

SECOND REGULAR SESSION

HOUSE BILL NO. 2204

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYHEW.

4148H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapters 105 and 130, RSMo, by adding thereto two new sections relating to expenditures made with intent to influence public opinion, with penalty provisions.

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

Section A. Chapters 105 and 130, RSMo, are amended by adding thereto two new sections, to be known as sections 105.990 and 130.200, to read as follows:

105.990. 1. As used in this section, the following terms shall mean:

(1) "Commission", the Missouri ethics commission, as established under section 105.955;

(2) "Public communication", any message distributed to the general public through print, broadcast, digital, or outdoor media including, but not limited to, newspapers, magazines, radio, television, internet, social media, billboards, mailers, or printed handbills;

(3) "Sponsoring entity", any person, corporation, association, labor organization, nonprofit, or political committee that pays for, produces, or authorizes a public communication intended to influence public opinion or participation in any political, social, or ideological cause.

2. Any sponsoring entity that pays for, produces, or authorizes a public communication advocating a political, social, or ideological position, or promoting or organizing protest activity, shall clearly and conspicuously include on or within such communication a statement that reads: "Paid for by (name of sponsoring entity)", followed by the entity's city and state of business. For audio or video messages, the statement shall be spoken or displayed at the beginning or end of the communication in

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 clearly audible or visible manner. For online or digital materials, the statement shall
19 appear in a location readily viewable by the public without additional navigation or user
20 action.

21 3. This section shall not apply to:

22 (1) Personal or spontaneous social media posts made by private individuals
23 without payment for distribution;

24 (2) Genuine news coverage or editorial content not controlled by the sponsoring
25 entity; or

26 (3) Internal communications distributed solely to members or employees of an
27 organization.

28 4. The Missouri ethics commission shall administer and enforce this section.

29 Any person may file a complaint with the commission alleging a violation of this
30 section. The commission shall have authority to investigate such complaints, issue
31 subpoenas, compel production of records, and conduct hearings as provided under
32 sections 105.957 to 105.961.

33 5. Any sponsoring entity that fails to include the required disclaimer shall be
34 subject to the same civil penalties as campaign committees under section 130.072.
35 Knowingly concealing or misrepresenting the identity of the sponsoring entity shall
36 constitute a violation under this chapter and may be referred by the commission to the
37 attorney general or a prosecuting attorney for appropriate action.

38 6. The commission may promulgate all necessary rules and regulations for the
39 administration of this section. Any rule or portion of a rule, as that term is defined in
40 section 536.010, that is created under the authority delegated in this section shall
41 become effective only if it complies with and is subject to all of the provisions of chapter
42 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
43 and if any of the powers vested with the general assembly pursuant to chapter 536 to
44 review, to delay the effective date, or to disapprove and annul a rule are subsequently
45 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
46 adopted after August 28, 2026, shall be invalid and void.

47 7. Nothing in this section shall be construed to:

48 (1) Restrict or condition the right of any person to assemble, speak, or protest
49 under the First Amendment to the United States Constitution or Article I, Section 8 of
50 the Constitution of Missouri;

51 (2) Regulate personal, unpaid expression by individuals; or

52 (3) Authorize government review of content or viewpoint.

130.200. 1. As used in this section, the following terms shall mean:

2 (1) "Commission", the Missouri ethics commission, as established under section
3 105.955;

4 (2) "Compensated participation", any payment, gift, or thing of monetary value
5 provided to a person for the purpose of attending, supporting, promoting, or organizing
6 a protest activity;

7 (3) "Protest activity", any organized public demonstration, rally, march, or
8 assembly held in a public space for the purpose of expressing political, social, or
9 ideological views;

10 (4) "Sponsoring entity", any person, corporation, association, labor
11 organization, nonprofit, political committee, or other group that provides
12 compensation to one or more persons for participation in protest activity.

13 2. Any sponsoring entity that provides compensation to one or more persons for
14 participation in protest activity within this state shall file a report with the Missouri
15 ethics commission in the same manner and form as a report required of a campaign
16 committee or political action committee under sections 130.041 to 130.056. The report
17 shall include:

18 (1) The name and contact information of the sponsoring entity;

19 (2) The total amount expended for compensated participation;

20 (3) The approximate number of individuals compensated;

21 (4) The date and general location of the protest activity; and

22 (5) The name of any person or organization retained to organize, coordinate, or
23 manage the protest activity.

24 3. Reports shall be filed within seven days after the compensated protest activity
25 occurs or, if total expenditures exceed five thousand dollars, within forty-eight hours.

26 4. Reports shall be filed electronically in a form prescribed by the commission.

27 5. All reports filed under this section shall be treated as public records and made
28 available for inspection in the same manner as political expenditure reports under
29 section 130.050.

30 6. Any person may file a complaint with the commission alleging that a
31 sponsoring entity has violated this section. The commission shall have authority to
32 investigate such complaints, issue subpoenas, compel the production of records, and
33 conduct hearings as provided in section 105.957. If the commission finds probable cause
34 that a violation occurred, it shall proceed under section 105.961 and may assess a civil
35 penalty not to exceed one thousand dollars per day for each day the report remains
36 unfiled or inaccurate.

37 **7. Knowingly concealing or misrepresenting the source of compensation shall**
38 **constitute a class A misdemeanor, and the commission may refer such cases to the**
39 **attorney general or appropriate prosecuting attorney.**

40 **8. All provisions of this chapter relating to reporting, auditing, enforcement,**
41 **penalties, and appeals applicable to campaign and political action committees shall also**
42 **apply to sponsoring entities under this section.**

43 **9. The commission may promulgate all necessary rules and regulations for the**
44 **administration of this section. Any rule or portion of a rule, as that term is defined in**
45 **section 536.010, that is created under the authority delegated in this section shall**
46 **become effective only if it complies with and is subject to all of the provisions of chapter**
47 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
48 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
49 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
50 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
51 **adopted after August 28, 2026, shall be invalid and void.**

52 **10. Any person who provides credible evidence leading to a confirmed violation**
53 **of this section shall be protected from retaliation as provided under section 105.965.**
54 **The identity of such person shall remain confidential unless disclosure is necessary for**
55 **enforcement.**

56 **11. Nothing in this section shall be construed to:**

57 **(1) Restrict or condition the right of any person to assemble, speak, or protest**
58 **under the First Amendment to the United States Constitution or Article I, Section 8 of**
59 **the Constitution of Missouri;**

60 **(2) Require any individual participant to display or communicate any**
61 **government-mandated message; or**

62 **(3) Authorize the regulation of protest activity based on content, viewpoint, or**
63 **the identity of participants.**

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