

SECOND REGULAR SESSION

HOUSE BILL NO. 2555

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MILLER.

5468H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 105.470, 537.130, and 574.040, RSMo, and to enact in lieu thereof six new sections relating to restrictions on certain activities, with penalty provisions.

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

Section A. Sections 105.470, 537.130, and 574.040, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 67.313, 105.470, 105.990, 537.130, 565.131, and 574.040, to read as follows:

67.313. 1. Except as provided under subsection 2 of this section, during a lawful assembly protesters shall yield to motor vehicles on roadways and yield to pedestrians on walkways.

2. The provisions of this section shall not apply when a political subdivision has granted a special permit for an event, demonstration, or parade that closes a roadway to motor vehicle traffic.

105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) "Elected local government official lobbyist", any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars;

(2) "Executive lobbyist", any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

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.

11 (a) Is acting in the ordinary course of employment on behalf of or for the benefit of
12 such person's employer; or

13 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
14 such activity; or

15 (c) Is designated to act as a lobbyist by any person, business entity, governmental
16 entity, religious organization, nonprofit corporation, association or other entity; or

17 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
18 beginning January first and ending December thirty-first for the benefit of one or more public
19 officials or one or more employees of the executive branch of state government in connection
20 with such activity.

21

22 An "executive lobbyist" shall not include a member of the general assembly, an elected state
23 official, or any other person solely due to such person's participation in any of the following
24 activities:

25 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
26 proceeding, or contested case before a state board, commission, department, division or
27 agency of the executive branch of government or any elected or appointed officer or
28 employee thereof;

29 b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return,
30 any public document, permit or contract, any application for any permit or license or
31 certificate, or any document required or requested to be filed with the state or a political
32 subdivision;

33 c. Selling of goods or services to be paid for by public funds, provided that such
34 person is attempting to influence only the person authorized to authorize or enter into a
35 contract to purchase the goods or services being offered for sale;

36 d. Participating in public hearings or public proceedings on rules, grants, or other
37 matters;

38 e. Responding to any request for information made by any public official or employee
39 of the executive branch of government;

40 f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
41 television broadcast, or similar news medium, whether print or electronic;

42 g. Acting within the scope of employment by the general assembly, or acting within
43 the scope of employment by the executive branch of government when acting with respect to
44 the department, division, board, commission, agency or elected state officer by which such
45 person is employed, or with respect to any duty or authority imposed by law to perform any
46 action in conjunction with any other public official or state employee; or

47 h. Testifying as a witness before a state board, commission or agency of the executive
48 branch;

49 (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred;
50 any gift, honorarium or item of value bestowed including any food or beverage; any price,
51 charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt
52 which is cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably
53 discernible cost or fair market value from one person to another or provision of any service or
54 granting of any opportunity for which a charge is customarily made, without charge or for a
55 reduced charge; except that the term "expenditure" shall not include the following:

56 (a) Any item, service or thing of value transferred to any person within the third
57 degree of consanguinity of the transferor which is unrelated to any activity of the transferor as
58 a lobbyist;

59 (b) Informational material such as books, reports, pamphlets, calendars or periodicals
60 informing a public official regarding such person's official duties, or souvenirs or mementos
61 valued at less than ten dollars;

62 (c) Contributions to the public official's campaign committee or candidate committee
63 which are reported pursuant to the provisions of chapter 130;

64 (d) Any loan made or other credit accommodations granted or other payments made
65 by any person or entity which extends credit or makes loan accommodations or such
66 payments in the regular ordinary scope and course of business, provided that such are
67 extended, made or granted in the ordinary course of such person's or entity's business to
68 persons who are not public officials;

69 (e) Any item, service or thing of de minimis value offered to the general public,
70 whether or not the recipient is a public official or a staff member, employee, spouse or
71 dependent child of a public official, and only if the grant of the item, service or thing of de
72 minimis value is not motivated in any way by the recipient's status as a public official or staff
73 member, employee, spouse or dependent child of a public official;

74 (f) The transfer of any item, provision of any service or granting of any opportunity
75 with a reasonably discernible cost or fair market value when such item, service or opportunity
76 is necessary for a public official or employee to perform his or her duty in his or her official
77 capacity, including but not limited to entrance fees to any sporting event, museum, or other
78 venue when the official or employee is participating in a ceremony, public presentation or
79 official meeting therein;

80 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is
81 bestowed upon or given to any public official or a staff member, employee, spouse or
82 dependent child of a public official when it is compensation for employment or given as an

83 employment benefit and when such employment is in addition to their employment as a
84 public official;

85 (4) **"General lobbyist", any person who receives any payment, gift, or thing of**
86 **monetary value provided as compensation for attending, supporting, promoting, or**
87 **organizing a protest activity;**

