a regulated stock exchange or automated quotation system need be reported
40 pursuant to this subdivision;

41 (4) The location by county, the subclassification for property tax assessment purposes,
42 the approximate size and a description of the major improvements and use for each parcel of real
43 property in the state, other than the individual's personal residence, having a fair market value
44 of ten thousand dollars or more in which such person held a vested interest including a leasehold
45 for a term of ten years or longer, and, if the property was transferred during the year covered by
46 the statement, the name and address of the persons furnishing or receiving consideration for such
47 transfer;

48 (5) The name and address of each entity in which such person owned stock, bonds or
49 other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a
50 corporation listed on a regulated stock exchange, only the name of the corporation need be listed;
51 and provided that any member of any board or commission of the state or any political
52 subdivision who does not receive any compensation for [his] **the member's** services to the state
53 or political subdivision other than reimbursement for [his] **the member's** actual expenses or a
54 per diem allowance as prescribed by law for each day of such service need not report interests
55 in publicly traded corporations or limited partnerships which are listed on a regulated stock
56 exchange or automated quotation system pursuant to this subdivision; and provided further that
57 the provisions of this subdivision shall not require reporting of any interest in any qualified plan
58 or annuity pursuant to the Employees' Retirement Income Security Act;

59 (6) The name and address of each corporation for which such person served in the
60 capacity of a director, officer or receiver;

61 (7) The name and address of each not-for-profit corporation and each association,
62 organization, or union, whether incorporated or not, except not-for-profit corporations formed
63 to provide church services, fraternal organizations or service clubs from which the officer or
64 employee draws no remuneration, in which such person was an officer, director, employee or
65 trustee at any time during the year covered by the statement, and for each such organization, a
66 general description of the nature and purpose of the organization;

67 (8) The name and address of each source from which such person received a gift or gifts,
68 or honorarium or honoraria in excess of two hundred dollars in value per source during the year
69 covered by the statement other than gifts from persons within the third degree of consanguinity
70 or affinity of the person filing the financial interest statement. For the purposes of this section,
71 a "gift" shall not be construed to mean political contributions otherwise required to be reported
72 by law or hospitality such as food, beverages or admissions to social, art, or sporting events or
73 the like, or informational material. For the purposes of this section, a "gift" shall include gifts
74 to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving
75 the indebtedness of the individual to that creditor;

76 (9) The lodging and travel expenses provided by any third person for expenses incurred
77 outside the state of Missouri whether by gift or in relation to the duties of office of such official,
78 except that such statement shall not include travel or lodging expenses:

79 (a) Paid in the ordinary course of business for businesses described in subdivisions (1),
80 (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

81 (b) For which the official may be reimbursed as provided by law; or

82 (c) Paid by persons related by the third degree of consanguinity or affinity to the person
83 filing the statement; or

84 (d) Expenses which are reported by the campaign committee or candidate committee of
85 the person filing the statement pursuant to the provisions of chapter 130; or

86 (e) Paid for purely personal purposes which are not related to the person's official duties
87 by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of
88 a member, of any association or entity which employs a lobbyist. The statement shall include
89 the name and address of such person who paid the expenses, the date such expenses were
90 incurred, the amount incurred, the location of the travel and lodging, and the nature of the
91 services rendered or reason for the expenses;

92 (10) The assets in any revocable trust of which the individual is the settlor if such assets
93 would otherwise be required to be reported under this section;

94 (11) The name, position and relationship of any relative within the first degree of
95 consanguinity or affinity to any other person who:

96 (a) Is employed by the state of Missouri, by a political subdivision of the state or special
97 district, as defined in section 115.013, of the state of Missouri;

98 (b) Is a lobbyist; or

99 (c) Is a fee agent of the department of revenue;

100 (12) The name and address of each campaign committee, political committee, candidate
101 committee, or [continuing] **political action** committee for which such person or any corporation
102 listed on such person's financial interest statement received payment; and

103 (13) For members of the general assembly or any statewide elected public official, their
104 spouses, and their dependent children, whether any state tax credits were claimed on the
105 member's, spouse's, or dependent child's most recent state income tax return.

106 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an
107 individual shall be deemed to have received a salary from [his] **the individual's** employer or
108 income from any source at the time when [he] **the individual** shall receive a negotiable
109 instrument whether or not payable at a later date and at the time when under the practice of [his]
110 **the individual's** employer or the terms of an agreement [he] **the individual** has earned or is
111 entitled to anything of actual value whether or not delivery of the value is deferred or right to it
112 has vested. The term income as used in this section shall have the same meaning as provided
113 in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes
114 effective, at any time or from time to time for the taxable year, provided that income shall not
115 be considered received or earned for purposes of this section from a partnership or sole
116 proprietorship until such income is converted from business to personal use.

117 4. Each official, officer or employee or candidate of any political subdivision described
118 in subdivision (11) of section 105.483 shall be required to file a financial interest statement as
119 required by subsection 2 of this section, unless the political subdivision biennially adopts an
120 ordinance, order or resolution at an open meeting by September fifteenth of the preceding year,
121 which establishes and makes public its own method of disclosing potential conflicts of interest
122 and substantial interests and therefore excludes the political subdivision or district and its
123 officers and employees from the requirements of subsection 2 of this section. A certified copy
124 of the ordinance, order or resolution shall be sent to the commission within ten days of its
125 adoption. The commission shall assist any political subdivision in developing forms to complete
126 the requirements of this subsection. The ordinance, order or resolution shall contain, at a
127 minimum, the following requirements with respect to disclosure of substantial interests:

128 (1) Disclosure in writing of the following described transactions, if any such transactions
129 were engaged in during the calendar year:

130 (a) For such person, and all persons within the first degree of consanguinity or affinity
131 of such person, the date and the identities of the parties to each transaction with a total value in
132 excess of five hundred dollars, if any, that such person had with the political subdivision, other
133 than compensation received as an employee or payment of any tax, fee or penalty due to the
134 political subdivision, and other than transfers for no consideration to the political subdivision;

135 (b) The date and the identities of the parties to each transaction known to the person with
136 a total value in excess of five hundred dollars, if any, that any business entity in which such
137 person had a substantial interest, had with the political subdivision, other than payment of any
138 tax, fee or penalty due to the political subdivision or transactions involving payment for
139 providing utility service to the political subdivision, and other than transfers for no consideration
140 to the political subdivision;

141 (2) The chief administrative officer and chief purchasing officer of such political
142 subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6)
143 of subsection 2 of this section;

144 (3) Disclosure of such other financial interests applicable to officials, officers and
145 employees of the political subdivision, as may be required by the ordinance or resolution;

146 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
147 commission and the governing body of the political subdivision. The clerk of such governing
148 body shall maintain such disclosure reports available for public inspection and copying during
149 normal business hours.

2 [105.955. 1. A bipartisan "Missouri Ethics Commission", composed of
3 six members, is hereby established. The commission shall be assigned to the
4 office of administration with supervision by the office of administration only for
5 budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6
6 of section 1 of the Reorganization Act of 1974. Supervision by the office of
7 administration shall not extend to matters relating to policies, regulative functions
8 or appeals from decisions of the commission, and the commissioner of
9 administration, any employee of the office of administration, or the governor,
10 either directly or indirectly, shall not participate or interfere with the activities of
11 the commission in any manner not specifically provided by law and shall not in
12 any manner interfere with the budget request of or withhold any moneys
13 appropriated to the commission by the general assembly. All members of the
14 commission shall be appointed by the governor with the advice and consent of
15 the senate from lists submitted pursuant to this section. Each congressional
16 district committee of the political parties having the two highest number of votes
17 cast for their candidate for governor at the last gubernatorial election shall submit
18 two names of eligible nominees for membership on the commission to the
19 governor, and the governor shall select six members from such nominees to serve
on the commission.

20 2. Within thirty days of submission of the person's name to the governor
21 as provided in subsection 1 of this section, and in order to be an eligible nominee
22 for appointment to the commission, a person shall file a financial interest
23 statement in the manner provided by section 105.485 and shall provide the
24 governor, the president pro tempore of the senate, and the commission with a list
25 of all political contributions and the name of the candidate or committee, political
26 party, or political action committee, as defined in chapter 130, to which those
27 contributions were made within the four-year period prior to such appointment,
28 made by the nominee, the nominee's spouse, or any business entity in which the
29 nominee has a substantial interest. The information shall be maintained by the
30 commission and available for public inspection during the period of time during
31 which the appointee is a member of the commission. In order to be an eligible
32 nominee for membership on the commission, a person shall be a citizen and a
33 resident of the state and shall have been a registered voter in the state for a period
34 of at least five years preceding the person's appointment.

35 3. The term of each member shall be for four years, except that of the
36 members first appointed, the governor shall select three members from
37 even-numbered congressional districts and three members from odd-numbered
38 districts. Not more than three members of the commission shall be members of
39 the same political party, nor shall more than one member be from any one United
40 States congressional district. Not more than two members appointed from the
41 even-numbered congressional districts shall be members of the same political
42 party, and no more than two members from the odd-numbered congressional
43 districts shall be members of the same political party. Of the members first
44 appointed, the terms of the members appointed from the odd-numbered
45 congressional districts shall expire on March 15, 1994, and the terms of the
46 members appointed from the even-numbered congressional districts shall expire
47 on March 15, 1996. Thereafter all successor members of the commission shall
48 be appointed for four-year terms. Terms of successor members of the
49 commission shall expire on March fifteenth of the fourth year of their term. No
50 member of the commission shall serve on the commission after the expiration of
51 the member's term. No person shall be appointed to more than one full four-year
52 term on the commission.

53 4. Vacancies or expired terms on the commission shall be filled in the
54 same manner as the original appointment was made, except as provided in this
55 subsection. Within thirty days of the vacancy or ninety days before the expiration
56 of the term, the names of two eligible nominees for membership on the
57 commission shall be submitted to the governor by the congressional district
58 committees of the political party or parties of the vacating member or members,
59 from the even- or odd-numbered congressional districts, based on the residence
60 of the vacating member or members, other than from the congressional district
61 committees from districts then represented on the commission and from the same
62 congressional district party committee or committees which originally appointed

63 the member or members whose positions are vacated. Appointments to fill
64 vacancies or expired terms shall be made within forty-five days after the deadline
65 for submission of names by the congressional district committees, and shall be
66 subject to the same qualifications for appointment and eligibility as is provided
67 in subsections 2 and 3 of this section. Appointments to fill vacancies for
68 unexpired terms shall be for the remainder of the unexpired term of the member
69 whom the appointee succeeds, and such appointees shall be eligible for
70 appointment to one full four-year term. If the congressional district committee
71 does not submit the required two nominees within the thirty days or if the
72 congressional district committee does not submit the two nominees within an
73 additional thirty days after receiving notice from the governor to submit the
74 nominees, then the governor may appoint a person or persons who shall be
75 subject to the same qualifications for appointment and eligibility as provided in
76 subsections 2 and 3 of this section.

77 5. The governor, with the advice and consent of the senate, may remove
78 any member only for substantial neglect of duty, inability to discharge the powers
79 and duties of office, gross misconduct or conviction of a felony or a crime
80 involving moral turpitude. Members of the commission also may be removed
81 from office by concurrent resolution of the general assembly signed by the
82 governor. If such resolution receives the vote of two-thirds or more of the
83 membership of both houses of the general assembly, the signature of the governor
84 shall not be necessary to effect removal. The office of any member of the
85 commission who moves from the congressional district from which the member
86 was appointed shall be deemed vacated upon such change of residence.

87 6. The commission shall elect biennially one of its members as the
88 chairman. The chairman may not succeed himself or herself after two years. No
89 member of the commission shall succeed as chairman any member of the same
90 political party as himself or herself. At least four members are necessary to
91 constitute a quorum, and at least four affirmative votes shall be required for any
92 action or recommendation of the commission.

