

SECOND REGULAR SESSION

# HOUSE BILL NO. 2240

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MCCREERY.

5318H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 56.060 and 130.036, RSMo, and section 105.961 as enacted by senate bill no. 16, ninety-first general assembly, first regular session, and sections 105.959, 105.961, 130.011, 130.021, 130.026, 130.041, 130.044, 130.046, 130.057, and 226.033 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and sections 105.959, 130.011, and 130.046 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and sections 130.031 and 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and section 130.026 as enacted by senate bill no. 262, eighty-sixth general assembly, first regular session, and section 130.028 as enacted by senate bill no. 650, eighty-seventh general assembly, second regular session, and section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninetieth general assembly, first regular session, and section 226.033 as enacted by house bill no. 668, ninety-second general assembly, first regular session, and section 130.028 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof twenty new sections relating to campaign finance reform, with penalty provisions and an effective date.

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

Section A. Sections 56.060 and 130.036, RSMo, and section 105.961 as enacted by  
2 senate bill no. 16, ninety-first general assembly, first regular session, and sections 105.959,  
3 105.961, 130.011, 130.021, 130.026, 130.041, 130.044, 130.046, 130.057, and 226.033 as

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.



4 enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and sections  
5 105.959, 130.011, and 130.046 as enacted by house bill no. 1900, ninety-third general assembly,  
6 second regular session, and sections 130.031 and 130.041 as enacted by senate bills nos. 31 &  
7 285, ninetieth general assembly, first regular session, and section 130.021 as enacted by senate  
8 bill no. 485, ninety-fifth general assembly, first regular session, and section 130.026 as enacted  
9 by senate bill no. 262, eighty-sixth general assembly, first regular session, and section 130.028  
10 as enacted by senate bill no. 650, eighty-seventh general assembly, second regular session, and  
11 section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second  
12 regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills  
13 nos. 31 & 285, ninetieth general assembly, first regular session, and section 226.033 as enacted  
14 by house bill no. 668, ninety-second general assembly, first regular session, and section 130.028  
15 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, are  
16 repealed and twenty new sections enacted in lieu thereof, to be known as sections 8.925, 27.035,  
17 28.320, 56.060, 105.959, 105.961, 130.011, 130.021, 130.026, 130.028, 130.031, 130.032,  
18 130.036, 130.039, 130.041, 130.044, 130.046, 130.057, 130.076, and 226.033, to read as  
19 follows:

**8.925. No solicitation of expenditures, fund-raising activity, or fund-raising event,  
2 as such terms are defined in section 130.011, supporting or opposing any candidate, ballot  
3 measure, political party, or political party committee shall occur on any property or in any  
4 building owned or leased by the state or any political subdivision, unless the property or  
5 building is routinely used by and made available for rent or for a fee to all members of the  
6 public by the state or the political subdivision.**

**27.035. If directed by the Missouri ethics commission, the attorney general, or a  
2 designated assistant, shall aid the ethics commission in any investigation as provided under  
3 subsection 9 of section 105.959.**

**28.320. If directed by the Missouri ethics commission, the elections division of the  
2 office of the secretary of state shall aid the ethics commission in any investigation as  
3 provided under subsection 9 of section 105.959.**

56.060. 1. Each prosecuting attorney shall commence and prosecute all civil and  
2 criminal actions in the prosecuting attorney's county in which the county or state is concerned,  
3 defend all suits against the state or county, and prosecute forfeited recognizances and actions for  
4 the recovery of debts, fines, penalties and forfeitures accruing to the state or county. In all cases,  
5 civil and criminal, in which changes of venue are granted, the prosecuting attorney shall follow  
6 and prosecute or defend, as the case may be, all the causes, for which, in addition to the fees now  
7 allowed by law, the prosecuting attorney shall receive his or her actual expenses. If any  
8 misdemeanor case is taken to the court of appeals by appeal the prosecuting attorney shall



9 represent the state in the case in the court and make out and cause to be printed, at the expense  
10 of the county, all necessary abstracts of record and briefs, and if necessary appear in the court in  
11 person, or shall employ some attorney at the prosecuting attorney's own expense to represent the  
12 state in the court, and for his or her services he or she shall receive the compensation that is  
13 proper, not to exceed twenty-five dollars for each case, and necessary traveling expenses, to be  
14 audited and paid as other claims are audited and paid by the county commission of the county.

15 2. Notwithstanding the provisions of subsection 1 of this section, in any county for which  
16 a county counselor is appointed, the prosecuting attorney shall only perform those duties  
17 prescribed by subsection 1 of this section which are not performed by the county counselor under  
18 the provisions of law relating to the office of county counselor.

19 **3. In addition to all other duties required under this chapter, if directed by the**  
20 **Missouri ethics commission, the prosecuting attorney of each county or city not within a**  
21 **county shall aid the ethics commission in any investigation as provided under subsection**  
22 **9 of section 105.959.**

2 [105.959. 1. The executive director of the commission, under the  
3 supervision of the commission, shall review reports and statements filed with the  
4 commission or other appropriate officers pursuant to sections 105.470, 105.483  
5 to 105.492, and chapter 130 for completeness, accuracy and timeliness of filing  
6 of the reports or statements and any records relating to the reports or statements,  
7 and upon review, if there are reasonable grounds to believe that a violation has  
8 occurred, shall conduct an investigation of such reports, statements, and records  
9 and assign a special investigator following the provisions of subsection 1 of  
10 section 105.961.

11 2. (1) If there are reasonable grounds to believe that a violation has  
12 occurred and after the commission unanimously votes to proceed with all six  
13 members voting, the executive director shall, without receipt of a complaint,  
14 conduct an independent investigation of any potential violations of the provisions  
15 of:

16 (a) The requirements imposed on lobbyists by sections 105.470 to  
17 105.478;

18 (b) The financial interest disclosure requirements contained in sections  
19 105.483 to 105.492;

20 (c) The campaign finance disclosure requirements contained in chapter  
21 130;

22 (d) Any code of conduct promulgated by any department, division, or  
23 agency of state government, or by state institutions of higher education, or by  
24 executive order;

25 (e) The conflict of interest laws contained in sections 105.450 to 105.468  
and section 171.181; and



(f) The provisions of the constitution or state statute or order, ordinance, or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions.

(2) If an investigation conducted under this subsection fails to establish reasonable grounds to believe that a violation has occurred, the investigation shall be terminated and the person who had been under investigation shall be notified of the reasons for the disposition of the complaint.

3. Upon findings of the appropriate filing officer which are reported to the commission in accordance with the provisions of section 130.056, the executive director shall investigate disclosure reports, statements and records pertaining to such findings within a reasonable time after receipt of the reports from the appropriate filing officer.

4. The commission may make such investigations and inspections within or outside of this state as are necessary to determine compliance.

5. The commission shall notify the person under investigation under this section, by registered mail, within five days of the decision to conduct such investigation and assign a special investigator following the provisions of subsection 1 of section 105.961.

6. After completion of an investigation, the executive director shall provide a detailed report of such investigation to the commission. Upon determination that there are reasonable grounds to believe that a person has violated the requirements of sections 105.470, 105.483 to 105.492, or chapter 130, by a vote of four members of the commission, the commission may refer the report with the recommendations of the commission to the appropriate prosecuting authority together with the details of the investigation by the commission as is provided in subsection 2 of section 105.961.

7. All investigations by the executive director of an alleged violation shall be strictly confidential with the exception of notification of the commission and the complainant and the person under investigation. Revealing any such confidential investigation information shall be cause for removal or dismissal of the executive director or a commission member or employee.]

105.959. 1. **(1)** The executive director of the commission, under the supervision of the commission, shall review reports [and], statements, **and records** filed with the commission or other appropriate officers pursuant to sections 105.470, 105.483 to 105.492, and chapter 130 for completeness, accuracy [and], timeliness of filing of the reports or statements, [and] **any records relating to the reports, statements and records, and any investigation conducted under paragraph (d) of subdivision (3) of subsection 3 of section 130.031. If, upon review, [if] the executive director finds** there are reasonable grounds to believe that a violation has occurred, **the executive director** shall conduct an [audit] **investigation** of such reports [and], statements, **and records and assign a special investigator following the provisions of subsection 1 of**



10 **section 105.961.** [All investigations by the executive director of an alleged violation shall be  
11 strictly confidential with the exception of notification of the commission and the complainant  
12 or the person under investigation. All investigations by the executive director shall be limited  
13 to the information contained in the reports or statements. The commission shall notify the  
14 complainant or the person under investigation, by registered mail, within five days of the  
15 decision to conduct such investigation. Revealing any such confidential investigation  
16 information shall be cause for removal or dismissal of the executive director or a commission  
17 member or employee.]

