

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SA SS/SCS/House Bill No. 2203, Page 1, Section _____, Line 1,

2 by striking the following: "105.453, Line 14" and inserting in
 3 lieu thereof the following: "Section Title, Line 6, by inserting
 4 after the word "funds" the following: ", with an effective date
 5 for certain sections"; and

6 Further amend said amendment, line 3, by inserting at the
 7 end of said line the following:

8 "; and

9 Further amend said bill and section, page 2, line 6 by
 10 inserting after all of said line the following:

11
 12 "[130.011. As used in this chapter, unless the context
 13 clearly indicates otherwise, the following terms mean:

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

17 (2) "Ballot measure" or "measure", any proposal
 18 submitted or intended to be submitted to qualified voters
 19 for their approval or rejection, including any proposal
 20 submitted by initiative petition, referendum petition, or by
 21 the general assembly or any local governmental body having
 22 authority to refer proposals to the voter;

23 (3) "Campaign committee", a committee, other than a
 24 candidate committee, which shall be formed by an individual
 25 or group of individuals to receive contributions or make
 26 expenditures and whose sole purpose is to support or oppose
 27 the qualification and passage of one or more particular
 28 ballot measures in an election or the retention of judges
 29 under the nonpartisan court plan, such committee shall be
 30 formed no later than thirty days prior to the election for

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

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

23 (a) Receives contributions or makes expenditures or
24 reserves space or facilities with intent to promote the
25 person's candidacy for office; or

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

41 (c) Announces or files a declaration of candidacy for
42 office;

43 (5) "Candidate committee", a committee which shall be
44 formed by a candidate to receive contributions or make
45 expenditures in behalf of the person's candidacy and which
46 shall continue in existence for use by an elected candidate
47 or which shall terminate the later of either thirty days
48 after the general election for a candidate who was not
49 elected or upon the satisfaction of all committee debt after
50 the election, except that no committee retiring debt shall
51 engage in any other activities in support of the candidate
52 for which the committee was formed. Any candidate for

1 elective office shall have only one candidate committee for
2 the elective office sought, which is controlled directly by
3 the candidate for the purpose of making expenditures. A
4 candidate committee is presumed to be under the control and
5 direction of the candidate unless the candidate files an
6 affidavit with the appropriate officer stating that the
7 committee is acting without control or direction on the
8 candidate's part;

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

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

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

19 (9) "Committee", a person or any combination of
20 persons, who accepts contributions or makes expenditures for
21 the primary or incidental purpose of influencing or
22 attempting to influence the action of voters for or against
23 the nomination or election to public office of one or more
24 candidates or the qualification, passage or defeat of any
25 ballot measure or for the purpose of paying a previously
26 incurred campaign debt or obligation of a candidate or the
27 debts or obligations of a committee or for the purpose of
28 contributing funds to another committee:

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

30 a. A person or combination of persons, if neither the
31 aggregate of expenditures made nor the aggregate of
32 contributions received during a calendar year exceeds five
33 hundred dollars and if no single contributor has contributed
34 more than two hundred fifty dollars of such aggregate
35 contributions;

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

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

51 d. A labor organization organized or operated for a
52 primary or principal purpose other than that of influencing

1 or attempting to influence the action of voters for or
2 against the nomination or election to public office of one
3 or more candidates, or the qualification, passage, or defeat
4 of any ballot measure, and it accepts no contributions, and
5 expenditures made by the organization are from its own funds
6 or property received from membership dues or membership fees
7 which were given or solicited for the purpose of supporting
8 the normal and usual activities and functions of the
9 organization and which are not contributions as defined by
10 subdivision (11) of this section;

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

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

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

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

39 (11) "Contribution", a payment, gift, loan, advance,
40 deposit, or donation of money or anything of value for the
41 purpose of supporting or opposing the nomination or election
42 of any candidate for public office or the qualification,
43 passage or defeat of any ballot measure, or for the support
44 of any committee supporting or opposing candidates or ballot
45 measures or for paying debts or obligations of any candidate
46 or committee previously incurred for the above purposes. A
47 contribution of anything of value shall be deemed to have a
48 money value equivalent to the fair market value.

