

## SENATE SUBSTITUTE

FOR

## SENATE COMMITTEE SUBSTITUTE

FOR

## SENATE BILL NO. 11

## AN ACT

To repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to regulating the ethical behavior of professionals engaged in political activities, with existing penalty provisions.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1       Section A. Sections 105.450 and 105.470, RSMo, section  
2       105.473 as enacted by senate bill no. 844, ninety-fifth general  
3       assembly, second regular session, and section 105.473 as enacted  
4       by house bill no. 1900, ninety-third general assembly, second  
5       regular session, are repealed and five new sections enacted in  
6       lieu thereof, to be known as sections 105.450, 105.453, 105.470,  
7       105.473, and 105.499, to read as follows:

8       105.450. As used in sections 105.450 to 105.496 and  
9       sections 105.955 to 105.963, unless the context clearly requires  
10      otherwise, the following terms mean:

11      (1) "Adversary proceeding", any proceeding in which a  
12      record of the proceedings may be kept and maintained as a public  
13      record at the request of either party by a court reporter, notary

1 public or other person authorized to keep such record by law or  
2 by any rule or regulation of the agency conducting the hearing;  
3 or from which an appeal may be taken directly or indirectly, or  
4 any proceeding from the decision of which any party must be  
5 granted, on request, a hearing de novo; or any arbitration  
6 proceeding; or a proceeding of a personnel review board of a  
7 political subdivision; or an investigative proceeding initiated  
8 by an official, department, division, or agency which pertains to  
9 matters which, depending on the conclusion of the investigation,  
10 could lead to a judicial or administrative proceeding being  
11 initiated against the party by the official, department, division  
12 or agency;

13 (2) "Business entity", a corporation, association, firm,  
14 partnership, proprietorship, or business entity of any kind or  
15 character;

16 (3) "Business with which a person is associated":

17 (a) Any sole proprietorship owned by himself or herself,  
18 the person's spouse or any dependent child in the person's  
19 custody;

20 (b) Any partnership or joint venture in which the person or  
21 the person's spouse is a partner, other than as a limited partner  
22 of a limited partnership, and any corporation or limited  
23 partnership in which the person is an officer or director or of  
24 which either the person or the person's spouse or dependent child  
25 in the person's custody whether singularly or collectively owns  
26 in excess of ten percent of the outstanding shares of any class  
27 of stock or partnership units; or

28 (c) Any trust in which the person is a trustee or settlor

1 or in which the person or the person's spouse or dependent child  
2 whether singularly or collectively is a beneficiary or holder of  
3 a reversionary interest of ten percent or more of the corpus of  
4 the trust;

5 (4) "Commission", the Missouri ethics commission  
6 established in section 105.955;

7 (5) "Confidential information", all information whether  
8 transmitted orally or in writing which is of such a nature that  
9 it is not, at that time, a matter of public record or public  
10 knowledge;

11 (6) "Decision-making public servant", an official,  
12 appointee or employee of the offices or entities delineated in  
13 paragraphs (a) through (h) of this subdivision who exercises  
14 supervisory authority over the negotiation of contracts, or has  
15 the legal authority to adopt or vote on the adoption of rules and  
16 regulations with the force of law or exercises primary  
17 supervisory responsibility over purchasing decisions. The  
18 following officials or entities shall be responsible for  
19 designating a decision-making public servant:

20 (a) The governing body of the political subdivision with a  
21 general operating budget in excess of one million dollars;

22 (b) A department director;

23 (c) A judge vested with judicial power by article V of the  
24 Constitution of the state of Missouri;

25 (d) Any commission empowered by interstate compact;

26 (e) A statewide elected official;

27 (f) The speaker of the house of representatives;

28 (g) The president pro tem of the senate;

1           (h) The president or chancellor of a state institution of  
2 higher education;

3           (7) "Dependent child" or "dependent child in the person's  
4 custody", all children, stepchildren, foster children and wards  
5 under the age of eighteen residing in the person's household and  
6 who receive in excess of fifty percent of their support from the  
7 person;

