

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 104
101ST GENERAL ASSEMBLY

0347H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 130.011, 130.021, 130.031, 130.036, and 130.041, RSMo, and to enact in lieu thereof five new sections relating to campaign finance, with penalty provisions.

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

Section A. Sections 130.011, 130.021, 130.031, 130.036, and 130.041, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 130.011, 130.021,
3 130.031, 130.036, and 130.041, to read as follows:

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 candidate
17 shall be deemed to seek nomination or election when the person first:

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 (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, who accepts contributions or
38 makes expenditures for the primary or incidental purpose of influencing or attempting to
39 influence the action of voters for or against the nomination or election to public office of one or
40 more candidates or the qualification, passage or defeat of any ballot measure or for the purpose
41 of paying a previously incurred campaign debt or obligation of a candidate or the debts or
42 obligations of a committee or for the purpose of contributing funds to another committee:

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

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

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

50 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
51 organized or operated for a primary or principal purpose other than that of influencing or
52 attempting to influence the action of voters for or against the nomination or election to public
53 office of one or more candidates or the qualification, passage or defeat of any ballot measure, and

54 it accepts no contributions, and all expenditures it makes are from its own funds or property
55 obtained in the usual course of business or in any commercial or other transaction and which are
56 not contributions as defined by subdivision (12) of this section;

57 d. A labor organization organized or operated for a primary or principal purpose other
58 than that of influencing or attempting to influence the action of voters for or against the
59 nomination or election to public office of one or more candidates, or the qualification, passage,
60 or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the
61 organization are from its own funds or property received from membership dues or membership
62 fees which were given or solicited for the purpose of supporting the normal and usual activities
63 and functions of the organization and which are not contributions as defined by subdivision (12)
64 of this section;

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

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

72 (b) The term "committee" includes, but is not limited to, each of the following
73 committees: campaign committee, candidate committee, continuing committee and political
74 party committee;

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

84 (9) "Candidate committee", a committee which shall be formed by a candidate to receive
85 contributions or make expenditures in behalf of the person's candidacy and which shall continue
86 in existence for use by an elected candidate or which shall terminate the later of either thirty days
87 after the general election for a candidate who was not elected or upon the satisfaction of all
88 committee debt after the election, except that no committee retiring debt shall engage in any
89 other activities in support of the candidate for which the committee was formed. Any candidate

90 for elective office shall have only one candidate committee for the elective office sought, which
91 is controlled directly by the candidate for the purpose of making expenditures. A candidate
92 committee is presumed to be under the control and direction of the candidate unless the candidate
93 files an affidavit with the appropriate officer stating that the committee is acting without control
94 or direction on the candidate's part;

95 (10) "Continuing committee", a committee of continuing existence which is not formed,
96 controlled or directed by a candidate, and is a committee other than a candidate committee or
97 campaign committee, whose primary or incidental purpose is to receive contributions or make
98 expenditures to influence or attempt to influence the action of voters whether or not a particular
99 candidate or candidates or a particular ballot measure or measures to be supported or opposed
100 has been determined at the time the committee is required to file any statement or report pursuant
101 to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any
102 committee organized or sponsored by a business entity, a labor organization, a professional
103 association, a trade or business association, a club or other organization and whose primary
104 purpose is to solicit, accept and use contributions from the members, employees or stockholders
105 of such entity and any individual or group of individuals who accept and use contributions to
106 influence or attempt to influence the action of voters. Such committee shall be formed no later
107 than sixty days prior to the election for which the committee receives contributions or makes
108 expenditures;

109 (11) "Connected organization", any organization such as a corporation, a labor
110 organization, a membership organization, a cooperative, or trade or professional association
111 which expends funds or provides services or facilities to establish, administer or maintain a
112 committee or to solicit contributions to a committee from its members, officers, directors,
113 employees or security holders. An organization shall be deemed to be the connected
114 organization if more than fifty percent of the persons making contributions to the committee
115 during the current calendar year are members, officers, directors, employees or security holders
116 of such organization or their spouses;