18 **(2) If an investigation conducted under this subsection fails to establish reasonable**  
19 **grounds to believe that a violation has occurred, the investigation shall be terminated and**  
20 **the person who had been under investigation shall be notified of the reasons for the**  
21 **disposition of the investigation.**

22 **2. (1) If there are reasonable grounds to believe that a violation has occurred, the**  
23 **executive director shall, without receipt of a complaint, conduct an independent**  
24 **investigation of any potential violations of the provisions of:**

25 **(a) The requirements imposed on lobbyists by sections 105.470 to 105.478;**

26 **(b) The financial interest disclosure requirements contained in sections 105.483 to**  
27 **105.492;**

28 **(c) The campaign finance disclosure requirements contained in chapter 130;**

29 **(d) Any code of conduct promulgated by any department, division, or agency of**  
30 **state government, or by state institutions of higher education, or by executive order;**

31 **(e) The conflict of interest laws contained in sections 105.450 to 105.467 and section**  
32 **171.181; and**

33 **(f) The provisions of the constitution or state statute or order, ordinance, or**  
34 **resolution of any political subdivision relating to the official conduct of officials or**  
35 **employees of the state and political subdivisions.**

36 **(2) If an investigation conducted under this subsection fails to establish reasonable**  
37 **grounds to believe that a violation has occurred, the investigation shall be terminated and**  
38 **the person who had been under investigation shall be notified of the reasons for the**  
39 **disposition of the complaint.**

40 **3. Upon findings of the appropriate filing officer which are reported to the commission**  
41 **in accordance with the provisions of section 130.056, the executive director shall [audit]**  
42 **investigate disclosure reports, statements and records pertaining to such findings within a**  
43 **reasonable time after receipt of the reports from the appropriate filing officer.**

44 **[3. Upon a sworn written complaint of any natural person filed with the commission**  
45 **pursuant to section 105.957, the commission shall audit and investigate alleged violations.**



46 Within sixty days after receipt of a sworn written complaint alleging a violation, the executive  
47 director shall notify the complainant in writing of the action, if any, the executive director has  
48 taken and plans to take on the complaint. If an investigation conducted pursuant to this  
49 subsection fails to establish reasonable grounds to believe that a violation has occurred, the  
50 investigation shall be terminated and the complainant and the person who had been under  
51 investigation shall be notified of the reasons for the disposition of the complaint.]

52 4. The commission may make such investigations and inspections within or outside of  
53 this state as are necessary to determine compliance.

54 5. [If, during an audit or investigation, the commission determines that a formal  
55 investigation is necessary, the commission shall assign the investigation to a special investigator  
56 in the manner provided by subsection 1 of section 105.961.] **The commission shall notify the  
57 person under investigation under this section, by registered mail, within five days of the  
58 decision to conduct such investigation and assign a special investigator following the  
59 provisions of subsection 1 of section 105.961.**

60 6. After completion of an [audit or] investigation, the executive director shall provide  
61 a detailed report of such [audit or] investigation to the commission. Upon determination that  
62 there are reasonable grounds to believe that a person has violated the requirements of sections  
63 105.470, 105.483 to 105.492, or chapter 130, by a vote of four members of the commission, the  
64 commission may refer the report with the recommendations of the commission to the appropriate  
65 prosecuting authority together with [a copy of the audit and] the details of the investigation by  
66 the commission as is provided in subsection 2 of section 105.961.

67 7. **All investigations by the executive director of an alleged violation shall be strictly  
68 confidential with the exception of notification of the commission, the complainant, and the  
69 person under investigation. Revealing any such confidential investigation information  
70 shall be cause for removal or dismissal of the executive director or a commission member  
71 or employee. This subsection shall not be construed to prohibit any necessary sharing of  
72 confidential investigation information in the course of any investigation conducted under  
73 subsection 9 of this section or under section 27.035 or 28.320, or subsection 3 of section  
74 56.060.**

75 8. **The time limits prescribed under subsections 1 to 6 of this section shall apply  
76 unless an action prohibited under paragraph (d) of subdivision (3) of subsection 3 of  
77 section 130.031 occurs in an even-number year, from April until the general election day,  
78 or between the opening of the period of candidate filing to the special election day in any  
79 year in which a special election is scheduled, in which cases the following time limits shall  
80 apply:**



81           **(1) For the notification required under subsection 1 of this section, within the first**  
82 **business day after such complaint or investigation is received; and**

83           **(2) For all other procedures required under subsections 2 to 6 of this section, within**  
84 **ten business days after such complaint or investigation is received.**

85           **9. The ethics commission shall have the authority to direct the office of the attorney**  
86 **general, the elections division of the office of the secretary of state, and any prosecuting**  
87 **attorney of any county or city not within a county in which a violation of paragraph (d) of**  
88 **subdivision (3) of subsection 3 of section 130.031 occurs to assist with any investigation**  
89 **subject to the time limits of subsection 8 of this section and, to direct that findings**  
90 **investigated under this subsection be submitted to the ethics commission within such time**  
91 **limits.**

                  [105.961. 1. Upon receipt of a complaint as described by section 105.957  
2       or upon notification by the commission of an investigation under subsection 5 of  
3       section 105.959, the commission shall assign the complaint or investigation to  
4       a special investigator, who may be a commission employee, who shall investigate  
5       and determine the merits of the complaint or investigation. Within ten days of  
6       such assignment, the special investigator shall review such complaint and  
7       disclose, in writing, to the commission any conflict of interest which the special  
8       investigator has or might have with respect to the investigation and subject  
9       thereof. Within ninety days of receipt of the complaint from the commission, the  
10      special investigator shall submit the special investigator's report to the  
11      commission. The commission, after review of such report, shall determine:

12           (1) That there is reasonable grounds for belief that a violation has  
13      occurred; or

14           (2) That there are no reasonable grounds for belief that a violation exists  
15      and the complaint or investigation shall be dismissed; or

16           (3) That additional time is necessary to complete the investigation, and  
17      the status and progress of the investigation to date. The commission, in its  
18      discretion, may allow the investigation to proceed for no more than two  
19      additional successive periods of ninety days each, pending reports regarding the  
20      status and progress of the investigation at the end of each such period.

21           2. When the commission concludes, based on the report from the special  
22      investigator, or based on an investigation conducted pursuant to section 105.959,  
23      that there are reasonable grounds to believe that a violation of any criminal law  
24      has occurred, and if the commission believes that criminal prosecution would be  
25      appropriate upon a vote of four members of the commission, the commission  
26      shall refer the report to the Missouri office of prosecution services, prosecutors  
27      coordinators training council established in section 56.760, which shall submit  
28      a panel of five attorneys for recommendation to the court having criminal  
29      jurisdiction, for appointment of an attorney to serve as a special prosecutor;  
30      except that, the attorney general of Missouri or any assistant attorney general



31 shall not act as such special prosecutor. The court shall then appoint from such  
32 panel a special prosecutor pursuant to section 56.110 who shall have all the  
33 powers provided by section 56.130. The court shall allow a reasonable and  
34 necessary attorney's fee for the services of the special prosecutor. Such fee shall  
35 be assessed as costs if a case is filed, or ordered by the court if no case is filed,  
36 and paid together with all other costs in the proceeding by the state, in accordance  
37 with rules and regulations promulgated by the state courts administrator, subject  
38 to funds appropriated to the office of administration for such purposes. If the  
39 commission does not have sufficient funds to pay a special prosecutor, the  
40 commission shall refer the case to the prosecutor or prosecutors having criminal  
41 jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute  
42 the case due to a conflict of interest, the court may appoint a special prosecutor,  
43 paid from county funds, upon appropriation by the county or the attorney general  
44 to investigate and, if appropriate, prosecute the case. The special prosecutor or  
45 prosecutor shall commence an action based on the report by the filing of an  
46 information or seeking an indictment within sixty days of the date of such  
47 prosecutor's appointment, or shall file a written statement with the commission  
48 explaining why criminal charges should not be sought. If the special prosecutor  
49 or prosecutor fails to take either action required by this subsection, upon request  
50 of the commission, a new special prosecutor, who may be the attorney general,  
51 shall be appointed. The report may also be referred to the appropriate  
52 disciplinary authority over the person who is the subject of the report.

53 3. When the commission concludes, based on the report from the special  
54 investigator or based on an investigation conducted pursuant to section 105.959,  
55 that there are reasonable grounds to believe that a violation of any law has  
56 occurred which is not a violation of criminal law or that criminal prosecution is  
57 not appropriate, the commission shall conduct a hearing which shall be a closed  
58 meeting and not open to the public. The hearing shall be conducted pursuant to  
59 the procedures provided by sections 536.063 to 536.090 and shall be considered  
60 to be a contested case for purposes of such sections. The commission shall  
61 determine, in its discretion, whether or not that there is probable cause that a  
62 violation has occurred. If the commission determines, by a vote of at least four  
63 members of the commission, that probable cause exists that a violation has  
64 occurred, the commission may refer its findings and conclusions to the  
65 appropriate disciplinary authority over the person who is the subject of the report,  
66 as described in subsection 8 of this section.

