

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1979

AN ACT

To repeal section 105.456, as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1       Section A. Section 105.456, as enacted by house bill no.  
2       1120, eighty-ninth general assembly, second regular session, is  
3       repealed and two new sections enacted in lieu thereof, to be  
4       known as sections 105.456 and 105.481, to read as follows:

5       105.456. 1. No member of the general assembly or the  
6       governor, lieutenant governor, attorney general, secretary of  
7       state, state treasurer or state auditor shall:

8       (1) Perform any service for the state or any political  
9       subdivision of the state or any agency of the state or any  
10      political subdivision thereof or act in his or her official  
11      capacity or perform duties associated with his or her position  
12      for any person for any consideration other than the compensation  
13      provided for the performance of his or her official duties; [or]

14      (2) Sell, rent or lease any property to the state or  
15      political subdivision thereof or any agency of the state or any  
16      political subdivision thereof for consideration in excess of five

1 hundred dollars per transaction or one thousand five hundred  
2 dollars per annum unless the transaction is made pursuant to an  
3 award on a contract let or sale made after public notice and in  
4 the case of property other than real property, competitive  
5 bidding, provided that the bid or offer accepted is the lowest  
6 received; [or]

7 (3) Attempt, for compensation other than the compensation  
8 provided for the performance of his or her official duties, to  
9 influence the decision of any agency of the state on any matter,  
10 except that this provision shall not be construed to prohibit  
11 such person from participating for compensation in any adversary  
12 proceeding or in the preparation or filing of any public document  
13 or conference thereon. The exception for a conference upon a  
14 public document shall not permit any member of the general  
15 assembly or the governor, lieutenant governor, attorney general,  
16 secretary of state, state treasurer or state auditor to receive  
17 any consideration for the purpose of attempting to influence the  
18 decision of any agency of the state on behalf of any person with  
19 regard to any application, bid or request for a state grant,  
20 loan, appropriation, contract, award, permit other than matters  
21 involving a driver's license, or job before any state agency,  
22 commission, or elected official. Notwithstanding Missouri  
23 supreme court rule 1.10 of rule 4 or any other court rule or law  
24 to the contrary, other members of a firm, professional  
25 corporation or partnership shall not be prohibited pursuant to  
26 this subdivision from representing a person or other entity  
27 solely because a member of the firm, professional corporation or  
28 partnership serves in the general assembly, provided that such

1 official does not share directly in the compensation earned, so  
2 far as the same may reasonably be accounted, for such activity by  
3 the firm or by any other member of the firm. This subdivision  
4 shall not be construed to prohibit any inquiry for information or  
5 the representation of a person without consideration before a  
6 state agency or in a matter involving the state if no  
7 consideration is given, charged or promised in consequence  
8 thereof; or

9 (4) Solicit any registered lobbyist for any position with a  
10 hiring date beginning after such person is no longer an elected  
11 official, whether compensated or not, while such person holds  
12 office.

13 2. No sole proprietorship, partnership, joint venture, or  
14 corporation in which a member of the general assembly, governor,  
15 lieutenant governor, attorney general, secretary of state, state  
16 treasurer, state auditor or spouse of such official, is the sole  
17 proprietor, a partner having more than a ten percent partnership  
18 interest, or a coparticipant or owner of in excess of ten percent  
19 of the outstanding shares of any class of stock, shall:

20 (1) Perform any service for the state or any political  
21 subdivision thereof or any agency of the state or political  
22 subdivision for any consideration in excess of five hundred  
23 dollars per transaction or one thousand five hundred dollars per  
24 annum unless the transaction is made pursuant to an award on a  
25 contract let or sale made after public notice and competitive  
26 bidding, provided that the bid or offer accepted is the lowest  
27 received; or

28 (2) Sell, rent, or lease any property to the state or any

1 political subdivision thereof or any agency of the state or  
2 political subdivision thereof for consideration in excess of five  
3 hundred dollars per transaction or one thousand five hundred  
4 dollars per annum unless the transaction is made pursuant to an  
5 award on a contract let or a sale made after public notice and in  
6 the case of property other than real property, competitive  
7 bidding, provided that the bid or offer accepted is the lowest  
8 and best received.

9 105.481. 1. No person elected or appointed after January  
10 1, 2016, to the state senate, the state house of representatives,  
11 or to the office of governor, lieutenant governor, attorney  
12 general, secretary of state, state treasurer, or state auditor  
13 who vacates the office, whether by resignation, expulsion, term  
14 limitation under article III, section 8 of the Constitution of  
15 Missouri, or otherwise, shall act, serve, or register as a  
16 lobbyist as defined in section 105.470 until one year after the  
17 expiration of any term of office for which such person was  
18 elected.

19 2. No person holding an office that required appointment by  
20 the governor and confirmation by the senate who vacates the  
21 office, whether by resignation, expulsion, or otherwise, shall  
22 act, serve, or register as a lobbyist as defined in section  
23 105.470 until one year after the vacation of such office.

24 3. For purposes of this section, the prohibition contained  
25 herein shall only apply to lobbyists employed by a lobbyist  
26 principal for pay or other compensation in excess of  
27 reimbursement for expenses incurred.

28 4. The provisions of this section shall not apply to

1 persons who act, serve, or register as a lobbyist for a state  
2 department or agency.