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

- 124 (a) A candidate's own money or property used in support of the person's candidacy other
125 than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the
126 filing for public office;
- 127 (b) Payment by any person, other than a candidate or committee, to compensate another
128 person for services rendered to that candidate or committee;
- 129 (c) Receipts from the sale of goods and services, including the sale of advertising space
130 in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets
131 or political merchandise;
- 132 (d) Receipts from fund-raising events including testimonial affairs;
- 133 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other
134 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the
135 loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in
136 an election campaign or used or intended for the payment of such debts or obligations of a
137 candidate or committee previously incurred, or which was made or received by a committee;
- 138 (f) Funds received by a committee which are transferred to such committee from another
139 committee or other source, except funds received by a candidate committee as a transfer of funds
140 from another candidate committee controlled by the same candidate but such transfer shall be
141 included in the disclosure reports;
- 142 (g) Facilities, office space or equipment supplied by any person to a candidate or
143 committee without charge or at reduced charges, except gratuitous space for meeting purposes
144 which is made available regularly to the public, including other candidates or committees, on an
145 equal basis for similar purposes on the same conditions;
- 146 (h) The direct or indirect payment by any person, other than a connected organization,
147 of the costs of establishing, administering, or maintaining a committee, including legal,
148 accounting and computer services, fund raising and solicitation of contributions for a committee;
- 149 (i) "Contribution" does not include:
- 150 a. Ordinary home hospitality or services provided without compensation by individuals
151 volunteering their time in support of or in opposition to a candidate, committee or ballot
152 measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the
153 performance of voluntary activities, so long as no compensation is directly or indirectly asked
154 or given;
- 155 b. An offer or tender of a contribution which is expressly and unconditionally rejected
156 and returned to the donor within ten business days after receipt or transmitted to the state
157 treasurer;
- 158 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) **"Electronic means", any instrument, device, or service that facilitates an electronic withdrawal of funds from a bank account including, but not limited to, credit cards, debit cards, and the presentation of a credit or debit card account number;**

(17) "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;

- 195 (c) The transfer of funds by one committee to another committee;
- 196 (d) The direct or indirect payment by any person, other than a connected organization
197 for a committee, of the costs of establishing, administering or maintaining a committee,
198 including legal, accounting and computer services, fund raising and solicitation of contributions
199 for a committee; but
- 200 (e) "Expenditure" does not include:
- 201 a. Any news story, commentary or editorial which is broadcast or published by any
202 broadcasting station, newspaper, magazine or other periodical without charge to the candidate
203 or to any person supporting or opposing a candidate or ballot measure;
- 204 b. The internal dissemination by any membership organization, proprietorship, labor
205 organization, corporation, association or other entity of information advocating the election or
206 defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to
207 its directors, officers, members, employees or security holders, provided that the cost incurred
208 is reported pursuant to subsection 2 of section 130.051;
- 209 c. Repayment of a loan, but such repayment shall be indicated in required reports;
- 210 d. The rendering of voluntary personal services by an individual of the sort commonly
211 performed by volunteer campaign workers and the payment by such individual of the individual's
212 necessary and ordinary personal expenses incidental to such volunteer activity, provided no
213 compensation is, directly or indirectly, asked or given;
- 214 e. The costs incurred by any connected organization listed pursuant to subdivision [(4)]
215 **(5)** of subsection 5 of section 130.021 for establishing, administering or maintaining a
216 committee, or for the solicitation of contributions to a committee which solicitation is solely
217 directed or related to the members, officers, directors, employees or security holders of the
218 connected organization;
- 219 f. The use of a candidate's own money or property for expense of the candidate's personal
220 food, lodging, travel, and payment of any fee necessary to the filing for public office, if such
221 expense is not reimbursed to the candidate from any source;
- 222 [(47)] **(18)** "Exploratory committees", a committee which shall be formed by an
223 individual to receive contributions and make expenditures on behalf of this individual in
224 determining whether or not the individual seeks elective office. Such committee shall terminate
225 no later than December thirty-first of the year prior to the general election for the possible office;
- 226 [(48)] **(19)** "Fund-raising event", an event such as a dinner, luncheon, reception, coffee,
227 testimonial, rally, auction or similar affair through which contributions are solicited or received
228 by such means as the purchase of tickets, payment of attendance fees, donations for prizes or
229 through the purchase of goods, services or political merchandise;

230 ~~[(19)]~~ **(20)** "In-kind contribution" or "in-kind expenditure", a contribution or expenditure
231 in a form other than money;

