

FIRST REGULAR SESSION

# SENATE BILL NO. 337

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time January 28, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1699S.011

## AN ACT

To amend chapter 252, RSMo, by adding thereto one new section relating to prohibited conduct by certain executive departments, with penalty provisions.

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

Section A. Chapter 252, RSMo, is amended by adding thereto one new section, to be known as section 252.350, to read as follows:

**252.350. 1. The commission and the department of conservation shall not engage in prohibited conduct with a connected not-for-profit corporation.**

**2. For purposes of this section, the following terms shall mean:**

**(1) "Connected not-for-profit corporation", any Missouri not-for-profit corporation that has obtained an exemption from paying federal income taxes as provided in section 501(c)(3) of the United States Internal Revenue Code of 1954, as amended, and whose primary or incidental purpose is to benefit the commission or the department of conservation by advancing the conservation and appreciation of Missouri's forest, fish, and wildlife resources;**

**(2) "Prohibited conduct", entering into any contractual relationship with, or providing or receiving anything of value with or without compensation, including but not limited to professional or clerical services, work product, money, personal or real property, or property rights. Prohibited conduct shall not include activities incidental to the provision of licenses, permits, public information, or any other item the state is expressly required to provide under law.**

**3. Any person damaged due to a violation of this section by the commission or the department of conservation may bring suit to enforce the provisions of this section in any court of competent**

22 jurisdiction. The court may award declaratory and injunctive relief. If  
23 the person bringing the suit is the prevailing party, they may be  
24 awarded reasonable attorney's fees and court costs.

25 4. Any person who knowingly and willfully violates the  
26 provisions of this section shall be guilty of a class B misdemeanor.

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