93 7. No member or employee of the commission, during the person's term
94 of service, shall hold or be a candidate for any other public office.

95 8. In the event that a retired judge is appointed as a member of the
96 commission, the judge shall not serve as a special investigator while serving as
97 a member of the commission.

98 9. No member of the commission shall, during the member's term of
99 service or within one year thereafter:

- 100 (1) Be employed by the state or any political subdivision of the state;
101 (2) Be employed as a lobbyist;
102 (3) Serve on any other governmental board or commission;
103 (4) Be an officer of any political party or political organization;
104 (5) Permit the person's name to be used, or make contributions, in
105 support of or in opposition to any candidate or proposition;

(6) Participate in any way in any election campaign; except that a member or employee of the commission shall retain the right to register and vote in any election, to express the person's opinion privately on political subjects or candidates, to participate in the activities of a civic, community, social, labor or professional organization and to be a member of a political party.

10. Each member of the commission shall receive, as full compensation for the member's services, the sum of one hundred dollars per day for each full day actually spent on work of the commission, and the member's actual and necessary expenses incurred in the performance of the member's official duties.

11. The commission shall appoint an executive director who shall serve subject to the supervision of and at the pleasure of the commission, but in no event for more than six years. The executive director shall be responsible for the administrative operations of the commission and perform such other duties as may be delegated or assigned to the director by law or by rule of the commission. The executive director shall employ staff and retain such contract services as the director deems necessary, within the limits authorized by appropriations by the general assembly.

12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of section 105.489, and campaign finance disclosure reports filed other than with election authorities or local election authorities as provided by section 130.026 shall be filed with the commission.

13. Within sixty days of the initial meeting of the first commission appointed, the commission shall obtain from the clerk of the supreme court or the state courts administrator a list of retired appellate and circuit court judges who did not leave the judiciary as a result of being defeated in an election. The executive director shall determine those judges who indicate their desire to serve as special investigators and to investigate any and all complaints referred to them by the commission. The executive director shall maintain an updated list of those judges qualified and available for appointment to serve as special investigators. Such list shall be updated at least annually. The commission shall refer complaints to such special investigators on that list on a rotating schedule which ensures a random assignment of each special investigator. Each special investigator shall receive only one unrelated investigation at a time and shall not be assigned to a second or subsequent investigation until all other eligible investigators on the list have been assigned to an investigation. In the event that no special investigator is qualified or available to conduct a particular investigation, the commission may appoint a special investigator to conduct such particular investigation.

14. The commission shall have the following duties and responsibilities relevant to the impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, as provided in sections 105.955 to 105.963:

(1) Receive and review complaints regarding alleged violation of sections 105.450 to 105.496 and chapter 130, conduct initial reviews and investigations regarding such complaints as provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary authorities along with recommendations for sanctions; and initiate judicial proceedings as allowed by sections 105.955 to 105.963;

(2) Review and investigate any reports and statements required by the campaign finance disclosure laws contained in chapter 130, and financial interest disclosure laws or lobbyist registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness, accuracy and completeness of content as provided in sections 105.955 to 105.963;

(3) Conduct investigations as provided in subsection 2 of section 105.959;

(4) Develop appropriate systems to file and maintain an index of all such reports and statements to facilitate public access to such information, except as may be limited by confidentiality requirements otherwise provided by law, including cross-checking of information contained in such statements and reports. The commission may enter into contracts with the appropriate filing officers to effectuate such system. Such filing officers shall cooperate as necessary with the commission as reasonable and necessary to effectuate such purposes;

(5) Provide information and assistance to lobbyists, elected and appointed officials, and employees of the state and political subdivisions in carrying out the provisions of sections 105.450 to 105.496 and chapter 130;

(6) Make recommendations to the governor and general assembly or any state agency on the need for further legislation with respect to the ethical conduct of public officials and employees and to advise state and local government in the development of local government codes of ethics and methods of disclosing conflicts of interest as the commission may deem appropriate to promote high ethical standards among all elected and appointed officials or employees of the state or any political subdivision thereof and lobbyists;

(7) Render advisory opinions as provided by this section;

(8) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and chapter 130. All rules and regulations issued by the commission shall be prospective only in operation;

(9) Request and receive from the officials and entities identified in subdivision (6) of section 105.450 designations of decision-making public servants.

15. In connection with such powers provided by sections 105.955 to 105.963 and chapter 130, the commission may:

(1) Subpoena witnesses and compel their attendance and testimony. Subpoenas shall be served and enforced in the same manner provided by section 536.077;

(2) Administer oaths and affirmations;

192 (3) Take evidence and require by subpoena duces tecum the production
193 of books, papers, and other records relating to any matter being investigated or
194 to the performance of the commission's duties or exercise of its powers.
195 Subpoenas duces tecum shall be served and enforced in the same manner
196 provided by section 536.077;

197 (4) Employ such personnel, including legal counsel, and contract for
198 services including legal counsel, within the limits of its appropriation, as it deems
199 necessary provided such legal counsel, either employed or contracted, represents
200 the Missouri ethics commission before any state agency or before the courts at
201 the request of the Missouri ethics commission. Nothing in this section shall limit
202 the authority of the Missouri ethics commission as provided for in subsection 2
203 of section 105.961; and

204 (5) Obtain information from any department, division or agency of the
205 state or any political subdivision reasonably calculated to lead to the discovery
206 of evidence which will reasonably assist the commission in carrying out the
207 duties prescribed in sections 105.955 to 105.963 and chapter 130.

208 16. (1) Upon written request for an advisory opinion received by the
209 commission, and if the commission determines that the person requesting the
210 opinion would be directly affected by the application of law to the facts presented
211 by the requesting person, the commission shall issue a written opinion advising
212 the person who made the request, in response to the person's particular request,
213 regarding any issue that the commission can receive a complaint on pursuant to
214 section 105.957. The commission may decline to issue a written opinion by a
215 vote of four members and shall provide to the requesting person the reason for
216 the refusal in writing. The commission shall give an approximate time frame as
217 to when the written opinion shall be issued. Such advisory opinions shall be
218 issued no later than ninety days from the date of receipt by the commission. Such
219 requests and advisory opinions, deleting the name and identity of the requesting
220 person, shall be compiled and published by the commission on at least an annual
221 basis. Advisory opinions issued by the commission shall be maintained and
222 made available for public inspection and copying at the office of the commission
223 during normal business hours. Any advisory opinion or portion of an advisory
224 opinion rendered pursuant to this subsection shall be withdrawn by the
225 commission if, after hearing thereon, the joint committee on administrative rules
226 finds that such advisory opinion is beyond or contrary to the statutory authority
227 of the commission or is inconsistent with the legislative intent of any law enacted
228 by the general assembly, and after the general assembly, by concurrent resolution,
229 votes to adopt the findings and conclusions of the joint committee on
230 administrative rules. Any such concurrent resolution adopted by the general
231 assembly shall be published at length by the commission in its publication of
232 advisory opinions of the commission next following the adoption of such
233 resolution, and a copy of such concurrent resolution shall be maintained by the
234 commission, along with the withdrawn advisory opinion, in its public file of

advisory opinions. The commission shall also send a copy of such resolution to the person who originally requested the withdrawn advisory opinion. Any advisory opinion issued by the ethics commission shall act as legal direction to any person requesting such opinion and no person shall be liable for relying on the opinion and it shall act as a defense of justification against prosecution. An advisory opinion of the commission shall not be withdrawn unless:

- (a) The authorizing statute is declared unconstitutional;
- (b) The opinion goes beyond the power authorized by statute; or
- (c) The authorizing statute is changed to invalidate the opinion.

(2) Upon request, the attorney general shall give the attorney general's opinion, without fee, to the commission, any elected official of the state or any political subdivision, any member of the general assembly, or any director of any department, division or agency of the state, upon any question of law regarding the effect or application of sections 105.450 to 105.496 or chapter 130. Such opinion need be in writing only upon request of such official, member or director, and in any event shall be rendered within sixty days after such request is delivered to the attorney general.

17. The state auditor and the state auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 may audit the commission and in connection therewith may inspect materials relating to the functions of the commission. Such audit shall include a determination of whether appropriations were spent within the intent of the general assembly, but shall not extend to review of any file or document pertaining to any particular investigation, audit or review by the commission, an investigator or any staff or person employed by the commission or under the supervision of the commission or an investigator. The state auditor and any employee of the state auditor shall not disclose the identity of any person who is or was the subject of an investigation by the commission and whose identity is not public information as provided by law.

18. From time to time but no more frequently than annually the commission may request the officials and entities described in subdivision (6) of section 105.450 to identify for the commission in writing those persons associated with such office or entity which such office or entity has designated as a decision-making public servant. Each office or entity delineated in subdivision (6) of section 105.450 receiving such a request shall identify those so designated within thirty days of the commission's request.]

105.955. 1. A bipartisan "Missouri Ethics Commission", composed of six members, is

hereby established. The commission shall be assigned to the office of administration with supervision by the office of administration only for budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision by the office of administration shall not extend to matters relating to policies, regulative functions or appeals from decisions of the commission, and the commissioner of

7 administration, any employee of the office of administration, or the governor, either directly or
8 indirectly, shall not participate or interfere with the activities of the commission in any manner
9 not specifically provided by law and shall not in any manner interfere with the budget request
10 of or withhold any moneys appropriated to the commission by the general assembly. All
11 members of the commission shall be appointed by the governor with the advice and consent of
12 the senate from lists submitted pursuant to this section. Each congressional district committee
13 of the political parties having the two highest number of votes cast for their candidate for
14 governor at the last gubernatorial election shall submit two names of eligible nominees for
15 membership on the commission to the governor, and the governor shall select six members from
16 such nominees to serve on the commission.

17 2. Within thirty days of submission of the person's name to the governor as provided in
18 subsection 1 of this section, and in order to be an eligible nominee for appointment to the
19 commission, a person shall file a financial interest statement in the manner provided by section
20 105.485 and shall provide the governor, the president pro tempore of the senate, and the
21 commission with a list of all political contributions and the name of the candidate or committee,
22 political party, or [continuing] **political action** committee, as defined in chapter 130, to which
23 those contributions were made within the four-year period prior to such appointment, made by
24 the nominee, the nominee's spouse, or any business entity in which the nominee has a substantial
25 interest. The information shall be maintained by the commission and available for public
26 inspection during the period of time during which the appointee is a member of the commission.
27 In order to be an eligible nominee for membership on the commission, a person shall be a citizen
28 and a resident of the state and shall have been a registered voter in the state for a period of at
29 least five years preceding the person's appointment.

30 3. The term of each member shall be for four years, except that of the members first
31 appointed, the governor shall select three members from even-numbered congressional districts
32 and three members from odd-numbered districts. Not more than three members of the
33 commission shall be members of the same political party, nor shall more than one member be
34 from any one United States congressional district. Not more than two members appointed from
35 the even-numbered congressional districts shall be members of the same political party, and no
36 more than two members from the odd-numbered congressional districts shall be members of the
37 same political party. Of the members first appointed, the terms of the members appointed from
38 the odd-numbered congressional districts shall expire on March 15, 1994, and the terms of the
39 members appointed from the even-numbered congressional districts shall expire on March 15,
40 1996. Thereafter all successor members of the commission shall be appointed for four-year
41 terms. Terms of successor members of the commission shall expire on March fifteenth of the
42 fourth year of their term. No member of the commission shall serve on the commission after the

43 expiration of the member's term. No person shall be appointed to more than one full four-year
44 term on the commission.