232 ~~[(20)]~~ **(21)** "Labor organization", any organization of any kind, or any agency or
233 employee representation committee or plan, in which employees participate and which exists for
234 the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
235 wages, rates of pay, hours of employment, or conditions of work;

236 ~~[(21)]~~ **(22)** "Loan", a transfer of money, property or anything of ascertainable monetary
237 value in exchange for an obligation, conditional or not, to repay in whole or in part and which
238 was contracted, used, or intended for use in an election campaign, or which was made or
239 received by a committee or which was contracted, used, or intended to pay previously incurred
240 campaign debts or obligations of a candidate or the debts or obligations of a committee;

241 ~~[(22)]~~ **(23)** "Person", an individual, group of individuals, corporation, partnership,
242 committee, proprietorship, joint venture, any department, agency, board, institution or other
243 entity of the state or any of its political subdivisions, union, labor organization, trade or
244 professional or business association, association, political party or any executive committee
245 thereof, or any other club or organization however constituted or any officer or employee of such
246 entity acting in the person's official capacity;

247 ~~[(23)]~~ **(24)** "Political merchandise", goods such as bumper stickers, pins, hats, ties,
248 jewelry, literature, or other items sold or distributed at a fund-raising event or to the general
249 public for publicity or for the purpose of raising funds to be used in supporting or opposing a
250 candidate for nomination or election or in supporting or opposing the qualification, passage or
251 defeat of a ballot measure;

252 ~~[(24)]~~ **(25)** "Political party", a political party which has the right under law to have the
253 names of its candidates listed on the ballot in a general election;

254 ~~[(25)]~~ **(26)** "Political party committee", a state, district, county, city, or area committee
255 of a political party, as defined in section 115.603, which may be organized as a not-for-profit
256 corporation under Missouri law, and which committee is of continuing existence, and has the
257 primary or incidental purpose of receiving contributions and making expenditures to influence
258 or attempt to influence the action of voters on behalf of the political party;

259 ~~[(26)]~~ **(27)** "Public office" or "office", any state, judicial, county, municipal, school or
260 other district, ward, township, or other political subdivision office or any political party office
261 which is filled by a vote of registered voters;

262 ~~[(27)]~~ **(28)** "Regular session", includes that period beginning on the first Wednesday after
263 the first Monday in January and ending following the first Friday after the second Monday in
264 May;

265 ~~[(28)]~~ **(29)** "Write-in candidate", an individual whose name is not printed on the ballot
266 but who otherwise meets the definition of candidate in subdivision (3) of this section.

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.

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

19 3. A candidate who has more than one candidate committee supporting the person's
20 candidacy shall designate one of those candidate committees as the committee responsible for
21 consolidating the aggregate contributions to all such committees under the candidate's control
22 and direction as required by section 130.041.

23 4. (1) Every committee shall have a single official fund depository within this state
24 which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan
25 association, or a federally or state-chartered credit union in which the committee shall open and
26 thereafter maintain at least one official depository account in its own name. An "official
27 depository account" shall be a checking account or some type of negotiable draft or negotiable
28 order of withdrawal account, and the official fund depository shall, regarding an official
29 depository account, be a type of financial institution which provides a record of deposits,
30 cancelled checks or other cancelled instruments of withdrawal evidencing each transaction by
31 maintaining copies within this state of such instruments and other transactions. All contributions
32 which the committee receives in money, checks and other negotiable instruments shall be
33 deposited in a committee's official depository account. Contributions shall not be accepted and
34 expenditures shall not be made by a committee except by or through an official depository

35 account and the committee treasurer, deputy treasurer, or candidate; **however, a committee may**
36 **utilize a credit card or debit card in the name of the committee when authorized by the**
37 **treasurer, deputy treasurer, or candidate provided that, all expenditures made by the**
38 **committee through a credit card are paid through the official depository account.**

39 Contributions received by a committee shall not be commingled with any funds of an agent of
40 the committee, a candidate or any other person, except that contributions from a candidate of the
41 candidate's own funds to the person's candidate committee shall be deposited to an official
42 depository account of the person's candidate committee. No expenditure shall be made by a
43 committee when the office of committee treasurer is vacant except that when the office of a
44 candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate
45 appoints a new treasurer.