67 4. If the appropriate disciplinary authority receiving a report from the  
68 commission pursuant to subsection 3 of this section fails to follow, within sixty  
69 days of the receipt of the report, the recommendations contained in the report, or  
70 if the commission determines, by a vote of at least four members of the  
71 commission that some action other than referral for criminal prosecution or for  
72 action by the appropriate disciplinary authority would be appropriate, the  
73 commission shall take any one or more of the following actions:



74 (1) Notify the person to cease and desist violation of any provision of law  
75 which the report concludes was violated and that the commission may seek  
76 judicial enforcement of its decision pursuant to subsection 5 of this section;

77 (2) Notify the person of the requirement to file, amend or correct any  
78 report, statement, or other document or information required by sections 105.473,  
79 105.483 to 105.492, or chapter 130 and that the commission may seek judicial  
80 enforcement of its decision pursuant to subsection 5 of this section; and

81 (3) File the report with the executive director to be maintained as a public  
82 document; or

83 (4) Issue a letter of concern or letter of reprimand to the person, which  
84 would be maintained as a public document; or

85 (5) Issue a letter that no further action shall be taken, which would be  
86 maintained as a public document; or

87 (6) Through reconciliation agreements or action of the commission, the  
88 power to seek fees for violations in an amount not greater than one thousand  
89 dollars or double the amount involved in the violation.

90 5. Upon vote of at least four members, the commission may initiate  
91 formal judicial proceedings in the circuit court of Cole County seeking to obtain  
92 any of the following orders:

93 (1) Cease and desist violation of any provision of sections 105.450 to  
94 105.496, or chapter 130, or sections 105.955 to 105.963;

95 (2) Pay any civil penalties required by sections 105.450 to 105.496 or  
96 chapter 130;

97 (3) File any reports, statements, or other documents or information  
98 required by sections 105.450 to 105.496, or chapter 130; or

99 (4) Pay restitution for any unjust enrichment the violator obtained as a  
100 result of any violation of any criminal statute as described in subsection 7 of this  
101 section.

102 6. After the commission determines by a vote of at least four members  
103 of the commission that a violation has occurred, other than a referral for criminal  
104 prosecution, and the commission has referred the findings and conclusions to the  
105 appropriate disciplinary authority over the person who is the subject of the report,  
106 or has taken an action under subsection 4 of this section, the subject of the report  
107 may appeal the determination of the commission to the circuit court of Cole  
108 County. The court shall conduct a de novo review of the determination of the  
109 commission. Such appeal shall stay the action of the Missouri ethics  
110 commission. Such appeal shall be filed not later than the fourteenth day after the  
111 subject of the commission's action receives actual notice of the commission's  
112 action. If a petition for judicial review of a final order is not filed as provided in  
113 this section or when an order for fees under subsection 4 of this section becomes  
114 final following an appeal to the circuit court of Cole County, the commission  
115 may file a certified copy of the final order with the circuit court of Cole County.  
116 When any order for fees under subsection 4 of this section becomes final, the



commission may file a certified copy of the final order with the circuit court of Cole County. The order so filed shall have the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

7. In the proceeding in the circuit court of Cole County, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130 and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

8. The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

(1) In the case of a member of the general assembly, the ethics committee of the house of which the subject of the report is a member;

(2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;

(3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;

(4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;

(5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;

(6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;

(7) In the case of a statewide elected official, the report shall be referred to the attorney general;

(8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

9. The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:

(1) To request and shall be given access to information in the possession of any person or agency which the special investigator deems necessary for the discharge of the special investigator's responsibilities;

(2) To examine the records and documents of any person or agency, unless such examination would violate state or federal law providing for confidentiality;



160 (3) To administer oaths and affirmations;

161 (4) Upon refusal by any person to comply with a request for information  
162 relevant to an investigation, an investigator may issue a subpoena for any person  
163 to appear and give testimony, or for a subpoena duces tecum to produce  
164 documentary or other evidence which the investigator deems relevant to a matter  
165 under the investigator's inquiry. The subpoenas and subpoenas duces tecum may  
166 be enforced by applying to a judge of the circuit court of Cole County or any  
167 county where the person or entity that has been subpoenaed resides or may be  
168 found, for an order to show cause why the subpoena or subpoena duces tecum  
169 should not be enforced. The order and a copy of the application therefor shall be  
170 served in the same manner as a summons in a civil action, and if, after hearing,  
171 the court determines that the subpoena or subpoena duces tecum should be  
172 sustained and enforced, the court shall enforce the subpoena or subpoena duces  
173 tecum in the same manner as if it had been issued by the court in a civil action;  
174 and

175 (5) To request from the commission such investigative, clerical or other  
176 staff assistance or advancement of other expenses which are necessary and  
177 convenient for the proper completion of an investigation. Within the limits of  
178 appropriations to the commission, the commission may provide such assistance,  
179 whether by contract to obtain such assistance or from staff employed by the  
180 commission, or may advance such expenses.

181 10. (1) Any retired judge may request in writing to have the judge's name  
182 removed from the list of special investigators subject to appointment by the  
183 commission or may request to disqualify himself or herself from any  
184 investigation. Such request shall include the reasons for seeking removal;

185 (2) By vote of four members of the commission, the commission may  
186 disqualify a judge from a particular investigation or may permanently remove the  
187 name of any retired judge from the list of special investigators subject to  
188 appointment by the commission.

189 11. Any person who is the subject of any investigation pursuant to this  
190 section shall be entitled to be represented by counsel at any proceeding before the  
191 special investigator or the commission.

192 12. The provisions of sections 105.957, 105.959 and 105.961 are in  
193 addition to other provisions of law under which any remedy or right of appeal or  
194 objection is provided for any person, or any procedure provided for inquiry or  
195 investigation concerning any matter. The provisions of this section shall not be  
196 construed to limit or affect any other remedy or right of appeal or objection.

197 13. No person shall be required to make or file a complaint to the  
198 commission as a prerequisite for exhausting the person's administrative remedies  
199 before pursuing any civil cause of action allowed by law.

200 14. If, in the opinion of the commission, the complaining party was  
201 motivated by malice or reason contrary to the spirit of any law on which such  
202 complaint was based, in filing the complaint without just cause, this finding shall



be reported to appropriate law enforcement authorities. Any person who knowingly files a complaint without just cause, or with malice, is guilty of a class A misdemeanor.

15. A respondent party who prevails in a formal judicial action brought by the commission shall be awarded those reasonable fees and expenses incurred by that party in the formal judicial action, unless the court finds that the position of the commission was substantially justified or that special circumstances make such an award unjust.

16. The special investigator and members and staff of the commission shall maintain confidentiality with respect to all matters concerning a complaint, with the exception of communications with any person which are necessary to the investigation. Any person who violates the confidentiality requirements imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty of a class A misdemeanor and shall be subject to removal from or termination of employment by the commission.

17. Any judge of the court of appeals or circuit court who ceases to hold such office by reason of the judge's retirement and who serves as a special investigator pursuant to this section shall receive annual compensation, salary or retirement for such services at the rates of compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682. Such retired judges shall by the tenth day of each month following any month in which the judge provided services pursuant to this section certify to the commission and to the state courts administrator the amount of time engaged in such services by hour or fraction thereof, the dates thereof, and the expenses incurred and allowable pursuant to this section. The commission shall then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent, and within limitations, provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the warrant was received by the state treasurer.]

105.961. 1. Upon receipt of a complaint as described by section 105.957 or upon notification by the commission of an investigation under subsection 5 of section 105.959, the executive director on behalf of the commission shall assign the complaint or investigation to a special investigator, who may be a commission employee, who shall investigate and determine the merits of the complaint or investigation. Within ten days of such assignment, the special investigator shall review such complaint or investigation and disclose, in writing, to the commission any conflict of interest which the special investigator has or might have with respect to the investigation and subject thereof. Within [one hundred twenty] ninety days of receipt of the complaint from the commission, the special investigator shall submit the special investigator's report to the commission. The commission, after review of such report, shall determine:



- 12 (1) That there is reasonable grounds for belief that a violation has occurred; or
- 13 (2) That there are no reasonable grounds for belief that a violation exists and the  
14 complaint [should] **or investigation shall** be dismissed **or the investigation shall be**  
15 **terminated**; or
- 16 (3) That additional time is necessary to complete the investigation, and the status and  
17 progress of the investigation to date. The commission, in its discretion, may allow the  
18 investigation to proceed for additional successive periods of [one hundred twenty] **ninety** days  
19 each, pending reports regarding the status and progress of the investigation at the end of each  
20 such period.
- 21 2. When the commission concludes, based on the report from the special investigator,  
22 or based on an [audit] **investigation** conducted pursuant to section 105.959, that there are  
23 reasonable grounds to believe that a violation of any criminal law has occurred, and if the  
24 commission believes that criminal prosecution would be appropriate upon a vote of four  
25 members of the commission, the commission shall refer the report to the Missouri office of  
26 prosecution services, prosecutors coordinators training council established in section 56.760,  
27 which shall submit a panel of five attorneys for recommendation to the court having criminal  
28 jurisdiction, for appointment of an attorney to serve as a special prosecutor; except that, the  
29 attorney general of Missouri or any assistant attorney general shall not act as such special  
30 prosecutor. The court shall then appoint from such panel a special prosecutor pursuant to section  
31 56.110 who shall have all the powers provided by section 56.130. The court shall allow a  
32 reasonable and necessary attorney's fee for the services of the special prosecutor. Such fee shall  
33 be assessed as costs if a case is filed, or ordered by the court if no case is filed, and paid together  
34 with all other costs in the proceeding by the state, in accordance with rules and regulations  
35 promulgated by the state courts administrator, subject to funds appropriated to the office of  
36 administration for such purposes. If the commission does not have sufficient funds to pay a  
37 special prosecutor, the commission shall refer the case to the prosecutor or prosecutors having  
38 criminal jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute the  
39 case due to a conflict of interest, the court may appoint a special prosecutor, paid from county  
40 funds, upon appropriation by the county or the attorney general to investigate and, if appropriate,  
41 prosecute the case. The special prosecutor or prosecutor shall commence an action based on the  
42 report by the filing of an information or seeking an indictment within sixty days of the date of  
43 such prosecutor's appointment, or shall file a written statement with the commission explaining  
44 why criminal charges should not be sought. If the special prosecutor or prosecutor fails to take  
45 either action required by this subsection, upon request of the commission, a new special  
46 prosecutor, who may be the attorney general, shall be appointed. The report may also be referred  
47 to the appropriate disciplinary authority over the person who is the subject of the report.



