

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS#2/SCS/House Bill No. 2166, Page 20, Section 105.473, Line 7,

2 by inserting after all of said line the following:

3            "[130.011. As used in this chapter, unless the  
4 context clearly indicates otherwise, the following  
5 terms mean:  
6            (1) "Appropriate officer" or "appropriate  
7 officers", the person or persons designated in section  
8 130.026 to receive certain required statements and  
9 reports;  
10           (2) "Ballot measure" or "measure", any proposal  
11 submitted or intended to be submitted to qualified  
12 voters for their approval or rejection, including any  
13 proposal submitted by initiative petition, referendum  
14 petition, or by the general assembly or any local  
15 governmental body having authority to refer proposals  
16 to the voter;  
17           (3) "Campaign committee", a committee, other than  
18 a candidate committee, which shall be formed by an  
19 individual or group of individuals to receive  
20 contributions or make expenditures and whose sole  
21 purpose is to support or oppose the qualification and  
22 passage of one or more particular ballot measures in an  
23 election or the retention of judges under the  
24 nonpartisan court plan, such committee shall be formed  
25 no later than thirty days prior to the election for  
26 which the committee receives contributions or makes  
27 expenditures, and which shall terminate the later of  
28 either thirty days after the general election or upon  
29 the satisfaction of all committee debt after the  
30 general election, except that no committee retiring  
31 debt shall engage in any other activities in support of  
32 a measure for which the committee was formed;  
33           (4) "Candidate", an individual who seeks  
34 nomination or election to public office. The term  
35 "candidate" includes an elected officeholder who is the  
36 subject of a recall election, an individual who seeks  
37 nomination by the individual's political party for

1 election to public office, an individual standing for  
2 retention in an election to an office to which the  
3 individual was previously appointed, an individual who  
4 seeks nomination or election whether or not the  
5 specific elective public office to be sought has been  
6 finally determined by such individual at the time the  
7 individual meets the conditions described in paragraph  
8 (a) or (b) of this subdivision, and an individual who  
9 is a write-in candidate as defined in subdivision (28)  
10 of this section. A candidate shall be deemed to seek  
11 nomination or election when the person first:

12 (a) Receives contributions or makes expenditures  
13 or reserves space or facilities with intent to promote  
14 the person's candidacy for office; or

15 (b) Knows or has reason to know that  
16 contributions are being received or expenditures are  
17 being made or space or facilities are being reserved  
18 with the intent to promote the person's candidacy for  
19 office; except that, such individual shall not be  
20 deemed a candidate if the person files a statement with  
21 the appropriate officer within five days after learning  
22 of the receipt of contributions, the making of  
23 expenditures, or the reservation of space or facilities  
24 disavowing the candidacy and stating that the person  
25 will not accept nomination or take office if elected;  
26 provided that, if the election at which such individual  
27 is supported as a candidate is to take place within  
28 five days after the person's learning of the  
29 above-specified activities, the individual shall file  
30 the statement disavowing the candidacy within one day;  
31 or

32 (c) Announces or files a declaration of candidacy  
33 for office;

34 (5) "Candidate committee", a committee which  
35 shall be formed by a candidate to receive contributions  
36 or make expenditures in behalf of the person's  
37 candidacy and which shall continue in existence for use  
38 by an elected candidate or which shall terminate the  
39 later of either thirty days after the general election  
40 for a candidate who was not elected or upon the  
41 satisfaction of all committee debt after the election,  
42 except that no committee retiring debt shall engage in  
43 any other activities in support of the candidate for  
44 which the committee was formed. Any candidate for  
45 elective office shall have only one candidate committee  
46 for the elective office sought, which is controlled  
47 directly by the candidate for the purpose of making  
48 expenditures. A candidate committee is presumed to be  
49 under the control and direction of the candidate unless  
50 the candidate files an affidavit with the appropriate  
51 officer stating that the committee is acting without  
52 control or direction on the candidate's part;

1 (6) "Cash", currency, coin, United States postage  
2 stamps, or any negotiable instrument which can be  
3 transferred from one person to another person without  
4 the signature or endorsement of the transferor;

5 (7) "Check", a check drawn on a state or federal  
6 bank, or a draft on a negotiable order of withdrawal  
7 account in a savings and loan association or a share  
8 draft account in a credit union;

9 (8) "Closing date", the date through which a  
10 statement or report is required to be complete;

11 (9) "Committee", a person or any combination of  
12 persons, who accepts contributions or makes  
13 expenditures for the primary or incidental purpose of  
14 influencing or attempting to influence the action of  
15 voters for or against the nomination or election to  
16 public office of one or more candidates or the  
17 qualification, passage or defeat of any ballot measure  
18 or for the purpose of paying a previously incurred  
19 campaign debt or obligation of a candidate or the debts  
20 or obligations of a committee or for the purpose of  
21 contributing funds to another committee:

22 (a) "Committee", does not include:

23 a. A person or combination of persons, if neither  
24 the aggregate of expenditures made nor the aggregate of  
25 contributions received during a calendar year exceeds  
26 five hundred dollars and if no single contributor has  
27 contributed more than two hundred fifty dollars of such  
28 aggregate contributions;

29 b. An individual, other than a candidate, who  
30 accepts no contributions and who deals only with the  
31 individual's own funds or property;