46 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
47 committee's official depository account and deposit such funds in one or more savings accounts
48 in the committee's name in any bank, savings and loan association or credit union within this
49 state, and may also withdraw funds from an official depository account for investment in the
50 committee's name in any certificate of deposit, bond or security. Proceeds from interest or
51 dividends from a savings account or other investment or proceeds from withdrawals from a
52 savings account or from the sale of an investment shall not be expended or reinvested, except
53 in the case of renewals of certificates of deposit, without first redepositing such proceeds in an
54 official depository account. Investments, other than savings accounts, held outside the
55 committee's official depository account at any time during a reporting period shall be disclosed
56 by description, amount, any identifying numbers and the name and address of any institution or
57 person in which or through which it is held in an attachment to disclosure reports the committee
58 is required to file. Proceeds from an investment such as interest or dividends or proceeds from
59 its sale, shall be reported by date and amount. In the case of the sale of an investment, the names
60 and addresses of the persons involved in the transaction shall also be stated. Funds held in
61 savings accounts and investments, including interest earned, shall be included in the report of
62 money on hand as required by section 130.041.

63 (3) Notwithstanding any other provision of law to the contrary, funds held in candidate
64 committees, campaign committees, debt service committees, and exploratory committees shall
65 be liquid such that these funds shall be readily available for the specific and limited purposes
66 allowed by law. These funds may be invested only in short-term treasury instruments or
67 short-term bank certificates with durations of one year or less, or that allow the removal of funds
68 at any time without any additional financial penalty other than the loss of interest income.
69 Continuing committees, political party committees, and other committees such as out-of-state
70 committees not formed for the benefit of any single candidate or ballot issue shall not be subject

71 to the provisions of this subdivision. This subdivision shall not be interpreted to restrict the
72 placement of funds in an interest-bearing checking account.

73 5. The treasurer or deputy treasurer acting on behalf of any person or organization or
74 group of persons which is a committee by virtue of the definitions of committee in section
75 130.011 and any candidate who is not excluded from forming a committee in accordance with
76 the provisions of section 130.016 shall file a statement of organization with the appropriate
77 officer within twenty days after the person or organization becomes a committee but no later than
78 the date for filing the first report required pursuant to the provisions of section 130.046. The
79 statement of organization shall contain the following information:

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

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

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

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

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

93 (6) The name and mailing address of its depository, ~~and~~ the name and account number
94 of each account the committee has in the depository, **and the account number and issuer of**
95 **any credit card in the committee's name**. The account number of each account shall be
96 redacted prior to disclosing the statement to the public;

97 (7) Identification of the major nature of the committee such as a candidate committee,
98 campaign committee, continuing committee, political party committee, incumbent committee,
99 or any other committee according to the definition of committee in section 130.011;

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

104 (9) The name and office sought of each candidate supported or opposed by the
105 committee;

106 (10) The ballot measure concerned, if any, and whether the committee is in favor of or
107 opposed to such measure.

108 6. A committee may omit the information required in subdivisions (9) and (10) of
109 subsection 5 of this section if, on the date on which it is required to file a statement of
110 organization, the committee has not yet determined the particular candidates or particular ballot
111 measures it will support or oppose.

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

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

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

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

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

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

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

142 12. Each legislative and senatorial district committee shall retain only one address in the
143 district it sits for the purpose of receiving contributions.

 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 committee,
3 a campaign committee, a political party committee, an exploratory committee or a candidate
4 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,
9 shall be made by check **signed by the committee treasurer, deputy treasurer, or candidate**
10 **or by other electronic means authorized by the treasurer, deputy treasurer, or candidate**
11 **and** drawn on the committee's depository ~~[and signed by the committee treasurer, deputy~~
12 ~~treasurer or candidate]~~ **or credit card in the name of the committee and authorized by the**
13 **treasurer, deputy treasurer, or candidate.** A single expenditure ~~[from a petty]~~ of cash ~~[fund]~~
14 shall not exceed fifty dollars, and the aggregate of all expenditures ~~[from a petty]~~ of cash ~~[fund]~~
15 during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all
16 expenditures made by the committee during that calendar year. ~~[A check made payable to "cash"~~
17 ~~shall not be made except to replenish a petty cash fund.]~~

18 3. No contribution shall be made or accepted and no expenditure shall be made or
19 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
20 through another person in such a manner as to conceal the identity of the actual source of the
21 contribution or the actual recipient and purpose of the expenditure. Any person who receives
22 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or
23 candidate the recipient's own name and address and the name and address of the actual source
24 of each contribution such person has received for that committee. Any person who makes
25 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
26 candidate such person's own name and address, the name and address of each person to whom
27 an expenditure has been made and the amount and purpose of the expenditures the person has
28 made for that committee.