49 "Contribution" includes, but is not limited to:

50 (a) A candidate's own money or property used in
51 support of the person's candidacy other than expense of the
52 candidate's food, lodging, travel, and payment of any fee

1 necessary to the filing for public office;

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

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

9 (d) Receipts from fund-raising events including
10 testimonial affairs;

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

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

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

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

37 (i) "Contribution" does not include:

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

45 b. An offer or tender of a contribution which is
46 expressly and unconditionally rejected and returned to the
47 donor within ten business days after receipt or transmitted
48 to the state treasurer;

49 c. Interest earned on deposit of committee funds;

50 d. The costs incurred by any connected organization
51 listed pursuant to subdivision (4) of subsection 5 of
52 section 130.021 for establishing, administering or

1 maintaining a committee, or for the solicitation of
2 contributions to a committee which solicitation is solely
3 directed or related to the members, officers, directors,
4 employees or security holders of the connected organization;

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

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

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

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

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

45 (b) The purchase of tickets, goods, services or
46 political merchandise in connection with any testimonial
47 affair or fund-raising event of or for candidates or
48 committees, or the purchase of advertising in a brochure,
49 booklet, program or pamphlet of a candidate or committee;

50 (c) The transfer of funds by one committee to another
51 committee;

52 (d) The direct or indirect payment by any person,

1 other than a connected organization for a committee, of the
2 costs of establishing, administering or maintaining a
3 committee, including legal, accounting and computer
4 services, fund raising and solicitation of contributions for
5 a committee; but

6 (e) "Expenditure" does not include:

7 a. Any news story, commentary or editorial which is
8 broadcast or published by any broadcasting station,
9 newspaper, magazine or other periodical without charge to
10 the candidate or to any person supporting or opposing a
11 candidate or ballot measure;

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

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

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

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

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

40 (16) "Exploratory committees", a committee which shall
41 be formed by an individual to receive contributions and make
42 expenditures on behalf of this individual in determining
43 whether or not the individual seeks elective office. Such
44 committee shall terminate no later than December
45 thirty-first of the year prior to the general election for
46 the possible office;

47 (17) "Fund-raising event", an event such as a dinner,
48 luncheon, reception, coffee, testimonial, rally, auction or
49 similar affair through which contributions are solicited or
50 received by such means as the purchase of tickets, payment
51 of attendance fees, donations for prizes or through the
52 purchase of goods, services or political merchandise;

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

3 (19) "Labor organization", any organization of any
4 kind, or any agency or employee representation committee or
5 plan, in which employees participate and which exists for
6 the purpose, in whole or in part, of dealing with employers
7 concerning grievances, labor disputes, wages, rates of pay,
8 hours of employment, or conditions of work;

9 (20) "Loan", a transfer of money, property or anything
10 of ascertainable monetary value in exchange for an
11 obligation, conditional or not, to repay in whole or in part
12 and which was contracted, used, or intended for use in an
13 election campaign, or which was made or received by a
14 committee or which was contracted, used, or intended to pay
15 previously incurred campaign debts or obligations of a
16 candidate or the debts or obligations of a committee;

17 (21) "Person", an individual, group of individuals,
18 corporation, partnership, committee, proprietorship, joint
19 venture, any department, agency, board, institution or other
20 entity of the state or any of its political subdivisions,
21 union, labor organization, trade or professional or business
22 association, association, political party or any executive
23 committee thereof, or any other club or organization however
24 constituted or any officer or employee of such entity acting
25 in the person's official capacity;

26 (22) "Political action committee", a committee of
27 continuing existence which is not formed, controlled or
28 directed by a candidate, and is a committee other than a
29 candidate committee, political party committee, campaign
30 committee, exploratory committee, or debt service committee,
31 whose primary or incidental purpose is to receive
32 contributions or make expenditures to influence or attempt
33 to influence the action of voters whether or not a
34 particular candidate or candidates or a particular ballot
35 measure or measures to be supported or opposed has been
36 determined at the time the committee is required to file any
37 statement or report pursuant to the provisions of this
38 chapter. Such a committee includes, but is not limited to,
39 any committee organized or sponsored by a business entity, a
40 labor organization, a professional association, a trade or
41 business association, a club or other organization and whose
42 primary purpose is to solicit, accept and use contributions
43 from the members, employees or stockholders of such entity
44 and any individual or group of individuals who accept and
45 use contributions to influence or attempt to influence the
46 action of voters. Such committee shall be formed no later
47 than sixty days prior to the election for which the
48 committee receives contributions or makes expenditures;

