

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1303

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ALFERMAN.

5017H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to lobbyist expenditures, with penalty provisions.

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

Section A. Section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, are repealed and two new sections enacted in lieu thereof, to be known as sections 105.470 and 105.473, to read as follows:

105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

- (1) "Elected local government official lobbyist", any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars;
- (2) "Executive lobbyist", any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

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.

- 11 (a) Is acting in the ordinary course of employment on behalf of or for the benefit of such
12 person's employer; or
- 13 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
14 such activity; or
- 15 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
16 religious organization, nonprofit corporation, association or other entity; or
- 17 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
18 beginning January first and ending December thirty-first for the benefit of one or more public
19 officials or one or more employees of the executive branch of state government in connection
20 with such activity.
- 21
- 22 An "executive lobbyist" shall not include a member of the general assembly, an elected state
23 official, or any other person solely due to such person's participation in any of the following
24 activities:
- 25 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
26 proceeding, or contested case before a state board, commission, department, division or agency
27 of the executive branch of government or any elected or appointed officer or employee thereof;
- 28 b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any
29 public document, permit or contract, any application for any permit or license or certificate, or
30 any document required or requested to be filed with the state or a political subdivision;
- 31 c. Selling of goods or services to be paid for by public funds, provided that such person
32 is attempting to influence only the person authorized to authorize or enter into a contract to
33 purchase the goods or services being offered for sale;
- 34 d. Participating in public hearings or public proceedings on rules, grants, or other
35 matters;
- 36 e. Responding to any request for information made by any public official or employee
37 of the executive branch of government;
- 38 f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
39 television broadcast, or similar news medium, whether print or electronic;
- 40 g. Acting within the scope of employment by the general assembly, or acting within the
41 scope of employment by the executive branch of government when acting with respect to the
42 department, division, board, commission, agency or elected state officer by which such person
43 is employed, or with respect to any duty or authority imposed by law to perform any action in
44 conjunction with any other public official or state employee; or
- 45 h. Testifying as a witness before a state board, commission or agency of the executive
46 branch;

47 (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any
48 gift~~[-, honorarium]~~ or item of value bestowed including any food or beverage; any price, charge
49 or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is
50 cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible
51 cost or fair market value from one person to another or provision of any service or granting of
52 any opportunity for which a charge is customarily made, without charge or for a reduced charge;
53 except that the term "expenditure" shall not include the following:

54 (a) Any item, service or thing of value transferred to any person within the third degree
55 of consanguinity **or affinity** of the transferor which is unrelated to any activity of the transferor
56 as a lobbyist;

57 (b) Informational material such as books, reports, pamphlets, calendars or periodicals
58 informing a public official regarding such person's official duties, or souvenirs or mementos
59 valued at less than ten dollars;

60 (c) Contributions to the public official's campaign committee or candidate committee
61 which are reported pursuant to the provisions of chapter 130;

62 (d) Any loan made or other credit accommodations granted or other payments made by
63 any person or entity which extends credit or makes loan accommodations or such payments in
64 the regular ordinary scope and course of business, provided that such are extended, made or
65 granted in the ordinary course of such person's or entity's business to persons who are not public
66 officials;

67 (e) Any item, service or thing of de minimis value offered to the general public, whether
68 or not the recipient is a public official or a staff member, employee, spouse or dependent child
69 of a public official, and only if the grant of the item, service or thing of de minimis value is not
70 motivated in any way by the recipient's status as a public official or staff member, employee,
71 spouse or dependent child of a public official;

72 (f) The transfer of any item, provision of any service, or granting of any opportunity with
73 a reasonably discernible cost or fair market value when such item, service, or opportunity is
74 necessary for a public official or employee to perform his or her duty in his or her official
75 capacity, including but not limited to entrance fees to any sporting event, museum, or other
76 venue when the official or employee is participating in a ceremony, public presentation or
77 official meeting therein;

78 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is
79 bestowed upon or given to any public official or a staff member, employee, spouse or dependent
80 child of a public official when it is compensation for employment or given as an employment
81 benefit and when such employment is in addition to their employment as a public official;

82 **(h) Flowers or plants as expressions of condolence or congratulation sent within a**
83 **reasonable time of the occasion being observed;**

84 **(i) Any physical item of recognition including, but not limited to, a plaque or award**
85 **that signifies recognition of a service or other notable accomplishment;**

86 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
87 influence any purchasing decision by the judicial branch of government or by any elected or
88 appointed official or any employee thereof and in connection with such activity, meets the
89 requirements of any one or more of the following:

90 (a) Is acting in the ordinary course of employment which primary purpose is to influence
91 the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such
92 person's employer, except that this shall not apply to any person who engages in lobbying on an
93 occasional basis only and not as a regular pattern of conduct; or

94 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
95 such activity; or

96 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
97 religious organization, nonprofit corporation or association; or

98 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
99 beginning January first and ending December thirty-first for the benefit of one or more public
100 officials or one or more employees of the judicial branch of state government in connection with
101 attempting to influence such purchasing decisions by the judiciary.