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

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

36 5. The maximum aggregate amount of anonymous contributions which shall be accepted
37 in any calendar year by any committee shall be the greater of five hundred dollars or one percent
38 of the aggregate amount of all contributions received by that committee in the same calendar
39 year. If any anonymous contribution is received which causes the aggregate total of anonymous
40 contributions to exceed the foregoing limitation, it shall be returned immediately to the
41 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity
42 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately
43 transmit the anonymous contribution to the state treasurer to escheat to the state.

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

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

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

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

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

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

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

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

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

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

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

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

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

82 8. Any person publishing, circulating, or distributing any printed matter relative to any
83 candidate for public office or any ballot measure shall on the face of the printed matter identify
84 in a clear and conspicuous manner the person who paid for the printed matter with the words
85 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For
86 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,
87 handbill, sample ballot, advertisement, including advertisements in any newspaper or other
88 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered
89 material; but "printed matter" is defined to exclude materials printed and purchased prior to May
90 20, 1982, if the candidate or committee can document that delivery took place prior to May 20,
91 1982; any sign personally printed and constructed by an individual without compensation from
92 any other person and displayed at that individual's place of residence or on that individual's
93 personal motor vehicle; any items of personal use given away or sold, such as campaign buttons,
94 pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a
95 candidate or committee which supports a candidate or supports or opposes a ballot measure and
96 which is obvious in its identification with a specific candidate or committee and is reported as
97 required by this chapter; and any news story, commentary, or editorial printed by a regularly
98 published newspaper or other periodical without charge to a candidate, committee or any other
99 person.

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

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

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

107 (3) In regard to any printed matter paid for by a corporation or other business entity,
108 labor organization, or any other organization not defined to be a committee by subdivision (7)
109 of section 130.011 and not organized especially for influencing one or more elections, it shall
110 be sufficient identification to print the name of the entity, the name of the principal officer of the
111 entity, by whatever title known, and the mailing address of the entity, or if the entity has no
112 mailing address, the mailing address of the principal officer.

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

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

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

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

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

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, **credit card statements and records**, and other detailed

5 information necessary to prepare and substantiate any statement or report required to be filed
6 pursuant to this chapter. Every person who acts as an agent for a committee in receiving
7 contributions, making expenditures or incurring indebtedness for the committee shall, on request
8 of that committee's treasurer, deputy treasurer or candidate, but in any event within five days
9 after any such action, render to the candidate, committee treasurer or deputy treasurer a detailed
10 account thereof, including names, addresses, dates, exact amounts and any other details required
11 by the candidate, treasurer or deputy treasurer to comply with this chapter. Notwithstanding the
12 provisions of subsection 4 of section 130.021 prohibiting commingling of funds, an individual,
13 trade or professional association, business entity, or labor organization which acts as an agent
14 for a committee in receiving contributions may deposit contributions received on behalf of the
15 committee to the agent's account within a financial institution within this state, for purposes of
16 facilitating transmittal of the contributions to the candidate, committee treasurer or deputy
17 treasurer. Such contributions shall not be held in the agent's account for more than five days
18 after the date the contribution was received by the agent, and shall not be transferred to the
19 account of any other 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.

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

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

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

13 (3) Receipts for the period, including:

14 (a) Total amount of all monetary contributions received which can be identified in the
15 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 all in-kind contributions received;

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

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

37 (4) Expenditures for the period, including:

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

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

41 (c) The total dollar value of all in-kind expenditures made;

42 (d) **The total dollar amount of expenditures made via electronic means;**

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

49 address, date, amount and purpose of each payment and the aggregate amount paid to each such
50 worker; **and**

51 ~~[(e)]~~ **(f)** A list of each loan made, by name and mailing address of the person receiving
52 the loan, together with the amount, terms and date;

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

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

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

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

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

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

82 2. For the purpose of this section and any other section in this chapter except sections
83 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified

84 amount, the aggregate amount shall be computed by adding all contributions received from any
85 one person during the following periods:

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

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

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

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

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

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