32 c. A corporation, cooperative association,  
33 partnership, proprietorship, or joint venture organized  
34 or operated for a primary or principal purpose other  
35 than that of influencing or attempting to influence the  
36 action of voters for or against the nomination or  
37 election to public office of one or more candidates or  
38 the qualification, passage or defeat of any ballot  
39 measure, and it accepts no contributions, and all  
40 expenditures it makes are from its own funds or  
41 property obtained in the usual course of business or in  
42 any commercial or other transaction and which are not  
43 contributions as defined by subdivision (11) of this  
44 section;

45 d. A labor organization organized or operated for  
46 a primary or principal purpose other than that of  
47 influencing or attempting to influence the action of  
48 voters for or against the nomination or election to  
49 public office of one or more candidates, or the  
50 qualification, passage, or defeat of any ballot  
51 measure, and it accepts no contributions, and  
52 expenditures made by the organization are from its own

1 funds or property received from membership dues or  
2 membership fees which were given or solicited for the  
3 purpose of supporting the normal and usual activities  
4 and functions of the organization and which are not  
5 contributions as defined by subdivision (11) of this  
6 section;

7 e. A person who acts as an authorized agent for a  
8 committee in soliciting or receiving contributions or  
9 in making expenditures or incurring indebtedness on  
10 behalf of the committee if such person renders to the  
11 committee treasurer or deputy treasurer or candidate,  
12 if applicable, an accurate account of each receipt or  
13 other transaction in the detail required by the  
14 treasurer to comply with all record-keeping and  
15 reporting requirements of this chapter;

16 f. Any department, agency, board, institution or  
17 other entity of the state or any of its subdivisions or  
18 any officer or employee thereof, acting in the person's  
19 official capacity;

20 (b) The term "committee" includes, but is not  
21 limited to, each of the following committees: campaign  
22 committee, candidate committee, political action  
23 committee, exploratory committee, and political party  
24 committee;

25 (10) "Connected organization", any organization  
26 such as a corporation, a labor organization, a  
27 membership organization, a cooperative, or trade or  
28 professional association which expends funds or  
29 provides services or facilities to establish,  
30 administer or maintain a committee or to solicit  
31 contributions to a committee from its members,  
32 officers, directors, employees or security holders. An  
33 organization shall be deemed to be the connected  
34 organization if more than fifty percent of the persons  
35 making contributions to the committee during the  
36 current calendar year are members, officers, directors,  
37 employees or security holders of such organization or  
38 their spouses;

39 (11) "Contribution", a payment, gift, loan,  
40 advance, deposit, or donation of money or anything of  
41 value for the purpose of supporting or opposing the  
42 nomination or election of any candidate for public  
43 office or the qualification, passage or defeat of any  
44 ballot measure, or for the support of any committee  
45 supporting or opposing candidates or ballot measures or  
46 for paying debts or obligations of any candidate or  
47 committee previously incurred for the above purposes.  
48 A contribution of anything of value shall be deemed to  
49 have a money value equivalent to the fair market value.  
50 "Contribution" includes, but is not limited to:

51 (a) A candidate's own money or property used in  
52 support of the person's candidacy other than expense of

1 the candidate's food, lodging, travel, and payment of  
2 any fee necessary to the filing for public office;

3 (b) Payment by any person, other than a candidate  
4 or committee, to compensate another person for services  
5 rendered to that candidate or committee;

6 (c) Receipts from the sale of goods and services,  
7 including the sale of advertising space in a brochure,  
8 booklet, program or pamphlet of a candidate or  
9 committee and the sale of tickets or political  
10 merchandise;

11 (d) Receipts from fund-raising events including  
12 testimonial affairs;

13 (e) Any loan, guarantee of a loan, cancellation  
14 or forgiveness of a loan or debt or other obligation by  
15 a third party, or payment of a loan or debt or other  
16 obligation by a third party if the loan or debt or  
17 other obligation was contracted, used, or intended, in  
18 whole or in part, for use in an election campaign or  
19 used or intended for the payment of such debts or  
20 obligations of a candidate or committee previously  
21 incurred, or which was made or received by a committee;

22 (f) Funds received by a committee which are  
23 transferred to such committee from another committee or  
24 other source, except funds received by a candidate  
25 committee as a transfer of funds from another candidate  
26 committee controlled by the same candidate but such  
27 transfer shall be included in the disclosure reports;

28 (g) Facilities, office space or equipment  
29 supplied by any person to a candidate or committee  
30 without charge or at reduced charges, except gratuitous  
31 space for meeting purposes which is made available  
32 regularly to the public, including other candidates or  
33 committees, on an equal basis for similar purposes on  
34 the same conditions;

35 (h) The direct or indirect payment by any person,  
36 other than a connected organization, of the costs of  
37 establishing, administering, or maintaining a  
38 committee, including legal, accounting and computer  
39 services, fund raising and solicitation of  
40 contributions for a committee;

41 (i) "Contribution" does not include:

42 a. Ordinary home hospitality or services provided  
43 without compensation by individuals volunteering their  
44 time in support of or in opposition to a candidate,  
45 committee or ballot measure, nor the necessary and  
46 ordinary personal expenses of such volunteers  
47 incidental to the performance of voluntary activities,  
48 so long as no compensation is directly or indirectly  
49 asked or given;

50 b. An offer or tender of a contribution which is  
51 expressly and unconditionally rejected and returned to  
52 the donor within ten business days after receipt or

1 transmitted to the state treasurer;

2 c. Interest earned on deposit of committee funds;