48           3. When the commission concludes, based on the report from the special investigator or  
49 based on an [audit] **investigation** conducted pursuant to section 105.959, that there are  
50 reasonable grounds to believe that a violation of any law has occurred which is not a violation  
51 of criminal law or that criminal prosecution is not appropriate, the commission shall conduct a  
52 hearing which shall be a closed meeting and not open to the public. The hearing shall be  
53 conducted pursuant to the procedures provided by sections 536.063 to 536.090 and shall be  
54 considered to be a contested case for purposes of such sections. The commission shall  
55 determine, in its discretion, whether or not that there is probable cause that a violation has  
56 occurred. If the commission determines, by a vote of at least four members of the commission,  
57 that probable cause exists that a violation has occurred, the commission may refer its findings  
58 and conclusions to the appropriate disciplinary authority over the person who is the subject of  
59 the report, as described in subsection [7] **8** of this section. [After the commission determines by  
60 a vote of at least four members of the commission that probable cause exists that a violation has  
61 occurred, and the commission has referred the findings and conclusions to the appropriate  
62 disciplinary authority over the person subject of the report, the subject of the report may appeal  
63 the determination of the commission to the administrative hearing commission. Such appeal  
64 shall stay the action of the Missouri ethics commission. Such appeal shall be filed not later than  
65 the fourteenth day after the subject of the commission's action receives actual notice of the  
66 commission's action.] **If the violation that has occurred is a violation of paragraph (d) of**  
67 **subdivision (3) of subsection 3 of section 130.031 and such violation occurs in an even-**  
68 **numbered year, from April until the general election day, or between the opening of the**  
69 **period of candidate filing to the special election day in any year in which a special election**  
70 **is scheduled, any action required under this subsection shall be concluded within ten**  
71 **business days of the commission's conclusion.**

72           4. If the appropriate disciplinary authority receiving a report from the commission  
73 pursuant to subsection 3 of this section fails to follow, within sixty days of the receipt of the  
74 report, **or within fifteen days of the receipt of the report if the violation that has occurred**  
75 **is a violation of paragraph (d) of subdivision (3) of subsection 3 of section 130.031 and such**  
76 **violation occurs in an even-numbered year, from April until the general election day, or**  
77 **between the opening of the period of candidate filing to the special election day in any year**  
78 **in which a special election is scheduled,** the recommendations contained in the report, or if the  
79 commission determines, by a vote of at least four members of the commission that some action  
80 other than referral for criminal prosecution or for action by the appropriate disciplinary authority  
81 would be appropriate, the commission shall take any one or more of the following actions **within**  
82 **ten business days of the commission's conclusion under subsection 3 of this section:**



83 (1) Notify the person to cease and desist violation of any provision of law which the  
84 report concludes was violated and that the commission may seek judicial enforcement of its  
85 decision pursuant to subsection 5 of this section;

86 (2) Notify the person of the requirement to file, amend or correct any report, statement,  
87 or other document or information required by sections 105.473, 105.483 to 105.492, or chapter  
88 130 and that the commission may seek judicial enforcement of its decision pursuant to  
89 subsection 5 of this section; and

90 (3) File the report with the executive director to be maintained as a public document; or

91 (4) Issue a letter of concern or letter of reprimand to the person, which would be  
92 maintained as a public document; or

93 (5) Issue a letter that no further action shall be taken, which would be maintained as a  
94 public document; or

95 (6) Through reconciliation agreements or [civil] action **of the commission**, the power  
96 to seek fees for violations in an amount not greater than one thousand dollars or double the  
97 amount involved in the violation.

98 5. Upon a vote of at least four members, the commission may initiate formal judicial  
99 proceedings **in the circuit court of Cole County** seeking to obtain any of the following orders:

100 (1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter  
101 130, or sections 105.955 to 105.963;

102 (2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130;

103 (3) File any reports, statements, or other documents or information required by sections  
104 105.450 to 105.496, or chapter 130; or

105 (4) Pay restitution for any unjust enrichment the violator obtained as a result of any  
106 violation of any criminal statute as described in subsection [6] 7 of this section.

107 [The Missouri ethics commission shall give actual notice to the subject of the complaint of the  
108 proposed action as set out in this section. The subject of the complaint may appeal the action  
109 of the Missouri ethics commission, other than a referral for criminal prosecution, to the  
110 administrative hearing commission. Such appeal shall stay the action of the Missouri ethics  
111 commission. Such appeal shall be filed no later than fourteen days after the subject of the  
112 commission's actions receives actual notice of the commission's actions.]

113 6. **After the commission determines by a vote of at least four members of the**  
114 **commission that a violation has occurred, other than a referral for criminal prosecution,**  
115 **and the commission has referred the findings and conclusions to the appropriate**  
116 **disciplinary authority over the person who is the subject of the report, or has taken an**  
117 **action under subsection 4 of this section, the subject of the report may appeal the**  
118 **determination of the commission to the circuit court of Cole County. Such appeal shall**



stay the action of the Missouri ethics commission. Such appeal shall be filed not later than the fourteenth day after the subject of the commission's action receives actual notice of the commission's action. If a petition for judicial review of a final order is not filed as provided in this section or when an order for fees under subsection 4 of this section becomes final following an appeal to the circuit court of Cole County, the commission may file a certified copy of the final order with the circuit court of Cole County. The order so filed shall have the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

7. In the proceeding in the circuit court of Cole County, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130 and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

[7.] 8. The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

(1) In the case of a member of the general assembly, the ethics committee of the [house] chamber of which the subject of the report is a member;

(2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;

(3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;

(4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;

(5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;

(6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;

(7) In the case of a statewide elected official, the report shall be referred to the attorney general;

(8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

[8.] 9. The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:



155 (1) To request and shall be given access to information in the possession of any person  
156 or agency which the special investigator deems necessary for the discharge of the special  
157 investigator's responsibilities;

158 (2) To examine the records and documents of any person or agency, unless such  
159 examination would violate state or federal law providing for confidentiality;

160 (3) To administer oaths and affirmations;

161 (4) Upon refusal by any person to comply with a request for information relevant to an  
162 investigation, an investigator may issue a subpoena for any person to appear and give testimony,  
163 or for a subpoena duces tecum to produce documentary or other evidence which the investigator  
164 deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces  
165 tecum may be enforced by applying to a judge of the circuit court of Cole County or any county  
166 where the person or entity that has been subpoenaed resides or may be found, for an order to  
167 show cause why the subpoena or subpoena duces tecum should not be enforced. The order and  
168 a copy of the application therefor shall be served in the same manner as a summons in a civil  
169 action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum  
170 should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum  
171 in the same manner as if it had been issued by the court in a civil action; and

172 (5) To request from the commission such investigative, clerical or other staff assistance  
173 or advancement of other expenses which are necessary and convenient for the proper completion  
174 of an investigation. Within the limits of appropriations to the commission, the commission may  
175 provide such assistance, whether by contract to obtain such assistance or from staff employed  
176 by the commission, or may advance such expenses.

177 [9.] 10. (1) Any retired judge may request in writing to have the judge's name removed  
178 from the list of special investigators subject to appointment by the commission or may request  
179 to disqualify himself or herself from any investigation. Such request shall include the reasons  
180 for seeking removal;

181 (2) By vote of four members of the commission, the commission may disqualify a judge  
182 from a particular investigation or may permanently remove the name of any retired judge from  
183 the list of special investigators subject to appointment by the commission.

184 [10.] 11. Any person who is the subject of any investigation pursuant to this section shall  
185 be entitled to be represented by counsel at any proceeding before the special investigator or the  
186 commission.

187 [11.] 12. The provisions of sections 105.957, 105.959 and 105.961 are in addition to  
188 other provisions of law under which any remedy or right of appeal or objection is provided for  
189 any person, or any procedure provided for inquiry or investigation concerning any matter. The



190 provisions of this section shall not be construed to limit or affect any other remedy or right of  
191 appeal or objection.