8           (8) "Paid political consultant", a person who is paid to  
9 promote the election of a certain candidate or the interest of an  
10 organization or committee, as defined in section 130.011, which  
11 shall include, but not be limited to, planning campaign  
12 strategies, coordinating campaign staff, organizing meetings and  
13 public events to publicize the candidate or cause, public opinion  
14 polling, providing research on issues or opposition background,  
15 coordinating, producing, or purchasing print or broadcast media,  
16 direct mail production, phone solicitation, fund raising, and any  
17 other political activities;

18          (9) "Political subdivision" shall include any political  
19 subdivision of the state, and any special district or  
20 subdistrict;

21          ~~[(9)]~~ (10) "Public document", a state tax return or a  
22 document or other record maintained for public inspection without  
23 limitation on the right of access to it and a document filed in a  
24 juvenile court proceeding;

25          ~~[(10)]~~ (11) "Substantial interest", ownership by the  
26 individual, the individual's spouse, or the individual's  
27 dependent children, whether singularly or collectively, directly  
28 or indirectly, of ten percent or more of any business entity, or

1 of an interest having a value of ten thousand dollars or more, or  
2 the receipt by an individual, the individual's spouse or the  
3 individual's dependent children, whether singularly or  
4 collectively, of a salary, gratuity, or other compensation or  
5 remuneration of five thousand dollars, or more, per year from any  
6 individual, partnership, organization, or association within any  
7 calendar year;

8 [(11)] (12) "Substantial personal or private interest in  
9 any measure, bill, order or ordinance", any interest in a  
10 measure, bill, order or ordinance which results from a  
11 substantial interest in a business entity.

12 105.453. 1. No member of the general assembly or candidate  
13 for such office shall accept or receive compensation of any kind  
14 as a paid political consultant for another individual who is a  
15 candidate for or who is holding the office of state  
16 representative or state senator, or the candidate committee of  
17 such candidate or office holder.

18 2. No member of the general assembly or statewide elected  
19 official beginning his or her first term in January 2017 or  
20 thereafter shall act or serve as a lobbyist, register as a  
21 lobbyist, or solicit clients to represent as a lobbyist until the  
22 expiration of two years after the conclusion of such member's or  
23 official's vacancy from such office.

24 3. For the purposes of this section, the terms "candidate"  
25 and "candidate committee" shall have the same meaning as in  
26 section 130.011 and the term "lobbyist" shall have the same  
27 meaning as in section 105.470.

28 105.470. 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, or school district 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:

(a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person's employer; 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 executive branch of state government in connection with such activity.

An "executive lobbyist" shall not include a 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

1 activities:

2 a. Appearing or inquiring in regard to a complaint,  
3 citation, summons, adversary proceeding, or contested case before  
4 a state board, commission, department, division or agency of the  
5 executive branch of government or any elected or appointed  
6 officer or employee thereof;

7 b. Preparing, filing or inquiring, or responding to any  
8 audit, regarding any tax return, any public document, permit or  
9 contract, any application for any permit or license or  
10 certificate, or any document required or requested to be filed  
11 with the state or a political subdivision;

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

16 d. Participating in public hearings or public proceedings  
17 on rules, grants, or other matters;

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

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

24 g. Acting within the scope of employment by the general  
25 assembly, or acting within the scope of employment by the  
26 executive branch of government when acting with respect to the  
27 department, division, board, commission, agency or elected state  
28 officer by which such person is employed, or with respect to any

1 duty or authority imposed by law to perform any action in  
2 conjunction with any other public official or state employee; or

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

5 (3) "Expenditure", any payment made or charge, expense,  
6 cost, debt or bill incurred; any gift, honorarium or item of  
7 value bestowed including any food or beverage; any price, charge  
8 or fee which is waived, forgiven, reduced or indefinitely  
9 delayed; any loan or debt which is cancelled, reduced or  
10 otherwise forgiven; the transfer of any item with a reasonably  
11 discernible cost or fair market value from one person to another  
12 or provision of any service or granting of any opportunity for  
13 which a charge is customarily made, without charge or for a  
14 reduced charge; except that the term "expenditure" shall not  
15 include the following:

16 (a) Any item, service or thing of value transferred to any  
17 person within the third degree of consanguinity or affinity of  
18 the transferor which is unrelated to any activity of the  
19 transferor as a lobbyist;

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

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

27 (d) Any loan made or other credit accommodations granted or  
28 other payments made by any person or entity which extends credit



1 or makes loan accommodations or such payments in the regular  
2 ordinary scope and course of business, provided that such are  
3 extended, made or granted in the ordinary course of such person's  
4 or entity's business to persons who are not public officials;

5 (e) Any item, service or thing of de minimis value offered  
6 to the general public, whether or not the recipient is a public  
7 official or a staff member, employee, spouse or dependent child  
8 of a public official, and only if the grant of the item, service  
9 or thing of de minimis value is not motivated in any way by the  
10 recipient's status as a public official or staff member,  
11 employee, spouse or dependent child of a public official;

12 (f) The transfer of any item, provision of any service or  
13 granting of any opportunity with a reasonably discernible cost or  
14 fair market value when such item, service or opportunity is  
15 necessary for a public official or employee to perform his or her  
16 duty in his or her official capacity, including but not limited  
17 to entrance fees to any sporting event, museum, or other venue  
18 when the official or employee is participating in a ceremony,  
19 public presentation or official meeting therein;

20 (g) Any payment, gift, compensation, fee, expenditure or  
21 anything of value which is bestowed upon or given to any public  
22 official or a staff member, employee, spouse or dependent child  
23 of a public official when it is compensation for employment or  
24 given as an employment benefit and when such employment is in  
25 addition to their employment as a public official;

26 (4) "Judicial lobbyist", any natural person who acts for  
27 the purpose of attempting to influence any purchasing decision by  
28 the judicial branch of government or by any elected or appointed

1 official or any employee thereof and in connection with such  
2 activity, meets the requirements of any one or more of the  
3 following:

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

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

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

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

21  
22 A "judicial lobbyist" shall not include a member of the general  
23 assembly, an elected state official, or any other person solely  
24 due to such person's participation in any of the following  
25 activities:

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

1           b. Participating in public hearings or public proceedings  
2 on rules, grants, or other matters;

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

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

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

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

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

1     conduct; or

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

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

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

12  
13    A "legislative lobbyist" shall include an attorney at law engaged  
14    in activities on behalf of any person unless excluded by any of  
15    the following exceptions. A "legislative lobbyist" shall not  
16    include any member of the general assembly, an elected state  
17    official, or any other person solely due to such person's  
18    participation in any of the following activities:

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

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

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

28            d. Testifying as a witness before the general assembly or

1 any committee thereof;

2 (6) "Lobbyist", any natural person defined as an executive  
3 lobbyist, judicial lobbyist, elected local government official  
4 lobbyist, or a legislative lobbyist;

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

9 (8) "Public official", any member or member-elect of the  
10 general assembly, judge or judicial officer, or any other person  
11 holding an elective office of state government or any agency  
12 head, department director or division director of state  
13 government or any member of any state board or commission and any  
14 designated decision-making public servant designated by persons  
15 described in this subdivision or any superintendent of a school  
16 district or school board member.

17 [105.473. 1. Each lobbyist shall, not later than  
18 January fifth of each year or five days after beginning  
19 any activities as a lobbyist, file standardized  
20 registration forms, verified by a written declaration  
21 that it is made under the penalties of perjury, along  
22 with a filing fee of ten dollars, with the commission.  
23 The forms shall include the lobbyist's name and  
24 business address, the name and address of all persons  
25 such lobbyist employs for lobbying purposes, the name  
26 and address of each lobbyist principal by whom such  
27 lobbyist is employed or in whose interest such lobbyist  
28 appears or works. The commission shall maintain files  
29 on all lobbyists' filings, which shall be open to the  
30 public. Each lobbyist shall file an updating statement  
31 under oath within one week of any addition, deletion,  
32 or change in the lobbyist's employment or  
33 representation. The filing fee shall be deposited to  
34 the general revenue fund of the state. The lobbyist  
35 principal or a lobbyist employing another person for  
36 lobbying purposes may notify the commission that a  
37 judicial, executive or legislative lobbyist is no  
38 longer authorized to lobby for the principal or the

1 lobbyist and should be removed from the commission's  
2 files.