3 d. The costs incurred by any connected  
4 organization listed pursuant to subdivision (4) of  
5 subsection 5 of section 130.021 for establishing,  
6 administering or maintaining a committee, or for the  
7 solicitation of contributions to a committee which  
8 solicitation is solely directed or related to the  
9 members, officers, directors, employees or security  
10 holders of the connected organization;

11 (12) "County", any one of the several counties of  
12 this state or the city of St. Louis;

13 (13) "Disclosure report", an itemized report of  
14 receipts, expenditures and incurred indebtedness which  
15 is prepared on forms approved by the Missouri ethics  
16 commission and filed at the times and places  
17 prescribed;

18 (14) "Election", any primary, general or special  
19 election held to nominate or elect an individual to  
20 public office, to retain or recall an elected  
21 officeholder or to submit a ballot measure to the  
22 voters, and any caucus or other meeting of a political  
23 party or a political party committee at which that  
24 party's candidate or candidates for public office are  
25 officially selected. A primary election and the  
26 succeeding general election shall be considered  
27 separate elections;

28 (15) "Expenditure", a payment, advance,  
29 conveyance, deposit, donation or contribution of money  
30 or anything of value for the purpose of supporting or  
31 opposing the nomination or election of any candidate  
32 for public office or the qualification or passage of  
33 any ballot measure or for the support of any committee  
34 which in turn supports or opposes any candidate or  
35 ballot measure or for the purpose of paying a  
36 previously incurred campaign debt or obligation of a  
37 candidate or the debts or obligations of a committee; a  
38 payment, or an agreement or promise to pay, money or  
39 anything of value, including a candidate's own money or  
40 property, for the purchase of goods, services,  
41 property, facilities or anything of value for the  
42 purpose of supporting or opposing the nomination or  
43 election of any candidate for public office or the  
44 qualification or passage of any ballot measure or for  
45 the support of any committee which in turn supports or  
46 opposes any candidate or ballot measure or for the  
47 purpose of paying a previously incurred campaign debt  
48 or obligation of a candidate or the debts or  
49 obligations of a committee. An expenditure of anything  
50 of value shall be deemed to have a money value  
51 equivalent to the fair market value. "Expenditure"  
52 includes, but is not limited to:

1 (a) Payment by anyone other than a committee for  
2 services of another person rendered to such committee;

3 (b) The purchase of tickets, goods, services or  
4 political merchandise in connection with any  
5 testimonial affair or fund-raising event of or for  
6 candidates or committees, or the purchase of  
7 advertising in a brochure, booklet, program or pamphlet  
8 of a candidate or committee;

9 (c) The transfer of funds by one committee to  
10 another committee;

11 (d) The direct or indirect payment by any person,  
12 other than a connected organization for a committee, of  
13 the costs of establishing, administering or maintaining  
14 a committee, including legal, accounting and computer  
15 services, fund raising and solicitation of  
16 contributions for a committee; but

17 (e) "Expenditure" does not include:

18 a. Any news story, commentary or editorial which  
19 is broadcast or published by any broadcasting station,  
20 newspaper, magazine or other periodical without charge  
21 to the candidate or to any person supporting or  
22 opposing a candidate or ballot measure;

23 b. The internal dissemination by any membership  
24 organization, proprietorship, labor organization,  
25 corporation, association or other entity of information  
26 advocating the election or defeat of a candidate or  
27 candidates or the passage or defeat of a ballot measure  
28 or measures to its directors, officers, members,  
29 employees or security holders, provided that the cost  
30 incurred is reported pursuant to subsection 2 of  
31 section 130.051;

32 c. Repayment of a loan, but such repayment shall  
33 be indicated in required reports;

34 d. The rendering of voluntary personal services  
35 by an individual of the sort commonly performed by  
36 volunteer campaign workers and the payment by such  
37 individual of the individual's necessary and ordinary  
38 personal expenses incidental to such volunteer  
39 activity, provided no compensation is, directly or  
40 indirectly, asked or given;

41 e. The costs incurred by any connected  
42 organization listed pursuant to subdivision (4) of  
43 subsection 5 of section 130.021 for establishing,  
44 administering or maintaining a committee, or for the  
45 solicitation of contributions to a committee which  
46 solicitation is solely directed or related to the  
47 members, officers, directors, employees or security  
48 holders of the connected organization;

49 f. The use of a candidate's own money or property  
50 for expense of the candidate's personal food, lodging,  
51 travel, and payment of any fee necessary to the filing  
52 for public office, if such expense is not reimbursed to

1 the candidate from any source;

2 (16) "Exploratory committees", a committee which  
3 shall be formed by an individual to receive  
4 contributions and make expenditures on behalf of this  
5 individual in determining whether or not the individual  
6 seeks elective office. Such committee shall terminate  
7 no later than December thirty-first of the year prior  
8 to the general election for the possible office;

9 (17) "Fund-raising event", an event such as a  
10 dinner, luncheon, reception, coffee, testimonial,  
11 rally, auction or similar affair through which  
12 contributions are solicited or received by such means  
13 as the purchase of tickets, payment of attendance fees,  
14 donations for prizes or through the purchase of goods,  
15 services or political merchandise;

16 (18) "In-kind contribution" or "in-kind  
17 expenditure", a contribution or expenditure in a form  
18 other than money;

19 (19) "Labor organization", any organization of  
20 any kind, or any agency or employee representation  
21 committee or plan, in which employees participate and  
22 which exists for the purpose, in whole or in part, of  
23 dealing with employers concerning grievances, labor  
24 disputes, wages, rates of pay, hours of employment, or  
25 conditions of work;