192 [12.] 13. No person shall be required to make or file a complaint to the commission as  
193 a prerequisite for exhausting the person's administrative remedies before pursuing any civil cause  
194 of action allowed by law.

195 [13.] 14. If, in the opinion of the commission, the complaining party was motivated by  
196 malice or reason contrary to the spirit of any law on which such complaint was based, in filing  
197 the complaint without just cause, this finding shall be reported to appropriate law enforcement  
198 authorities. Any person who knowingly files a complaint without just cause, or with malice, is  
199 guilty of a class A misdemeanor.

200 [14.] 15. A respondent party who prevails in a formal judicial action brought by the  
201 commission shall be awarded those reasonable fees and expenses incurred by that party in the  
202 formal judicial action, unless the court finds that the position of the commission was  
203 substantially justified or that special circumstances make such an award unjust.

204 [15.] 16. The special investigator and members and staff of the commission shall  
205 maintain confidentiality with respect to all matters concerning a complaint [until and if a report  
206 is filed with the commission], with the exception of communications with any person which are  
207 necessary to the investigation. [The report filed with the commission resulting from a complaint  
208 acted upon under the provisions of this section shall not contain the name of the complainant or  
209 other person providing information to the investigator, if so requested in writing by the  
210 complainant or such other person.] Any person who violates the confidentiality requirements  
211 imposed by this section or subsection 17 of section 105.955 [required to be confidential] is guilty  
212 of a class A misdemeanor and shall be subject to removal from or termination of employment  
213 by the commission.

214 [16.] 17. Any judge of the court of appeals or circuit court who ceases to hold such office  
215 by reason of the judge's retirement and who serves as a special investigator pursuant to this  
216 section shall receive annual compensation, salary or retirement for such services at the rates of  
217 compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682. Such  
218 retired judges shall by the tenth day of each month following any month in which the judge  
219 provided services pursuant to this section certify to the commission and to the state courts  
220 administrator the amount of time engaged in such services by hour or fraction thereof, the dates  
221 thereof, and the expenses incurred and allowable pursuant to this section. The commission shall  
222 then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent,  
223 and within limitations, provided for in this section. The state treasurer upon receipt of such  
224 warrant shall pay the same out of any appropriations made for this purpose on the last day of the  
225 month during which the warrant was received by the state treasurer.



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

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

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

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

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

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

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as 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  
118 current calendar year are members, officers, directors, employees or security  
119 holders of such organization or their spouses;

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



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

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

134 (c) Receipts from the sale of goods and services, including the sale of  
135 advertising space in a brochure, booklet, program or pamphlet of a candidate or  
136 committee and the sale of tickets 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  
139 or debt or other obligation by a third party, or payment of a loan or debt or other  
140 obligation by a third party if the loan or debt or other obligation was contracted,  
141 used, or intended, in whole or in part, for use in an election campaign or used or  
142 intended for the payment of such debts or obligations of a candidate or committee  
143 previously incurred, or which was made or received by a committee;

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

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

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

158 (i) "Contribution" does not include:

159 a. Ordinary home hospitality or services provided without compensation  
160 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;

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

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

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

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

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

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



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.]  
310

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, **including organizations**  
38 **exempt from taxation under 26 U.S.C. Section 501(c)(4), as amended**, who accepts  
39 contributions or makes expenditures for the primary or incidental purpose of influencing or  
40 attempting to influence the action of voters for or against the nomination or election to public  
41 office of one or more candidates or the qualification, passage or defeat of any ballot measure or  
42 for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the  
43 debts or obligations of a committee or for the purpose of contributing funds to another  
44 committee:

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

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

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

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

59 d. A labor organization organized or operated for a primary or principal purpose other  
60 than that of influencing or attempting to influence the action of voters for or against the  
61 nomination or election to public office of one or more candidates, or the qualification, passage,



62 or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the  
63 organization are from its own funds or property received from membership dues or membership  
64 fees which were given or solicited for the purpose of supporting the normal and usual activities  
65 and functions of the organization and which are not contributions as defined by [subdivision (12)  
66 of] this section;

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

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

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

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

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



(10) "[Continuing] **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 [or], **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. ["Continuing committee"] **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];

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than 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;

(12) "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 candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked 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;

(18) "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;

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

(20) "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;

(21) "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



240 a committee or which was contracted, used, or intended to pay previously incurred campaign  
241 debts or obligations of a candidate or the debts or obligations of a committee;

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

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

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

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

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

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

270 (28) "Write-in candidate", an individual whose name is not printed on the ballot but who  
271 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  
subsection 10 of this section, shall be a resident of this state and serve in the



5 capacity of committee treasurer in the event the committee treasurer is unable for  
6 any reason to perform the treasurer's duties.

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

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

32 4. (1) Every committee shall have a single official fund depository  
33 within this state which shall be a federally or state-chartered bank, a federally or  
34 state-chartered savings and loan association, or a federally or state-chartered  
35 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



any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

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

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

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

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (10) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of 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  
122 statement of organization shall be filed within twenty days after the change  
123 occurs, but no later than the date of the filing of the next report required to be  
124 filed by that committee by section 130.046.
- 125 8. Upon termination of a committee, a termination statement indicating  
126 dissolution shall be filed not later than ten days after the date of dissolution with  
127 the appropriate officer or officers with whom the committee's statement of  
128 organization was filed. The termination statement shall include:  
129 the distribution made of any remaining surplus funds and the disposition of any  
130 deficits; and the name, mailing address and telephone number of the individual  
131 responsible for preserving the committee's records and accounts as required in  
132 section 130.036.



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

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

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

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

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

154  
130.021. 1. Every committee shall have a treasurer who, except as provided in  
2 subsection 10 of this section, shall be a resident of this state and reside in the district or county  
3 in which the committee sits. A committee may also have a deputy treasurer who, except as  
4 provided in subsection 10 of this section, shall be a resident of this state and reside in the district  
5 or county in which the committee sits, to serve in the capacity of committee treasurer in the event  
6 the committee treasurer is unable for any reason to perform the treasurer's duties. **A person**  
7 **acting as a treasurer or deputy treasurer for a committee shall not act as a treasurer or**  
8 **deputy treasurer for any other committee at the same time.**

9           2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed  
10 a statement of exemption pursuant to that subsection and every candidate for offices listed in  
11 subsection 6 of section 130.016 who is not excluded from filing a statement of organization and  
12 disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee  
13 and appoint 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 support of the  
15 person's candidacy shall be deposited in a candidate committee depository account established  
16 pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made  
17 through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing  
18 in this chapter shall prevent a candidate from appointing himself or herself as a committee of one



19 and serving as the person's own treasurer, maintaining the candidate's own records and filing all  
20 the reports and statements required to be filed by the treasurer of a candidate committee.

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

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

50 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a  
51 committee's official depository account and deposit such funds in one or more savings accounts  
52 in the committee's name in any bank, savings and loan association or credit union within this  
53 state, and may also withdraw funds from an official depository account for investment in the  
54 committee's name in any certificate of deposit, bond or security. Proceeds from interest or



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

67 5. The treasurer or deputy treasurer acting on behalf of any person or organization or  
68 group of persons which is a committee by virtue of the definitions of committee in section  
69 130.011 and any candidate who is not excluded from forming a committee in accordance with  
70 the provisions of section 130.016 shall file a statement of organization with the appropriate  
71 officer within twenty days after the person or organization becomes a committee but no later than  
72 [the date for filing the first report required pursuant to the provisions of section 130.046] **thirty**  
73 **days prior to the election for which the committee receives contributions or makes**  
74 **expenditures, except that a political action committee shall file a statement of organization**  
75 **with the appropriate officer no later than sixty days prior to the election for which the**  
76 **committee receives contributions or makes expenditures.** The statement of organization shall  
77 contain the following information:

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

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

85 (3) The name, mailing address and telephone number of the committee treasurer, and the  
86 name, mailing address and telephone number of its deputy treasurer if the committee has named  
87 a deputy treasurer;

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

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



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

94           (7) Identification of the major nature of the committee such as a candidate committee,  
95 campaign committee, [continuing] **political action** committee, political party committee,  
96 incumbent committee, or any other committee according to the definition of committee in section  
97 130.011;

98           (8) [In the case of the candidate committee designated in subsection 3 of this section, the  
99 full name and address of each other candidate committee which is under the control and direction  
100 of the same candidate, together with the name, address and telephone number of the treasurer of  
101 each such other committee;

102           (9)] The name and office sought of each candidate supported or opposed by the  
103 committee;

104           [(10)] (9) The ballot measure concerned, if any, and whether the committee is in favor  
105 of or opposed to such measure.