3 2. Each person shall, before giving testimony  
4 before any committee of the general assembly, give to  
5 the secretary of such committee such person's name and  
6 address and the identity of any lobbyist or  
7 organization, if any, on whose behalf such person  
8 appears. A person who is not a lobbyist as defined in  
9 section 105.470 shall not be required to give such  
10 person's address if the committee determines that the  
11 giving of such address would endanger the person's  
12 physical health.

13 3. (1) During any period of time in which a  
14 lobbyist continues to act as an executive lobbyist,  
15 judicial lobbyist, legislative lobbyist, or elected  
16 local government official lobbyist, the lobbyist shall  
17 file with the commission on standardized forms  
18 prescribed by the commission monthly reports which  
19 shall be due at the close of business on the tenth day  
20 of the following month;

21 (2) Each report filed pursuant to this subsection  
22 shall include a statement, verified by a written  
23 declaration that it is made under the penalties of  
24 perjury, setting forth the following:

25 (a) The total of all expenditures by the lobbyist  
26 or his or her lobbyist principals made on behalf of all  
27 public officials, their staffs and employees, and their  
28 spouses and dependent children, which expenditures  
29 shall be separated into at least the following  
30 categories by the executive branch, judicial branch and  
31 legislative branch of government: printing and  
32 publication expenses; media and other advertising  
33 expenses; travel; the time, venue, and nature of any  
34 entertainment; honoraria; meals, food and beverages;  
35 and gifts;

36 (b) The total of all expenditures by the lobbyist  
37 or his or her lobbyist principals made on behalf of all  
38 elected local government officials, their staffs and  
39 employees, and their spouses and children. Such  
40 expenditures shall be separated into at least the  
41 following categories: printing and publication  
42 expenses; media and other advertising expenses; travel;  
43 the time, venue, and nature of any entertainment;  
44 honoraria; meals; food and beverages; and gifts;

45 (c) An itemized listing of the name of the  
46 recipient and the nature and amount of each expenditure  
47 by the lobbyist or his or her lobbyist principal,  
48 including a service or anything of value, for all  
49 expenditures made during any reporting period, paid or  
50 provided to or for a public official or elected local  
51 government official, such official's staff, employees,

1 spouse or dependent children;

2 (d) The total of all expenditures made by a  
3 lobbyist or lobbyist principal for occasions and the  
4 identity of the group invited, the date, location, and  
5 description of the occasion and the amount of the  
6 expenditure for each occasion when any of the following  
7 are invited in writing:

8 a. All members of the senate, which may or may  
9 not include senate staff and employees under the direct  
10 supervision of a state senator;

11 b. All members of the house of representatives,  
12 which may or may not include house staff and employees  
13 under the direct supervision of a state representative;

14 c. All members of a joint committee of the  
15 general assembly or a standing committee of either the  
16 house of representatives or senate, which may or may  
17 not include joint and standing committee staff;

18 d. All members of a caucus of the majority party  
19 of the house of representatives, minority party of the  
20 house of representatives, majority party of the senate,  
21 or minority party of the senate;

22 e. All statewide officials, which may or may not  
23 include the staff and employees under the direct  
24 supervision of the statewide official;

25 (e) Any expenditure made on behalf of a public  
26 official, an elected local government official or such  
27 official's staff, employees, spouse or dependent  
28 children, if such expenditure is solicited by such  
29 official, the official's staff, employees, or spouse or  
30 dependent children, from the lobbyist or his or her  
31 lobbyist principals and the name of such person or  
32 persons, except any expenditures made to any  
33 not-for-profit corporation, charitable, fraternal or  
34 civic organization or other association formed to  
35 provide for good in the order of benevolence and except  
36 for any expenditure reported under paragraph (d) of  
37 this subdivision;

38 (f) A statement detailing any direct business  
39 relationship or association or partnership the lobbyist  
40 has with any public official or elected local  
41 government official. The reports required by this  
42 subdivision shall cover the time periods since the  
43 filing of the last report or since the lobbyist's  
44 employment or representation began, whichever is most  
45 recent.