26 (20) "Loan", a transfer of money, property or  
27 anything of ascertainable monetary value in exchange  
28 for an obligation, conditional or not, to repay in  
29 whole or in part and which was contracted, used, or  
30 intended for use in an election campaign, or which was  
31 made or received by a committee or which was  
32 contracted, used, or intended to pay previously  
33 incurred campaign debts or obligations of a candidate  
34 or the debts or obligations of a committee;

35 (21) "Person", an individual, group of  
36 individuals, corporation, partnership, committee,  
37 proprietorship, joint venture, any department, agency,  
38 board, institution or other entity of the state or any  
39 of its political subdivisions, union, labor  
40 organization, trade or professional or business  
41 association, association, political party or any  
42 executive committee thereof, or any other club or  
43 organization however constituted or any officer or  
44 employee of such entity acting in the person's official  
45 capacity;

46 (22) "Political action committee", a committee of  
47 continuing existence which is not formed, controlled or  
48 directed by a candidate, and is a committee other than  
49 a candidate committee, political party committee,  
50 campaign committee, exploratory committee, or debt  
51 service committee, whose primary or incidental purpose  
52 is to receive contributions or make expenditures to



1 influence or attempt to influence the action of voters  
2 whether or not a particular candidate or candidates or  
3 a particular ballot measure or measures to be supported  
4 or opposed has been determined at the time the  
5 committee is required to file any statement or report  
6 pursuant to the provisions of this chapter. Such a  
7 committee includes, but is not limited to, any  
8 committee organized or sponsored by a business entity,  
9 a labor organization, a professional association, a  
10 trade or business association, a club or other  
11 organization and whose primary purpose is to solicit,  
12 accept and use contributions from the members,  
13 employees or stockholders of such entity and any  
14 individual or group of individuals who accept and use  
15 contributions to influence or attempt to influence the  
16 action of voters. Such committee shall be formed no  
17 later than sixty days prior to the election for which  
18 the committee receives contributions or makes  
19 expenditures;

20 (23) "Political merchandise", goods such as  
21 bumper stickers, pins, hats, ties, jewelry, literature,  
22 or other items sold or distributed at a fund-raising  
23 event or to the general public for publicity or for the  
24 purpose of raising funds to be used in supporting or  
25 opposing a candidate for nomination or election or in  
26 supporting or opposing the qualification, passage or  
27 defeat of a ballot measure;

28 (24) "Political party", a political party which  
29 has the right under law to have the names of its  
30 candidates listed on the ballot in a general election;

31 (25) "Political party committee", a committee of  
32 a political party which may be organized as a  
33 not-for-profit corporation under Missouri law and has  
34 the primary or incidental purpose of receiving  
35 contributions and making expenditures to influence or  
36 attempt to influence the action of voters on behalf of  
37 the political party. Political party committees shall  
38 only take the following forms:

39 (a) One congressional district committee per  
40 political party for each congressional district in the  
41 state; and

42 (b) One state party committee per political  
43 party;

44 (26) "Public office" or "office", any state,  
45 judicial, county, municipal, school or other district,  
46 ward, township, or other political subdivision office  
47 or any political party office which is filled by a vote  
48 of registered voters;

49 (27) "Regular session", includes that period  
50 beginning on the first Wednesday after the first Monday  
51 in January and ending following the first Friday after  
52 the second Monday in May;

1           (28) "Write-in candidate", an individual whose  
2 name is not printed on the ballot but who otherwise  
3 meets the definition of candidate in subdivision (4) of  
4 this section.]

5           130.011. As used in this chapter, unless the context  
6 clearly indicates otherwise, the following terms mean:

7           (1) "Appropriate officer" or "appropriate officers", the  
8 person or persons designated in section 130.026 to receive  
9 certain required statements and reports;

10          (2) "Ballot measure" or "measure", any proposal submitted  
11 or intended to be submitted to qualified voters for their  
12 approval or rejection, including any proposal submitted by  
13 initiative petition, referendum petition, or by the general  
14 assembly or any local governmental body having authority to refer  
15 proposals to the voter;

16          (3) "Candidate", an individual who seeks nomination or  
17 election to public office. The term "candidate" includes an  
18 elected officeholder who is the subject of a recall election, an  
19 individual who seeks nomination by the individual's political  
20 party for election to public office, an individual standing for  
21 retention in an election to an office to which the individual was  
22 previously appointed, an individual who seeks nomination or  
23 election whether or not the specific elective public office to be  
24 sought has been finally determined by such individual at the time  
25 the individual meets the conditions described in paragraph (a) or  
26 (b) of this subdivision, and an individual who is a write-in  
27 candidate as defined in subdivision (28) of this section. A  
28 candidate shall be deemed to seek nomination or election when the  
29 person first:

30          (a) Receives contributions or makes expenditures or

1 reserves space or facilities with intent to promote the person's  
2 candidacy for office; or

3 (b) Knows or has reason to know that contributions are  
4 being received or expenditures are being made or space or  
5 facilities are being reserved with the intent to promote the  
6 person's candidacy for office; except that, such individual shall  
7 not be deemed a candidate if the person files a statement with  
8 the appropriate officer within five days after learning of the  
9 receipt of contributions, the making of expenditures, or the  
10 reservation of space or facilities disavowing the candidacy and  
11 stating that the person will not accept nomination or take office  
12 if elected; provided that, if the election at which such  
13 individual is supported as a candidate is to take place within  
14 five days after the person's learning of the above-specified  
15 activities, the individual shall file the statement disavowing  
16 the candidacy within one day; or