106           6. A committee may omit the information required in subdivisions **(8) and (9) [and (10)]**  
107 of subsection 5 of this section if, on the date on which it is required to file a statement of  
108 organization, the committee has not yet determined the particular candidates or particular ballot  
109 measures it will support or oppose. **A committee shall file an amended statement of**  
110 **organization within twenty-four hours of determining the particular candidates it will**  
111 **support or oppose, determining the particular ballot measures it will support or oppose,**  
112 **receiving a contribution, or incurring an expenditure.**

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

119           8. **A campaign committee shall terminate either thirty days after the general**  
120 **election or upon the satisfaction of all committee debt after the general election, whichever**  
121 **is later, except that no committee retiring debt shall engage in any other activities in**  
122 **support of a measure for which the committee was formed. A candidate committee shall**  
123 **continue in existence for use by an elected candidate or shall terminate on the later of**  
124 **either thirty days after the general election for a candidate who was not elected or upon the**  
125 **satisfaction of all committee debt after the election, except that no committee retiring debt**  
126 **shall engage in any activities in support of the candidate for which the committee was**



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

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

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

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

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

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

151 12. Each [legislative and senatorial district] committee shall retain only one address [in  
152 the district it sits] for the purpose of receiving contributions **and a post office box shall not**  
153 **qualify as an acceptable address for the purposes of this subsection. No committee except**  
154 **an exploratory committee for a particular candidate shall have the same address as any**  
155 **other committee.**

156

2 [130.026. 1. For the purpose of this section, the term "election authority"  
3 or "local election authority" means the county clerk, except that in a city or  
4 county having a board of election commissioners the board of election  
5 commissioners shall be the election authority. For any political subdivision or  
6 other district which is situated within the jurisdiction of more than one election  
7 authority, as defined herein, the election authority is the one in whose jurisdiction  
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;

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

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

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

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

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

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

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

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



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

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

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

65           6. The term "domicile" or "domiciled" means the address of the  
66 committee listed on the statement of organization required to be filed by that  
67 committee in accordance with the provisions of section 130.021.]  
68

130.026. 1. For the purpose of this section, the term "election authority" or "local  
2 election authority" means the county clerk, except that in a city or county having a board of  
3 election commissioners the board of election commissioners shall be the election authority. For  
4 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. **(1)** 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, **or with the intent to**, conceal the identity of the  
18 actual source of the contribution or the actual recipient and purpose of the expenditure. [Any  
19 person who receives contributions for a committee shall disclose to that committee's treasurer,  
20 deputy treasurer or candidate the recipient's own name and address and the name and address of  
21 the actual source of each contribution such person has received for that committee. Any person  
22 who makes expenditures for a committee shall disclose to that committee's treasurer, deputy  
23 treasurer or candidate such person's own name and address, the name and address of each person  
24 to whom an expenditure has been made and the amount and purpose of the expenditures the  
25 person has made for that committee.]

26 **(2) No contribution shall be made or accepted, and no expenditure shall be made**  
27 **or incurred, with the intent to conceal the identity of the actual source of the contribution**  
28 **or the actual recipient and purpose of the expenditure. There shall be a rebuttable**  
29 **presumption that a contribution is made or accepted or an expenditure is made or incurred**  
30 **with the intent to conceal the identity of the actual source of the contribution or the actual**  
31 **recipient and purpose of the expenditure if the source of a contribution or the recipient and**  
32 **purpose of an expenditure is misreported to the ethics commission through a repeated**  
33 **misspelling of such source or recipient or purpose.**



34           (3) No contribution shall be made or accepted, and no expenditure shall be made  
35 or incurred, with the intent to circumvent the limitations on contributions or expenditures  
36 imposed in this section or section 130.032.

37           (a) There shall be a rebuttable presumption that a contribution is made or accepted  
38 with the intent to circumvent the limitations on contributions imposed in this section or  
39 section 130.032 if a committee receives a contribution from two or more committees that  
40 are primarily funded by a single person, individual, or other committee.

41           (b) There shall be a rebuttable presumption that a contribution is made or accepted  
42 with the intent to circumvent the limitations on contributions imposed in this section or  
43 section 130.032 if a contribution is received from a committee that is primarily funded by  
44 a single person, individual, or other committee that has already reached its contribution  
45 limit under any law relating to contribution limitations on the receiving committee.

46           (c) For purposes of this subdivision, a committee shall be deemed to be primarily  
47 funded by a single person, individual, or other committee if the committee receives more  
48 than fifty percent of its annual funding from that single person, individual, or other  
49 committee.

50           (d) If a committee receives a contribution from two or more committees that are  
51 primarily funded by a single person, individual, or other committee, or if a contribution  
52 is received from a committee that is primarily funded by a single person, individual, or  
53 other committee that has already reached its contribution limit under any law relating to  
54 contribution limitations on the receiving committee, the ethics commission shall investigate,  
55 upon its own initiative, following the procedure for investigation in section 105.959. Such  
56 investigation shall, if directed by the ethics commission, be assisted by the office of the  
57 attorney general, the elections division of the office of the secretary of state, or the  
58 prosecuting attorney of the county in which the violation occurred. The ethics commission,  
59 office of the attorney general, elections division of the office of the secretary of state, and  
60 any prosecuting attorney of any county or city not within a county assisting an  
61 investigation under this paragraph may use electronic communication devices for matters  
62 related to such investigation, including telephones and videoconferencing, if subject to  
63 shortened time limits required for an investigation under this paragraph.

64           (4) Any person who receives contributions for a committee shall disclose to that  
65 committee's treasurer, deputy treasurer, or candidate the recipient's own name and  
66 address and the name and address of the actual source of each contribution such person  
67 has received for the committee. Any person who makes expenditures for a committee shall  
68 disclose to that committee's treasurer, deputy treasurer, or candidate such person's own  
69 name and address, the name and address of each person to whom an expenditure has been



70 made, and the amount and purpose of the expenditures such person has made for that  
71 committee.

72 (5) Any violation of this subsection shall be punishable as follows:

73 (a) For the first violation, the ethics commission shall notify such person of such  
74 contribution made or accepted or expenditure made or incurred in violation of this  
75 subsection within five days of determining that a violation has occurred, and such person  
76 shall be subject to a civil penalty of not less than five thousand dollars and shall return the  
77 contribution made or accepted or recover the expenditure made or incurred in violation  
78 of this subsection within ten days of such notification. If such contribution made or  
79 accepted in violation of this subsection is not returned or expenditure made or incurred in  
80 violation of this subsection is not recovered within ten days, the ethics commission may  
81 impose a fine in an amount not less than the amount of the contribution made or accepted  
82 or the expenditure made or incurred in violation of this subsection, but such fine shall not  
83 be more than three times the amount of the contribution made or accepted or expenditure  
84 made or incurred in violation of this subsection;

85 (b) For the second violation, the person making or accepting the contribution or  
86 making or incurring the expenditure in violation of this subsection shall be guilty of a class  
87 C misdemeanor, and the ethics commission may also impose a fine in an amount not less  
88 than the amount of the contribution made or accepted or the expenditure made or incurred  
89 in violation of this subsection, but such fine shall not be more than three times the amount  
90 of the contribution made or accepted or expenditure made or incurred in violation of this  
91 subsection;

92 (c) For the third and subsequent violations, the person making or accepting the  
93 contribution or making or incurring the expenditure in violation of this subsection shall  
94 be guilty of a class D felony until December 31, 2016, and a class E felony beginning  
95 January 1, 2017, and the ethics commission may also impose a fine in an amount not less  
96 than the amount of the contribution made or accepted or the expenditure made or incurred  
97 in violation of this subsection, but such fine shall not be more than three times the amount  
98 of the contribution made or accepted or expenditure made or incurred in violation of this  
99 subsection.

100 4. No anonymous contribution of more than twenty-five dollars shall be made by any  
101 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any  
102 candidate or committee. If any anonymous contribution of more than twenty-five dollars is  
103 received, it shall be returned immediately to the contributor, if the contributor's identity can be  
104 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee



105 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which  
106 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

107         5. The maximum aggregate amount of anonymous contributions which shall be accepted  
108 in any calendar year by any committee shall be the greater of five hundred dollars or one percent  
109 of the aggregate amount of all contributions received by that committee in the same calendar  
110 year. If any anonymous contribution is received which causes the aggregate total of anonymous  
111 contributions to exceed the foregoing limitation, it shall be returned immediately to the  
112 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity  
113 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately  
114 transmit the anonymous contribution to the state treasurer to escheat to the state.

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

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

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

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

128             (4) A statement describing the event shall be prepared by the candidate or the treasurer  
129 of the committee for whom the funds were raised or by the person responsible for conducting the  
130 activity or event and attached to the disclosure report of contributions and expenditures required  
131 by section 130.041. The following information to be listed in the statement is in addition to, not  
132 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of  
133 contributions and expenditures:

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

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

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

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



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

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

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

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

153 8. Any person publishing, circulating, or distributing any printed matter relative to any  
154 candidate for public office or any ballot measure shall on the face of the printed matter identify  
155 in a clear and conspicuous manner the person who paid for the printed matter with the words  
156 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For  
157 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,  
158 handbill, sample ballot, advertisement, including advertisements in any newspaper or other  
159 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered  
160 material; but "printed matter" is defined to exclude materials printed and purchased prior to May  
161 20, 1982, if the candidate or committee can document that delivery took place prior to May 20,  
162 1982; any sign personally printed and constructed by an individual without compensation from  
163 any other person and displayed at that individual's place of residence or on that individual's  
164 personal motor vehicle; any items of personal use given away or sold, such as campaign buttons,  
165 pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a  
166 candidate or committee which supports a candidate or supports or opposes a ballot measure and  
167 which is obvious in its identification with a specific candidate or committee and is reported as  
168 required by this chapter; and any news story, commentary, or editorial printed by a regularly  
169 published newspaper or other periodical without charge to a candidate, committee or any other  
170 person.

