

HCS HB 793 -- CAMPAIGN FINANCE

SPONSOR: Baker

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elections by a vote of 7 to 3. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 6 to 2 with 1 voting present.

The following is a summary of the House Committee Substitute for HB 793.

Upon forming a campaign committee to support or oppose any ballot measure, the treasurer of the committee is required to file an accompanying certificate declaring that no preliminary activity, as defined in the bill, was funded, directly or indirectly, by a prohibited source, defined as any contribution from or expenditure by a foreign national. After a campaign committee has been formed, the committee may not knowingly or willfully receive, solicit, or accept contributions or expenditures from a prohibited source, whether directly or indirectly.

The bill requires donors to campaign committees to affirm that the donor is not a foreign national and has not knowingly or willfully accepted funds aggregating in excess of \$10,000 from one or more prohibited sources within the four-year period immediately preceding the date the contribution is made.

Within 48 hours of making one or more expenditures supporting or opposing a ballot measure, an entity making an expenditure in support of or opposition to a ballot measure will certify to the Missouri Ethics Commission (MEC) that it has not knowingly or willfully accepted funds aggregating in excess of \$10,000 from one or more prohibited sources within the four-year period immediately preceding the date the expenditure is made and that it will not do so through the remainder of the calendar year in which the ballot measure will appear on the ballot.

If the MEC determines that an entity filing a disclosure report has accepted funds in aggregate from one or more prohibited sources in excess of the threshold specified in the bill within the four-year period immediately preceding the contribution or expenditure at issue, it will create a presumption that the entity has violated the provisions of the bill.

The bill prohibits foreign nationals from directing, dictating, controlling or directly or indirectly participating in the decision-making process of any person with regard to that person's activities to influence a ballot measure; and from soliciting,

directly or indirectly, the making of a donation, contribution or expenditure by another person to influence a ballot measure.

The bill gives the MEC the authority to investigate complaints of violations of this bill under the same structure and process that the MEC uses to investigate complaints of campaign finance law currently.

Collection of information pursuant to this bill must be done in accordance with the Personal Privacy Protection Act and any public disclosure will be considered a violation of the Personal Privacy Protection Act subject to civil action and penalties, as provided in that bill.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill is designed to strengthen campaign finance laws, enhance transparency, and safeguard the democratic process. Missourians, not foreign interests, should shape state policy through elections.

Testifying in person for the bill were Representative Baker; Americans For Public Trust; Heritage Action For America; Honest Elections Project Action; Campaign Life Missouri; State Armor Action; and Arnie C. Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.