17 (c) Announces or files a declaration of candidacy for  
18 office;

19 (4) "Cash", currency, coin, United States postage stamps,  
20 or any negotiable instrument which can be transferred from one  
21 person to another person without the signature or endorsement of  
22 the transferor;

23 (5) "Check", a check drawn on a state or federal bank, or a  
24 draft on a negotiable order of withdrawal account in a savings  
25 and loan association or a share draft account in a credit union;

26 (6) "Closing date", the date through which a statement or  
27 report is required to be complete;

28 (7) "Committee", a person or any combination of persons,  
29 who accepts contributions or makes expenditures for the primary

1 or incidental purpose of influencing or attempting to influence  
2 the action of voters for or against the nomination or election to  
3 public office of one or more candidates or the qualification,  
4 passage or defeat of any ballot measure or for the purpose of  
5 paying a previously incurred campaign debt or obligation of a  
6 candidate or the debts or obligations of a committee or for the  
7 purpose of contributing funds to another committee:

8 (a) "Committee", does not include:

9 a. A person or combination of persons, if neither the  
10 aggregate of expenditures made nor the aggregate of contributions  
11 received during a calendar year exceeds five hundred dollars and  
12 if no single contributor has contributed more than two hundred  
13 fifty dollars of such aggregate contributions;

14 b. An individual, other than a candidate, who accepts no  
15 contributions and who deals only with the individual's own funds  
16 or property;

17 c. A corporation, cooperative association, partnership,  
18 proprietorship, or joint venture organized or operated for a  
19 primary or principal purpose other than that of influencing or  
20 attempting to influence the action of voters for or against the  
21 nomination or election to public office of one or more candidates  
22 or the qualification, passage or defeat of any ballot measure,  
23 and it accepts no contributions, and all expenditures it makes  
24 are from its own funds or property obtained in the usual course  
25 of business or in any commercial or other transaction and which  
26 are not contributions as defined by subdivision (12) of this  
27 section;

28 d. A labor organization organized or operated for a primary  
29 or principal purpose other than that of influencing or attempting

1 to influence the action of voters for or against the nomination  
2 or election to public office of one or more candidates, or the  
3 qualification, passage, or defeat of any ballot measure, and it  
4 accepts no contributions, and expenditures made by the  
5 organization are from its own funds or property received from  
6 membership dues or membership fees which were given or solicited  
7 for the purpose of supporting the normal and usual activities and  
8 functions of the organization and which are not contributions as  
9 defined by subdivision (12) of this section;

10 e. A person who acts as an authorized agent for a committee  
11 in soliciting or receiving contributions or in making  
12 expenditures or incurring indebtedness on behalf of the committee  
13 if such person renders to the committee treasurer or deputy  
14 treasurer or candidate, if applicable, an accurate account of  
15 each receipt or other transaction in the detail required by the  
16 treasurer to comply with all record-keeping and reporting  
17 requirements of this chapter;

18 f. Any department, agency, board, institution or other  
19 entity of the state or any of its subdivisions or any officer or  
20 employee thereof, acting in the person's official capacity;

21 (b) The term "committee" includes, but is not limited to,  
22 each of the following committees: campaign committee, candidate  
23 committee, continuing committee and political party committee;

24 (8) "Campaign committee", a committee, other than a  
25 candidate committee, which shall be formed by an individual or  
26 group of individuals to receive contributions or make  
27 expenditures and whose sole purpose is to support or oppose the  
28 qualification and passage of one or more particular ballot  
29 measures in an election or the retention of judges under the

1 nonpartisan court plan, such committee shall be formed no later  
2 than thirty days prior to the election for which the committee  
3 receives contributions or makes expenditures, and which shall  
4 terminate the later of either thirty days after the general  
5 election or upon the satisfaction of all committee debt after the  
6 general election, except that no committee retiring debt shall  
7 engage in any other activities in support of a measure for which  
8 the committee was formed;

9 (9) "Candidate committee", a committee which shall be  
10 formed by a candidate to receive contributions or make  
11 expenditures in behalf of the person's candidacy and which shall  
12 continue in existence for use by an elected candidate or which  
13 shall terminate the later of either thirty days after the general  
14 election for a candidate who was not elected or upon the  
15 satisfaction of all committee debt after the election, except  
16 that no committee retiring debt shall engage in any other  
17 activities in support of the candidate for which the committee  
18 was formed. Any candidate for elective office shall have only  
19 one candidate committee for the elective office sought, which is  
20 controlled directly by the candidate for the purpose of making  
21 expenditures. A candidate committee is presumed to be under the  
22 control and direction of the candidate unless the candidate files  
23 an affidavit with the appropriate officer stating that the  
24 committee is acting without control or direction on the  
25 candidate's part;

26 (10) "Continuing committee", a committee of continuing  
27 existence which is not formed, controlled or directed by a  
28 candidate, and is a committee other than a candidate committee or  
29 campaign committee, whose primary or incidental purpose is to