102

103 A "judicial lobbyist" shall not include a member of the general assembly, an elected state official,
104 or any other person solely due to such person's participation in any of the following activities:

105 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
106 proceeding, or contested case before a state court;

107 b. Participating in public hearings or public proceedings on rules, grants, or other
108 matters;

109 c. Responding to any request for information made by any judge or employee of the
110 judicial branch of government;

111 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,
112 magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

113 e. Acting within the scope of employment by the general assembly, or acting within the
114 scope of employment by the executive branch of government when acting with respect to the
115 department, division, board, commission, agency or elected state officer by which such person
116 is employed, or with respect to any duty or authority imposed by law to perform any action in
117 conjunction with any other public official or state employee;

(5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

(6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;

(7) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

153 (8) "Public official", any member or member-elect of the general assembly, judge or
154 judicial officer, or any other person holding an elective office of state government or any agency
155 head, department director or division director of state government or any member of any state
156 board or commission and any designated decision-making public servant designated by persons
157 described in this subdivision.

2 ~~[105.473. 1. Each lobbyist shall, not later than January fifth of each year~~
3 ~~or five days after beginning any activities as a lobbyist, file standardized~~
4 ~~registration forms, verified by a written declaration that it is made under the~~
5 ~~penalties of perjury, along with a filing fee of ten dollars, with the commission.~~
6 ~~The forms shall include the lobbyist's name and business address, the name and~~
7 ~~address of all persons such lobbyist employs for lobbying purposes, the name and~~
8 ~~address of each lobbyist principal by whom such lobbyist is employed or in~~
9 ~~whose interest such lobbyist appears or works. The commission shall maintain~~
10 ~~files on all lobbyists' filings, which shall be open to the public. Each lobbyist~~
11 ~~shall file an updating statement under oath within one week of any addition,~~
12 ~~deletion, or change in the lobbyist's employment or representation. The filing fee~~
13 ~~shall be deposited to the general revenue fund of the state. The lobbyist principal~~
14 ~~or a lobbyist employing another person for lobbying purposes may notify the~~
15 ~~commission that a judicial, executive or legislative lobbyist is no longer~~
16 ~~authorized to lobby for the principal or the lobbyist and should be removed from~~
17 ~~the commission's files.~~

18 ~~2. Each person shall, before giving testimony before any committee of~~
19 ~~the general assembly, give to the secretary of such committee such person's name~~
20 ~~and address and the identity of any lobbyist or organization, if any, on whose~~
21 ~~behalf such person appears. A person who is not a lobbyist as defined in section~~
22 ~~105.470 shall not be required to give such person's address if the committee~~
23 ~~determines that the giving of such address would endanger the person's physical~~
24 ~~health.~~

25 ~~3. (1) During any period of time in which a lobbyist continues to act as~~
26 ~~an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local~~
27 ~~government official lobbyist, the lobbyist shall file with the commission on~~
28 ~~standardized forms prescribed by the commission monthly reports which shall be~~
29 ~~due at the close of business on the tenth day of the following month;~~

30 ~~(2) Each report filed pursuant to this subsection shall include a statement,~~
31 ~~verified by a written declaration that it is made under the penalties of perjury,~~
32 ~~setting forth the following:~~

33 ~~(a) The total of all expenditures by the lobbyist or his or her lobbyist~~
34 ~~principals made on behalf of all public officials, their staffs and employees, and~~
35 ~~their spouses and dependent children, which expenditures shall be separated into~~
36 ~~at least the following categories by the executive branch, judicial branch and~~
~~legislative branch of government: printing and publication expenses; media and~~

37 other advertising expenses; travel; the time, venue, and nature of any
38 entertainment; honoraria; meals, food and beverages; and gifts;

39 ~~(b) The total of all expenditures by the lobbyist or his or her lobbyist~~
40 ~~principals made on behalf of all elected local government officials, their staffs~~
41 ~~and employees, and their spouses and children. Such expenditures shall be~~
42 ~~separated into at least the following categories: printing and publication~~
43 ~~expenses; media and other advertising expenses; travel; the time, venue, and~~
44 ~~nature of any entertainment; honoraria; meals; food and beverages; and gifts;~~