46 4. No expenditure reported pursuant to this  
47 section shall include any amount expended by a lobbyist  
48 or lobbyist principal on himself or herself. All  
49 expenditures disclosed pursuant to this section shall  
50 be valued on the report at the actual amount of the  
51 payment made, or the charge, expense, cost, or

1 obligation, debt or bill incurred by the lobbyist or  
2 the person the lobbyist represents. Whenever a  
3 lobbyist principal employs more than one lobbyist,  
4 expenditures of the lobbyist principal shall not be  
5 reported by each lobbyist, but shall be reported by one  
6 of such lobbyists. No expenditure shall be made on  
7 behalf of a state senator or state representative, or  
8 such public official's staff, employees, spouse, or  
9 dependent children for travel or lodging outside the  
10 state of Missouri unless such travel or lodging was  
11 approved prior to the date of the expenditure by the  
12 administration and accounts committee of the house or  
13 the administration committee of the senate.

14 5. Any lobbyist principal shall provide in a  
15 timely fashion whatever information is reasonably  
16 requested by the lobbyist principal's lobbyist for use  
17 in filing the reports required by this section.

18 6. All information required to be filed pursuant  
19 to the provisions of this section with the commission  
20 shall be kept available by the executive director of  
21 the commission at all times open to the public for  
22 inspection and copying for a reasonable fee for a  
23 period of five years from the date when such  
24 information was filed.

25 7. No person shall knowingly employ any person  
26 who is required to register as a registered lobbyist  
27 but is not registered pursuant to this section. Any  
28 person who knowingly violates this subsection shall be  
29 subject to a civil penalty in an amount of not more  
30 than ten thousand dollars for each violation. Such  
31 civil penalties shall be collected by action filed by  
32 the commission.

33 8. Any lobbyist found to knowingly omit, conceal,  
34 or falsify in any manner information required pursuant  
35 to this section shall be guilty of a class A  
36 misdemeanor.

37 9. The prosecuting attorney of Cole County shall  
38 be reimbursed only out of funds specifically  
39 appropriated by the general assembly for investigations  
40 and prosecutions for violations of this section.

41 10. Any public official or other person whose  
42 name appears in any lobbyist report filed pursuant to  
43 this section who contests the accuracy of the portion  
44 of the report applicable to such person may petition  
45 the commission for an audit of such report and shall  
46 state in writing in such petition the specific  
47 disagreement with the contents of such report. The  
48 commission shall investigate such allegations in the  
49 manner described in section 105.959. If the commission  
50 determines that the contents of such report are  
51 incorrect, incomplete or erroneous, it shall enter an



1 order requiring filing of an amended or corrected  
2 report.

3 11. The commission shall provide a report listing  
4 the total spent by a lobbyist for the month and year to  
5 any member or member-elect of the general assembly,  
6 judge or judicial officer, or any other person holding  
7 an elective office of state government or any elected  
8 local government official on or before the twentieth  
9 day of each month. For the purpose of providing  
10 accurate information to the public, the commission  
11 shall not publish information in either written or  
12 electronic form for ten working days after providing  
13 the report pursuant to this subsection. The commission  
14 shall not release any portion of the lobbyist report if  
15 the accuracy of the report has been questioned pursuant  
16 to subsection 10 of this section unless it is  
17 conspicuously marked "Under Review".