45 4. Vacancies or expired terms on the commission shall be filled in the same manner as
46 the original appointment was made, except as provided in this subsection. Within thirty days of
47 the vacancy or ninety days before the expiration of the term, the names of two eligible nominees
48 for membership on the commission shall be submitted to the governor by the congressional
49 district committees of the political party or parties of the vacating member or members, from the
50 even- or odd-numbered congressional districts, based on the residence of the vacating member
51 or members, other than from the congressional district committees from districts then represented
52 on the commission and from the same congressional district party committee or committees
53 which originally appointed the member or members whose positions are vacated. Appointments
54 to fill vacancies or expired terms shall be made within forty-five days after the deadline for
55 submission of names by the congressional district committees, and shall be subject to the same
56 qualifications for appointment and eligibility as is provided in subsections 2 and 3 of this section.
57 Appointments to fill vacancies for unexpired terms shall be for the remainder of the unexpired
58 term of the member whom the appointee succeeds, and such appointees shall be eligible for
59 appointment to one full four-year term. If the congressional district committee does not submit
60 the required two nominees within the thirty days or if the congressional district committee does
61 not submit the two nominees within an additional thirty days after receiving notice from the
62 governor to submit the nominees, then the governor may appoint a person or persons who shall
63 be subject to the same qualifications for appointment and eligibility as provided in subsections
64 2 and 3 of this section.

65 5. The governor, with the advice and consent of the senate, may remove any member
66 only for substantial neglect of duty, inability to discharge the powers and duties of office, gross
67 misconduct or conviction of a felony or a crime involving moral turpitude. Members of the
68 commission also may be removed from office by concurrent resolution of the general assembly
69 signed by the governor. If such resolution receives the vote of two-thirds or more of the
70 membership of both houses of the general assembly, the signature of the governor shall not be
71 necessary to effect removal. The office of any member of the commission who moves from the
72 congressional district from which the member was appointed shall be deemed vacated upon such
73 change of residence.

74 6. The commission shall elect biennially one of its members as the [chairman] **chair**.
75 The [chairman may] **chair shall** not succeed himself or herself after two years. No member of
76 the commission shall succeed as [chairman] **chair** any member of the same political party as
77 himself or herself. At least four members are necessary to constitute a quorum, and at least four
78 affirmative votes shall be required for any action or recommendation of the commission.

79 7. No member or employee of the commission, during the person's term of service, shall
80 hold or be a candidate for any other public office.

81 8. In the event that a retired judge is appointed as a member of the commission, the judge
82 shall not serve as a special investigator while serving as a member of the commission.

83 9. No member of the commission shall, during the member's term of service or within
84 one year thereafter:

85 (1) Be employed by the state or any political subdivision of the state;

86 (2) Be employed as a lobbyist;

87 (3) Serve on any other governmental board or commission;

88 (4) Be an officer of any political party or political organization;

89 (5) Permit the person's name to be used, or make contributions, in support of or in
90 opposition to any candidate or proposition;

91 (6) Participate in any way in any election campaign; except that a member or employee
92 of the commission shall retain the right to register and vote in any election, to express the
93 person's opinion privately on political subjects or candidates, to participate in the activities of
94 a civic, community, social, labor or professional organization and to be a member of a political
95 party.

96 10. Each member of the commission shall receive, as full compensation for the member's
97 services, the sum of one hundred dollars per day for each full day actually spent on work of the
98 commission, and the member's actual and necessary expenses incurred in the performance of the
99 member's official duties.

100 11. The commission shall appoint an executive director who shall serve subject to the
101 supervision of and at the pleasure of the commission, but in no event for more than six years.
102 The executive director shall be responsible for the administrative operations of the commission
103 and perform such other duties as may be delegated or assigned to the director by law or by rule
104 of the commission. The executive director shall employ staff and retain such contract services
105 as the director deems necessary, within the limits authorized by appropriations by the general
106 assembly.

107 12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed
108 pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of
109 section 105.489, and campaign finance disclosure reports filed other than with election
110 authorities or local election authorities as provided by section 130.026 shall be filed with the
111 commission.

112 13. Within sixty days of the initial meeting of the first commission appointed, the
113 commission shall obtain from the clerk of the supreme court or the state courts administrator a
114 list of retired appellate and circuit court judges who did not leave the judiciary as a result of

being defeated in an election. The executive director shall determine those judges who indicate their desire to serve as special investigators and to investigate any and all complaints referred to them by the commission. The executive director shall maintain an updated list of those judges qualified and available for appointment to serve as special investigators. Such list shall be updated at least annually. The commission shall refer complaints to such special investigators on that list on a rotating schedule which ensures a random assignment of each special investigator. Each special investigator shall receive only one unrelated investigation at a time and shall not be assigned to a second or subsequent investigation until all other eligible investigators on the list have been assigned to an investigation. In the event that no special investigator is qualified or available to conduct a particular investigation, the commission may appoint a special investigator to conduct such particular investigation.

14. The commission shall have the following duties and responsibilities relevant to the impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, as provided in sections 105.955 to 105.963:

(1) Receive and review complaints regarding alleged violation of sections 105.450 to 105.496 and chapter 130, conduct initial reviews and investigations regarding such complaints as provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary authorities along with recommendations for sanctions; and initiate judicial proceedings as allowed by sections 105.955 to 105.963;

(2) Review and audit any reports and statements required by the campaign finance disclosure laws contained in chapter 130, and financial interest disclosure laws or lobbyist registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness, accuracy and completeness of content as provided in sections 105.955 to 105.963;

(3) Develop appropriate systems to file and maintain an index of all such reports and statements to facilitate public access to such information, except as may be limited by confidentiality requirements otherwise provided by law, including cross-checking of information contained in such statements and reports. The commission may enter into contracts with the appropriate filing officers to effectuate such system. Such filing officers shall cooperate as necessary with the commission as reasonable and necessary to effectuate such purposes;

(4) Provide information and assistance to lobbyists, elected and appointed officials, and employees of the state and political subdivisions in carrying out the provisions of sections 105.450 to 105.496 and chapter 130;

(5) Make recommendations to the governor and general assembly or any state agency on the need for further legislation with respect to the ethical conduct of public officials and employees and to advise state and local government in the development of local government codes of ethics and methods of disclosing conflicts of interest as the commission may deem

151 appropriate to promote high ethical standards among all elected and appointed officials or
152 employees of the state or any political subdivision thereof and lobbyists;

153 (6) Render advisory opinions as provided by this section;

154 (7) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and
155 chapter 130. All rules and regulations issued by the commission shall be prospective only in
156 operation;

157 (8) Request and receive from the officials and entities identified in subdivision (6) of
158 section 105.450 designations of decision-making public servants.

159 15. In connection with such powers provided by sections 105.955 to 105.963 and chapter
160 130, the commission may:

161 (1) Subpoena witnesses and compel their attendance and testimony. Subpoenas shall be
162 served and enforced in the same manner provided by section 536.077;

163 (2) Administer oaths and affirmations;

164 (3) Take evidence and require by subpoena duces tecum the production of books, papers,
165 and other records relating to any matter being investigated or to the performance of the
166 commission's duties or exercise of its powers. Subpoenas duces tecum shall be served and
167 enforced in the same manner provided by section 536.077;

168 (4) Employ such personnel, including legal counsel, and contract for services including
169 legal counsel, within the limits of its appropriation, as it deems necessary provided such legal
170 counsel, either employed or contracted, represents the Missouri ethics commission before any
171 state agency or before the courts at the request of the Missouri ethics commission. Nothing in
172 this section shall limit the authority of the Missouri ethics commission as provided for in
173 subsection 2 of section 105.961; and

174 (5) Obtain information from any department, division or agency of the state or any
175 political subdivision reasonably calculated to lead to the discovery of evidence which will
176 reasonably assist the commission in carrying out the duties prescribed in sections 105.955 to
177 105.963 and chapter 130.

178 16. (1) Upon written request for an advisory opinion received by the commission, and
179 if the commission determines that the person requesting the opinion would be directly affected
180 by the application of law to the facts presented by the requesting person, the commission shall
181 issue a written opinion advising the person who made the request, in response to the person's
182 particular request, regarding any issue that the commission can receive a complaint on pursuant
183 to section 105.957. The commission may decline to issue a written opinion by a vote of four
184 members and shall provide to the requesting person the reason for the refusal in writing. The
185 commission shall give an approximate time frame as to when the written opinion shall be issued.
186 Such advisory opinions shall be issued no later than ninety days from the date of receipt by the

187 commission. Such requests and advisory opinions, deleting the name and identity of the
188 requesting person, shall be compiled and published by the commission on at least an annual
189 basis. Advisory opinions issued by the commission shall be maintained and made available for
190 public inspection and copying at the office of the commission during normal business hours.
191 Any advisory opinion or portion of an advisory opinion rendered pursuant to this subsection shall
192 be withdrawn by the commission if, after hearing thereon, the joint committee on administrative
193 rules finds that such advisory opinion is beyond or contrary to the statutory authority of the
194 commission or is inconsistent with the legislative intent of any law enacted by the general
195 assembly, and after the general assembly, by concurrent resolution, votes to adopt the findings
196 and conclusions of the joint committee on administrative rules. Any such concurrent resolution
197 adopted by the general assembly shall be published at length by the commission in its publication
198 of advisory opinions of the commission next following the adoption of such resolution, and a
199 copy of such concurrent resolution shall be maintained by the commission, along with the
200 withdrawn advisory opinion, in its public file of advisory opinions. The commission shall also
201 send a copy of such resolution to the person who originally requested the withdrawn advisory
202 opinion. Any advisory opinion issued by the ethics commission shall act as legal direction to any
203 person requesting such opinion and no person shall be liable for relying on the opinion and it
204 shall act as a defense of justification against prosecution. An advisory opinion of the
205 commission shall not be withdrawn unless:

- 206 (a) The authorizing statute is declared unconstitutional;
- 207 (b) The opinion goes beyond the power authorized by statute; or
- 208 (c) The authorizing statute is changed to invalidate the opinion.

209 (2) Upon request, the attorney general shall give the attorney general's opinion, without
210 fee, to the commission, any elected official of the state or any political subdivision, any member
211 of the general assembly, or any director of any department, division or agency of the state, upon
212 any question of law regarding the effect or application of sections 105.450 to 105.496, or chapter
213 130. Such opinion need be in writing only upon request of such official, member or director, and
214 in any event shall be rendered within sixty days [that] **after** such request is delivered to the
215 attorney general.

216 17. The state auditor and the state auditor's duly authorized employees who have taken
217 the oath of confidentiality required by section 29.070 may audit the commission and in
218 connection therewith may inspect materials relating to the functions of the commission. Such
219 audit shall include a determination of whether appropriations were spent within the intent of the
220 general assembly, but shall not extend to review of any file or document pertaining to any
221 particular investigation, audit or review by the commission, an investigator or any staff or person
222 employed by the commission or under the supervision of the commission or an investigator. The

223 state auditor and any employee of the state auditor shall not disclose the identity of any person
224 who is or was the subject of an investigation by the commission and whose identity is not public
225 information as provided by law.

226 18. From time to time but no more frequently than annually the commission may request
227 the officials and entities described in subdivision (6) of section 105.450 to identify for the
228 commission in writing those persons associated with such office or entity which such office or
229 entity has designated as a decision-making public servant. Each office or entity delineated in
230 subdivision (6) of section 105.450 receiving such a request shall identify those so designated
231 within thirty days of the commission's request.

