

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 430

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CURTMAN.

1160L.01P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 37, RSMo, by adding thereto one new section relating to materials produced and disseminated at taxpayer expense.

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

Section A. Chapter 37, RSMo, is amended by adding thereto one new section, to be known as section 37.071, to read as follows:

**37.071. 1. This section shall be known and may be cited as the "Taxpayer Transparency Act of 2015".**

**2. As used in this section, the term "mass mailing" means any mailing or distribution of four hundred ninety-nine or more newsletters, pamphlets, or other printed matter with substantially identical content, whether such matter is deposited singly or in bulk, or at the same time or different times. The term shall not include any mailing in direct response to a communication from a person to whom the matter is mailed, any mailing of a news release to the communications media, or any mailing or distribution of four hundred ninety-eight or fewer newsletters, pamphlets or other printed matter with substantially identical content, whether such matter is deposited singly or in bulk, at the same or different times. As used in this section, "public governmental body" shall have the same meaning as that term is defined in section 610.010.**

**3. Each communication funded by a public governmental body for advertising or educational purposes shall clearly state either orally or in writing, depending on the type**

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.

15 of communication used, the phrase: "Paid for with taxpayer funds." and shall include the  
16 following:

17 (1) In the case of mass mailings, signs, and billboards, that the communication is  
18 printed and published at the taxpayer expense;

19 (2) In the case of a communication transmitted through radio, television, the  
20 internet, or any means other than the means referred to in subdivision (1) of this  
21 subsection, that the communication is produced and disseminated at taxpayer expense.

22 4. Any printed communication described in subdivision (1) of subsection 3 of this  
23 section shall:

24 (1) Be of sufficient type size to be clearly readable by the recipient of the  
25 communication;

26 (2) Be contained in a printed box set apart from the other contents of the  
27 communication; and

28 (3) Be printed with a reasonable degree of color contrast between the background  
29 and the printed statement.

30 5. (1) Any audio communication described in subdivision (2) of subsection 3 of this  
31 section shall include an audio statement in a clearly spoken manner indicating that the  
32 communication is produced and disseminated at taxpayer expense.

33 (2) Any video communication described in subdivision (2) of subsection 3 of this  
34 section shall include a statement indicating that the communication is produced and  
35 disseminated at taxpayer expense. Such statement shall:

36 (a) Be conveyed in a clearly spoken manner;

37 (b) Be conveyed by a voice-over or screen view of the person making the statement;  
38 and

39 (c) Appear in writing at the end of the communication in a clearly readable manner  
40 with a reasonable degree of color contrast between the background and the printed  
41 statement, for a period of not less than four seconds.

42 (3) Any email communication described in subdivision (2) of subsection 3 of this  
43 section shall:

44 (a) Be of sufficient type size to be clearly readable by the recipient of the  
45 communication;

46 (b) Be set apart from the other contents of the communication; and

47 (c) Be displayed with a reasonable degree of color contrast between the background  
48 and the printed statement.

49 6. Subsections 3 and 4 of this section shall not apply to the following:

50 (1) Information in or relating to a solicitation for:

51           **(a) Offers for a state contract; or**

52           **(b) Applications or submissions of a bid or proposal for a state grant or other**  
53 **means of funding under a state program;**

54           **(2) Advertisements for employment opportunities.**

55           **7. The funds used by a public governmental body to carry out this section shall be**  
56 **derived from amounts made available to the governmental body for advertising or other**  
57 **communications regarding the programs and activities of the governmental body.**

58           **8. The provisions of this section shall not be retroactive.**

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