18 12. Each lobbyist or lobbyist principal by whom  
19 the lobbyist was employed, or in whose behalf the  
20 lobbyist acted, shall provide a general description of  
21 the proposed legislation or action by the executive  
22 branch or judicial branch which the lobbyist or  
23 lobbyist principal supported or opposed. This  
24 information shall be supplied to the commission on  
25 March fifteenth and May thirtieth of each year.

26 13. The provisions of this section shall  
27 supersede any contradicting ordinances or charter  
28 provisions.]

29 105.473. 1. Each lobbyist shall, not later than January  
30 fifth of each year or five days after beginning any activities as  
31 a lobbyist, file standardized registration forms, verified by a  
32 written declaration that it is made under the penalties of  
33 perjury, along with a filing fee of ten dollars, with the  
34 commission. The forms shall include the lobbyist's name and  
35 business address, the name and address of all persons such  
36 lobbyist employs for lobbying purposes, the name and address of  
37 each lobbyist principal by whom such lobbyist is employed or in  
38 whose interest such lobbyist appears or works. A lobbyist shall  
39 be considered to work in the interest of:

40 (1) Any principal who employs, contracts for pay, or

1 otherwise compensates such lobbyist;

2 (2) Any principal or entity who employs, contracts for pay,  
3 or otherwise compensates such lobbyist's direct principal  
4 regarding the same interest; or

5 (3) Any principal or entity who employs, contracts for pay,  
6 or otherwise compensates an entity or principal who employs,  
7 contracts for pay, or otherwise compensates such direct principal  
8 regarding the same interest.

9  
10 The commission shall maintain files on all lobbyists' filings,  
11 which shall be open to the public. Each lobbyist shall file an  
12 updating statement under oath within one week of any addition,  
13 deletion, or change in the lobbyist's employment or  
14 representation. The filing fee shall be deposited to the general  
15 revenue fund of the state. The lobbyist principal or a lobbyist  
16 employing another person for lobbying purposes may notify the  
17 commission that a judicial, executive or legislative lobbyist is  
18 no longer authorized to lobby for the principal or the lobbyist  
19 and should be removed from the commission's files.

20 2. Each person shall, before giving testimony before any  
21 committee of the general assembly, give to the secretary of such  
22 committee such person's name and address and the identity of any  
23 lobbyist or organization, if any, on whose behalf such person  
24 appears. A person who is not a lobbyist as defined in section  
25 105.470 shall not be required to give such person's address if  
26 the committee determines that the giving of such address would  
27 endanger the person's physical health.

28 3. (1) During any period of time in which a lobbyist

1 continues to act as an executive lobbyist, judicial lobbyist,  
2 legislative lobbyist, or elected local government official  
3 lobbyist, the lobbyist shall file with the commission on  
4 standardized forms prescribed by the commission monthly reports  
5 which shall be due at the close of business on the tenth day of  
6 the following month;

7 (2) Each report filed pursuant to this subsection shall  
8 include a statement, verified by a written declaration that it is  
9 made under the penalties of perjury, setting forth the following:

10 (a) The total of all expenditures by the lobbyist or his or  
11 her lobbyist principals made on behalf of all public officials as  
12 defined in section 105.470, their staffs and employees, and their  
13 spouses and dependent children, which expenditures shall be  
14 separated into at least the following categories by the executive  
15 branch, judicial branch and legislative branch of government:  
16 printing and publication expenses; media and other advertising  
17 expenses; travel; the time, venue, and nature of any  
18 entertainment; honoraria; meals, food and beverages; and gifts;

19 (b) The total of all expenditures by the lobbyist or his or  
20 her lobbyist principals made on behalf of all elected local  
21 government officials, their staffs and employees, and their  
22 spouses and children. Such expenditures shall be separated into  
23 at least the following categories: printing and publication  
24 expenses; media and other advertising expenses; travel; the time,  
25 venue, and nature of any entertainment; honoraria; meals; food  
26 and beverages; and gifts;

27 (c) An itemized listing of the name of the recipient and  
28 the nature and amount of each expenditure by the lobbyist or his