49 (23) "Political merchandise", goods such as bumper
50 stickers, pins, hats, ties, jewelry, literature, or other
51 items sold or distributed at a fund-raising event or to the
52 general public for publicity or for the purpose of raising

1 funds to be used in supporting or opposing a candidate for
2 nomination or election or in supporting or opposing the
3 qualification, passage or defeat of a ballot measure;

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

7 (25) "Political party committee", a committee of a
8 political party which may be organized as a not-for-profit
9 corporation under Missouri law and has the primary or
10 incidental purpose of receiving contributions and making
11 expenditures to influence or attempt to influence the action
12 of voters on behalf of the political party. Political party
13 committees shall only take the following forms:

14 (a) One congressional district committee per political
15 party for each congressional district in the state; and

16 (b) One state party committee per political party;

17 (26) "Public office" or "office", any state, judicial,
18 county, municipal, school or other district, ward, township,
19 or other political subdivision office or any political party
20 office which is filled by a vote of registered voters;

21 (27) "Regular session", includes that period beginning
22 on the first Wednesday after the first Monday in January and
23 ending following the first Friday after the second Monday in
24 May;

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

29 130.011. As used in this chapter, unless the context
30 clearly indicates otherwise, the following terms mean:

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

34 (2) "Ballot measure" or "measure", any proposal submitted
35 or intended to be submitted to qualified voters for their
36 approval or rejection, including any proposal submitted by
37 initiative petition, referendum petition, or by the general
38 assembly or any local governmental body having authority to refer
39 proposals to the voter;

40 (3) "Candidate", an individual who seeks nomination or
41 election to public office. The term "candidate" includes an
42 elected officeholder who is the subject of a recall election, an

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

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

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

29 (c) Announces or files a declaration of candidacy for

1 office;

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

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

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

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

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

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

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

29 c. A corporation, cooperative association, partnership,

1 proprietorship, or joint venture organized or operated for a
2 primary or principal purpose other than that of influencing or
3 attempting to influence the action of voters for or against the
4 nomination or election to public office of one or more candidates
5 or the qualification, passage or defeat of any ballot measure,
6 and it accepts no contributions, and all expenditures it makes
7 are from its own funds or property obtained in the usual course
8 of business or in any commercial or other transaction and which
9 are not contributions as defined by subdivision (12) of this
10 section;

11 d. A labor organization organized or operated for a primary
12 or principal purpose other than that of influencing or attempting
13 to influence the action of voters for or against the nomination
14 or election to public office of one or more candidates, or the
15 qualification, passage, or defeat of any ballot measure, and it
16 accepts no contributions, and expenditures made by the
17 organization are from its own funds or property received from
18 membership dues or membership fees which were given or solicited
19 for the purpose of supporting the normal and usual activities and
20 functions of the organization and which are not contributions as
21 defined by subdivision (12) of this section;

22 e. A person who acts as an authorized agent for a committee
23 in soliciting or receiving contributions or in making
24 expenditures or incurring indebtedness on behalf of the committee
25 if such person renders to the committee treasurer or deputy
26 treasurer or candidate, if applicable, an accurate account of
27 each receipt or other transaction in the detail required by the
28 treasurer to comply with all record-keeping and reporting
29 requirements of this chapter;

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

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

7 (8) "Campaign committee", a committee, other than a
8 candidate committee, which shall be formed by an individual or
9 group of individuals to receive contributions or make
10 expenditures and whose sole purpose is to support or oppose the
11 qualification and passage of one or more particular ballot
12 measures in an election or the retention of judges under the
13 nonpartisan court plan, such committee shall be formed no later
14 than thirty days prior to the election for which the committee
15 receives contributions or makes expenditures, and which shall
16 terminate the later of either thirty days after the general
17 election or upon the satisfaction of all committee debt after the
18 general election, except that no committee retiring debt shall
19 engage in any other activities in support of a measure for which
20 the committee was formed;

