

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 305

AN ACT

To repeal sections 105.470, 130.021, and 130.034, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to ethics.

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

1 Section A. Sections 105.470, 130.021, and 130.034, RSMo,
2 section 105.473 as enacted by senate bill no. 844, ninety-fifth
3 general assembly, second regular session, and section 105.473 as
4 enacted by house bill no. 1900, ninety-third general assembly,
5 second regular session, are repealed and five new sections
6 enacted in lieu thereof, to be known as sections 105.470,
7 105.473, 105.474, 130.021, and 130.034, to read as follows:

8 105.470. As used in section 105.473, unless the context
9 requires otherwise, the following words and terms mean:

10 (1) "Constituent expenditure", any item of value:

11 (a) That is given by a lobbyist, lobbyist principal, or
12 person acting on behalf of a lobbyist or lobbyist principal;

13 (b) That is given on behalf of an elected public official;

14 (c) That is for the exclusive benefit of an individual or
15 group of individuals who are constituents of an elected public
16 official, including any food or beverage; and

1 (d) That is received for an occasion at the capitol
2 building;

3 (2) "Elected local government official lobbyist", any
4 natural person employed specifically for the purpose of
5 attempting to influence any action by a local government official
6 elected in a county, city, town, or village with an annual
7 operating budget of over ten million dollars;

8 [(2)] (3) "Executive lobbyist", any natural person who acts
9 for the purpose of attempting to influence any action by the
10 executive branch of government or by any elected or appointed
11 official, employee, department, division, agency or board or
12 commission thereof and in connection with such activity, meets
13 the requirements of any one or more of the following:

14 (a) Is acting in the ordinary course of employment on
15 behalf of or for the benefit of such person's employer; or

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

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

21 (d) Makes total expenditures of fifty dollars or more
22 during the twelve-month period beginning January first and ending
23 December thirty-first for the benefit of one or more public
24 officials or one or more employees of the executive branch of
25 state government in connection with such activity.

26
27 An "executive lobbyist" shall not include a member of the general
28 assembly, an elected state official, or any other person solely

1 due to such person's participation in any of the following
2 activities:

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

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

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

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

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

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

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

1 officer by which such person is employed, or with respect to any
2 duty or authority imposed by law to perform any action in
3 conjunction with any other public official or state employee; or

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

6 ~~[(3)]~~ (4) (a) "Expenditure", any payment made ~~[or]; any~~
7 charge, expense, cost, debt or bill incurred; any [gift,
8 honorarium or] item of value bestowed including any food or
9 beverage; any price, charge or fee which is waived, forgiven,
10 reduced or indefinitely delayed; any loan or debt which is
11 cancelled, reduced or otherwise forgiven; the transfer of any
12 item with a reasonably discernible cost or fair market value from
13 one person to another or provision of any service or granting of
14 any opportunity for which a charge is customarily made, without
15 charge or for a reduced charge; ~~[except that]~~ provided that such
16 expenditure meets the following conditions:

17 a. The expenditure is made by a lobbyist, lobbyist
18 principal, or a person acting on behalf of a lobbyist or lobbyist
19 principal;

20 b. The expenditure is made on behalf of a public official
21 or such public official's staff, spouse, or dependent children;
22 and

23 c. The lobbyist, lobbyist principal, or person acting on
24 behalf of a lobbyist or lobbyist principal is present for the
25 consumption or enjoyment of the expenditure by the recipient,
26 except that if the expenditure is for food or beverages that are
27 provided to an elected public official so that he or she may
28 provide hospitality in the capitol building, the person making

1 the expenditure shall not be required to be present for such
2 consumption or enjoyment;

3 (b) The term "expenditure" shall not include the following:

4 [(a)] a. Any item, service or thing of value transferred to
5 any person within the third degree of consanguinity or affinity
6 of the transferor which is unrelated to any activity of the
7 transferor as a lobbyist;

8 [(b)] b. Informational material such as books, reports,
9 pamphlets, calendars or periodicals informing a public official
10 regarding such person's official duties, or souvenirs or mementos
11 valued at less than ten dollars;

12 [(c)] c. Contributions to the public official's campaign
13 committee or candidate committee which are reported pursuant to
14 the provisions of chapter 130;

15 [(d)] d. Any loan made or other credit accommodations
16 granted or other payments made by any person or entity which
17 extends credit or makes loan accommodations or such payments in
18 the regular ordinary scope and course of business, provided that
19 such are extended, made or granted in the ordinary course of such
20 person's or entity's business to persons who are not public
21 officials;