1 receive contributions or make expenditures to influence or  
2 attempt to influence the action of voters whether or not a  
3 particular candidate or candidates or a particular ballot measure  
4 or measures to be supported or opposed has been determined at the  
5 time the committee is required to file any statement or report  
6 pursuant to the provisions of this chapter. "Continuing  
7 committee" includes, but is not limited to, any committee  
8 organized or sponsored by a business entity, a labor  
9 organization, a professional association, a trade or business  
10 association, a club or other organization and whose primary  
11 purpose is to solicit, accept and use contributions from the  
12 members, employees or stockholders of such entity and any  
13 individual or group of individuals who accept and use  
14 contributions to influence or attempt to influence the action of  
15 voters. Such committee shall be formed no later than sixty days  
16 prior to the election for which the committee receives  
17 contributions or makes expenditures;

18 (11) "Connected organization", any organization such as a  
19 corporation, a labor organization, a membership organization, a  
20 cooperative, or trade or professional association which expends  
21 funds or provides services or facilities to establish, administer  
22 or maintain a committee or to solicit contributions to a  
23 committee from its members, officers, directors, employees or  
24 security holders. An organization shall be deemed to be the  
25 connected organization if more than fifty percent of the persons  
26 making contributions to the committee during the current calendar  
27 year are members, officers, directors, employees or security  
28 holders of such organization or their spouses;

29 (12) "Contribution", a payment, gift, loan, advance,

1 deposit, or donation of money or anything of value for the  
2 purpose of supporting or opposing the nomination or election of  
3 any candidate for public office or the qualification, passage or  
4 defeat of any ballot measure, or for the support of any committee  
5 supporting or opposing candidates or ballot measures or for  
6 paying debts or obligations of any candidate or committee  
7 previously incurred for the above purposes. A contribution of  
8 anything of value shall be deemed to have a money value  
9 equivalent to the fair market value. "Contribution" includes,  
10 but is not limited to:

11 (a) A candidate's own money or property used in support of  
12 the person's candidacy other than expense of the candidate's  
13 food, lodging, travel, and payment of any fee necessary to the  
14 filing for public office;

15 (b) Payment by any person, other than a candidate or  
16 committee, to compensate another person for services rendered to  
17 that candidate or committee;

18 (c) Receipts from the sale of goods and services, including  
19 the sale of advertising space in a brochure, booklet, program or  
20 pamphlet of a candidate or committee and the sale of tickets or  
21 political merchandise;

22 (d) Receipts from fund-raising events including testimonial  
23 affairs;

24 (e) Any loan, guarantee of a loan, cancellation or  
25 forgiveness of a loan or debt or other obligation by a third  
26 party, or payment of a loan or debt or other obligation by a  
27 third party if the loan or debt or other obligation was  
28 contracted, used, or intended, in whole or in part, for use in an  
29 election campaign or used or intended for the payment of such



1 debts or obligations of a candidate or committee previously  
2 incurred, or which was made or received by a committee;

3 (f) Funds received by a committee which are transferred to  
4 such committee from another committee or other source, except  
5 funds received by a candidate committee as a transfer of funds  
6 from another candidate committee controlled by the same candidate  
7 but such transfer shall be included in the disclosure reports;

8 (g) Facilities, office space or equipment supplied by any  
9 person to a candidate or committee without charge or at reduced  
10 charges, except gratuitous space for meeting purposes which is  
11 made available regularly to the public, including other  
12 candidates or committees, on an equal basis for similar purposes  
13 on the same conditions;

14 (h) The direct or indirect payment by any person, other  
15 than a connected organization, of the costs of establishing,  
16 administering, or maintaining a committee, including legal,  
17 accounting and computer services, fund raising and solicitation  
18 of contributions for a committee;

19 (i) "Contribution" does not include:

20 a. Ordinary home hospitality or services provided without  
21 compensation by individuals volunteering their time in support of  
22 or in opposition to a candidate, committee or ballot measure, nor  
23 the necessary and ordinary personal expenses of such volunteers  
24 incidental to the performance of voluntary activities, so long as  
25 no compensation is directly or indirectly asked or given;

26 b. An offer or tender of a contribution which is expressly  
27 and unconditionally rejected and returned to the donor within ten  
28 business days after receipt or transmitted to the state  
29 treasurer;

1 c. Interest earned on deposit of committee funds;

2 d. The costs incurred by any connected organization listed  
3 pursuant to subdivision (4) of subsection 5 of section 130.021  
4 for establishing, administering or maintaining a committee, or  
5 for the solicitation of contributions to a committee which  
6 solicitation is solely directed or related to the members,  
7 officers, directors, employees or security holders of the  
8 connected organization;

9 (13) "County", any one of the several counties of this  
10 state or the city of St. Louis;

11 (14) "Covered communication":

12 (a) Paid advertisements broadcast over radio, television,  
13 cable, or satellite in this state;

14 (b) Paid placement of content on the internet or other  
15 electronic communication network targeted to voters in this  
16 state;

17 (c) Paid advertisements published in a periodical or on a  
18 billboard in this state;

19 (d) Paid telephone communications to five hundred or more  
20 households in this state;

21 (e) Mailings sent or distributed through the United States  
22 Postal Service or similar private mail carriers to two thousand  
23 or more recipients in this state; and

24 (f) Printed materials exceeding two thousand copies  
25 distributed in this state;

26 (15) "Covered organization", any organization that is  
27 exempt from taxation under Section 501(c)(4) of the Internal  
28 Revenue Code of 1986, as amended;

29 (16) "Disclosure report", an itemized report of receipts,

1 expenditures and incurred indebtedness which is prepared on forms  
2 approved by the Missouri ethics commission and filed at the times  
3 and places prescribed;