21 (9) "Candidate committee", a committee which shall be
22 formed by a candidate to receive contributions or make
23 expenditures in behalf of the person's candidacy and which shall
24 continue in existence for use by an elected candidate or which
25 shall terminate the later of either thirty days after the general
26 election for a candidate who was not elected or upon the
27 satisfaction of all committee debt after the election, except
28 that no committee retiring debt shall engage in any other
29 activities in support of the candidate for which the committee

1 was formed. Any candidate for elective office shall have only
2 one candidate committee for the elective office sought, which is
3 controlled directly by the candidate for the purpose of making
4 expenditures. A candidate committee is presumed to be under the
5 control and direction of the candidate unless the candidate files
6 an affidavit with the appropriate officer stating that the
7 committee is acting without control or direction on the
8 candidate's part;

9 (10) "Continuing committee", a committee of continuing
10 existence which is not formed, controlled or directed by a
11 candidate, and is a committee other than a candidate committee or
12 campaign committee, whose primary or incidental purpose is to
13 receive contributions or make expenditures to influence or
14 attempt to influence the action of voters whether or not a
15 particular candidate or candidates or a particular ballot measure
16 or measures to be supported or opposed has been determined at the
17 time the committee is required to file any statement or report
18 pursuant to the provisions of this chapter. "Continuing
19 committee" includes, but is not limited to, any committee
20 organized or sponsored by a business entity, a labor
21 organization, a professional association, a trade or business
22 association, a club or other organization and whose primary
23 purpose is to solicit, accept and use contributions from the
24 members, employees or stockholders of such entity and any
25 individual or group of individuals who accept and use
26 contributions to influence or attempt to influence the action of
27 voters. Such committee shall be formed no later than sixty days
28 prior to the election for which the committee receives
29 contributions or makes expenditures;

1 (11) "Connected organization", any organization such as a
2 corporation, a labor organization, a membership organization, a
3 cooperative, or trade or professional association which expends
4 funds or provides services or facilities to establish, administer
5 or maintain a committee or to solicit contributions to a
6 committee from its members, officers, directors, employees or
7 security holders. An organization shall be deemed to be the
8 connected organization if more than fifty percent of the persons
9 making contributions to the committee during the current calendar
10 year are members, officers, directors, employees or security
11 holders of such organization or their spouses;

12 (12) "Contribution", a payment, gift, loan, advance,
13 deposit, or donation of money or anything of value for the
14 purpose of supporting or opposing the nomination or election of
15 any candidate for public office or the qualification, passage or
16 defeat of any ballot measure, or for the support of any committee
17 supporting or opposing candidates or ballot measures or for
18 paying debts or obligations of any candidate or committee
19 previously incurred for the above purposes. A contribution of
20 anything of value shall be deemed to have a money value
21 equivalent to the fair market value. "Contribution" includes,
22 but is not limited to:

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

27 (b) Payment by any person, other than a candidate or
28 committee, to compensate another person for services rendered to
29 that candidate or committee;

1 (c) Receipts from the sale of goods and services, including
2 the sale of advertising space in a brochure, booklet, program or
3 pamphlet of a candidate or committee and the sale of tickets or
4 political merchandise;

5 (d) Receipts from fund-raising events including testimonial
6 affairs;

7 (e) Any loan, guarantee of a loan, cancellation or
8 forgiveness of a loan or debt or other obligation by a third
9 party, or payment of a loan or debt or other obligation by a
10 third party if the loan or debt or other obligation was
11 contracted, used, or intended, in whole or in part, for use in an
12 election campaign or used or intended for the payment of such
13 debts or obligations of a candidate or committee previously
14 incurred, or which was made or received by a committee;

15 (f) Funds received by a committee which are transferred to
16 such committee from another committee or other source, except
17 funds received by a candidate committee as a transfer of funds
18 from another candidate committee controlled by the same candidate
19 but such transfer shall be included in the disclosure reports;

20 (g) Facilities, office space or equipment supplied by any
21 person to a candidate or committee without charge or at reduced
22 charges, except gratuitous space for meeting purposes which is
23 made available regularly to the public, including other
24 candidates or committees, on an equal basis for similar purposes
25 on the same conditions;

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

1 of contributions for a committee;

2 (i) "Contribution" does not include:

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

9 b. An offer or tender of a contribution which is expressly
10 and unconditionally rejected and returned to the donor within ten
11 business days after receipt or transmitted to the state
12 treasurer;