22 [(e)] e. Any item, service or thing of de minimis value
23 offered to the general public, whether or not the recipient is a
24 public official or a staff member, employee, spouse or dependent
25 child of a public official, and only if the grant of the item,
26 service or thing of de minimis value is not motivated in any way
27 by the recipient's status as a public official or staff member,
28 employee, spouse or dependent child of a public official;

1 [(f)] f. The transfer of any item, provision of any
2 service, or granting of any opportunity with a reasonably
3 discernible cost or fair market value when such item, service, or
4 opportunity is necessary for a public official or employee to
5 perform his or her duty in his or her official capacity,
6 including but not limited to entrance fees to any sporting event,
7 museum, or other venue when the official or employee is
8 participating in a ceremony, public presentation or official
9 meeting therein;

10 [(g)] g. Any payment, [gift,] compensation, fee,
11 [expenditure] or anything of value which is bestowed upon or
12 given to any public official or a staff member, employee, spouse
13 or dependent child of a public official when it is compensation
14 for employment or given as an employment benefit and when such
15 employment is in addition to their employment as a public
16 official;

17 h. Flowers or plants sent as an expression of condolence or
18 congratulations within a reasonable period of time of the
19 occasion being observed;

20 i. Any plaque or award that signifies the honorary
21 recognition of a service or other notable accomplishment,
22 provided such plaque or award does not exceed fifty dollars;

23 (5) "Gift", any of the following which do not otherwise
24 meet the definition of "expenditure" or "constituent
25 expenditure": any payment made; any charge, expense, cost, debt
26 or bill incurred; any item of value bestowed including any food
27 or beverage; any price, charge or fee which is waived, forgiven,
28 reduced or indefinitely delayed; any loan or debt which is

1 cancelled, reduced or otherwise forgiven; the transfer of any
2 item with a reasonably discernible cost or fair market value from
3 one person to another or provision of any service or granting of
4 any opportunity for which a charge is customarily made, without
5 charge or for a reduced charge; and such gift is not made for the
6 immediate consumption or enjoyment by the recipient and the
7 person making the gift is not present for the consumption or
8 enjoyment of the gift;

9 [(4)] (6) "Judicial lobbyist", any natural person who acts
10 for the purpose of attempting to influence any purchasing
11 decision by the judicial branch of government or by any elected
12 or appointed official or any employee thereof and in connection
13 with such activity, meets the requirements of any one or more of
14 the following:

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

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

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

26 (d) Makes total expenditures of fifty dollars or more
27 during the twelve-month period beginning January first and ending
28 December thirty-first for the benefit of one or more public

1 officials or one or more employees of the judicial branch of
2 state government in connection with attempting to influence such
3 purchasing decisions by the judiciary.

4
5 A "judicial lobbyist" shall not include a member of the general
6 assembly, an elected state official, or any other person solely
7 due to such person's participation in any of the following
8 activities:

9 a. Appearing or inquiring in regard to a complaint,
10 citation, summons, adversary proceeding, or contested case before
11 a state court;

12 b. Participating in public hearings or public proceedings
13 on rules, grants, or other matters;

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

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

19 e. Acting within the scope of employment by the general
20 assembly, or acting within the scope of employment by the
21 executive branch of government when acting with respect to the
22 department, division, board, commission, agency or elected state
23 officer by which such person is employed, or with respect to any
24 duty or authority imposed by law to perform any action in
25 conjunction with any other public official or state employee;

26 [(5)] (7) "Legislative lobbyist", any natural person who
27 acts for the purpose of attempting to influence the taking,
28 passage, amendment, delay or defeat of any official action on any

1 bill, resolution, amendment, nomination, appointment, report or
2 any other action or any other matter pending or proposed in a
3 legislative committee in either house of the general assembly, or
4 in any matter which may be the subject of action by the general
5 assembly and in connection with such activity, meets the
6 requirements of any one or more of the following:

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

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

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

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

23
24 A "legislative lobbyist" shall include an attorney at law engaged
25 in activities on behalf of any person unless excluded by any of
26 the following exceptions. A "legislative lobbyist" shall not
27 include any member of the general assembly, an elected state
28 official, or any other person solely due to such person's

1 participation in any of the following activities:

2 a. Responding to any request for information made by any
3 public official or employee of the legislative branch of
4 government;