88 (5) **"General lobbyist principal", any person, corporation, association, labor**
89 **organization, nonprofit, political committee, or other group that provides compensation**
90 **to one or more persons for participation in protest activity;**

91 (6) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
92 influence any purchasing decision by the judicial branch of government or by any elected or
93 appointed official or any employee thereof and in connection with such activity, meets the
94 requirements of any one or more of the following:

95 (a) Is acting in the ordinary course of employment which primary purpose is to
96 influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the
97 benefit of such person's employer, except that this shall not apply to any person who engages
98 in lobbying on an occasional basis only and not as a regular pattern of conduct; or

99 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
100 such activity; or

101 (c) Is designated to act as a lobbyist by any person, business entity, governmental
102 entity, religious organization, nonprofit corporation or association; or

103 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
104 beginning January first and ending December thirty-first for the benefit of one or more public
105 officials or one or more employees of the judicial branch of state government in connection
106 with attempting to influence such purchasing decisions by the judiciary.

107

108 A "judicial lobbyist" shall not include a member of the general assembly, an elected state
109 official, or any other person solely due to such person's participation in any of the following
110 activities:

111 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
112 proceeding, or contested case before a state court;

113 b. Participating in public hearings or public proceedings on rules, grants, or other
114 matters;

115 c. Responding to any request for information made by any judge or employee of the
116 judicial branch of government;

117 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,
118 magazine, radio or television broadcast, or similar news medium, whether print or electronic;

119 or

e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

~~[(5)]~~ (7) "Legislative lobbyist", any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any legislative liaison. For purposes of this subdivision, "legislative liaison" means any state employee hired to communicate with members of the general assembly on behalf of any elected official of the state; the judicial branch of state government; or any department, agency, board, or commission of the state, provided such entity is a part of the executive branch of state government. Any state employee employed as a legislative liaison who performs lobbying services for any other entity shall register as a lobbyist with respect to such lobbying services. A "legislative lobbyist" shall also not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

~~[(6)]~~ (8) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;

~~[(7)]~~ (9) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

~~[(8)]~~ (10) "Public official", any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any designated decision-making public servant designated by persons described in this subdivision.

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) "Compensated participation", any payment, gift, or thing of monetary value including, transportation, lodging, food, shelter, protest materials, bail, or clothing provided to a person as compensation for, or provided in association with, attending, supporting, promoting, or organizing a protest activity;

(3) "General lobbyist", any person who receives any payment, gift, or thing of monetary value provided as compensation for attending, supporting, promoting, or organizing a protest activity;

(4) "General lobbyist principal", any person, corporation, association, labor organization, nonprofit, political committee, or other group that provides compensation to one or more persons for participation in protest activity;

(5) "Protest activity", any public demonstration, rally, march, or assembly held in a public space for the purpose of expressing political, social, or ideological views.

2. Any general lobbyist principal that provides compensation to one or more general lobbyists for participation in protest activity within this state shall file a report with the Missouri ethics commission in the same manner and form as a report required of a campaign committee or political action committee under sections 130.041 to 130.056. The report shall include:

(1) The name and contact information of the general lobbyist principal;

(2) The total amount expended for compensated participation;

- 23 (3) The source of the general lobbyist principal's revenue;
24 (4) The approximate number of general lobbyists compensated;
25 (5) The date and general location of each protest activity;
26 (6) The purpose of the protest activity; and
27 (7) The name of any person or organization retained to organize, coordinate, or
28 manage the protest activity.
- 29 3. Any general lobbyist that receives compensation for participation in protest
30 activity within this state shall file a report with the Missouri ethics commission in the
31 same manner and form as a report required of a campaign committee or political action
32 committee under sections 130.041 to 130.056. The report shall include:
- 33 (1) The identity of the general lobbyist principal who compensated the general
34 lobbyist for participation in a protest activity;
35 (2) The amount of compensation received in exchange for participation in a
36 protest activity;
37 (3) The date and general location of each protest activity; and
38 (4) The purpose of the protest activity.
- 39 4. Notwithstanding any provision of this chapter to the contrary, a second or
40 subsequent violation of subdivision (1) of subsection 3 of this section shall be a class E
41 felony.
- 42 5. Reports shall be filed within seven days after the compensated protest activity
43 occurs or, if total expenditures exceed five thousand dollars, within forty-eight hours.
- 44 6. Reports shall be filed electronically in a form prescribed by the commission.
- 45 7. All reports filed under this section shall be treated as public records and made
46 available for inspection in the same manner as political expenditure reports under
47 section 130.050.
- 48 8. Any person may file a complaint with the commission alleging that a general
49 lobbyist principal has violated this section. The commission shall have authority to
50 investigate such complaints, issue subpoenas, compel the production of records, and
51 conduct hearings as provided in section 105.957. If the commission finds probable cause
52 that a violation occurred, it shall proceed under section 105.961 and may assess a civil
53 penalty not to exceed one thousand dollars per day for each day the report remains
54 unfiled or inaccurate.
- 55 9. Knowingly concealing or misrepresenting the source of compensation shall
56 constitute a class A misdemeanor, and the commission may refer such cases to the
57 attorney general or appropriate prosecuting attorney.