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

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

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

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

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

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

34 (b) Knows or has reason to know that contributions are being received
35 or expenditures are being made or space or facilities are being reserved with the
36 intent to promote the person's candidacy for office; except that, such individual
37 shall not be deemed a candidate if the person files a statement with the
38 appropriate officer within five days after learning of the receipt of contributions,
39 the making of expenditures, or the reservation of space or facilities disavowing
40 the candidacy and stating that the person will not accept nomination or take office
41 if elected; provided that, if the election at which such individual is supported as
42 a candidate is to take place within five days after the person's learning of the
43 above-specified activities, the individual shall file the statement disavowing the
44 candidacy within one day; or

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

46 (5) "Candidate committee", a committee which shall be formed by a
47 candidate to receive contributions or make expenditures in behalf of the person's
48 candidacy and which shall continue in existence for use by an elected candidate
49 or which shall terminate the later of either thirty days after the general election
50 for a candidate who was not elected or upon the satisfaction of all committee debt
51 after the election, except that no committee retiring debt shall engage in any other
52 activities in support of the candidate for which the committee was formed. Any
53 candidate for elective office shall have only one candidate committee for the
54 elective office sought, which is controlled directly by the candidate for the
55 purpose of making expenditures. A candidate committee is presumed to be under
56 the control and direction of the candidate unless the candidate files an affidavit
57 with the appropriate officer stating that the committee is acting without control
58 or direction on the candidate's part;

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

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

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

67 (9) "Committee", a person or any combination of persons, who accepts
68 contributions or makes expenditures for the primary or incidental purpose of
69 influencing or attempting to influence the action of voters for or against the
70 nomination or election to public office of one or more candidates or the
71 qualification, passage or defeat of any ballot measure or for the purpose of paying
72 a previously incurred campaign debt or obligation of a candidate or the debts or
73 obligations of a committee or for the purpose of contributing funds to another
74 committee;

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

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

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

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

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

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

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

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

111 (10) "Connected organization", any organization such as a corporation,
112 a labor organization, a membership organization, a cooperative, or trade or
113 professional association which expends funds or provides services or facilities
114 to establish, administer or maintain a committee or to solicit contributions to a
115 committee from its members, officers, directors, employees or security holders.
116 An organization shall be deemed to be the connected organization if more than
117 fifty percent of the persons making contributions to the committee during the

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

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

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

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

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

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

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

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

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

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

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a

161 candidate, committee or ballot measure, nor the necessary and ordinary personal
162 expenses of such volunteers incidental to the performance of voluntary activities,
163 so long as no compensation is directly or indirectly asked or given;

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

167 c. Interest earned on deposit of committee funds;

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

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

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

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

184 (15) "Expenditure", a payment, advance, conveyance, deposit, donation
185 or contribution of money or anything of value for the purpose of supporting or
186 opposing the nomination or election of any candidate for public office or the
187 qualification or passage of any ballot measure or for the support of any committee
188 which in turn supports or opposes any candidate or ballot measure or for the
189 purpose of paying a previously incurred campaign debt or obligation of a
190 candidate or the debts or obligations of a committee; a payment, or an agreement
191 or promise to pay, money or anything of value, including a candidate's own
192 money or property, for the purchase of goods, services, property, facilities or
193 anything of value for the purpose of supporting or opposing the nomination or
194 election of any candidate for public office or the qualification or passage of any
195 ballot measure or for the support of any committee which in turn supports or
196 opposes any candidate or ballot measure or for the purpose of paying a previously
197 incurred campaign debt or obligation of a candidate or the debts or obligations
198 of a committee. An expenditure of anything of value shall be deemed to have a
199 money value equivalent to the fair market value. "Expenditure" includes, but is
200 not limited to:

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

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

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

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

(e) "Expenditure" does not include:

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

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

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

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

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

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

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

(17) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are

solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

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

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

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

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

(22) "Political action committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a 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

289 in supporting or opposing a candidate for nomination or election or in supporting
290 or opposing the qualification, passage or defeat of a ballot measure;

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

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

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

300 (b) One state party committee per political party;

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (7) "Committee", a person or any combination of persons, who accepts contributions or
38 makes expenditures for the primary or incidental purpose of influencing or attempting to
39 influence the action of voters for or against the nomination or election to public office of one or
40 more candidates or the qualification, passage or defeat of any ballot measure or for the purpose
41 of paying a previously incurred campaign debt or obligation of a candidate or the debts or
42 obligations of a committee or for the purpose of contributing funds to another committee. **The**
43 **term "committee" shall also include organizations exempt from taxation under 26 U.S.C.**
44 **Section 501(c)(4), as amended, that accept contributions and make expenditures as**
45 **described in this subdivision, and the annual aggregate amount of such expenditures**
46 **consists of more than ten percent of the organization's assets:**

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

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

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

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

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

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

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

76 (b) The term "committee" includes, but is not limited to, each of the following
77 committees: campaign committee, candidate committee, [continuing] **political action**
78 committee, **exploratory committee**, and political party committee;

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

88 (9) "Candidate committee", a committee which shall be formed by a candidate to receive
89 contributions or make expenditures [in] **on** behalf of the person's candidacy [and which shall

90 continue in existence for use by an elected candidate or which shall terminate the later of either
91 thirty days after the general election for a candidate who was not elected or upon the satisfaction
92 of all committee debt after the election, except that no committee retiring debt shall engage in
93 any other activities in support of the candidate for which the committee was formed]. Any
94 candidate for elective office shall have only one candidate committee for the elective office
95 sought, which is controlled directly by the candidate for the purpose of making expenditures.
96 A candidate committee is presumed to be under the control and direction of the candidate unless
97 the candidate files an affidavit with the appropriate officer stating that the committee is acting
98 without control or direction on the candidate's part;

99 (10) "[Continuing] **Political action** committee", a committee of continuing existence
100 [which is not formed, controlled or directed by a candidate, and is a committee] other than a
101 candidate committee [or], **political party committee**, campaign committee, **exploratory**
102 **committee, or debt service committee**, whose primary or incidental purpose is to receive
103 contributions or make expenditures to influence or attempt to influence the action of voters
104 whether or not a particular candidate or candidates or a particular ballot measure or measures to
105 be supported or opposed has been determined at the time the committee is required to file any
106 statement or report pursuant to the provisions of this chapter. ["Continuing committee"] **Such**
107 **a committee** includes, but is not limited to, any committee organized or sponsored by a business
108 entity, a labor organization, a professional association, a trade or business association, a club or
109 other organization and whose primary purpose is to solicit, accept and use contributions from the
110 members, employees or stockholders of such entity and any individual or group of individuals
111 who accept and use contributions to influence or attempt to influence the action of voters]. Such
112 committee shall be formed no later than sixty days prior to the election for which the committee
113 receives contributions or makes expenditures];

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

122 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
123 anything of value for the purpose of supporting or opposing the nomination or election of any
124 candidate for public office or the qualification, passage or defeat of any ballot measure, or for
125 the support of any committee supporting or opposing candidates or ballot measures or for paying

126 debts or obligations of any candidate or committee previously incurred for the above purposes.
127 A contribution of anything of value shall be deemed to have a money value equivalent to the fair
128 market value. "Contribution" includes, but is not limited to:

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

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

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

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

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

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

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

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

154 (i) "Contribution" does not include:

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

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

c. Interest earned on deposit of committee funds;

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

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

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

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

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

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

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

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

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

(e) "Expenditure" does not include:

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

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

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

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

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

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

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

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

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

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

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

239 (21) "Loan", a transfer of money, property or anything of ascertainable monetary value
240 in exchange for an obligation, conditional or not, to repay in whole or in part and which was
241 contracted, used, or intended for use in an election campaign, or which was made or received by
242 a committee or which was contracted, used, or intended to pay previously incurred campaign
243 debts or obligations of a candidate or the debts or obligations of a committee;

244 (22) "Person", an individual, group of individuals, corporation, partnership, committee,
245 proprietorship, joint venture, any department, agency, board, institution or other entity of the
246 state or any of its political subdivisions, union, labor organization, trade or professional or
247 business association, association, political party or any executive committee thereof, or any other
248 club or organization however constituted or any officer or employee of such entity acting in the
249 person's official capacity;

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

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

257 (25) "Political party committee", a state, **congressional** district, **or** county[, city, or area]
258 **political action** committee of a political party, as [defined] **authorized** in section 115.603,
259 which may be organized as a not-for-profit corporation under Missouri law, and which
260 committee is of continuing existence, and has the primary or incidental purpose of receiving
261 contributions and making expenditures to influence or attempt to influence the action of voters
262 on behalf of the political party;

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

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

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

2 [130.021. 1. Every committee shall have a treasurer who, except as
3 provided in subsection 10 of this section, shall be a resident of this state. A
4 committee may also have a deputy treasurer who, except as provided in
5 subsection 10 of this section, shall be a resident of this state and serve in the
6 capacity of committee treasurer in the event the committee treasurer is unable for
7 any reason to perform the treasurer's duties.

8 2. Every candidate for offices listed in subsection 1 of section 130.016
9 who has not filed a statement of exemption pursuant to that subsection and every
10 candidate for offices listed in subsection 6 of section 130.016 who is not
11 excluded from filing a statement of organization and disclosure reports pursuant
12 to subsection 6 of section 130.016 shall form a candidate committee and appoint
13 a treasurer. Thereafter, all contributions on hand and all further contributions
14 received by such candidate and any of the candidate's own funds to be used in
15 support of the person's candidacy shall be deposited in a candidate committee
16 depository account established pursuant to the provisions of subsection 4 of this
17 section, and all expenditures shall be made through the candidate, treasurer or
18 deputy treasurer of the person's candidate committee. Nothing in this chapter
19 shall prevent a candidate from appointing himself or herself as a committee of
20 one and serving as the person's own treasurer, maintaining the candidate's own
21 records and filing all the reports and statements required to be filed by the
22 treasurer of a candidate committee.

23 3. A candidate who has more than one candidate committee supporting
24 the person's candidacy shall designate one of those candidate committees as the
25 committee responsible for consolidating the aggregate contributions to all such
26 committees under the candidate's control and direction as required by section
27 130.041. No person shall form a new committee or serve as a deputy treasurer
28 of any committee as defined in section 130.011 until the person or the treasurer
29 of any committee previously formed by the person or where the person served as
30 treasurer or deputy treasurer has filed all required campaign disclosure reports
31 and statements of limited activity for all prior elections and paid outstanding
32 previously imposed fees assessed against that person by the ethics commission.

33 4. (1) Every committee shall have a single official fund depository
34 within this state which shall be a federally or state-chartered bank, a federally or
35 state-chartered savings and loan association, or a federally or state-chartered
credit union in which the committee shall open and thereafter maintain at least

36 one official depository account in its own name. An "official depository account"
37 shall be a checking account or some type of negotiable draft or negotiable order
38 of withdrawal account, and the official fund depository shall, regarding an
39 official depository account, be a type of financial institution which provides a
40 record of deposits, cancelled checks or other cancelled instruments of withdrawal
41 evidencing each transaction by maintaining copies within this state of such
42 instruments and other transactions. All contributions which the committee
43 receives in money, checks and other negotiable instruments shall be deposited in
44 a committee's official depository account. Contributions shall not be accepted
45 and expenditures shall not be made by a committee except by or through an
46 official depository account and the committee treasurer, deputy treasurer or
47 candidate. Contributions received by a committee shall not be commingled with
48 any funds of an agent of the committee, a candidate or any other person, except
49 that contributions from a candidate of the candidate's own funds to the person's
50 candidate committee shall be deposited to an official depository account of the
51 person's candidate committee. No expenditure shall be made by a committee
52 when the office of committee treasurer is vacant except that when the office of
53 a candidate committee treasurer is vacant, the candidate shall be the treasurer
54 until the candidate appoints a new treasurer.

55 (2) A committee treasurer, deputy treasurer or candidate may withdraw
56 funds from a committee's official depository account and deposit such funds in
57 one or more savings accounts in the committee's name in any bank, savings and
58 loan association or credit union within this state, and may also withdraw funds
59 from an official depository account for investment in the committee's name in any
60 certificate of deposit, bond or security. Proceeds from interest or dividends from
61 a savings account or other investment or proceeds from withdrawals from a
62 savings account or from the sale of an investment shall not be expended or
63 reinvested, except in the case of renewals of certificates of deposit, without first
64 redepositing such proceeds in an official depository account. Investments, other
65 than savings accounts, held outside the committee's official depository account
66 at any time during a reporting period shall be disclosed by description, amount,
67 any identifying numbers and the name and address of any institution or person in
68 which or through which it is held in an attachment to disclosure reports the
69 committee is required to file.