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

8 c. Acting within the scope of employment of the legislative
9 branch of government when acting with respect to the general
10 assembly or any member thereof;

11 d. Testifying as a witness before the general assembly or
12 any committee thereof;

13 [(6)] (8) "Lobbyist", any natural person defined as an
14 executive lobbyist, judicial lobbyist, elected local government
15 official lobbyist, or a legislative lobbyist;

16 [(7)] (9) "Lobbyist principal", any person, business
17 entity, governmental entity, religious organization, nonprofit
18 corporation or association who employs, contracts for pay or
19 otherwise compensates a lobbyist;

20 [(8)] (10) "Public official", any member or member-elect of
21 the general assembly, judge or judicial officer, or any other
22 person holding an elective office of state government or any
23 agency head, department director or division director of state
24 government or any member of any state board or commission and any
25 designated decision-making public servant designated by persons
26 described in this subdivision.

27 [105.473. 1. Each lobbyist shall, not later than
28 January fifth of each year or five days after beginning
29 any activities as a lobbyist, file standardized
30 registration forms, verified by a written declaration

1 that it is made under the penalties of perjury, along
2 with a filing fee of ten dollars, with the commission.
3 The forms shall include the lobbyist's name and
4 business address, the name and address of all persons
5 such lobbyist employs for lobbying purposes, the name
6 and address of each lobbyist principal by whom such
7 lobbyist is employed or in whose interest such lobbyist
8 appears or works. The commission shall maintain files
9 on all lobbyists' filings, which shall be open to the
10 public. Each lobbyist shall file an updating statement
11 under oath within one week of any addition, deletion,
12 or change in the lobbyist's employment or
13 representation. The filing fee shall be deposited to
14 the general revenue fund of the state. The lobbyist
15 principal or a lobbyist employing another person for
16 lobbying purposes may notify the commission that a
17 judicial, executive or legislative lobbyist is no
18 longer authorized to lobby for the principal or the
19 lobbyist and should be removed from the commission's
20 files.

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

31 3. (1) During any period of time in which a
32 lobbyist continues to act as an executive lobbyist,
33 judicial lobbyist, legislative lobbyist, or elected
34 local government official lobbyist, the lobbyist shall
35 file with the commission on standardized forms
36 prescribed by the commission monthly reports which
37 shall be due at the close of business on the tenth day
38 of the following month;

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

43 (a) The total of all expenditures by the lobbyist
44 or his or her lobbyist principals made on behalf of all
45 public officials, their staffs and employees, and their
46 spouses and dependent children, which expenditures
47 shall be separated into at least the following
48 categories by the executive branch, judicial branch and
49 legislative branch of government: printing and
50 publication expenses; media and other advertising
51 expenses; travel; the time, venue, and nature of any

1 entertainment; honoraria; meals, food and beverages;
2 and gifts;

3 (b) The total of all expenditures by the lobbyist
4 or his or her lobbyist principals made on behalf of all
5 elected local government officials, their staffs and
6 employees, and their spouses and children. Such
7 expenditures shall be separated into at least the
8 following categories: printing and publication
9 expenses; media and other advertising expenses; travel;
10 the time, venue, and nature of any entertainment;
11 honoraria; meals; food and beverages; and gifts;

12 (c) An itemized listing of the name of the
13 recipient and the nature and amount of each expenditure
14 by the lobbyist or his or her lobbyist principal,
15 including a service or anything of value, for all
16 expenditures made during any reporting period, paid or
17 provided to or for a public official or elected local
18 government official, such official's staff, employees,
19 spouse or dependent children;

20 (d) The total of all expenditures made by a
21 lobbyist or lobbyist principal for occasions and the
22 identity of the group invited, the date, location, and
23 description of the occasion and the amount of the
24 expenditure for each occasion when any of the following
25 are invited in writing:

26 a. All members of the senate, which may or may
27 not include senate staff and employees under the direct
28 supervision of a state senator;

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

32 c. All members of a joint committee of the
33 general assembly or a standing committee of either the
34 house of representatives or senate, which may or may
35 not include joint and standing committee staff;

36 d. All members of a caucus of the majority party
37 of the house of representatives, minority party of the
38 house of representatives, majority party of the senate,
39 or minority party of the senate;

40 e. All statewide officials, which may or may not
41 include the staff and employees under the direct
42 supervision of the statewide official;

