

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 11, Page 1, Section title, Line 2,

of said title, by inserting immediately after "RSMo," the following: "section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session,"; and

Further amend said bill, Page 5, Section 105.453, Line 27 of said page, by inserting after all of said line the following:

"[105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

1 (3) Attempt, for compensation other than the
2 compensation provided for the performance of his or her
3 official duties, to influence the decision of any
4 agency of the state on any matter, except that this
5 provision shall not be construed to prohibit such
6 person from participating for compensation in any
7 adversary proceeding or in the preparation or filing of
8 any public document or conference thereon. The
9 exception for a conference upon a public document shall
10 not permit any member of the general assembly or the
11 governor, lieutenant governor, attorney general,
12 secretary of state, state treasurer or state auditor to
13 receive any consideration for the purpose of attempting
14 to influence the decision of any agency of the state on
15 behalf of any person with regard to any application,
16 bid or request for a state grant, loan, appropriation,
17 contract, award, permit other than matters involving a
18 driver's license, or job before any state agency,
19 commission, or elected official. Notwithstanding
20 Missouri supreme court rule 1.10 of rule 4 or any other
21 court rule or law to the contrary, other members of a
22 firm, professional corporation or partnership shall not
23 be prohibited pursuant to this subdivision from
24 representing a person or other entity solely because a
25 member of the firm, professional corporation or
26 partnership serves in the general assembly, provided
27 that such official does not share directly in the
28 compensation earned, so far as the same may reasonably
29 be accounted, for such activity by the firm or by any
30 other member of the firm. This subdivision shall not
31 be construed to prohibit any inquiry for information or
32 the representation of a person without consideration
33 before a state agency or in a matter involving the
34 state if no consideration is given, charged or promised
35 in consequence thereof.

36 2. No sole proprietorship, partnership, joint
37 venture, or corporation in which a member of the
38 general assembly, governor, lieutenant governor,
39 attorney general, secretary of state, state treasurer,
40 state auditor or spouse of such official is the sole
41 proprietor, a partner having more than a ten percent
42 partnership interest, or a coparticipant or owner of in
43 excess of ten percent of the outstanding shares of any
44 class of stock, shall:

45 (1) Perform any service for the state or any
46 political subdivision thereof or any agency of the
47 state or political subdivision for any consideration in
48 excess of five hundred dollars per transaction or one
49 thousand five hundred dollars per annum unless the
50 transaction is made pursuant to an award on a contract
51 let or sale made after public notice and competitive
52 bidding, provided that the bid or offer accepted is the

lowest received; or

(2) Sell, rent, or lease any property to the state or any political subdivision thereof or any agency of the state or political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest and best received.

3. No statewide elected official, member of the general assembly, or any person acting on behalf of such official or member shall expressly and explicitly make any offer or promise to confer any paid employment, where the individual is compensated above actual and necessary expenses, to any statewide elected official or member of the general assembly in exchange for the official's or member's official vote on any public matter. Any person making such offer or promise is guilty of the crime of bribery of a public servant under section 576.010.

4. Any statewide elected official or member of the general assembly who accepts or agrees to accept an offer described in subsection 3 of this section is guilty of the crime of acceding to corruption under section 576.020.]

105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an

1 award on a contract let or sale made after public notice and in
2 the case of property other than real property, competitive
3 bidding, provided that the bid or offer accepted is the lowest
4 received; or

5 (3) Attempt, for compensation other than the compensation
6 provided for the performance of his or her official duties, to
7 influence the decision of any agency of the state on any matter,
8 except that this provision shall not be construed to prohibit
9 such person from participating for compensation in any adversary
10 proceeding or in the preparation or filing of any public document
11 or conference thereon. The exception for a conference upon a
12 public document shall not permit any member of the general
13 assembly or the governor, lieutenant governor, attorney general,
14 secretary of state, state treasurer or state auditor to receive
15 any consideration for the purpose of attempting to influence the
16 decision of any agency of the state on behalf of any person with
17 regard to any application, bid or request for a state grant,
18 loan, appropriation, contract, award, permit other than matters
19 involving a driver's license, or job before any state agency,
20 commission, or elected official. Notwithstanding Missouri
21 supreme court rule 1.10 of rule 4 or any other court rule or law
22 to the contrary, other members of a firm, professional
23 corporation or partnership shall not be prohibited pursuant to
24 this subdivision from representing a person or other entity
25 solely because a member of the firm, professional corporation or
26 partnership serves in the general assembly, provided that such
27 official does not share directly in the compensation earned, so
28 far as the same may reasonably be accounted, for such activity by
29 the firm or by any other member of the firm. This subdivision

1 shall not be construed to prohibit any inquiry for information or
2 the representation of a person without consideration before a
3 state agency or in a matter involving the state if no
4 consideration is given, charged or promised in consequence
5 thereof.

6 2. No sole proprietorship, partnership, joint venture, or
7 corporation in which a member of the general assembly, governor,
8 lieutenant governor, attorney general, secretary of state, state
9 treasurer, state auditor or spouse of such official, is the sole
10 proprietor, a partner having more than a ten percent partnership
11 interest, or a coparticipant or owner of in excess of ten percent
12 of the outstanding shares of any class of stock, shall:

13 (1) Perform any service for the state or any political
14 subdivision thereof or any agency of the state or political
15 subdivision for any consideration in excess of five hundred
16 dollars per transaction or one thousand five hundred dollars per
17 annum unless the transaction is made pursuant to an award on a
18 contract let or sale made after public notice and competitive
19 bidding, provided that the bid or offer accepted is the lowest
20 received; or

21 (2) Sell, rent, or lease any property to the state or any
22 political subdivision thereof or any agency of the state or
23 political subdivision thereof for consideration in excess of five
24 hundred dollars per transaction or one thousand five hundred
25 dollars per annum unless the transaction is made pursuant to an
26 award on a contract let or a sale made after public notice and in
27 the case of property other than real property, competitive
28 bidding, provided that the bid or offer accepted is the lowest
29 and best received.

1 3. No member of the general assembly or the governor,
2 lieutenant governor, attorney general, secretary of state, state
3 treasurer, or state auditor, or such person's staff, employee,
4 spouse, or dependent children shall accept any tangible or
5 intangible item, service, or thing of value from any lobbyist as
6 defined in section 105.470."; and

7 Further amend said bill, Page 21, Section 105.473, Lines 27
8 to 28, by striking said lines; and

9 Further amend said bill and section, Page 22, lines 1 to 6
10 of said page, by striking said lines and inserting in lieu
11 thereof the following: "lobbyists. [No expenditure shall be
12 made on behalf of a state senator or state representative, or
13 such public official's staff, employees, spouse, or dependent
14 children for travel or lodging outside the state of Missouri
15 unless such travel or lodging was approved prior to the date of
16 the expenditure by the administration and accounts committee of
17 the house or the administration committee of the senate.]" ; and

18 Further amend said bill and section, Page , Line 5 of said
19 page, by inserting immediately after "13." the following: "No
20 lobbyist shall make any contribution to, or expenditure for, any
21 candidate committee formed by a candidate for statewide office,
22 state representative, or state senator or any general assembly
23 member's candidate committee for food, entertainment, lodging, or
24 travel and such candidate committees shall be barred from
25 receiving such items. For the purposes of this subsection, the
26 term "candidate committee" shall have the same meaning as in
27 section 130.011.

28 14. No lobbyist shall deliver any tangible or intangible
29 item, service, or thing of value to any statewide elected

1 official, member of the general assembly or such person's staff,
2 employee, spouse, or dependent children.

3 15."; and

4 Further amend the title and enacting clause accordingly.