4 [(15)] (17) "Election", any primary, general or special  
5 election held to nominate or elect an individual to public  
6 office, to retain or recall an elected officeholder or to submit  
7 a ballot measure to the voters, and any caucus or other meeting  
8 of a political party or a political party committee at which that  
9 party's candidate or candidates for public office are officially  
10 selected. A primary election and the succeeding general election  
11 shall be considered separate elections;

12 (18) "Electioneering activities":

13 (a) Any covered communication that influences or attempts  
14 to influence the action of voters for or against the nomination  
15 or election to public office of one or more candidates or the  
16 qualification, passage, or defeat of any ballot measure; and

17 (b) Any covered communication made within forty-five days  
18 of a primary election or ninety days of a general election that:

19 a. Identifies or depicts a particular candidate by name but  
20 does not specifically call for his or her election or defeat; or

21 b. Identifies or depicts a particular ballot measure by  
22 name or by its proposition or amendment number but does not  
23 specifically call for its qualification, passage, or defeat;

24 [(16)] (19) "Expenditure", a payment, advance, conveyance,  
25 deposit, donation or contribution of money or anything of value  
26 for the purpose of supporting or opposing the nomination or  
27 election of any candidate for public office or the qualification  
28 or passage of any ballot measure or for the support of any  
29 committee which in turn supports or opposes any candidate or

1 ballot measure or for the purpose of paying a previously incurred  
2 campaign debt or obligation of a candidate or the debts or  
3 obligations of a committee; a payment, or an agreement or promise  
4 to pay, money or anything of value, including a candidate's own  
5 money or property, for the purchase of goods, services, property,  
6 facilities or anything of value for the purpose of supporting or  
7 opposing the nomination or election of any candidate for public  
8 office or the qualification or passage of any ballot measure or  
9 for the support of any committee which in turn supports or  
10 opposes any candidate or ballot measure or for the purpose of  
11 paying a previously incurred campaign debt or obligation of a  
12 candidate or the debts or obligations of a committee. An  
13 expenditure of anything of value shall be deemed to have a money  
14 value equivalent to the fair market value. "Expenditure"  
15 includes, but is not limited to:

16 (a) Payment by anyone other than a committee for services  
17 of another person rendered to such committee;

18 (b) The purchase of tickets, goods, services or political  
19 merchandise in connection with any testimonial affair or  
20 fund-raising event of or for candidates or committees, or the  
21 purchase of advertising in a brochure, booklet, program or  
22 pamphlet of a candidate or committee;

23 (c) The transfer of funds by one committee to another  
24 committee;

25 (d) The direct or indirect payment by any person, other  
26 than a connected organization for a committee, of the costs of  
27 establishing, administering or maintaining a committee, including  
28 legal, accounting and computer services, fund raising and  
29 solicitation of contributions for a committee; but

1 (e) "Expenditure" does not include:

2 a. Any news story, commentary or editorial which is  
3 broadcast or published by any broadcasting station, newspaper,  
4 magazine or other periodical without charge to the candidate or  
5 to any person supporting or opposing a candidate or ballot  
6 measure;

7 b. The internal dissemination by any membership  
8 organization, proprietorship, labor organization, corporation,  
9 association or other entity of information advocating the  
10 election or defeat of a candidate or candidates or the passage or  
11 defeat of a ballot measure or measures to its directors,  
12 officers, members, employees or security holders, provided that  
13 the cost incurred is reported pursuant to subsection 2 of section  
14 130.051;

15 c. Repayment of a loan, but such repayment shall be  
16 indicated in required reports;

17 d. The rendering of voluntary personal services by an  
18 individual of the sort commonly performed by volunteer campaign  
19 workers and the payment by such individual of the individual's  
20 necessary and ordinary personal expenses incidental to such  
21 volunteer activity, provided no compensation is, directly or  
22 indirectly, asked or given;

23 e. The costs incurred by any connected organization listed  
24 pursuant to subdivision (4) of subsection 5 of section 130.021  
25 for establishing, administering or maintaining a committee, or  
26 for the solicitation of contributions to a committee which  
27 solicitation is solely directed or related to the members,  
28 officers, directors, employees or security holders of the  
29 connected organization;

1 f. The use of a candidate's own money or property for  
2 expense of the candidate's personal food, lodging, travel, and  
3 payment of any fee necessary to the filing for public office, if  
4 such expense is not reimbursed to the candidate from any source;

5 [(17)] (20) "Exploratory committees", a committee which  
6 shall be formed by an individual to receive contributions and  
7 make expenditures on behalf of this individual in determining  
8 whether or not the individual seeks elective office. Such  
9 committee shall terminate no later than December thirty-first of  
10 the year prior to the general election for the possible office;

11 [(18)] (21) "Fund-raising event", an event such as a  
12 dinner, luncheon, reception, coffee, testimonial, rally, auction  
13 or similar affair through which contributions are solicited or  
14 received by such means as the purchase of tickets, payment of  
15 attendance fees, donations for prizes or through the purchase of  
16 goods, services or political merchandise;

17 [(19)] (22) "In-kind contribution" or "in-kind  
18 expenditure", a contribution or expenditure in a form other than  
19 money;

20 [(20)] (23) "Labor organization", any organization of any  
21 kind, or any agency or employee representation committee or plan,  
22 in which employees participate and which exists for the purpose,  
23 in whole or in part, of dealing with employers concerning  
24 grievances, labor disputes, wages, rates of pay, hours of  
25 employment, or conditions of work;