43 (e) Any expenditure made on behalf of a public
44 official, an elected local government official or such
45 official's staff, employees, spouse or dependent
46 children, if such expenditure is solicited by such
47 official, the official's staff, employees, or spouse or
48 dependent children, from the lobbyist or his or her
49 lobbyist principals and the name of such person or
50 persons, except any expenditures made to any
51 not-for-profit corporation, charitable, fraternal or

1 civic organization or other association formed to
2 provide for good in the order of benevolence and except
3 for any expenditure reported under paragraph (d) of
4 this subdivision;

5 (f) A statement detailing any direct business
6 relationship or association or partnership the lobbyist
7 has with any public official or elected local
8 government official. The reports required by this
9 subdivision shall cover the time periods since the
10 filing of the last report or since the lobbyist's
11 employment or representation began, whichever is most
12 recent.

13 4. No expenditure reported pursuant to this
14 section shall include any amount expended by a lobbyist
15 or lobbyist principal on himself or herself. All
16 expenditures disclosed pursuant to this section shall
17 be valued on the report at the actual amount of the
18 payment made, or the charge, expense, cost, or
19 obligation, debt or bill incurred by the lobbyist or
20 the person the lobbyist represents. Whenever a
21 lobbyist principal employs more than one lobbyist,
22 expenditures of the lobbyist principal shall not be
23 reported by each lobbyist, but shall be reported by one
24 of such lobbyists. No expenditure shall be made on
25 behalf of a state senator or state representative, or
26 such public official's staff, employees, spouse, or
27 dependent children for travel or lodging outside the
28 state of Missouri unless such travel or lodging was
29 approved prior to the date of the expenditure by the
30 administration and accounts committee of the house or
31 the administration committee of the senate.

32 5. Any lobbyist principal shall provide in a
33 timely fashion whatever information is reasonably
34 requested by the lobbyist principal's lobbyist for use
35 in filing the reports required by this section.

36 6. All information required to be filed pursuant
37 to the provisions of this section with the commission
38 shall be kept available by the executive director of
39 the commission at all times open to the public for
40 inspection and copying for a reasonable fee for a
41 period of five years from the date when such
42 information was filed.

43 7. No person shall knowingly employ any person
44 who is required to register as a registered lobbyist
45 but is not registered pursuant to this section. Any
46 person who knowingly violates this subsection shall be
47 subject to a civil penalty in an amount of not more
48 than ten thousand dollars for each violation. Such
49 civil penalties shall be collected by action filed by
50 the commission.

51 8. Any lobbyist found to knowingly omit, conceal,

1 or falsify in any manner information required pursuant
2 to this section shall be guilty of a class A
3 misdemeanor.

4 9. The prosecuting attorney of Cole County shall
5 be reimbursed only out of funds specifically
6 appropriated by the general assembly for investigations
7 and prosecutions for violations of this section.

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

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

36 12. Each lobbyist or lobbyist principal by whom
37 the lobbyist was employed, or in whose behalf the
38 lobbyist acted, shall provide a general description of
39 the proposed legislation or action by the executive
40 branch or judicial branch which the lobbyist or
41 lobbyist principal supported or opposed. This
42 information shall be supplied to the commission on
43 March fifteenth and May thirtieth of each year.

44 13. The provisions of this section shall
45 supersede any contradicting ordinances or charter
46 provisions.]

47
48 105.473. 1. Each lobbyist shall, not later than January
49 fifth of each year or five days after beginning any activities as

1 a lobbyist, file standardized registration forms, verified by a
2 written declaration that it is made under the penalties of
3 perjury, along with a filing fee of ten dollars, with the
4 commission. The forms shall include the lobbyist's name and
5 business address, the name and address of all persons such
6 lobbyist employs for lobbying purposes, the name and address of
7 each lobbyist principal by whom such lobbyist is employed or in
8 whose interest such lobbyist appears or works. The commission
9 shall maintain files on all lobbyists' filings, which shall be
10 open to the public. Each lobbyist shall file an updating
11 statement under oath within one week of any addition, deletion,
12 or change in the lobbyist's employment or representation. The
13 filing fee shall be deposited to the general revenue fund of the
14 state. The lobbyist principal or a lobbyist employing another
15 person for lobbying purposes may notify the commission that a
16 judicial, executive or legislative lobbyist is no longer
17 authorized to lobby for the principal or the lobbyist and should
18 be removed from the commission's files.

