

SECOND REGULAR SESSION

HOUSE BILL NO. 1608

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COLEMAN (97).

4149H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 115.646, RSMo, and to enact in lieu thereof two new sections relating to the use of public funds for lobbying activities, with a penalty provision.

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

Section A. Section 115.646, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 105.1435 and 115.646, to read as follows:

105.1435. 1. (1) No employee of a state agency or department shall engage in any activity requiring registration as a legislative lobbyist. A legislative lobbyist shall not include any legislative liaison. For the purposes of this section, a "legislative liaison" means any natural person appointed to communicate between members of the general assembly and other agencies, departments, political subdivisions, or educational institutions of the state or organizations representing state entities.

(2) This section shall not be construed to prohibit any state agency official or employee from making public appearances or testifying before a committee of the general assembly. State agency employees may provide their own personal opinions on legislation at committee meetings of the general assembly or with individual legislators during those hours when they are not being compensated for time worked or receiving a per diem. Salaried employees shall not count any time spent providing personal opinions on legislation as compensated time, without regard to whether the time is compensated at an hourly rate or is a salary requirement. This subdivision shall not apply to appointed legislative liaisons who are not required to register as lobbyists under section 105.470.

2. The restrictions on lobbying and the expenditure of public funds for lobbying in this section shall not be interpreted to include any of the political activities of elected

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.

18 **statewide officials, members of the general assembly, members of the judicial branch of**
19 **government, the staff and employees of such elected officials and judges, or public union**
20 **members acting on behalf of the union.**

115.646. **1.** No contribution or expenditure of public funds shall be made directly by any
2 officer, employee or agent of any political subdivision to advocate, support, or oppose any ballot
3 measure, **legislation**, or candidate for public office. This section shall not be construed to
4 prohibit any public official of a political subdivision from making public appearances or from
5 issuing press releases concerning any such ballot measure.

2. (1) No contribution or expenditure of public funds shall be made directly by any
7 **state agency or any member or employee thereof to advocate, support, or oppose any ballot**
8 **measure or candidate for public office or to employ in any capacity whatsoever, whether**
9 **full-time or part-time or under a contractual agreement, any individual who is required**
10 **to register as a legislative lobbyist, as such term is defined under section 105.470.**

(2) No state agency shall compensate or provide anything of value to an individual
12 **required to register as a legislative lobbyist, as such term is defined under section 105.470,**
13 **in exchange for such individual's lobbying services.**

(3) Any individual in violation of this subsection shall be guilty of a class B
15 **misdemeanor.**

3. The restrictions on lobbying and the expenditure of public funds for lobbying
17 **in this section shall not be interpreted to include any of the political activities of legislative**
18 **liaisons who are not required to register as legislative lobbyists under section 115.470,**
19 **elected statewide officials, members of the general assembly, members of the judicial**
20 **branch of government, the staff and employees of such elected officials and judges, or**
21 **public union members acting on behalf of the union.**

✓