26 [(21)] (24) "Loan", a transfer of money, property or  
27 anything of ascertainable monetary value in exchange for an  
28 obligation, conditional or not, to repay in whole or in part and  
29 which was contracted, used, or intended for use in an election

1 campaign, or which was made or received by a committee or which  
2 was contracted, used, or intended to pay previously incurred  
3 campaign debts or obligations of a candidate or the debts or  
4 obligations of a committee;

5 [(22)] (25) "Person", an individual, group of individuals,  
6 corporation, partnership, committee, proprietorship, joint  
7 venture, any department, agency, board, institution or other  
8 entity of the state or any of its political subdivisions, union,  
9 labor organization, trade or professional or business  
10 association, association, political party or any executive  
11 committee thereof, or any other club or organization however  
12 constituted or any officer or employee of such entity acting in  
13 the person's official capacity;

14 [(23)] (26) "Political merchandise", goods such as bumper  
15 stickers, pins, hats, ties, jewelry, literature, or other items  
16 sold or distributed at a fund-raising event or to the general  
17 public for publicity or for the purpose of raising funds to be  
18 used in supporting or opposing a candidate for nomination or  
19 election or in supporting or opposing the qualification, passage  
20 or defeat of a ballot measure;

21 [(24)] (27) "Political party", a political party which has  
22 the right under law to have the names of its candidates listed on  
23 the ballot in a general election;

24 [(25)] (28) "Political party committee", a state, district,  
25 county, city, or area committee of a political party, as defined  
26 in section 115.603, which may be organized as a not-for-profit  
27 corporation under Missouri law, and which committee is of  
28 continuing existence, and has the primary or incidental purpose  
29 of receiving contributions and making expenditures to influence

1 or attempt to influence the action of voters on behalf of the  
2 political party;

3 [(26)] (29) "Public office" or "office", any state,  
4 judicial, county, municipal, school or other district, ward,  
5 township, or other political subdivision office or any political  
6 party office which is filled by a vote of registered voters;

7 [(27)] (30) "Regular session", includes that period  
8 beginning on the first Wednesday after the first Monday in  
9 January and ending following the first Friday after the second  
10 Monday in May;

11 [(28)] (31) "Write-in candidate", an individual whose name  
12 is not printed on the ballot but who otherwise meets the  
13 definition of candidate in subdivision (3) of this section.

14 130.062. 1. By January thirty-first of each year, any  
15 covered organization that made expenditures for the purpose of  
16 electioneering activities by means of a covered communication, or  
17 that made a contribution, including in-kind contributions, to a  
18 committee in the previous calendar year shall disclose in an  
19 electronic disclosure report to the ethics commission:

20 (1) All expenditures made for purposes of electioneering  
21 activities by means of a covered communication in the previous  
22 calendar year;

23 (2) All contributions, including in-kind contributions, to  
24 a committee in the previous calendar year;

25 (3) The percentage of their total expenditures from the  
26 previous calendar year for purposes of electioneering activities  
27 by means of a covered communication;

28 (4) The percentage of their total expenditures made from  
29 the previous calendar year for contributions including in-kind



1 contributions to a committee during the previous calendar year;

2 (5) The name and address of each person or entity making  
3 any single donation over one thousand dollars, and each person or  
4 entity who has made, in the aggregate, donations over one  
5 thousand dollars to such organization during the previous  
6 calendar year; and

7 (6) The date and amount of each donation over one thousand  
8 dollars, or of any donation from a person who has made, in the  
9 aggregate, donations over one thousand dollars to such  
10 organization during the previous calendar year.

11  
12 Such information shall be a matter of public record which the  
13 ethics commission shall subsequently make available to the  
14 public.

15 2. Any organization required to file disclosure reports  
16 under subsection 1 of this section shall make such disclosures  
17 electronically.

18 3. (1) Any covered organization that:

19 (a) Makes expenditures in excess of five thousand dollars  
20 for the purpose of electioneering activities by means of a  
21 covered communication shall make an electronic disclosure report  
22 to the ethics commission within forty-eight hours of exceeding  
23 such limit. The report shall state specifically the expenditure  
24 amount, the person or entity receiving the expenditures, and with  
25 what ballot measure or candidate such expenditure concerns. If a  
26 covered communication calls specifically for the passage,  
27 election, or defeat of a candidate or measure, the report shall  
28 indicate such information; or

29 (b) Makes contributions, including in-kind contributions,

1 of over five thousand dollars to a committee shall make an  
2 electronic disclosure report to the ethics commission within  
3 forty-eight hours of making such contribution. The report shall  
4 specifically state the contribution amount and the committee to  
5 which the contribution was made.

6 (2) Every electronic disclosure report required under this  
7 subsection shall include the date and amount of each donation, as  
8 well as the name, address, and employer, occupation if self-  
9 employed, or notation of retirement of each donor who has donated  
10 over five thousand dollars to the covered organization in the  
11 previous twelve-month period.

12 (3) The ethics commission shall assess fees on the board of  
13 directors of a covered organization in the same manner as  
14 provided in section 105.963 for failure to file reports required  
15 by this section.

16 Section B. The repeal of section 130.011 as enacted by  
17 senate bill no. 844, ninety-fifth general assembly, second  
18 regular session, the repeal and reenactment of section 130.011 as  
19 enacted by house bill no. 1900, ninety-third general assembly,  
20 second regular session, and the enactment of section 130.062 of  
21 this act shall become effective January 1, 2017."; and

22 Further amend the title and enacting clause accordingly.