

FIRST REGULAR SESSION

# HOUSE BILL NO. 917

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COLEMAN (97).

2076H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 130.034, RSMo, and to enact in lieu thereof one new section relating to permissible uses for campaign funds.

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

Section A. Section 130.034, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 130.034, to read as follows:

130.034. 1. Contributions as defined in section 130.011, received by any committee shall not be converted to any personal use.

2. Contributions may be used for any purpose allowed by law including, but not limited to:

(1) Any ordinary expenses incurred relating to a campaign;

(2) Any ordinary and necessary expenses incurred in connection with the duties of a holder of elective office;

(3) **Any childcare expenses that result directly from campaigning for office or in connection with the duties of public office that would not have been otherwise incurred but for those activities. Eligible childcare expenses include any expenses that provide for the well-being and protection of the child, provided that no expenditures shall be made to a member of the candidate or office holder's household;**

(4) Any expenses associated with the duties of candidacy or of elective office pertaining to the entertaining of or providing social courtesies to constituents, professional associations, or other holders of elective office;

~~(4)~~ (5) The return of any contribution to the person who made the contribution to the candidate or holder of elective office;

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           ~~[(5)]~~ (6) To contribute to a political organization ~~[or candidate committee]~~ as allowed  
19 by law;

20           ~~[(6)]~~ (7) To establish a new committee as defined by this chapter;

21           ~~[(7)]~~ (8) To make an unconditional gift which is fully vested to any charitable, fraternal  
22 or civic organizations or other associations formed to provide for some good in the order of  
23 benevolence, if such candidate, former candidate or holder of elective office or such person's  
24 immediate family gain no direct financial benefit from the unconditional gift;

25           ~~[(8)]~~ (9) Except when such candidate, former candidate or holder of elective office dies  
26 while the committee remains in existence, the committee may make an unconditional gift to a  
27 fund established for the benefit of the spouse and children of the candidate, former candidate or  
28 holder of elective office. The provisions of this subdivision shall expire October 1, 1997.

29           3. Upon the death of the candidate, former candidate or holder of elective office who  
30 received such contributions, all contributions shall be disposed of according to this section and  
31 any funds remaining after final settlement of the candidate's decedent's estate, or if no estate is  
32 opened, then twelve months after the candidate's death, will escheat to the state of Missouri to  
33 be deposited in the general revenue fund.

34           4. No contributions, as defined in section 130.011, received by a candidate, former  
35 candidate or holder of elective office shall be used to make restitution payments ordered of such  
36 individual by a court of law or for the payment of any fine resulting from conviction of a  
37 violation of any local, state or federal law.

38           5. Committees described in subdivision (17) of section 130.011 shall make expenditures  
39 only for the purpose of determining whether an individual will be a candidate. Such  
40 expenditures include polling information, mailings, personal appearances, telephone expenses,  
41 office and travel expenses but may not include contributions to other candidate committees.

42           6. Any moneys in the exploratory committee fund may be transferred to the candidate  
43 committee upon declaration of candidacy for the position being explored. Such funds shall be  
44 included for the purposes of reporting and limitation. In the event that candidacy is not declared  
45 for the position being explored, the remaining exploratory committee funds shall be returned to  
46 the contributors on a pro rata basis. In no event shall the amount returned exceed the amount  
47 given by each contributor nor be less than ten dollars.

48           7. Funds held in candidate committees, campaign committees, debt service committees,  
49 and exploratory committees shall be liquid such that these funds shall be readily available for the  
50 specific and limited purposes allowed by law. These funds may be invested only in short-term  
51 treasury instruments or short-term bank certificates with durations of one year or less, or that  
52 allow the removal of funds at any time without any additional financial penalty other than the  
53 loss of interest income. Continuing committees, political party committees, and other

54 committees such as out-of-state committees not formed for the benefit of any single candidate  
55 or ballot issue shall not be subject to the provisions of this subsection. This subsection shall not  
56 be interpreted to restrict the placement of funds in an interest-bearing checking account.

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