70 Proceeds from an investment such as interest or dividends or proceeds from its
71 sale, shall be reported by date and amount. In the case of the sale of an
72 investment, the names and addresses of the persons involved in the transaction
73 shall also be stated. Funds held in savings accounts and investments, including
74 interest earned, shall be included in the report of money on hand as required by
75 section 130.041.

76 5. The treasurer or deputy treasurer acting on behalf of any person or
77 organization or group of persons which is a committee by virtue of the definitions
78 of committee in section 130.011 and any candidate who is not excluded from

79 forming a committee in accordance with the provisions of section 130.016 shall
80 file a statement of organization with the appropriate officer within twenty days
81 after the person or organization becomes a committee but no later than the date
82 for filing the first report required pursuant to the provisions of section 130.046.
83 The statement of organization shall contain the following information:

84 (1) The name, mailing address and telephone number, if any, of the
85 committee filing the statement of organization. If the committee is deemed to be
86 affiliated with a connected organization as provided in subdivision (10) of section
87 130.011, the name of the connected organization, or a legally registered fictitious
88 name which reasonably identifies the connected organization, shall appear in the
89 name of the committee. If the committee is a candidate committee, the name of
90 the candidate shall be a part of the committee's name;

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

92 (3) The name, mailing address and telephone number of the committee
93 treasurer, and the name, mailing address and telephone number of its deputy
94 treasurer if the committee has named a deputy treasurer;

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

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

98 (6) The name and mailing address of its depository, and the name and
99 account number of each account the committee has in the depository. The
100 account number of each account shall be redacted prior to disclosing the
101 statement to the public;

102 (7) Identification of the major nature of the committee such as a
103 candidate committee, campaign committee, political action committee, political
104 party committee, incumbent committee, or any other committee according to the
105 definition of committee in section 130.011;

106 (8) In the case of the candidate committee designated in subsection 3 of
107 this section, the full name and address of each other candidate committee which
108 is under the control and direction of the same candidate, together with the name,
109 address and telephone number of the treasurer of each such other committee;

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

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

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

118 7. A committee which has filed a statement of organization and has not
119 terminated shall not be required to file another statement of organization, except
120 that when there is a change in any of the information previously reported as
121 required by subdivisions (1) to (8) of subsection 5 of this section an amended

statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

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

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

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

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

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

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

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

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and

10 disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee
11 and appoint a treasurer. Thereafter, all contributions on hand and all further contributions
12 received by such candidate and any of the candidate's own funds to be used in support of the
13 person's candidacy shall be deposited in a candidate committee depository account established
14 pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made
15 through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing
16 in this chapter shall prevent a candidate from appointing himself or herself as a committee of one
17 and serving as the person's own treasurer, maintaining the candidate's own records and filing all
18 the reports and statements required to be filed by the treasurer of a candidate committee.

19 3. A candidate who has more than one candidate committee supporting the person's
20 candidacy shall designate one of those candidate committees as the committee responsible for
21 consolidating the aggregate contributions to all such committees under the candidate's control
22 and direction as required by section 130.041.

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

42 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
43 committee's official depository account and deposit such funds in one or more savings accounts
44 in the committee's name in any bank, savings and loan association or credit union within this
45 state, and may also withdraw funds from an official depository account for investment in the

46 committee's name in any certificate of deposit, bond or security. Proceeds from interest or
47 dividends from a savings account or other investment or proceeds from withdrawals from a
48 savings account or from the sale of an investment shall not be expended or reinvested, except
49 in the case of renewals of certificates of deposit, without first redepositing such proceeds in an
50 official depository account. Investments, other than savings accounts, held outside the
51 committee's official depository account at any time during a reporting period shall be disclosed
52 by description, amount, any identifying numbers and the name and address of any institution or
53 person in which or through which it is held in an attachment to disclosure reports the committee
54 is required to file. Proceeds from an investment such as interest or dividends or proceeds from
55 its sale, shall be reported by date and amount. In the case of the sale of an investment, the
56 names and addresses of the persons involved in the transaction shall also be stated. Funds held
57 in savings accounts and investments, including interest earned, shall be included in the report of
58 money on hand as required by section 130.041.

59 5. The treasurer or deputy treasurer acting on behalf of any person or organization or
60 group of persons which is a committee by virtue of the definitions of committee in section
61 130.011 and any candidate who is not excluded from forming a committee in accordance with
62 the provisions of section 130.016 shall file a statement of organization with the appropriate
63 officer within twenty days after the person or organization becomes a committee but no later than
64 the date for filing the first report required pursuant to the provisions of section 130.046. The
65 statement of organization shall contain the following information:

66 (1) The name, mailing address and telephone number, if any, of the committee filing the
67 statement of organization. If the committee is deemed to be affiliated with a connected
68 organization as provided in subdivision (11) of section 130.011, the name of the connected
69 organization, or a legally registered fictitious name which reasonably identifies the connected
70 organization, shall appear in the name of the committee. If the committee is a candidate
71 committee, the name of the candidate shall be a part of the committee's name;

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

73 (3) The name, mailing address and telephone number of the committee treasurer, and the
74 name, mailing address and telephone number of its deputy treasurer if the committee has named
75 a deputy treasurer;

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

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

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

82 (7) Identification of the major nature of the committee such as a candidate committee,
83 campaign committee, [continuing] **political action** committee, political party committee,
84 incumbent committee, or any other committee according to the definition of committee in section
85 130.011;

86 (8) In the case of the candidate committee designated in subsection 3 of this section, the
87 full name and address of each other candidate committee which is under the control and direction
88 of the same candidate, together with the name, address and telephone number of the treasurer of
89 each such other committee;

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

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

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

98 7. A committee which has filed a statement of organization and has not terminated shall
99 not be required to file another statement of organization, except that when there is a change in
100 any of the information previously reported as required by subdivisions (1) to (8) of subsection
101 5 of this section an amended statement of organization shall be filed within twenty days after the
102 change occurs, but no later than the date of the filing of the next report required to be filed by
103 that committee by section 130.046.

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

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

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

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

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

121 11. If a committee domiciled in this state receives a contribution of one thousand five
122 hundred dollars or more from any committee domiciled outside of this state, the committee
123 domiciled in this state shall file a disclosure report with the commission. The report shall
124 disclose the full name, mailing address, telephone numbers and domicile of the contributing
125 committee and the date and amount of the contribution. The report shall be filed within
126 forty-eight hours of the receipt of such contribution if the contribution is received after the last
127 reporting date before the election.

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

 [130.026. 1. For the purpose of this section, the term "election authority"
2 or "local election authority" means the county clerk, except that in a city or
3 county having a board of election commissioners the board of election
4 commissioners shall be the election authority. For any political subdivision or
5 other district which is situated within the jurisdiction of more than one election
6 authority, as defined herein, the election authority is the one in whose jurisdiction
7 the candidate resides or, in the case of ballot measures, the one in whose
8 jurisdiction the most populous portion of the political subdivision or district for
9 which an election is held is situated, except that a county clerk or a county board
10 of election commissioners shall be the election authority for all candidates for
11 elective county offices other than county clerk and for any countywide ballot
12 measures.

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

15 (1) In the case of candidates for the offices of governor, lieutenant
16 governor, secretary of state, state treasurer, state auditor, attorney general, judges
17 of the supreme court and appellate court judges, the appropriate officer shall be
18 the Missouri ethics commission;

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

24 (3) In the case of candidates for elective municipal offices in
25 municipalities of more than one hundred thousand inhabitants and elective county
26 offices in counties of more than one hundred thousand inhabitants, the
27 appropriate officers shall be the Missouri ethics commission and the election
28 authority of the municipality or county in which the candidate seeks office;

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

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

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

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

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

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

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

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

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

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

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

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

130.026. 1. For the purpose of this section, the term "election authority" or "local election authority" means the county clerk, except that in a city or county having a board of election commissioners the board of election commissioners shall be the election authority. For any political subdivision or other district which is situated within the jurisdiction of more than

5 one election authority, as defined herein, the election authority is the one in whose jurisdiction
6 the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most
7 populous portion of the political subdivision or district for which an election is held is situated,
8 except that a county clerk or a county board of election commissioners shall be the election
9 authority for all candidates for elective county offices other than county clerk and for any
10 countywide ballot measures.

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

13 (1) In the case of candidates for the offices of governor, lieutenant governor, secretary
14 of state, state treasurer, state auditor, attorney general, judges of the supreme court and appellate
15 court judges, the appropriate officer shall be the Missouri ethics commission;

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

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

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

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

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

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

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

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

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

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

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

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

45 (2) If the committee makes or anticipates making expenditures other than direct
46 contributions which aggregate more than five hundred dollars to support or oppose one or more
47 candidates or ballot measures in the same political subdivision or district for which the
48 appropriate officer is an election authority other than the one for the county in which the
49 committee is domiciled, the appropriate officers for that committee shall include such other
50 election authority or authorities, except that committees covered by this subsection need not file
51 statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section
52 130.046 with any appropriate officer other than those set forth in subdivision (1) of this
53 subsection.

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

 130.028. 1. Every person, labor organization, or corporation organized or existing by
2 virtue of the laws of this state, or doing business in this state who shall:

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

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

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

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

14 (5) Discriminate or threaten to discriminate against any member or employee in this state
15 for contributing or refusing to contribute to any candidate, political committee or separate
16 political fund with respect to the privileges of membership or with respect to [his] **such**
17 **member's or employee's** employment and the compensation, terms, conditions or privileges
18 related thereto shall be guilty of a class E felony.

19 2. No employer, corporation, [continuing] **political action** committee, or labor
20 organization shall receive or cause to be made contributions from its members or employees

21 except on the advance voluntary permission of the members or employees. Violation of this
22 section by the corporation, employer, [continuing] **political action** committee or labor
23 organization shall be a class A misdemeanor.

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

30 4. Any person aggrieved by any act prohibited by this section shall, in addition to any
31 other remedy provided by law, be entitled to maintain within one year from the date of the
32 prohibited act, a civil action in the courts of this state, and if successful, [he or she] **such person**
33 shall be awarded civil damages of not less than one hundred dollars and not more than one
34 thousand dollars, together with [his or her] **such person's** costs, including reasonable attorney's
35 fees. Each violation shall be a separate cause of action.

130.028. 1. Every person, labor organization, or corporation organized or existing by
2 virtue of the laws of this state, or doing business in this state who shall:

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

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

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

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

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

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

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

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

 130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall
2 be made by or accepted from any single contributor for any election by a [continuing] **political**
3 **action** committee, a campaign committee, a political party committee, an exploratory committee
4 or a candidate committee.

5 2. Except for expenditures from a petty cash fund which is established and maintained
6 by withdrawals of funds from the committee's depository account and with records maintained
7 pursuant to the record-keeping requirements of section 130.036 to account for expenditures made
8 from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall
9 be made by check drawn on the committee's depository and signed by the committee treasurer,
10 deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty
11 dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall
12 not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the
13 committee during that calendar year. A check made payable to "cash" shall not be made except
14 to replenish a petty cash fund.

15 3. No contribution shall be made or accepted and no expenditure shall be made or
16 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
17 through another person in such a manner as to conceal the identity of the actual source of the
18 contribution or the actual recipient and purpose of the expenditure. Any person who receives
19 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or

20 candidate the recipient's own name and address and the name and address of the actual source
21 of each contribution such person has received for that committee. Any person who makes
22 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
23 candidate such person's own name and address, the name and address of each person to whom
24 an expenditure has been made and the amount and purpose of the expenditures the person has
25 made for that committee.

