

HB 2204 -- PAID PROTESTERS

SPONSOR: Mayhew

This bill states that if a "sponsoring entity", as defined in the bill, pays for, produces, or authorizes a public communication that advocates a political, social, or ideological position; or if the sponsoring entity promotes or organizes protest activity; the sponsoring entity must clearly and conspicuously include within the communication the following statement:

"Paid for by (name of sponsoring entity)", followed by the entity's city and state of business.

If the public communication is in the form of an audio or video message, the statement must be spoken or displayed at the beginning or end of the communication. For online or digital materials, the statement must appear in a location readily viewable by the public.

The provisions of this bill does not apply to:

- (1) Personal or spontaneous social media posts made by private individuals without payment for distribution;
- (2) Genuine news coverage or editorial content not controlled by the sponsoring entity; or
- (3) Internal communications distributed solely to members or employees of an organization.

The Missouri Ethics Commission will administer and enforce the provisions of this bill, as specified in the bill.

A sponsoring entity that fails to include the required disclaimer is subject to the same civil penalties imposed upon campaign committees under Missouri campaign finance disclosure law in Chapter 130, RSMo.

If a sponsoring entity provides compensation to one or more persons who participate in protest activity the sponsoring entity must file a report with the Commission in the same manner and form as a report required of a campaign committee or political action committee and include information, as specified in the bill. The reports must be filed within seven days after the compensated protest activity occurs or, if the total expenditures exceed \$5,000, within 48 hours. All filed reports under this

provision will be considered public records and available for inspection, as specified in the bill.

Any person may file a complaint with the Commission alleging that a sponsoring entity has violated these provisions. Knowingly concealing or misrepresenting the source of compensation will be a Class A misdemeanor. Any person providing credible evidence of a violation must be protected from retaliation, and the identity of the person will remain confidential.

Nothing in this bill shall:

- (1) Restrict or condition the right of any person to assemble, speak, or protest under their First Amendment rights;
- (2) Regulate personal, unpaid expression by individuals;
- (3) Require a protester to display or communicate any government-mandated message; or
- (4) Authorize the regulation of protest activity based on content, viewpoint, or the identity of participants.