1 or her lobbyist principal, including a service or anything of  
2 value, for all expenditures made during any reporting period,  
3 paid or provided to or for a public official or elected local  
4 government official, such official's staff, employees, spouse or  
5 dependent children;

6 (d) The total of all expenditures made by a lobbyist or  
7 lobbyist principal for occasions and the identity of the group  
8 invited, the date and description of the occasion and the amount  
9 of the expenditure for each occasion when any of the following  
10 are invited in writing at a minimum of forty-eight hours in  
11 advance:

12 a. All members of the senate, which may or may not include  
13 senate staff and employees under the direct supervision of a  
14 state senator;

15 b. All members of the house of representatives, which may  
16 or may not include house staff and employees under the direct  
17 supervision of a state representative;

18 c. [All members of a joint committee of the general  
19 assembly or a standing committee of either the house of  
20 representatives or senate; or

21 d.] All members of a caucus of the majority party of the  
22 house of representatives, minority party of the house of  
23 representatives, majority party of the senate, or minority party  
24 of the senate; or

25 d. All statewide officials, which may or may not include  
26 the staff and employees under the direct supervision of the  
27 statewide official;

28 (e) Any expenditure made on behalf of a public official, an

1 elected local government official or such official's staff,  
2 employees, spouse or dependent children, if such expenditure is  
3 solicited by such official, the official's staff, employees, or  
4 spouse or dependent children, from the lobbyist or his or her  
5 lobbyist principals and the name of such person or persons,  
6 except any expenditures made to any not-for-profit corporation,  
7 charitable, fraternal or civic organization or other association  
8 formed to provide for good in the order of benevolence and except  
9 for any expenditure reported under paragraph (d) of this  
10 subdivision;

11 (f) A statement detailing any direct business relationship  
12 or association or partnership the lobbyist has with any public  
13 official or elected local government official.

14 The reports required by this subdivision shall cover the time  
15 periods since the filing of the last report or since the  
16 lobbyist's employment or representation began, whichever is most  
17 recent.

18 4. No expenditure reported pursuant to this section shall  
19 include any amount expended by a lobbyist or lobbyist principal  
20 on himself or herself. All expenditures disclosed pursuant to  
21 this section shall be valued on the report at the actual amount  
22 of the payment made, or the charge, expense, cost, or obligation,  
23 debt or bill incurred by the lobbyist or the person the lobbyist  
24 represents. Whenever a lobbyist principal employs more than one  
25 lobbyist, expenditures of the lobbyist principal shall not be  
26 reported by each lobbyist, but shall be reported by one of such  
27 lobbyists. No expenditure shall be made on behalf of a state  
28 senator or state representative, or such public official's staff,

1 employees, spouse, or dependent children for travel [or],  
2 lodging, food, beverage, or entertainment outside of the state of  
3 Missouri [unless such travel or lodging was approved prior to the  
4 date of the expenditure by the administration and accounts  
5 committee of the house or the administration committee of the  
6 senate].

7 5. Any lobbyist principal shall provide in a timely fashion  
8 whatever information is reasonably requested by the lobbyist  
9 principal's lobbyist for use in filing the reports required by  
10 this section.

11 6. All information required to be filed pursuant to the  
12 provisions of this section with the commission shall be kept  
13 available by the executive director of the commission at all  
14 times open to the public for inspection and copying for a  
15 reasonable fee for a period of five years from the date when such  
16 information was filed.

17 7. No person shall knowingly employ any person who is  
18 required to register as a registered lobbyist but is not  
19 registered pursuant to this section. Any person who knowingly  
20 violates this subsection shall be subject to a civil penalty in  
21 an amount of not more than ten thousand dollars for each  
22 violation. Such civil penalties shall be collected by action  
23 filed by the commission.

24 8. No lobbyist shall knowingly omit, conceal, or falsify in  
25 any manner information required pursuant to this section.

26 9. The prosecuting attorney of Cole County shall be  
27 reimbursed only out of funds specifically appropriated by the  
28 general assembly for investigations and prosecutions for

1 violations of this section.