45 ~~(c) An itemized listing of the name of the recipient and the nature and~~
46 ~~amount of each expenditure by the lobbyist or his or her lobbyist principal;~~
47 ~~including a service or anything of value, for all expenditures made during any~~
48 ~~reporting period, paid or provided to or for a public official or elected local~~
49 ~~government official, such official's staff, employees, spouse or dependent~~
50 ~~children;~~

51 ~~(d) The total of all expenditures made by a lobbyist or lobbyist principal~~
52 ~~for occasions and the identity of the group invited, the date, location, and~~
53 ~~description of the occasion and the amount of the expenditure for each occasion~~
54 ~~when any of the following are invited in writing:~~

55 ~~a. All members of the senate, which may or may not include senate staff~~
56 ~~and employees under the direct supervision of a state senator;~~

57 ~~b. All members of the house of representatives, which may or may not~~
58 ~~include house staff and employees under the direct supervision of a state~~
59 ~~representative;~~

60 ~~c. All members of a joint committee of the general assembly or a~~
61 ~~standing committee of either the house of representatives or senate, which may~~
62 ~~or may not include joint and standing committee staff;~~

63 ~~d. All members of a caucus of the majority party of the house of~~
64 ~~representatives, minority party of the house of representatives, majority party of~~
65 ~~the senate, or minority party of the senate;~~

66 ~~e. All statewide officials, which may or may not include the staff and~~
67 ~~employees under the direct supervision of the statewide official;~~

68 ~~(e) Any expenditure made on behalf of a public official, an elected local~~
69 ~~government official or such official's staff, employees, spouse or dependent~~
70 ~~children, if such expenditure is solicited by such official, the official's staff,~~
71 ~~employees, or spouse or dependent children, from the lobbyist or his or her~~
72 ~~lobbyist principals and the name of such person or persons, except any~~
73 ~~expenditures made to any not-for-profit corporation, charitable, fraternal or civic~~
74 ~~organization or other association formed to provide for good in the order of~~
75 ~~benevolence and except for any expenditure reported under paragraph (d) of this~~
76 ~~subdivision;~~

77 ~~(f) A statement detailing any direct business relationship or association~~
78 ~~or partnership the lobbyist has with any public official or elected local~~
79 ~~government official. The reports required by this subdivision shall cover the time~~

periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

~~4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation; debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.~~

~~5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.~~

~~6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.~~

~~7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.~~

~~8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.~~

~~9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.~~

~~10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.~~

~~11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".~~

~~12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.~~

~~13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]~~

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the

22 lobbyist shall file with the commission on standardized forms prescribed by the commission
23 monthly reports which shall be due at the close of business on the tenth day of the following
24 month;

25 (2) Each report filed pursuant to this subsection shall include a statement, verified by a
26 written declaration that it is made under the penalties of perjury, setting forth the following:

27 (a) ~~[The total of all expenditures by the lobbyist or his or her lobbyist principals made~~
28 ~~on behalf of all public officials, their staffs and employees, and their spouses and dependent~~
29 ~~children, which expenditures shall be separated into at least the following categories by the~~
30 ~~executive branch, judicial branch and legislative branch of government: printing and publication~~
31 ~~expenses; media and other advertising expenses; travel; the time, venue, and nature of any~~
32 ~~entertainment; honoraria; meals, food and beverages; and gifts;~~

33 ~~——(b)]~~ The total of all expenditures by the lobbyist or his or her lobbyist principals made
34 on behalf of all elected local government officials, their staffs and employees, and their spouses
35 and children. Such expenditures shall be separated into at least the following categories:
36 printing and publication expenses; media and other advertising expenses; travel; the time, venue,
37 and nature of any entertainment; ~~[honoraria;]~~ meals; food and beverages; and gifts;

38 ~~[(e)]~~ (b) An itemized listing of the name of the recipient and the nature and amount of
39 each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything
40 of value, for all expenditures made during any reporting period, paid or provided to or for ~~[a~~
41 ~~public official or]~~ **an** elected local government official~~[-]~~ **or** such official's staff, employees,
42 spouse or dependent children;

43 ~~[(d)]~~ (c) The total of all expenditures made by a lobbyist or lobbyist principal for
44 occasions and the identity of the group invited, the date and description of the occasion and the
45 amount of the expenditure for each occasion when ~~[any]~~ **the occasion takes place in Missouri**
46 **and all** of the following are invited **by a notice in writing or by electronic means at least**
47 **seventy-two hours in advance of the occasion:**