13 c. Interest earned on deposit of committee funds;

14 d. The costs incurred by any connected organization listed
15 pursuant to subdivision (4) of subsection 5 of section 130.021
16 for establishing, administering or maintaining a committee, or
17 for the solicitation of contributions to a committee which
18 solicitation is solely directed or related to the members,
19 officers, directors, employees or security holders of the
20 connected organization;

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

23 (14) "Covered communication":

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

26 (b) Paid placement of content on the internet or other
27 electronic communication network targeted to voters in this
28 state;

29 (c) Paid advertisements published in a periodical or on a

1 billboard in this state;

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

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

7 (f) Printed materials exceeding two thousand copies
8 distributed in this state;

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

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

16 **[(15)]** (17) "Election", any primary, general or special
17 election held to nominate or elect an individual to public
18 office, to retain or recall an elected officeholder or to submit
19 a ballot measure to the voters, and any caucus or other meeting
20 of a political party or a political party committee at which that
21 party's candidate or candidates for public office are officially
22 selected. A primary election and the succeeding general election
23 shall be considered separate elections;

24 (18) "Electioneering activities":

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

29 (b) Any covered communication made within forty-five days

1 of a primary election or ninety days of a general election that:

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

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

7 [(16)] (19) "Expenditure", a payment, advance, conveyance,
8 deposit, donation or contribution of money or anything of value
9 for the purpose of supporting or opposing the nomination or
10 election of any candidate for public office or the qualification
11 or passage of any ballot measure or for the support of any
12 committee which in turn supports or opposes any candidate or
13 ballot measure or for the purpose of paying a previously incurred
14 campaign debt or obligation of a candidate or the debts or
15 obligations of a committee; a payment, or an agreement or promise
16 to pay, money or anything of value, including a candidate's own
17 money or property, for the purchase of goods, services, property,
18 facilities or anything of value for the purpose of supporting or
19 opposing the nomination or election of any candidate for public
20 office or the qualification or passage of any ballot measure or
21 for the support of any committee which in turn supports or
22 opposes any candidate or ballot measure or for the purpose of
23 paying a previously incurred campaign debt or obligation of a
24 candidate or the debts or obligations of a committee. An
25 expenditure of anything of value shall be deemed to have a money
26 value equivalent to the fair market value. "Expenditure"
27 includes, but is not limited to:

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

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

6 (c) The transfer of funds by one committee to another
7 committee;

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

13 (e) "Expenditure" does not include:

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

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

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

29 d. The rendering of voluntary personal services by an

1 individual of the sort commonly performed by volunteer campaign
2 workers and the payment by such individual of the individual's
3 necessary and ordinary personal expenses incidental to such
4 volunteer activity, provided no compensation is, directly or
5 indirectly, asked or given;

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

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

17 [(17)] (20) "Exploratory committees", a committee which
18 shall be formed by an individual to receive contributions and
19 make expenditures on behalf of this individual in determining
20 whether or not the individual seeks elective office.

21 Such committee shall terminate no later than December
22 thirty-first of the year prior to the general election for the
23 possible office;

24 [(18)] (21) "Fund-raising event", an event such as a
25 dinner, luncheon, reception, coffee, testimonial, rally, auction
26 or similar affair through which contributions are solicited or
27 received by such means as the purchase of tickets, payment of
28 attendance fees, donations for prizes or through the purchase of
29 goods, services or political merchandise;

1 [(19)] (22) "In-kind contribution" or "in-kind
2 expenditure", a contribution or expenditure in a form other than
3 money;

4 [(20)] (23) "Labor organization", any organization of any
5 kind, or any agency or employee representation committee or plan,
6 in which employees participate and which exists for the purpose,
7 in whole or in part, of dealing with employers concerning
8 grievances, labor disputes, wages, rates of pay, hours of
9 employment, or conditions of work;

10 [(21)] (24) "Loan", a transfer of money, property or
11 anything of ascertainable monetary value in exchange for an
12 obligation, conditional or not, to repay in whole or in part and
13 which was contracted, used, or intended for use in an election
14 campaign, or which was made or received by a committee or which
15 was contracted, used, or intended to pay previously incurred
16 campaign debts or obligations of a candidate or the debts or
17 obligations of a committee;