2 10. Any public official or other person whose name appears  
3 in any lobbyist report filed pursuant to this section who  
4 contests the accuracy of the portion of the report applicable to  
5 such person may petition the commission for an audit of such  
6 report and shall state in writing in such petition the specific  
7 disagreement with the contents of such report. The commission  
8 shall investigate such allegations in the manner described in  
9 section 105.959. If the commission determines that the contents  
10 of such report are incorrect, incomplete or erroneous, it shall  
11 enter an order requiring filing of an amended or corrected  
12 report.

13 11. The commission shall provide a report listing the total  
14 spent by a lobbyist for the month and year to any member or  
15 member-elect of the general assembly, judge or judicial officer,  
16 or any other person holding an elective office of state  
17 government or any elected local government official on or before  
18 the twentieth day of each month. For the purpose of providing  
19 accurate information to the public, the commission shall not  
20 publish information in either written or electronic form for ten  
21 working days after providing the report pursuant to this  
22 subsection. The commission shall not release any portion of the  
23 lobbyist report if the accuracy of the report has been questioned  
24 pursuant to subsection 10 of this section unless it is  
25 conspicuously marked "Under Review".

26 12. Each lobbyist or lobbyist principal by whom the  
27 lobbyist was employed, or in whose behalf the lobbyist acted,  
28 shall provide a general description of the proposed legislation

1 or action by the executive branch or judicial branch which the  
2 lobbyist or lobbyist principal supported or opposed. This  
3 information shall be supplied to the commission on March  
4 fifteenth and May thirtieth of each year.

5 13. The provisions of this section shall supersede any  
6 contradicting ordinances or charter provisions.

7 105.499. 1. As used in this section, the term "political  
8 officers" means:

9 (1) The governor, lieutenant governor, secretary of state,  
10 state treasurer, attorney general, and members of the general  
11 assembly; and

12 (2) The principal administrative or deputy officers or  
13 assistants serving the governor, lieutenant governor, secretary  
14 of state, state treasurer, state auditor and attorney general,  
15 which officers shall be designated by the respective elected  
16 state official.

17 2. Within one hundred twenty days of taking office,  
18 appointment, or employment, all political officers shall complete  
19 one hour of ethics training that addresses ethics laws in this  
20 chapter. All requirements of this subsection shall be completed  
21 by 5:00 p.m. of the last day designated for completing the  
22 requirement. When the last day of completing the requirement  
23 falls on a Saturday, Sunday, or on an official state holiday, the  
24 last day for completion shall be extended to 5:00 p.m. on the  
25 next day which is not a Saturday, Sunday, or an official state  
26 holiday.

27 3. In addition to completing the requirements of this  
28 section within one hundred twenty days of taking office,



1 appointment, or employment, all political officers shall complete  
2 the requirements of this section whenever he or she assumes a new  
3 political office.

4 4. If any political officer does not complete the  
5 requirements of this section, the Missouri ethics commission  
6 shall, in writing, notify the individual of the individual's  
7 noncompliance. Any political officer who fails to complete the  
8 requirements of this section within 30 days of receiving a  
9 written notice under this subsection shall, if such political  
10 officer receives any compensation or other remuneration from  
11 public funds for the political officer's services, not be paid  
12 such compensation or receive such remuneration until in  
13 compliance with this section.

14 5. The ethics commission shall offer the training required  
15 in this section, and shall promulgate rules establishing format  
16 and minimum course content. Any rule or portion of a rule, as  
17 that term is defined in section 536.010, that is created under  
18 the authority delegated in this section shall become effective  
19 only if it complies with and is subject to all of the provisions  
20 of chapter 536 and, if applicable, section 536.028. This section  
21 and chapter 536 are nonseverable and if any of the powers vested  
22 with the general assembly under chapter 536 to review, to delay  
23 the effective date, or to disapprove and annul a rule are  
24 subsequently held unconstitutional, then the grant of rulemaking  
25 authority and any rule proposed or adopted after August 28, 2015,  
26 shall be invalid and void.