48 a. ~~[All members of the senate;~~

49 ~~——b. All members of the house of representatives;~~

50 ~~——c. All members of a joint committee of the general assembly or a standing committee of~~
51 ~~either the house of representatives or senate; or~~

52 ~~——d. All members of a caucus of the majority party of the house of representatives, minority~~
53 ~~party of the house of representatives, majority party of the senate, or minority party of the senate]~~

54 **All members of the general assembly, which may or may not include staff and employees**
55 **under the direct supervision of a member of the general assembly; and**

56 **b. All statewide officials, which may or may not include staff and employees under**
57 **the direct supervision of a statewide official;**

58 ~~[(e)]~~ (d) Any expenditure made on behalf of ~~[a public official,]~~ an elected local
59 government official or such official's staff, employees, spouse or dependent children, if such
60 expenditure is solicited by such official, the official's staff, employees, or spouse or dependent
61 children, from the lobbyist or his or her lobbyist principals and the name of such person or
62 persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or
63 civic organization or other association formed to provide for good in the order of benevolence;

64 ~~[(f)]~~ (e) A statement detailing any direct business relationship or association or
65 partnership the lobbyist has with any public official or elected local government official. The
66 reports required by this subdivision shall cover the time periods since the filing of the last report
67 or since the lobbyist's employment or representation began, whichever is most recent.

68 4. No expenditure reported pursuant to this section shall include any amount expended
69 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to
70 this section shall be valued on the report at the actual amount of the payment made, or the
71 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the
72 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures
73 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of
74 such lobbyists. ~~[No expenditure shall be made on behalf of a state senator or state representative,~~
75 ~~or such public official's staff, employees, spouse, or dependent children for travel or lodging~~
76 ~~outside the state of Missouri unless such travel or lodging was approved prior to the date of the~~
77 ~~expenditure by the administration and accounts committee of the house or the administration~~
78 ~~committee of the senate.]~~

79 5. Any lobbyist principal shall provide in a timely fashion whatever information is
80 reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by
81 this section.

82 6. All information required to be filed pursuant to the provisions of this section with the
83 commission shall be kept available by the executive director of the commission at all times open
84 to the public for inspection and copying for a reasonable fee for a period of five years from the
85 date when such information was filed.

86 7. No person shall knowingly employ any person who is required to register as a
87 registered lobbyist but is not registered pursuant to this section. Any person who knowingly
88 violates this subsection shall be subject to a civil penalty in an amount of not more than ten
89 thousand dollars for each violation. Such civil penalties shall be collected by action filed by the
90 commission.

91 8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information
92 required pursuant to this section.

93 9. The prosecuting attorney of Cole County shall be reimbursed only out of funds
94 specifically appropriated by the general assembly for investigations and prosecutions for
95 violations of this section.

96 10. Any ~~[public official or other]~~ person whose name appears in any lobbyist report filed
97 pursuant to this section who contests the accuracy of the portion of the report applicable to such
98 person may petition the commission for an audit of such report and shall state in writing in such
99 petition the specific disagreement with the contents of such report. The commission shall
100 investigate such allegations in the manner described in section 105.959. If the commission
101 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter
102 an order requiring filing of an amended or corrected report.

103 11. The commission shall provide a report listing the total spent by a lobbyist for the
104 month and year to ~~[any member or member-elect of the general assembly, judge or judicial~~
105 ~~officer, or any other person holding an elective office of state government or]~~ any elected local
106 government official on or before the twentieth day of each month. For the purpose of providing
107 accurate information to the public, the commission shall not publish information in either written
108 or electronic form for ten working days after providing the report pursuant to this subsection.
109 The commission shall not release any portion of the lobbyist report if the accuracy of the report
110 has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked
111 "Under Review".

112 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose
113 behalf the lobbyist acted, shall provide a general description of the proposed legislation or action
114 by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or
115 opposed. This information shall be supplied to the commission on March fifteenth and May
116 thirtieth of each year.

117 13. The provisions of this section shall supersede any contradicting ordinances or charter
118 provisions.

119 **14. Notwithstanding any provision of law to the contrary, no lobbyist principal or**
120 **lobbyist or any other person acting on behalf of a lobbyist principal or lobbyist shall make**
121 **any expenditure for any public official of the state, his or her staff or employees, or his or**
122 **her spouse or dependent children, except for expenditures reported under paragraph (c)**
123 **of subdivision (2) of subsection 3 of this section.**

✓