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

27 3. (1) During any period of time in which a lobbyist
28 continues to act as an executive lobbyist, judicial lobbyist,

1 legislative lobbyist, or elected local government official
2 lobbyist, the lobbyist shall file with the commission on
3 standardized forms prescribed by the commission monthly reports
4 which shall be due at the close of business on the tenth day of
5 the following month[;]_.

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

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

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

26 (c) The total of all constituent expenditures by the
27 lobbyist or his or her lobbyist principals made on behalf of all
28 elected public officials, which expenditures shall be separated

1 into at least the following categories by the executive branch,
2 judicial branch, and legislative branch of government: travel;
3 the time, venue, and nature of any entertainment; meals, food,
4 and beverages;

5 (d) An itemized listing of the name of the recipient and
6 the nature and amount of each expenditure by the lobbyist or his
7 or her lobbyist principal, including a service or anything of
8 value, for all expenditures made during any reporting period,
9 paid or provided to or for a public official or elected local
10 government official, such official's staff, employees, spouse or
11 dependent children;

12 [(d)] (e) The total of all expenditures made by a lobbyist
13 or lobbyist principal [for occasions] and the identity of the
14 group invited, the date [and description of the occasion] and the
15 amount of the expenditure [for each occasion] when any of the
16 following are invited by a notice in writing or by electronic
17 means:

18 a. All members of the senate, which may or may not include
19 staff and employees;

20 b. All members of the house of representatives, which may
21 or may not include staff and employees; [or]

22 c. All members of [a joint committee of] the general
23 assembly [or a standing committee of either the house of
24 representatives or senate; or]

25 d. All members of a caucus of the majority party of the
26 house of representatives, minority party of the house of
27 representatives, majority party of the senate, or minority party
28 of the senate] which may or may not include staff and employees;

1 or

2 e. All statewide elected officials, which may or may not
3 include staff and employees;

4 [(e)] (f) Any expenditure made on behalf of a public
5 official, an elected local government official or such official's
6 staff, employees, spouse or dependent children, if such
7 expenditure is solicited by such official, the official's staff,
8 employees, or spouse or dependent children, from the lobbyist or
9 his or her lobbyist principals and the name of such person or
10 persons, except any expenditures made to any not-for-profit
11 corporation, charitable, fraternal or civic organization or other
12 association formed to provide for good in the order of
13 benevolence;

14 [(f)] (g) A statement detailing any direct business
15 relationship or association or partnership the lobbyist has with
16 any public official or elected local government official. The
17 reports required by this subdivision shall cover the time periods
18 since the filing of the last report or since the lobbyist's
19 employment or representation began, whichever is most recent.

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

1 lobbyists. No expenditure shall be made on behalf of a state
2 senator or state representative, or such public official's staff,
3 employees, spouse, or dependent children for travel or lodging
4 outside the state of Missouri unless such travel or lodging was
5 approved prior to the date of the expenditure by the
6 administration and accounts committee of the house or the
7 administration committee of the senate.

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

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

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

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

27 9. The prosecuting attorney of Cole County shall be
28 reimbursed only out of funds specifically appropriated by the

1 general assembly for investigations and prosecutions for
2 violations of this section.

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

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

27 12. Each lobbyist or lobbyist principal by whom the
28 lobbyist was employed, or in whose behalf the lobbyist acted,

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

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

8 105.474. 1. (1) No public official or such public
9 official's staff, spouse, or dependant children, shall accept any
10 expenditure or combination of expenditures from any lobbyist,
11 lobbyist principal, or person acting on behalf of a lobbyist or
12 lobbyist principal in excess of forty dollars on any one calendar
13 day.

14 (2) The limitations set out in subdivision (1) of this
15 subsection shall not apply to any expenditure which is properly
16 reported as a group expenditure under paragraph (e) of
17 subdivision (2) of subsection 3 of section 105.473.

18 (3) Any person who accepts any expenditure or combination
19 of expenditures from any lobbyist, lobbyist principal, or person
20 acting on behalf of a lobbyist or lobbyist principal in excess of
21 forty dollars on any one calendar day shall be permitted to cure
22 such violation by reimbursing the lobbyist, lobbyist principal,
23 or person acting on behalf of the lobbyist or lobbyist principal
24 for the excess in expenditure made within thirty days of being
25 notified by the commission.

26 2. No public official or such public official's staff,
27 spouse, or dependant children, shall accept any gift from any
28 lobbyist, lobbyist principal, or person acting on behalf of a

1 lobbyist or lobbyist principal.