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

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

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

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

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

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

54 (4) A statement describing the event shall be prepared by the candidate or the treasurer
55 of the committee for whom the funds were raised or by the person responsible for conducting the

56 activity or event and attached to the disclosure report of contributions and expenditures required
57 by section 130.041. The following information to be listed in the statement is in addition to, not
58 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of
59 contributions and expenditures:

60 (a) The name and mailing address of the person or persons responsible for conducting
61 the event or activity and the name and address of the candidate or committee for whom the funds
62 were raised;

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

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

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

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

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

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

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

79 8. Any person publishing, circulating, or distributing any printed matter relative to any
80 candidate for public office or any ballot measure shall on the face of the printed matter identify
81 in a clear and conspicuous manner the person who paid for the printed matter with the words
82 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. **If**
83 **paid for by a committee, such identification shall also include the names of the individuals**
84 **or entities whose total amount of contributions are such that they are the three top**
85 **contributors to such committee.** For the purposes of this section, "printed matter" shall be
86 defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including
87 advertisements in any newspaper or other periodical, sign, including signs for display on motor
88 vehicles, or other imprinted or lettered material; but "printed matter" is defined to exclude
89 materials printed and purchased prior to May 20, 1982, if the candidate or committee can
90 document that delivery took place prior to May 20, 1982; any sign personally printed and
91 constructed by an individual without compensation from any other person and displayed at that

92 individual's place of residence or on that individual's personal motor vehicle; any items of
93 personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches,
94 campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a
95 candidate or supports or opposes a ballot measure and which is obvious in its identification with
96 a specific candidate or committee and is reported as required by this chapter; and any news story,
97 commentary, or editorial printed by a regularly published newspaper or other periodical without
98 charge to a candidate, committee or any other person.

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

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

106 (3) In regard to any printed matter paid for by a corporation or other business entity,
107 labor organization, or any other organization not defined to be a committee by [subdivision (7)
108 of] section 130.011 and not organized especially for influencing one or more elections, it shall
109 be sufficient identification to print the name of the entity, the name of the principal officer of the
110 entity, by whatever title known, and the mailing address of the entity, or if the entity has no
111 mailing address, the mailing address of the principal officer.

112 (4) In regard to any printed matter paid for by an individual or individuals, it shall be
113 sufficient identification to print the name of the individual or individuals and the respective
114 mailing address or addresses, except that if more than five individuals join in paying for printed
115 matter it shall be sufficient identification to print the words "For a list of other sponsors contact:"
116 followed by the name and address of one such individual responsible for causing the matter to
117 be printed, and the individual identified shall maintain a record of the names and amounts paid
118 by other individuals and shall make such record available for review upon the request of any
119 person. No person shall accept for publication or printing nor shall such work be completed until
120 the printed matter is properly identified as required by this subsection.

121 9. Any broadcast station transmitting any matter relative to any candidate for public
122 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as
123 required by federal law **and, if paid for by any candidate committee or campaign committee**
124 **associated with such candidate or ballot measure, such identification shall also include the**
125 **name of such committee treasurer and the names of the individuals or entities whose total**
126 **amount of contributions are such that they are the three top contributors to such**
127 **committee.**

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

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

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

13. The identification requirements in subsections 8 and 9 of this section shall apply to every matter relative to any candidate for public office or ballot measure that is transmitted in an electronic format, including materials transmitted over the internet, by email, or by any other electronic means.

[130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political

subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed

by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and political action committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate

111 whether such contribution is received as a primary election contribution or a
112 general election contribution;

113 (2) In the case of a campaign committee, the period shall begin on the
114 date the committee received its first contribution and end on the closing date for
115 the period for which the report or statement is required;

116 (3) In the case of a political party committee or a political action
117 committee, the period shall begin on the first day of January of the year in which
118 the report or statement is being filed and end on the closing date for the period
119 for which the report or statement is required; except, if the report or statement is
120 required to be filed prior to the first day of July in any given year, the period shall
121 begin on the first day of July of the preceding year.

122 3. The disclosure report shall be signed and attested by the committee
123 treasurer or deputy treasurer and by the candidate in case of a candidate
124 committee.

125 4. The words "consulting or consulting services, fees, or expenses", or
126 similar words, shall not be used to describe the purpose of a payment as required
127 in this section. The reporting of any payment to such an independent contractor
128 shall be on a form supplied by the appropriate officer, established by the ethics
129 commission and shall include identification of the specific service or services
130 provided including, but not limited to, public opinion polling, research on issues
131 or opposition background, print or broadcast media production, print or broadcast
132 media purchase, computer programming or data entry, direct mail production,
133 postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount
134 prorated for each service.]

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if
2 applicable, treasurer or deputy treasurer of every committee which is required to file a statement
3 of organization, shall file a legibly printed or typed disclosure report of receipts and
4 expenditures. The reports shall be filed with the appropriate officer designated in section
5 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in
6 sections 130.049 and 130.050, each report shall set forth:

7 (1) The full name, as required in the statement of organization pursuant to subsection 5
8 of section 130.021, and mailing address of the committee filing the report and the full name,
9 mailing address and telephone number of the committee's treasurer and deputy treasurer if the
10 committee has named a deputy treasurer;

11 (2) The amount of money, including cash on hand at the beginning of the reporting
12 period;

13 (3) Receipts for the period, including:

14 (a) Total amount of all monetary contributions received which can be identified in the
15 committee's records by name and address of each contributor. In addition, the candidate
16 committee shall make a reasonable effort to obtain and report the employer, or occupation if

17 self-employed or notation of retirement, of each person from whom the committee received one
18 or more contributions which in the aggregate total in excess of one hundred dollars and shall
19 make a reasonable effort to obtain and report a description of any contractual relationship over
20 five hundred dollars between the contributor and the state if the candidate is seeking election to
21 a state office or between the contributor and any political subdivision of the state if the candidate
22 is seeking election to another political subdivision of the state;

23 (b) Total amount of all anonymous contributions accepted;

24 (c) Total amount of all monetary contributions received through fund-raising events or
25 activities from participants whose names and addresses were not obtained with such
26 contributions, with an attached statement or copy of the statement describing each fund-raising
27 event as required in subsection 6 of section 130.031;

28 (d) Total dollar value of all in-kind contributions received;

29 (e) A separate listing by name and address and employer, or occupation if self-employed
30 or notation of retirement, of each person from whom the committee received contributions, in
31 money or any other thing of value, aggregating more than one hundred dollars, together with the
32 date and amount of each such contribution;

33 (f) A listing of each loan received by name and address of the lender and date and
34 amount of the loan. For each loan of more than one hundred dollars, a separate statement shall
35 be attached setting forth the name and address of the lender and each person liable directly,
36 indirectly or contingently, and the date, amount and terms of the loan;

37 (4) Expenditures for the period, including:

38 (a) The total dollar amount of expenditures made by check drawn on the committee's
39 depository;

40 (b) The total dollar amount of expenditures made in cash;

41 (c) The total dollar value of all in-kind expenditures made;

42 (d) The full name and mailing address of each person to whom an expenditure of money
43 or any other thing of value in the amount of more than one hundred dollars has been made,
44 contracted for or incurred, together with the date, amount and purpose of each expenditure.
45 Expenditures of one hundred dollars or less may be grouped and listed by categories of
46 expenditure showing the total dollar amount of expenditures in each category, except that the
47 report shall contain an itemized listing of each payment made to campaign workers by name,
48 address, date, amount and purpose of each payment and the aggregate amount paid to each such
49 worker;

50 (e) A list of each loan made, by name and mailing address of the person receiving the
51 loan, together with the amount, terms and date;

52 (5) The total amount of cash on hand as of the closing date of the reporting period
53 covered, including amounts in depository accounts and in petty cash fund;

54 (6) The total amount of outstanding indebtedness as of the closing date of the reporting
55 period covered;

56 (7) The amount of expenditures for or against a candidate or ballot measure during the
57 period covered and the cumulative amount of expenditures for or against that candidate or ballot
58 measure, with each candidate being listed by name, mailing address and office sought. For the
59 purpose of disclosure reports, expenditures made in support of more than one candidate or ballot
60 measure or both shall be apportioned reasonably among the candidates or ballot measure or both.
61 In apportioning expenditures to each candidate or ballot measure, political party committees and
62 [continuing] **political action** committees need not include expenditures for maintaining a
63 permanent office, such as expenditures for salaries of regular staff, office facilities and
64 equipment or other expenditures not designed to support or oppose any particular candidates or
65 ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this
66 subsection;

67 (8) A separate listing by full name and address of any committee including a candidate
68 committee controlled by the same candidate for which a transfer of funds or a contribution in any
69 amount has been made during the reporting period, together with the date and amount of each
70 such transfer or contribution;

71 (9) A separate listing by full name and address of any committee, including a candidate
72 committee controlled by the same candidate from which a transfer of funds or a contribution in
73 any amount has been received during the reporting period, together with the date and amount of
74 each such transfer or contribution;

75 (10) Each committee that receives a contribution which is restricted or designated in
76 whole or in part by the contributor for transfer to a particular candidate, committee or other
77 person shall include a statement of the name and address of that contributor in the next disclosure
78 report required to be filed after receipt of such contribution, together with the date and amount
79 of any such contribution which was so restricted or designated by that contributor, together with
80 the name of the particular candidate or committee to whom such contribution was so designated
81 or restricted by that contributor and the date and amount of such contribution.

82 2. For the purpose of this section and any other section in this chapter except sections
83 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified
84 amount, the aggregate amount shall be computed by adding all contributions received from any
85 one person during the following periods:

86 (1) In the case of a candidate committee, the period shall begin on the date on which the
87 candidate became a candidate according to the definition of the term "candidate" in section

88 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an
89 election or at 11:59 p.m. on the day of the general election. If the candidate has a general
90 election held after a primary election, the next aggregating period shall begin at 12:00 midnight
91 on the day after the primary election day and shall close at 11:59 p.m. on the day of the general
92 election. Except that for contributions received during the thirty-day period immediately
93 following a primary election, the candidate shall designate whether such contribution is received
94 as a primary election contribution or a general election contribution;

95 (2) In the case of a campaign committee, the period shall begin on the date the committee
96 received its first contribution and end on the closing date for the period for which the report or
97 statement is required;

98 (3) In the case of a political party committee or a [continuing] **political action**
99 committee, the period shall begin on the first day of January of the year in which the report or
100 statement is being filed and end on the closing date for the period for which the report or
101 statement is required; except, if the report or statement is required to be filed prior to the first day
102 of July in any given year, the period shall begin on the first day of July of the preceding year.

103 3. The disclosure report shall be signed and attested by the committee treasurer or deputy
104 treasurer and by the candidate in case of a candidate committee.

105 4. The words "consulting or consulting services, fees, or expenses", or similar words,
106 shall not be used to describe the purpose of a payment as required in this section. The reporting
107 of any payment to such an independent contractor shall be on a form supplied by the appropriate
108 officer, established by the ethics commission and shall include identification of the specific
109 service or services provided including, but not limited to, public opinion polling, research on
110 issues or opposition background, print or broadcast media production, print or broadcast media
111 purchase, computer programming or data entry, direct mail production, postage, rent, utilities,
112 phone solicitation, or fund raising, and the dollar amount prorated for each service.

[130.046. 1. The disclosure reports required by section 130.041 for all
2 committees shall be filed at the following times and for the following periods:

3 (1) Not later than the eighth day before an election for the period closing
4 on the twelfth day before the election if the committee has made any contribution
5 or expenditure either in support or opposition to any candidate or ballot measure;

6 (2) Not later than the thirtieth day after an election for a period closing
7 on the twenty-fifth day after the election, if the committee has made any
8 contribution or expenditure either in support of or opposition to any candidate or
9 ballot measure; except that, a successful candidate who takes office prior to the
10 twenty-fifth day after the election shall have complied with the report
11 requirement of this subdivision if a disclosure report is filed by such candidate
12 and any candidate committee under the candidate's control before such candidate

13 takes office, and such report shall be for the period closing on the day before
14 taking office; and

15 (3) Not later than the fifteenth day following the close of each calendar
16 quarter.