18 [(22)] (25) "Person", an individual, group of individuals,
19 corporation, partnership, committee, proprietorship, joint
20 venture, any department, agency, board, institution or other
21 entity of the state or any of its political subdivisions, union,
22 labor organization, trade or professional or business
23 association, association, political party or any executive
24 committee thereof, or any other club or organization however
25 constituted or any officer or employee of such entity acting in
26 the person's official capacity;

27 [(23)] (26) "Political merchandise", goods such as bumper
28 stickers, pins, hats, ties, jewelry, literature, or other items
29 sold or distributed at a fund-raising event or to the general

1 public for publicity or for the purpose of raising funds to be
2 used in supporting or opposing a candidate for nomination or
3 election or in supporting or opposing the qualification, passage
4 or defeat of a ballot measure;

5 [(24)] (27) "Political party", a political party which has
6 the right under law to have the names of its candidates listed on
7 the ballot in a general election;

8 [(25)] (28) "Political party committee", a state, district,
9 county, city, or area committee of a political party, as defined
10 in section 115.603, which may be organized as a not-for-profit
11 corporation under Missouri law, and which committee is of
12 continuing existence, and has the primary or incidental purpose
13 of receiving contributions and making expenditures to influence
14 or attempt to influence the action of voters on behalf of the
15 political party;

16 [(26)] (29) "Public office" or "office", any state,
17 judicial, county, municipal, school or other district, ward,
18 township, or other political subdivision office or any political
19 party office which is filled by a vote of registered voters;

20 [(27)] (30) "Regular session", includes that period
21 beginning on the first Wednesday after the first Monday in
22 January and ending following the first Friday after the second
23 Monday in May;

24 [(28)] (31) "Write-in candidate", an individual whose name
25 is not printed on the ballot but who otherwise meets the
26 definition of candidate in subdivision (3) of this section."; and

27 Further amend said bill, page 12, section 130.034, line 4 by
28 inserting after all of said line the following:

29 "130.062. 1. By January thirty-first of each year, any

1 covered organization that made expenditures for the purpose of
2 electioneering activities by means of a covered communication, or
3 that made a contribution, including in-kind contributions, to a
4 committee in the previous calendar year shall disclose in an
5 electronic disclosure report to the ethics commission:

6 (1) All expenditures made for purposes of electioneering
7 activities by means of a covered communication in the previous
8 calendar year;

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

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

14 (4) The percentage of their total expenditures made from
15 the previous calendar year for contributions including in-kind
16 contributions to a committee during the previous calendar year;

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

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

26
27 Such information shall be a matter of public record which the
28 ethics commission shall subsequently make available to the
29 public.

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

4 3. (1) Any covered organization that:

5 (a) Makes expenditures in excess of five thousand dollars
6 for the purpose of electioneering activities by means of a
7 covered communication shall make an electronic disclosure report
8 to the ethics commission within forty-eight hours of exceeding
9 such limit. The report shall state specifically the expenditure
10 amount, the person or entity receiving the expenditures, and with
11 what ballot measure or candidate such expenditure concerns. If a
12 covered communication calls specifically for the passage,
13 election, or defeat of a candidate or measure, the report shall
14 indicate such information; or

15 (b) Makes contributions, including in-kind contributions,
16 of over five thousand dollars to a committee shall make an
17 electronic disclosure report to the ethics commission within
18 forty-eight hours of making such contribution. The report shall
19 specifically state the contribution amount and the committee to
20 which the contribution was made.

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

27 (3) The ethics commission shall assess fees on the board of
28 directors of a covered organization in the same manner as
29 provided in section 105.963 for failure to file reports required

1 by this section."; and

2 Further amend said bill and page, section 130.097, line 11,
3 by inserting after all of said line the following:

4 "Section B. The repeal of section 130.011 as enacted by
5 senate bill no. 844, ninety-fifth general assembly, second
6 regular session, the repeal and reenactment of section 130.011 as
7 enacted by house bill no. 1900, ninety-third general assembly,
8 second regular session, and the enactment of section 130.062, of
9 section A of this act shall become effective January 1, 2017.";

10 and

11 Further amend the title and enacting clause accordingly."