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

174 (2) In regard to any printed matter paid for by a committee, it shall be sufficient  
175 identification to print the name of the committee as required to be registered by subsection 5 of



176 section 130.021 and the name and title of the committee treasurer who was serving when the  
177 printed matter was paid for.

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

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

193 9. Any broadcast station transmitting any matter relative to any candidate for public  
194 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as  
195 required by federal law.

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

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

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

208 **13. No gubernatorial appointee shall make any contribution to or expenditure for**  
209 **the governor or the governor's candidate committee.**



210           **14. Beginning on January 1, 2017, all committees required to file campaign**  
211 **financial disclosure reports with the Missouri ethics commission shall file any required**  
212 **disclosure report in an electronic format as prescribed by the ethics commission.**

213           **15. No committee shall transfer any funds to another committee if the treasurer of**  
214 **the committee receiving the funds, or any other person acting as an agent for such**  
215 **committee in receiving contributions, making expenditures, or incurring indebtedness for**  
216 **such committee, is the treasurer or acts as an agent in receiving contributions, making**  
217 **expenditures, or incurring indebtedness for the committee transferring the funds.**

218           **16. The rate of interest charged on any unsecured loan made to any committee shall**  
219 **not exceed ten percent per annum.**

**130.032. 1. In addition to the limitations imposed under section 130.031, the**  
2 **amount of contributions made by or accepted from any person other than the candidate**  
3 **in any one election shall not exceed the following:**

4           **(1) To elect an individual to the office of governor, lieutenant governor, secretary**  
5 **of state, state treasurer, state auditor, or attorney general, two thousand six hundred**  
6 **dollars;**

7           **(2) To elect an individual to the office of state senator, one thousand dollars; and**

8           **(3) To elect an individual to the office of state representative or to any other office,**  
9 **including judicial office, five hundred dollars.**

10           **2. The amount of aggregate contributions made by any single contributor in a**  
11 **calendar year to any political party committee shall not exceed thirty-two thousand four**  
12 **hundred dollars.**

13           **3. For purposes of this subsection, "base-year amount" shall be the contribution**  
14 **limits prescribed in this section on January 1, 2017. Such limits shall be increased on the**  
15 **first day of January in each odd-numbered year by multiplying the base-year amount by**  
16 **the cumulative consumer price index, as defined in section 104.010 and rounded to the**  
17 **nearest twenty-five dollar amount, for all years since January 1, 2017.**

18           **4. Every committee established under this chapter shall be subject to the limits**  
19 **prescribed in subsection 1 of this section. The provisions of this subsection shall not limit**  
20 **the amount of contributions that may be accumulated by a candidate committee and used**  
21 **for expenditures to further the nomination or election of the candidate who controls such**  
22 **candidate committee.**

23           **5. Contributions from persons under fourteen years of age shall be considered**  
24 **made by the parents or guardians of such person and shall be attributed toward any**  
25 **contribution limits prescribed in this chapter. If the contributor under fourteen years of**  
26 **age has two custodial parents or guardians, fifty percent of the contribution shall be**



27 attributed to each parent or guardian, and if such contributor has one custodial parent or  
28 guardian, all such contributions shall be attributed to the custodial parent or guardian.

29       6. Contributions received and expenditures made before January 1, 2017, shall be  
30 reported as a separate account and under the laws in effect at the time such contributions  
31 are received or expenditures made. Contributions received and expenditures made after  
32 January 1, 2017, shall be reported under the provisions of this chapter as a separate  
33 account from the other separate account described in this subsection. The account  
34 reported under the prior law shall be retained as a separate account and any remaining  
35 funds in such account may be used under this chapter.

36       7. Any committee that accepts or gives contributions other than those allowed shall  
37 be subject to a surcharge of one thousand dollars plus an amount equal to the contribution  
38 per nonallowable contribution, to be paid to the ethics commission and which shall be  
39 transferred to the director of revenue, upon notification of such nonallowable contribution  
40 by the ethics commission, and after the candidate has had ten business days after receipt  
41 of notice to return the contribution to the contributor. For candidate committees, the  
42 candidate shall be personally liable, and for all other committees, the committee treasurer  
43 or deputy treasurer owing a surcharge shall be personally liable for the payment of the  
44 surcharge or may pay such surcharge only from campaign funds existing on the date of the  
45 receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but  
46 not limited to, the provisions of chapter 143.

130.036. 1. The candidate, treasurer or deputy treasurer of a committee shall maintain  
2 accurate records and accounts on a current basis. The records and accounts shall be maintained  
3 in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts,  
4 deposit records, cancelled checks and other detailed information necessary to prepare and  
5 substantiate any statement or report required to be filed pursuant to this chapter. Every person  
6 who acts as an agent for a committee in receiving contributions, making expenditures or  
7 incurring indebtedness for the committee shall, on request of that committee's treasurer, deputy  
8 treasurer or candidate, but in any event within five days after any such action, render to the  
9 candidate, committee treasurer or deputy treasurer a detailed account thereof, including names,  
10 addresses, dates, exact amounts and any other details required by the candidate, treasurer or  
11 deputy treasurer to comply with this chapter. Notwithstanding the provisions of subsection 4 of  
12 section 130.021 prohibiting commingling of funds, an individual, trade or professional  
13 association, business entity, or labor organization which acts as an agent for a committee in  
14 receiving contributions may deposit contributions received on behalf of the committee to the  
15 agent's account within a financial institution within this state, for purposes of facilitating  
16 transmittal of the contributions to the candidate, committee treasurer or deputy treasurer. Such



17 contributions shall not be held in the agent's account for more than five days after the date the  
18 contribution was received by the agent, and shall not be transferred to the account of any other  
19 agent or person, other than the committee treasurer.

20         2. Unless a contribution is rejected by the candidate or committee and returned to the  
21 donor or transmitted to the state treasurer within ten business days after its receipt, it shall be  
22 considered received and accepted on the date received, notwithstanding the fact that it was not  
23 deposited by the closing date of a reporting period.

24         3. Notwithstanding the provisions of section 130.041 that only contributors of more than  
25 one hundred dollars shall be reported by name and address for all committees, the committee's  
26 records shall contain a listing of each contribution received by the committee, including those  
27 accepted and those which are rejected and either returned to the donor or transmitted to the state  
28 treasurer. Each contribution, regardless of the amount, shall be recorded by date received, name  
29 and address of the contributor and the amount of the contribution, except that any contributions  
30 from unidentifiable persons which are received through fund-raising activities and events as  
31 permitted in subsection 6 of section 130.031 shall be recorded to show the dates and amounts  
32 of all such contributions received together with information contained in statements required by  
33 subsection 6 of section 130.031. The procedure for recording contributions shall be of a type  
34 which enables the candidate, committee treasurer or deputy treasurer to maintain a continuing  
35 total of all contributions received from any one contributor.

36         4. Notwithstanding the provisions of section 130.041 that certain expenditures need not  
37 be identified in reports by name and address of the payee, the committee's records shall include  
38 a listing of each expenditure made and each contract, promise or agreement to make an  
39 expenditure, showing the date and amount of each transaction, the name and address of the  
40 person to whom the expenditure was made or promised, and the purpose of each expenditure  
41 made or promised.

42         5. In the case of a committee which makes expenditures for both the support or  
43 opposition of any candidate and the passage or defeat of a ballot measure, the committee  
44 treasurer shall maintain records segregated according to each candidate or measure for which the  
45 expenditures were made.

46         6. Records shall indicate which transactions, either contributions received or  
47 expenditures made, were cash transactions or in-kind transactions.

48         7. Any candidate who, pursuant to section 130.016, is exempt from the requirements to  
49 form a committee shall maintain records of each contribution received or expenditure made in  
50 support of his candidacy. Any other person or combination of persons who, although not deemed  
51 to be a committee according to the definition of the term "committee" in section 130.011, accepts  
52 contributions or makes expenditures, other than direct contributions from the person's own funds,



53 for the purpose of supporting or opposing the election or defeat of any candidate or for the  
54 purpose of supporting or opposing the qualifications, passage or defeat of any ballot measure  
55 shall maintain records of each contribution received or expenditure made. The records shall  
56 include name, address and amount pertaining to each contribution received or expenditure made  
57 and any bills, receipts, cancelled checks or other documents relating to each transaction.

58 8. All records and accounts of receipts and expenditures shall be preserved for at least  
59 three years after the date of the election to which the records pertain. Records and accounts  
60 regarding supplemental disclosure reports or reports not required pursuant to an election shall  
61 be preserved for at least three years after the date of the report to which the records pertain. Such  
62 records shall be available for inspection by the [campaign finance review board] **Missouri ethics**  
63 **commission** and its duly authorized representatives.