58 **10. All provisions of this chapter relating to reporting, auditing, enforcement,**
59 **penalties, and appeals applicable to campaign and political action committees shall also**
60 **apply to sponsoring entities under this section.**

61 **11. The commission may promulgate all necessary rules and regulations for the**
62 **administration of this section. Any rule or portion of a rule, as that term is defined in**
63 **section 536.010, that is created under the authority delegated in this section shall**
64 **become effective only if it complies with and is subject to all of the provisions of chapter**
65 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
66 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
67 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
68 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
69 **adopted after August 28, 2026, shall be invalid and void.**

70 **12. Any person who provides credible evidence leading to a confirmed violation**
71 **of this section shall be protected from retaliation as provided under section 105.965.**
72 **The identity of such person shall remain confidential unless disclosure is necessary for**
73 **enforcement.**

74 **13. Nothing in this section shall be construed to:**

75 **(1) Restrict or condition the right of any person to assemble, speak, or protest**
76 **under the First Amendment to the Constitution of the United States or Article I, Section**
77 **8 of the Constitution of Missouri;**

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

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

82 **14. The provisions of this section shall not be construed to modify lobbyist**
83 **registration or disclosure requirements under section 105.450 to 105.498.**

537.130. 1. Any person or persons forming a part of an unlawful or riotous
2 assemblage shall be liable for any damage to person or property caused by the acts of such
3 assemblage, or of any person or persons unlawfully connected therewith.

4 **2. Any person attempting to flee from an unlawful or riotous assemblage shall**
5 **not be criminally or civilly liable for any death or injury that may result to any**
6 **individual participating in the unlawful or riotous assemblage if the person fleeing**
7 **reasonably believes he or she is in danger and the person exercised due care at the time**
8 **of the death or injury.**

565.131. 1. A person commits the offense of false imprisonment if he or she
2 knowingly restrains or impedes the movement of another unlawfully and without
3 consent so as to interfere substantially with the individual's liberty.

4 **2. The offense of false imprisonment is a class A misdemeanor unless the**
5 **individual unlawfully restrained is removed from this state, in which case it is a class E**
6 **felony.**

7 **3. A person who commits the offense of false imprisonment shall also be guilty of**
8 **the offense of assault in the third degree under section 565.054 if physical contact was**
9 **initiated by such person during the commission of the offense of false imprisonment. If**
10 **the person moves to block an individual, it shall be assumed that any subsequent**
11 **physical contact was initiated by the person who is in violation of this section.**

12 **4. It shall be deemed that an individual has met the individual's burden of proof**
13 **in a false imprisonment case and assumed that the individual feared for his or her life if**
14 **the individual attempts to retreat and the person is behaving in an aggressive or**
15 **threatening manner and the person is not more than:**

16 **(1) Seven feet from the individual; or**

17 **(2) Seventy-five feet from the individual and the person is throwing objects**
18 **capable of bodily harm to the individual.**

19 **5. A person shall be guilty of a violation of this section and section 565.054 if the**
20 **person commits such offense upon a motor vehicle that is occupied so long as the action**
21 **against the motor vehicle constitutes a felony offense, and it shall be assumed the**
22 **occupants in the motor vehicle fear for their lives.**

23 **6. A person shall be guilty of a violation of this section and section 565.054 if the**
24 **person commits such offense upon a building that is occupied so long as the action**
25 **against the building constitutes a felony offense, and it shall be assumed the individuals**
26 **within the building fear for their lives.**

27 **7. As used in this section, the following terms mean:**

28 **(1) "Interfere substantially", includes, but is not limited to, the willful blocking**
29 **of an individual's right-of-way;**

30 **(2) "Willful blocking", includes, but is not limited to, establishing a grip or hold,**
31 **moving to block, or participating as part of a group that blocks rights-of-way on**
32 **sidewalks, roadways, or any other location in which another has a right or obligation to**
33 **be or to proceed. An individual with the right-of-way has no obligation to escape or**
34 **retreat.**

574.040. 1. A person commits the offense of unlawful assembly if he or she
2 knowingly assembles with six or more other persons and agrees with such persons to violate
3 any of the criminal laws of this state or of the United States with force or violence.

4 **2. Except as provided under subsection 3 of this section, the offense of unlawful**
5 **assembly is a class B misdemeanor.**

6 **3. Any person wearing any garment, covering, or object that masks, conceals, or**
7 **obfuscates any part of a person's face during an unlawful assembly in violation of this**
8 **section shall be guilty of a class A misdemeanor. A second or subsequent offense shall be**
9 **a class E felony.**

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