17 Notwithstanding the provisions of this subsection, if any committee accepts
18 contributions or makes expenditures in support of or in opposition to a ballot
19 measure or a candidate, and the report required by this subsection for the most
20 recent calendar quarter is filed prior to the fortieth day before the election on the
21 measure or candidate, the committee shall file an additional disclosure report not
22 later than the fortieth day before the election for the period closing on the
23 forty-fifth day before the election.

24 2. In the case of a ballot measure to be qualified to be on the ballot by
25 initiative petition or referendum petition, or a recall petition seeking to remove
26 an incumbent from office, disclosure reports relating to the time for filing such
27 petitions shall be made as follows:

28 (1) In addition to the disclosure reports required to be filed pursuant to
29 subsection 1 of this section the treasurer of a committee, other than a political
30 action committee, supporting or opposing a petition effort to qualify a measure
31 to appear on the ballot or to remove an incumbent from office shall file an initial
32 disclosure report fifteen days after the committee begins the process of raising or
33 spending money. After such initial report, the committee shall file quarterly
34 disclosure reports as required by subdivision (3) of subsection 1 of this section
35 until such time as the reports required by subdivisions (1) and (2) of subsection
36 1 of this section are to be filed. In addition the committee shall file a second
37 disclosure report no later than the fifteenth day after the deadline date for
38 submitting such petition. The period covered in the initial report shall begin on
39 the day the committee first accepted contributions or made expenditures to
40 support or oppose the petition effort for qualification of the measure and shall
41 close on the fifth day prior to the date of the report;

42 (2) If the measure has qualified to be on the ballot in an election and if
43 a committee subject to the requirements of subdivision (1) of this subsection is
44 also required to file a preelection disclosure report for such election any time
45 within thirty days after the date on which disclosure reports are required to be
46 filed in accordance with subdivision (1) of this subsection, the treasurer of such
47 committee shall not be required to file the report required by subdivision (1) of
48 this subsection, but shall include in the committee's preelection report all
49 information which would otherwise have been required by subdivision (1) of this
50 subsection.

51 3. The candidate, if applicable, treasurer or deputy treasurer of a
52 committee shall file disclosure reports pursuant to this section, except for any
53 calendar quarter in which the contributions received by the committee or the
54 expenditures or contributions made by the committee do not exceed five hundred
55 dollars. The reporting dates and periods covered for such quarterly reports shall

not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be required to file the quarterly disclosure report required not later than the fifteenth day of any January immediately following a November election, provided that such candidate, treasurer or deputy treasurer shall file the information required on such quarterly report on the quarterly report to be filed not later than the fifteenth day of April immediately following such November election. Each report by such committee shall be cumulative from the date of the last report. In the case of the political action committee's first report, the report shall be cumulative from the date of the political action committee's organization. Every candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section. A political action committee shall submit additional reports if it makes aggregate expenditures, other than contributions to a committee, of five hundred dollars or more, within the reporting period at the following times for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election;

(2) Not later than twenty-four hours after aggregate expenditures of two hundred fifty dollars or more are made after the twelfth day before the election; and

(3) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election.

4. The reports required to be filed no later than the thirtieth day after an election and any subsequently required report shall be cumulative so as to reflect the total receipts and disbursements of the reporting committee for the entire election campaign in question. The period covered by each disclosure report shall begin on the day after the closing date of the most recent disclosure report filed and end on the closing date for the period covered. If the committee has not previously filed a disclosure report, the period covered begins on the date the committee was formed; except that in the case of a candidate committee, the period covered begins on the date the candidate became a candidate according to the definition of the term candidate in section 130.011.

5. Notwithstanding any other provisions of this chapter to the contrary:

(1) Certain disclosure reports pertaining to any candidate who receives nomination in a primary election and thereby seeks election in the immediately succeeding general election shall not be required in the following cases:

(a) If there are less than fifty days between a primary election and the immediately succeeding general election, the disclosure report required to be filed quarterly; provided that, any other report required to be filed prior to the primary election and all other reports required to be filed not later than the eighth

99 day before the general election are filed no later than the final dates for filing
100 such reports;

101 (b) If there are less than eighty-five days between a primary election and
102 the immediately succeeding general election, the disclosure report required to be
103 filed not later than the thirtieth day after the primary election need not be filed;
104 provided that any report required to be filed prior to the primary election and any
105 other report required to be filed prior to the general election are filed no later than
106 the final dates for filing such reports; and

107 (2) No disclosure report needs to be filed for any reporting period if
108 during that reporting period the committee has neither received contributions
109 aggregating more than five hundred dollars nor made expenditure aggregating
110 more than five hundred dollars and has not received contributions aggregating
111 more than three hundred dollars from any single contributor and if the
112 committee's treasurer files a statement with the appropriate officer that the
113 committee has not exceeded the identified thresholds in the reporting period.
114 Any contributions received or expenditures made which are not reported because
115 this statement is filed in lieu of a disclosure report shall be included in the next
116 disclosure report filed by the committee. This statement shall not be filed in lieu
117 of the report for two or more consecutive disclosure periods if either the
118 contributions received or expenditures made in the aggregate during those
119 reporting periods exceed five hundred dollars. This statement shall not be filed,
120 in lieu of the report, later than the thirtieth day after an election if that report
121 would show a deficit of more than one thousand dollars.

122 6. (1) If the disclosure report required to be filed by a committee not
123 later than the thirtieth day after an election shows a deficit of unpaid loans and
124 other outstanding obligations in excess of five thousand dollars, semiannual
125 supplemental disclosure reports shall be filed with the appropriate officer for each
126 succeeding semiannual period until the deficit is reported in a disclosure report
127 as being reduced to five thousand dollars or less; except that, a supplemental
128 semiannual report shall not be required for any semiannual period which includes
129 the closing date for the reporting period covered in any regular disclosure report
130 which the committee is required to file in connection with an election. The
131 reporting dates and periods covered for semiannual reports shall be not later than
132 the fifteenth day of January and July for periods closing on the thirty-first day of
133 December and the thirtieth day of June.

134 (2) Committees required to file reports pursuant to subsection 2 or 3 of
135 this section which are not otherwise required to file disclosure reports for an
136 election shall file semiannual reports as required by this subsection if their last
137 required disclosure report shows a total of unpaid loans and other outstanding
138 obligations in excess of five thousand dollars.

139 7. In the case of a committee which disbands and is required to file a
140 termination statement pursuant to the provisions of section 130.021 with the
141 appropriate officer not later than the tenth day after the committee was dissolved,

the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the day designated for the filing of the report and a report postmarked not later than midnight of the day previous to the day designated for filing the report shall be deemed to have been filed in a timely manner. The appropriate officer may establish a policy whereby disclosure reports may be filed by facsimile transmission.

9. Each candidate for the office of state representative, state senator, and for statewide elected office shall file all disclosure reports described in section 130.041 electronically with the Missouri ethics commission. The Missouri ethics commission shall promulgate rules establishing the standard for electronic filings with the commission and shall propose such rules for the importation of files to the reporting program.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.]

130.046. 1. The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter. Notwithstanding the provisions of this subsection, if any committee accepts contributions or

15 makes expenditures in support of or in opposition to a ballot measure or a candidate, and the
16 report required by this subsection for the most recent calendar quarter is filed prior to the fortieth
17 day before the election on the measure or candidate, the committee shall file an additional
18 disclosure report not later than the fortieth day before the election for the period closing on the
19 forty-fifth day before the election.

20 2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition
21 or referendum petition, or a recall petition seeking to remove an incumbent from office,
22 disclosure reports relating to the time for filing such petitions shall be made as follows:

23 (1) In addition to the disclosure reports required to be filed pursuant to subsection 1 of
24 this section the treasurer of a committee, other than a [continuing] **political action** committee,
25 supporting or opposing a petition effort to qualify a measure to appear on the ballot or to remove
26 an incumbent from office shall file an initial disclosure report fifteen days after the committee
27 begins the process of raising or spending money. After such initial report, the committee shall
28 file quarterly disclosure reports as required by subdivision (3) of subsection 1 of this section until
29 such time as the reports required by subdivisions (1) and (2) of subsection 1 of this section are
30 to be filed. In addition the committee shall file a second disclosure report no later than the
31 fifteenth day after the deadline date for submitting such petition. The period covered in the
32 initial report shall begin on the day the committee first accepted contributions or made
33 expenditures to support or oppose the petition effort for qualification of the measure and shall
34 close on the fifth day prior to the date of the report;

35 (2) If the measure has qualified to be on the ballot in an election and if a committee
36 subject to the requirements of subdivision (1) of this subsection is also required to file a
37 preelection disclosure report for such election any time within thirty days after the date on which
38 disclosure reports are required to be filed in accordance with subdivision (1) of this subsection,
39 the treasurer of such committee shall not be required to file the report required by subdivision
40 (1) of this subsection, but shall include in the committee's preelection report all information
41 which would otherwise have been required by subdivision (1) of this subsection.

42 3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file
43 disclosure reports pursuant to this section, except for any calendar quarter in which the
44 contributions received by the committee or the expenditures or contributions made by the
45 committee do not exceed five hundred dollars. The reporting dates and periods covered for such
46 quarterly reports shall not be later than the fifteenth day of January, April, July and October for
47 periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day
48 of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be
49 required to file the quarterly disclosure report required not later than the fifteenth day of any
50 January immediately following a November election, provided that such candidate, treasurer or

51 deputy treasurer shall file the information required on such quarterly report on the quarterly
52 report to be filed not later than the fifteenth day of April immediately following such November
53 election. Each report by such committee shall be cumulative from the date of the last report. In
54 the case of the [continuing] **political action** committee's first report, the report shall be
55 cumulative from the date of the [continuing] **political action** committee's organization. Every
56 candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure reports
57 covering the quarter immediately preceding the date of the election and those required by
58 subdivisions (1) and (2) of subsection 1 of this section. A [continuing] **political action**
59 committee shall submit additional reports if it makes aggregate expenditures, other than
60 contributions to a committee, of five hundred dollars or more, within the reporting period at the
61 following times for the following periods:

62 (1) Not later than the eighth day before an election for the period closing on the twelfth
63 day before the election;

64 (2) Not later than twenty-four hours after aggregate expenditures of two hundred fifty
65 dollars or more are made after the twelfth day before the election; and

66 (3) Not later than the thirtieth day after an election for a period closing on the
67 twenty-fifth day after the election.

68 4. The reports required to be filed no later than the thirtieth day after an election and any
69 subsequently required report shall be cumulative so as to reflect the total receipts and
70 disbursements of the reporting committee for the entire election campaign in question. The
71 period covered by each disclosure report shall begin on the day after the closing date of the most
72 recent disclosure report filed and end on the closing date for the period covered. If the
73 committee has not previously filed a disclosure report, the period covered begins on the date the
74 committee was formed; except that in the case of a candidate committee, the period covered
75 begins on the date the candidate became a candidate according to the definition of the term
76 candidate in [section 130.011] **this chapter**.