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

5

[130.041. 1. Except as provided in subsection 5 of section 130.016, the  
2 candidate, if applicable, treasurer or deputy treasurer of every committee which  
3 is required to file a statement of organization, shall file a legibly printed or typed  
4 disclosure report of receipts and expenditures. The reports shall be filed with the  
5 appropriate officer designated in section 130.026 at the times and for the periods  
6 prescribed in section 130.046. Except as provided in sections 130.049 and  
7 130.050, each report shall set forth:

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

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

15 (3) Receipts for the period, including:

16 (a) Total amount of all monetary contributions received which can be  
17 identified in the committee's records by name and address of each contributor.  
18 In addition, the candidate committee shall make a reasonable effort to obtain and  
19 report the employer, or occupation if self-employed or notation of retirement, of  
20 each person from whom the committee received one or more contributions which  
21 in the aggregate total in excess of one hundred dollars and shall make a  
22 reasonable effort to obtain and report a description of any contractual relationship  
23 over five hundred dollars between the contributor and the state if the candidate  
24 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



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

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

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

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

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

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



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 **and a detailed description of the nature of** all in-kind  
29 contributions received;

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

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

38 (4) Expenditures for the period, including:

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

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

42 (c) The total dollar value of **and a detailed description of the nature of** all in-kind  
43 expenditures made;

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



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

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

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

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

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

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

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

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



88           (1) In the case of a candidate committee, the period shall begin on the date on which the  
89 candidate became a candidate according to the definition of the term "candidate" in section  
90 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an  
91 election or at 11:59 p.m. on the day of the general election. If the candidate has a general  
92 election held after a primary election, the next aggregating period shall begin at 12:00 midnight  
93 on the day after the primary election day and shall close at 11:59 p.m. on the day of the general  
94 election. Except that for contributions received during the thirty-day period immediately  
95 following a primary election, the candidate shall designate whether such contribution is received  
96 as a primary election contribution or a general election contribution;

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

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

105           **3. All individuals and committees required to file disclosure reports under this**  
106 **section who receive a contribution required to be reported under section 130.044 shall**  
107 **include that contribution on the disclosure report for the period in which it was received**  
108 **and on the disclosure report for every period thereafter in that election cycle or calendar**  
109 **year as otherwise required by law or on any statement of limited activity filed under**  
110 **subdivision (2) of subsection 5 of section 130.046 in lieu of a disclosure report. A**  
111 **contribution required to be reported under section 130.044 that is required to be included**  
112 **on a statement of limited activity under this subsection shall not be included in the**  
113 **aggregate limits under subdivision (2) of subsection 5 of section 130.046.**

114           **4.** The disclosure report shall be signed and attested by the committee treasurer or deputy  
115 treasurer and by the candidate in case of a candidate committee.

116           **[4.] 5.** The words "consulting or consulting services, fees, or expenses", or similar words,  
117 shall not be used to describe the purpose of a payment as required in this section. The reporting  
118 of any payment to such an independent contractor shall be on a form supplied by the appropriate  
119 officer, established by the ethics commission and shall include identification of the specific  
120 service or services provided including, but not limited to, public opinion polling, research on  
121 issues or opposition background, print or broadcast media production, print or broadcast media  
122 purchase, computer programming or data entry, direct mail production, postage, rent, utilities,  
123 phone solicitation, or fund raising, and the dollar amount prorated for each service.



[130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution.

2. Any individual currently holding office as a state representative, state senator, or any candidate for such office or such individual's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session of the general assembly, within forty-eight hours of receiving the contribution.

3. Any individual currently holding office as the governor, lieutenant governor, treasurer, attorney general, secretary of state or auditor or any candidate for such office or such person's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session or any time when legislation from the regular legislative session awaits gubernatorial action, within forty-eight hours of receiving the contribution.

4. Reports required under this section shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem necessary to promulgate for the effective administration of this section.

5. 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, 2008, shall be invalid and void.]

130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds [five] **two** thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution. [Such reports]

**2. Any individual currently holding office as a state representative, state senator, or any candidate for such office or such individual's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session of the general assembly or any time when legislation from the regular legislative session awaits gubernatorial action within forty-eight hours of receiving the contribution.**



11           **3. Any individual currently holding office as the governor, lieutenant governor,**  
12 **treasurer, attorney general, secretary of state, or auditor or any candidate for such office**  
13 **or such person's campaign committee shall electronically report any contribution**  
14 **exceeding five hundred dollars made by any contributor to his or her campaign committee**  
15 **during the regular legislative session or any time when legislation from the regular**  
16 **legislative session awaits gubernatorial action within forty-eight hours of receiving the**  
17 **contribution.**

18           **4. Reports required under this section** shall contain the same content required under  
19 section 130.041 and shall be filed in accordance with the standards established by the  
20 commission for electronic filing and other rules the commission may deem necessary to  
21 promulgate for the effective administration of this section.

22           [2.] **5.** Any rule or portion of a rule, as that term is defined in section 536.010, that is  
23 created under the authority delegated in this section shall become effective only if it complies  
24 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
25 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
26 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
27 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
28 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

29  
                  [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  
56 not be later than the fifteenth day of January, April, July and October for periods  
57 closing on the thirty-first day of December, the thirty-first day of March, the  
58 thirtieth day of June and the thirtieth day of September. No candidate, treasurer  
59 or deputy treasurer shall be required to file the quarterly disclosure report  
60 required not later than the fifteenth day of any January immediately following a  
61 November election, provided that such candidate, treasurer or deputy treasurer  
62 shall file the information required on such quarterly report on the quarterly report  
63 to be filed not later than the fifteenth day of April immediately following such  
64 November election. Each report by such committee shall be cumulative from the



65 date of the last report. In the case of the political action committee's first report,  
66 the report shall be cumulative from the date of the political action committee's  
67 organization. Every candidate, treasurer or deputy treasurer shall file, at a  
68 minimum, the campaign disclosure reports covering the quarter immediately  
69 preceding the date of the election and those required by subdivisions (1) and (2)  
70 of subsection 1 of this section. A political action committee shall submit  
71 additional reports if it makes aggregate expenditures, other than contributions to  
72 a committee, of five hundred dollars or more, within the reporting period at the  
73 following times for the following periods:

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

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

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

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

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

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

95 (a) If there are less than fifty days between a primary election and the  
96 immediately succeeding general election, the disclosure report required to be  
97 filed quarterly; provided that, any other report required to be filed prior to the  
98 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



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

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

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

7. In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the 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 makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the 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



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

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

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

7. In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the 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



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.

142

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

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

72

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 committees shall file reports by electronic format prescribed by the  
24 commission, except continuing committees which make contributions equal to or less than  
25 fifteen thousand dollars in the applicable calendar year. Any continuing committee which makes  
26 contributions in support of or opposition to any measure or candidate equal to or less than fifteen  
27 thousand dollars in the applicable calendar year shall file reports on paper forms provided by the  
28 commission for that purpose or by electronic format prescribed by the commission, whichever  
29 reporting method the continuing committee chooses.] The commission shall supply a computer  
30 program which shall be used for filing by modem or by a common magnetic media chosen by  
31 the commission. In the event that filings are performed electronically, the candidate shall file  
32 a signed original written copy within five working days; except that, if a means becomes



33 available which will allow a verifiable electronic signature, the commission may also accept this  
34 in lieu of a written statement.

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

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

49 [6.] 5. All records that are in electronic format, not otherwise closed by law, shall be  
50 available in electronic format to the public. The commission shall maintain and provide for  
51 public inspection, a listing of all reports with a complete description for each field contained on  
52 the report, that has been used to extract information from their database files. The commission  
53 shall develop a report or reports which contain every field in each database.

54 [7.] 6. Annually, the commission shall provide, without cost, a system-wide dump of  
55 information contained in the commission's electronic database files to the general assembly. The  
56 information is to be copied onto a medium specified by the general assembly. Such information  
57 shall not contain records otherwise closed by law. It is the intent of the general assembly to  
58 provide open access to the commission's records. The commission shall make every reasonable  
59 effort to comply with requests for information and shall take a liberal interpretation when  
60 considering such requests.

**130.076. 1. In addition to or in lieu of any other penalty imposed in this chapter,  
2 the following violations shall be a felony as provided under subsection 2 of this section:**

3 **(1) The candidate knowingly made or accepted a contribution or knowingly makes**  
4 **or incurs any expenditure in violation of subdivision (3) of subsection 3 of section 130.031;**  
5 **and**

6 **(2) The violation occurred either:**

7 **(a) In an even-numbered year, from April first to the general election day; or**



8           **(b) In any year in which a special election is scheduled, from the opening of the**  
9 **period of candidate filing to the special election day.**

10           **2. Any person violating this section shall be guilty of a class D felony until**  
11 **December 31, 2016, and a class E felony beginning January 1, 2017.**

12

                  [226.033. Any commissioner appointed or reappointed after March 1,  
2 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.]

7

                  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, 2017.

✓