2 130.021. 1. Every committee shall have a treasurer who,
3 except as provided in subsection 10 of this section, shall be a
4 resident of this state and reside in the district or county in
5 which the committee sits. A committee may also have a deputy
6 treasurer who, except as provided in subsection 10 of this
7 section, shall be a resident of this state and reside in the
8 district or county in which the committee sits, to serve in the
9 capacity of committee treasurer in the event the committee
10 treasurer is unable for any reason to perform the treasurer's
11 duties.

12 2. Every candidate for offices listed in subsection 1 of
13 section 130.016 who has not filed a statement of exemption
14 pursuant to that subsection and every candidate for offices
15 listed in subsection 6 of section 130.016 who is not excluded
16 from filing a statement of organization and disclosure reports
17 pursuant to subsection 6 of section 130.016 shall form a
18 candidate committee and appoint a treasurer. Thereafter, all
19 contributions on hand and all further contributions received by
20 such candidate and any of the candidate's own funds to be used in
21 support of the person's candidacy shall be deposited in a
22 candidate committee depository account established pursuant to
23 the provisions of subsection 4 of this section, and all
24 expenditures shall be made through the candidate, treasurer or
25 deputy treasurer of the person's candidate committee. Nothing in
26 this chapter shall prevent a candidate from appointing himself or
27 herself as a committee of one and serving as the person's own
28 treasurer, maintaining the candidate's own records and filing all

1 the reports and statements required to be filed by the treasurer
2 of a candidate committee.

3 3. A candidate who has more than one candidate committee
4 supporting the person's candidacy shall designate one of those
5 candidate committees as the committee responsible for
6 consolidating the aggregate contributions to all such committees
7 under the candidate's control and direction as required by
8 section 130.041.

9 4. (1) Every committee shall have a single official fund
10 depository within this state which shall be a federally or
11 state-chartered bank, a federally or state-chartered savings and
12 loan association, or a federally or state-chartered credit union
13 in which the committee shall open and thereafter maintain at
14 least one official depository account in its own name. An
15 "official depository account" shall be a checking account or some
16 type of negotiable draft or negotiable order of withdrawal
17 account, and the official fund depository shall, regarding an
18 official depository account, be a type of financial institution
19 which provides a record of deposits, cancelled checks or other
20 cancelled instruments of withdrawal evidencing each transaction
21 by maintaining copies within this state of such instruments and
22 other transactions. All contributions which the committee
23 receives in money, checks and other negotiable instruments shall
24 be deposited in a committee's official depository account.
25 Contributions shall not be accepted and expenditures shall not be
26 made by a committee except by or through an official depository
27 account and the committee treasurer, deputy treasurer or
28 candidate. Contributions received by a committee shall not be

1 commingled with any funds of an agent of the committee, a
2 candidate or any other person, except that contributions from a
3 candidate of the candidate's own funds to the person's candidate
4 committee shall be deposited to an official depository account of
5 the person's candidate committee. No expenditure shall be made
6 by a committee when the office of committee treasurer is vacant
7 except that when the office of a candidate committee treasurer is
8 vacant, the candidate shall be the treasurer until the candidate
9 appoints a new treasurer.

10 (2) A committee treasurer, deputy treasurer or candidate
11 may withdraw funds from a committee's official depository account
12 and deposit such funds in one or more savings accounts in the
13 committee's name in any bank, savings and loan association or
14 credit union within this state, and may also withdraw funds from
15 an official depository account for investment in the committee's
16 name in any mutual fund, certificate of deposit, bond, or
17 security. Proceeds from interest or dividends from a savings
18 account or other investment or proceeds from withdrawals from a
19 savings account or from the sale of an investment shall not be
20 expended or reinvested, except in the case of renewals of
21 certificates of deposit, without first redepositing such proceeds
22 in an official depository account. Investments, other than
23 savings accounts, held outside the committee's official
24 depository account at any time during a reporting period shall be
25 disclosed by description, amount, any identifying numbers and the
26 name and address of any institution or person in which or through
27 which it is held in an attachment to disclosure reports the
28 committee is required to file. Proceeds from an investment such

1 as interest or dividends or proceeds from its sale, shall be
2 reported by date and amount. In the case of the sale of an
3 investment, the names and addresses of the persons involved in
4 the transaction shall also be stated. Funds held in savings
5 accounts and investments, including interest earned, shall be
6 included in the report of money on hand as required by section
7 130.041.