77 5. Notwithstanding any other provisions of this chapter to the contrary:

78 (1) Certain disclosure reports pertaining to any candidate who receives nomination in
79 a primary election and thereby seeks election in the immediately succeeding general election
80 shall not be required in the following cases:

81 (a) If there are less than fifty days between a primary election and the immediately
82 succeeding general election, the disclosure report required to be filed quarterly **need not be filed**;
83 provided that, any other report required to be filed prior to the primary election and all other
84 reports required to be filed not later than the eighth day before the general election are filed no
85 later than the final dates for filing such reports;

86 (b) If there are less than eighty-five days between a primary election and the immediately
87 succeeding general election, the disclosure report required to be filed not later than the thirtieth
88 day after the primary election need not be filed; provided that any report required to be filed prior
89 to the primary election and any other report required to be filed prior to the general election are
90 filed no later than the final dates for filing such reports; and

91 (2) No disclosure report needs to be filed for any reporting period if during that reporting
92 period the committee has neither received contributions aggregating more than five hundred
93 dollars nor made [expenditure] **expenditures** aggregating more than five hundred dollars and
94 has not received contributions aggregating more than three hundred dollars from any single
95 contributor and if the committee's treasurer files a statement with the appropriate officer that the
96 committee has not exceeded the identified thresholds in the reporting period. Any contributions
97 received or expenditures made which are not reported because this statement is filed in lieu of
98 a disclosure report shall be included in the next disclosure report filed by the committee. This
99 statement shall not be filed in lieu of the report for two or more consecutive disclosure periods
100 if either the contributions received or expenditures made in the aggregate during those reporting
101 periods exceed five hundred dollars. This statement shall not be filed, in lieu of the report, later
102 than the thirtieth day after an election if that report would show a deficit of more than one
103 thousand dollars.

104 6. (1) If the disclosure report required to be filed by a committee not later than the
105 thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations
106 in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with
107 the appropriate officer for each succeeding semiannual period until the deficit is reported in a
108 disclosure report as being reduced to five thousand dollars or less; except that, a supplemental
109 semiannual report shall not be required for any semiannual period which includes the closing
110 date for the reporting period covered in any regular disclosure report which the committee is
111 required to file in connection with an election. The reporting dates and periods covered for
112 semiannual reports shall be not later than the fifteenth day of January and July for periods closing
113 on the thirty-first day of December and the thirtieth day of June.

114 (2) Committees required to file reports pursuant to subsection 2 or 3 of this section
115 which are not otherwise required to file disclosure reports for an election shall file semiannual
116 reports as required by this subsection if their last required disclosure report shows a total of
117 unpaid loans and other outstanding obligations in excess of five thousand dollars.

118 7. In the case of a committee which disbands and is required to file a termination
119 statement pursuant to the provisions of section 130.021 with the appropriate officer not later than
120 the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy
121 treasurer shall attach to the termination statement a complete disclosure report for the period

122 closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8
123 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the
124 reporting requirements of subsection 6 or 7 of this section.

125 8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m.
126 prevailing local time of the day designated for the filing of the report and a report postmarked
127 not later than midnight of the day previous to the day designated for filing the report shall be
128 deemed to have been filed in a timely manner. The appropriate officer may establish a policy
129 whereby disclosure reports may be filed by facsimile transmission.

130 9. Each candidate for the office of state representative, state senator, and for statewide
131 elected office shall file all disclosure reports described in section 130.041 electronically with the
132 Missouri ethics commission. The Missouri ethics commission shall promulgate rules
133 establishing the standard for electronic filings with the commission and shall propose such rules
134 for the importation of files to the reporting program.

135 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
136 created under the authority delegated in this section shall become effective only if it complies
137 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
138 This section and chapter 536 are nonseverable and if any of the powers vested with the general
139 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
140 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
141 any rule proposed or adopted after August 28, 2006, shall be invalid and void.

2 [130.057. 1. In order for candidates for election and public officials to
3 more easily file reports required by law and to access information contained in
4 such reports, and for the Missouri ethics commission to receive and store reports
5 in an efficient and economical method, and for the general public and news
6 media to access information contained in such reports, the commission shall
7 establish and maintain an electronic reporting system pursuant to this section.

8 2. The ethics commission may establish for elections in 1996 and shall
9 establish for elections and all required reporting beginning in 1998 and maintain
10 thereafter a state campaign finance and financial interest disclosure electronic
11 reporting system pursuant to this section for all candidates required to file. The
12 system may be used for the collection, filing and dissemination of all reports,
13 including monthly lobbying reports filed by law, and all reports filed with the
14 commission pursuant to this chapter and chapter 105. The system may be
15 established and used for all reports required to be filed for the primary and
16 general elections in 1996 and all elections thereafter, except that the system may
17 require maintenance of a paper backup system for the primary and general
18 elections in 1996. The reports shall be maintained and secured in the electronic
format by the commission.

19 3. When the commission determines that the electronic reporting system
20 has been properly implemented, the commission shall certify to all candidates and
21 committees required to file pursuant to this chapter that such electronic reporting
22 system has been established and implemented. Beginning with the primary and
23 general elections in 2000, or the next primary or general election in which the
24 commission has made certification pursuant to this subsection, whichever is later,
25 candidates and all other committees shall file reports by using either the
26 electronic format prescribed by the commission or paper forms provided by the
27 commission for that purpose. Political action committees shall file reports by
28 electronic format prescribed by the commission, except political action
29 committees which make contributions equal to or less than fifteen thousand
30 dollars in the applicable calendar year. Any political action committee which
31 makes contributions in support of or opposition to any measure or candidate
32 equal to or less than fifteen thousand dollars in the applicable calendar year shall
33 file reports on paper forms provided by the commission for that purpose or by
34 electronic format prescribed by the commission, whichever reporting method the
35 political action committee chooses. The commission shall supply a computer
36 program which shall be used for filing by modem or by a common magnetic
37 media chosen by the commission. In the event that filings are performed
38 electronically, the candidate shall file a signed original written copy within five
39 working days; except that, if a means becomes available which will allow a
40 verifiable electronic signature, the commission may also accept this in lieu of a
41 written statement.

42 4. Beginning January 1, 2000, or on the date the commission makes the
43 certification pursuant to subsection 3 of this section, whichever is later, all reports
44 filed with the commission by any candidate for a statewide office, or such
45 candidate's committee, shall be filed in electronic format as prescribed by the
46 commission; provided however, that if a candidate for statewide office, or such
47 candidate's committee receives or spends five thousand dollars or less for any
48 reporting period, the report for that reporting period shall not be required to be
49 filed electronically.

50 5. A copy of all reports filed in the state campaign finance electronic
51 reporting system shall be placed on a public electronic access system so that the
52 general public may have open access to the reports filed pursuant to this section.
53 The access system shall be organized and maintained in such a manner to allow
54 an individual to obtain information concerning all contributions made to or on
55 behalf of, and all expenditures made on behalf of, any public official described
56 in subsection 2 of this section in formats that will include both written and
57 electronically readable formats.

58 6. All records that are in electronic format, not otherwise closed by law,
59 shall be available in electronic format to the public. The commission shall
60 maintain and provide for public inspection, a listing of all reports with a complete
61 description for each field contained on the report, that has been used to extract

62 information from their database files. The commission shall develop a report or
63 reports which contain every field in each database.

64 7. Annually, the commission shall provide, without cost, a system-wide
65 dump of information contained in the commission's electronic database files to
66 the general assembly. The information is to be copied onto a medium specified
67 by the general assembly. Such information shall not contain records otherwise
68 closed by law. It is the intent of the general assembly to provide open access to
69 the commission's records. The commission shall make every reasonable effort
70 to comply with requests for information and shall take a liberal interpretation
71 when considering such requests.]

130.057. 1. In order for candidates for election and public officials to more easily file
2 reports required by law and to access information contained in such reports, and for the Missouri
3 ethics commission to receive and store reports in an efficient and economical method, and for
4 the general public and news media to access information contained in such reports, the
5 commission shall establish and maintain an electronic reporting system pursuant to this section.

6 2. The ethics commission may establish for elections in 1996 and shall establish for
7 elections and all required reporting beginning in 1998 and maintain thereafter a state campaign
8 finance and financial interest disclosure electronic reporting system pursuant to this section for
9 all candidates required to file. The system may be used for the collection, filing and
10 dissemination of all reports, including monthly lobbying reports filed by law, and all reports filed
11 with the commission pursuant to this chapter and chapter 105. The system may be established
12 and used for all reports required to be filed for [the primary and general elections in 1996 and]
13 all elections [thereafter, except that the system may require maintenance of a paper backup
14 system for the primary and general elections in 1996]. The reports shall be maintained and
15 secured in the electronic format by the commission.

16 3. [When the commission determines that the electronic reporting system has been
17 properly implemented, the commission shall certify to all candidates and committees required
18 to file pursuant to this chapter that such electronic reporting system has been established and
19 implemented. Beginning with the primary and general elections in 2000, or the next primary or
20 general election in which the commission has made certification pursuant to this subsection,
21 whichever is later,] Candidates and all other committees shall file reports by using [either] the
22 electronic format prescribed by the commission [or paper forms provided by the commission for
23 that purpose]. [Continuing] **Political action** committees shall file reports by electronic format
24 prescribed by the commission, except [continuing] **political action** committees which make
25 contributions equal to or less than fifteen thousand dollars in the applicable calendar year. Any
26 [continuing] **political action** committee which makes contributions in support of or opposition
27 to any measure or candidate equal to or less than fifteen thousand dollars in the applicable

28 calendar year shall file reports on paper forms provided by the commission for that purpose or
29 by electronic format prescribed by the commission, whichever reporting method the [continuing]
30 **political action** committee chooses. The commission shall supply a computer program which
31 shall be used for filing by modem or by a common magnetic media chosen by the commission.
32 In the event that filings are performed electronically, the candidate shall file a signed original
33 written copy within five working days; except that, if a means becomes available which will
34 allow a verifiable electronic signature, the commission may also accept this in lieu of a written
35 statement.

36 4. Beginning January 1, 2000, or on the date the commission makes the certification
37 pursuant to subsection 3 of this section, whichever is later, all reports filed with the commission
38 by any candidate for a statewide office, or such candidate's committee, shall be filed in electronic
39 format as prescribed by the commission; provided however, that if a candidate for statewide
40 office, or such candidate's committee receives or spends five thousand dollars or less for any
41 reporting period, the report for that reporting period shall not be required to be filed
42 electronically.

43 5. A copy of all reports filed in the state campaign finance electronic reporting system
44 shall be placed on a public electronic access system so that the general public may have open
45 access to the reports filed pursuant to this section. The access system shall be organized and
46 maintained in such a manner to allow an individual to obtain information concerning all
47 contributions made to or on behalf of, and all expenditures made on behalf of, any public official
48 described in subsection 2 of this section in formats that will include both written and
49 electronically readable formats.

50 6. All records that are in electronic format, not otherwise closed by law, shall be
51 available in electronic format to the public. The commission shall maintain and provide for
52 public inspection, a listing of all reports with a complete description for each field contained on
53 the report, that has been used to extract information from their database files. The commission
54 shall develop a report or reports which contain every field in each database.

55 7. Annually, the commission shall provide, without cost, a system-wide dump of
56 information contained in the commission's electronic database files to the general assembly. The
57 information is to be copied onto a medium specified by the general assembly. Such information
58 shall not contain records otherwise closed by law. It is the intent of the general assembly to
59 provide open access to the commission's records. The commission shall make every reasonable
60 effort to comply with requests for information and shall take a liberal interpretation when
61 considering such requests.

2 [226.033. Any commissioner appointed or reappointed after March 1,
2004, shall not:

3 (1) Host or manage a political fund-raiser or solicit funds for any
4 candidate who is seeking a statewide or nationally elected office;

5 (2) Serve on the board or chair any political action committee, or political
6 party committee.]

226.033. Any commissioner appointed or reappointed after March 1, 2004, shall not:

2 (1) Host or manage a political fund-raiser or solicit funds for any candidate who is
3 seeking a statewide or nationally elected office;

4 (2) Serve on the board or chair any political action committee[, **or** political party
5 committee[, or continuing committee].

Section B. The provisions of this act shall become effective on January 1, 2016.

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