8 (3) Notwithstanding any other provision of law to the
9 contrary, funds held in candidate committees, campaign
10 committees, debt service committees, and exploratory committees
11 shall be liquid such that these funds shall be readily available
12 for the specific and limited purposes allowed by law. These
13 funds may be invested only in mutual funds or in short-term
14 treasury instruments or short-term bank certificates with
15 durations of one year or less, or that allow the removal of funds
16 at any time without any additional financial penalty other than
17 the loss of interest income. Continuing committees, political
18 party committees, and other committees such as out-of-state
19 committees not formed for the benefit of any single candidate or
20 ballot issue shall not be subject to the provisions of this
21 subdivision. This subdivision shall not be interpreted to
22 restrict the placement of funds in an interest-bearing checking
23 account.

24 5. The treasurer or deputy treasurer acting on behalf of
25 any person or organization or group of persons which is a
26 committee by virtue of the definitions of committee in section
27 130.011 and any candidate who is not excluded from forming a
28 committee in accordance with the provisions of section 130.016

1 shall file a statement of organization with the appropriate
2 officer within twenty days after the person or organization
3 becomes a committee but no later than the date for filing the
4 first report required pursuant to the provisions of section
5 130.046. The statement of organization shall contain the
6 following information:

7 (1) The name, mailing address and telephone number, if any,
8 of the committee filing the statement of organization. If the
9 committee is deemed to be affiliated with a connected
10 organization as provided in subdivision (11) of section 130.011,
11 the name of the connected organization, or a legally registered
12 fictitious name which reasonably identifies the connected
13 organization, shall appear in the name of the committee. If the
14 committee is a candidate committee, the name of the candidate
15 shall be a part of the committee's name;

16 (2) The name, mailing address and telephone number of the
17 candidate;

18 (3) The name, mailing address and telephone number of the
19 committee treasurer, and the name, mailing address and telephone
20 number of its deputy treasurer if the committee has named a
21 deputy treasurer;

22 (4) The names, mailing addresses and titles of its
23 officers, if any;

24 (5) The name and mailing address of any connected
25 organizations with which the committee is affiliated;

26 (6) The name and mailing address of its depository, and the
27 name and account number of each account the committee has in the
28 depository. The account number of each account shall be redacted

1 prior to disclosing the statement to the public;

2 (7) Identification of the major nature of the committee
3 such as a candidate committee, campaign committee, continuing
4 committee, political party committee, incumbent committee, or any
5 other committee according to the definition of committee in
6 section 130.011;

7 (8) In the case of the candidate committee designated in
8 subsection 3 of this section, the full name and address of each
9 other candidate committee which is under the control and
10 direction of the same candidate, together with the name, address
11 and telephone number of the treasurer of each such other
12 committee;

13 (9) The name and office sought of each candidate supported
14 or opposed by the committee;

15 (10) The ballot measure concerned, if any, and whether the
16 committee is in favor of or opposed to such measure.

17 6. A committee may omit the information required in
18 subdivisions (9) and (10) of subsection 5 of this section if, on
19 the date on which it is required to file a statement of
20 organization, the committee has not yet determined the particular
21 candidates or particular ballot measures it will support or
22 oppose.

23 7. A committee which has filed a statement of organization
24 and has not terminated shall not be required to file another
25 statement of organization, except that when there is a change in
26 any of the information previously reported as required by
27 subdivisions (1) to (8) of subsection 5 of this section an
28 amended statement of organization shall be filed within twenty

1 days after the change occurs, but no later than the date of the
2 filing of the next report required to be filed by that committee
3 by section 130.046.

4 8. Upon termination of a committee, a termination statement
5 indicating dissolution shall be filed not later than ten days
6 after the date of dissolution with the appropriate officer or
7 officers with whom the committee's statement of organization was
8 filed. The termination statement shall include: the
9 distribution made of any remaining surplus funds and the
10 disposition of any deficits; and the name, mailing address and
11 telephone number of the individual responsible for preserving the
12 committee's records and accounts as required in section 130.036.

13 9. Any statement required by this section shall be signed
14 and attested by the committee treasurer or deputy treasurer, and
15 by the candidate in the case of a candidate committee.

16 10. A committee domiciled outside this state shall be
17 required to file a statement of organization and appoint a
18 treasurer residing in this state and open an account in a
19 depository within this state; provided that either of the
20 following conditions prevails:

21 (1) The aggregate of all contributions received from
22 persons domiciled in this state exceeds twenty percent in total
23 dollar amount of all funds received by the committee in the
24 preceding twelve months; or

25 (2) The aggregate of all contributions and expenditures
26 made to support or oppose candidates and ballot measures in this
27 state exceeds one thousand five hundred dollars in the current
28 calendar year.

1 11. If a committee domiciled in this state receives a
2 contribution of one thousand five hundred dollars or more from
3 any committee domiciled outside of this state, the committee
4 domiciled in this state shall file a disclosure report with the
5 commission. The report shall disclose the full name, mailing
6 address, telephone numbers and domicile of the contributing
7 committee and the date and amount of the contribution. The
8 report shall be filed within forty-eight hours of the receipt of
9 such contribution if the contribution is received after the last
10 reporting date before the election.

11 12. Each legislative and senatorial district committee
12 shall retain only one address in the district it sits for the
13 purpose of receiving contributions.

14 130.034. 1. Contributions as defined in section 130.011,
15 received by any committee shall not be converted to any personal
16 use.

17 2. Contributions may be used for any purpose allowed by law
18 including, but not limited to:

19 (1) Any ordinary expenses incurred relating to a campaign;

20 (2) Any ordinary and necessary expenses incurred in
21 connection with the duties of a holder of elective office;

22 (3) Any expenses associated with the duties of candidacy or
23 of elective office pertaining to the entertaining of or providing
24 social courtesies to constituents, professional associations, or
25 other holders of elective office;

26 (4) The return of any contribution to the person who made
27 the contribution to the candidate or holder of elective office;

28 (5) To contribute to a political organization or candidate

1 committee as allowed by law;

2 (6) To establish a new committee as defined by this
3 chapter;

4 (7) To make an unconditional gift which is fully vested to
5 any charitable, fraternal or civic organizations or other
6 associations formed to provide for some good in the order of
7 benevolence, if such candidate, former candidate or holder of
8 elective office or such person's immediate family gain no direct
9 financial benefit from the unconditional gift;

10 (8) Except when such candidate, former candidate or holder
11 of elective office dies while the committee remains in existence,
12 the committee may make an unconditional gift to a fund
13 established for the benefit of the spouse and children of the
14 candidate, former candidate or holder of elective office. The
15 provisions of this subdivision shall expire October 1, 1997.

16 3. Upon the death of the candidate, former candidate or
17 holder of elective office who received such contributions, all
18 contributions shall be disposed of according to this section and
19 any funds remaining after final settlement of the candidate's
20 decedent's estate, or if no estate is opened, then twelve months
21 after the candidate's death, will escheat to the state of
22 Missouri to be deposited in the general revenue fund.

23 4. No contributions, as defined in section 130.011,
24 received by a candidate, former candidate or holder of elective
25 office shall be used to make restitution payments ordered of such
26 individual by a court of law or for the payment of any fine
27 resulting from conviction of a violation of any local, state or
28 federal law.

1 5. Committees described in subdivision (17) of section
2 130.011 shall make expenditures only for the purpose of
3 determining whether an individual will be a candidate. Such
4 expenditures include polling information, mailings, personal
5 appearances, telephone expenses, office and travel expenses but
6 may not include contributions to other candidate committees.

7 6. Any moneys in the exploratory committee fund may be
8 transferred to the candidate committee upon declaration of
9 candidacy for the position being explored. Such funds shall be
10 included for the purposes of reporting and limitation. In the
11 event that candidacy is not declared for the position being
12 explored, the remaining exploratory committee funds shall be
13 returned to the contributors on a pro rata basis. In no event
14 shall the amount returned exceed the amount given by each
15 contributor nor be less than ten dollars.

16 7. Funds held in candidate committees, campaign committees,
17 debt service committees, and exploratory committees shall be
18 liquid such that these funds shall be readily available for the
19 specific and limited purposes allowed by law. These funds may be
20 invested only in mutual funds or in short-term treasury
21 instruments or short-term bank certificates with durations of one
22 year or less, or that allow the removal of funds at any time
23 without any additional financial penalty other than the loss of
24 interest income. Continuing committees, political party
25 committees, and other committees such as out-of-state committees
26 not formed for the benefit of any single candidate or ballot
27 issue shall not be subject to the provisions of this subsection.
28 This subsection shall not be interpreted to restrict the

1 placement of funds in an interest-bearing checking account.