

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend _____ SS/Senate Bill No. 305, Page 1, Section Title, Line 6,

by inserting after "session," the following: "section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session,"; and

Further amend said bill, Page 32, Section 130.034, line 1 of said page, by inserting after all of said line the following:

"[130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a

1 reasonable effort to obtain and report the employer, or
2 occupation if self-employed or notation of retirement,
3 of each person from whom the committee received one or
4 more contributions which in the aggregate total in
5 excess of one hundred dollars and shall make a
6 reasonable effort to obtain and report a description of
7 any contractual relationship over five hundred dollars
8 between the contributor and the state if the candidate
9 is seeking election to a state office or between the
10 contributor and any political subdivision of the state
11 if the candidate is seeking election to another
12 political subdivision of the state;

13 (b) Total amount of all anonymous contributions
14 accepted;

15 (c) Total amount of all monetary contributions
16 received through fund-raising events or activities from
17 participants whose names and addresses were not
18 obtained with such contributions, with an attached
19 statement or copy of the statement describing each
20 fund-raising event as required in subsection 6 of
21 section 130.031;

22 (d) Total dollar value of all in-kind
23 contributions received;

24 (e) A separate listing by name and address and
25 employer, or occupation if self-employed or notation of
26 retirement, of each person from whom the committee
27 received contributions, in money or any other thing of
28 value, aggregating more than one hundred dollars,
29 together with the date and amount of each such
30 contribution;

31 (f) A listing of each loan received by name and
32 address of the lender and date and amount of the loan.
33 For each loan of more than one hundred dollars, a
34 separate statement shall be attached setting forth the
35 name and address of the lender and each person liable
36 directly, indirectly or contingently, and the date,
37 amount and terms of the loan;

38 (4) Expenditures for the period, including:

39 (a) The total dollar amount of expenditures made
40 by check drawn on the committee's depository;

41 (b) The total dollar amount of expenditures made
42 in cash;

43 (c) The total dollar value of all in-kind
44 expenditures made;

45 (d) The full name and mailing address of each
46 person to whom an expenditure of money or any other
47 thing of value in the amount of more than one hundred
48 dollars has been made, contracted for or incurred,
49 together with the date, amount and purpose of each
50 expenditure. Expenditures of one hundred dollars or
51 less may be grouped and listed by categories of
52 expenditure showing the total dollar amount of

1 expenditures in each category, except that the report
2 shall contain an itemized listing of each payment made
3 to campaign workers by name, address, date, amount and
4 purpose of each payment and the aggregate amount paid
5 to each such worker;

6 (e) A list of each loan made, by name and mailing
7 address of the person receiving the loan, together with
8 the amount, terms and date;

9 (5) The total amount of cash on hand as of the
10 closing date of the reporting period covered, including
11 amounts in depository accounts and in petty cash fund;

12 (6) The total amount of outstanding indebtedness
13 as of the closing date of the reporting period covered;

14 (7) The amount of expenditures for or against a
15 candidate or ballot measure during the period covered
16 and the cumulative amount of expenditures for or
17 against that candidate or ballot measure, with each
18 candidate being listed by name, mailing address and
19 office sought. For the purpose of disclosure reports,
20 expenditures made in support of more than one candidate
21 or ballot measure or both shall be apportioned
22 reasonably among the candidates or ballot measure or
23 both. In apportioning expenditures to each candidate
24 or ballot measure, political party committees and
25 political action committees need not include
26 expenditures for maintaining a permanent office, such
27 as expenditures for salaries of regular staff, office
28 facilities and equipment or other expenditures not
29 designed to support or oppose any particular candidates
30 or ballot measures; however, all such expenditures
31 shall be listed pursuant to subdivision (4) of this
32 subsection;

33 (8) A separate listing by full name and address
34 of any committee including a candidate committee
35 controlled by the same candidate for which a transfer
36 of funds or a contribution in any amount has been made
37 during the reporting period, together with the date and
38 amount of each such transfer or contribution;

39 (9) A separate listing by full name and address
40 of any committee, including a candidate committee
41 controlled by the same candidate from which a transfer
42 of funds or a contribution in any amount has been
43 received during the reporting period, together with the
44 date and amount of each such transfer or contribution;

45 (10) Each committee that receives a contribution
46 which is restricted or designated in whole or in part
47 by the contributor for transfer to a particular
48 candidate, committee or other person shall include a
49 statement of the name and address of that contributor
50 in the next disclosure report required to be filed
51 after receipt of such contribution, together with the
52 date and amount of any such contribution which was so

1 restricted or designated by that contributor, together
2 with the name of the particular candidate or committee
3 to whom such contribution was so designated or
4 restricted by that contributor and the date and amount
5 of such contribution.

6 2. For the purpose of this section and any other
7 section in this chapter except sections 130.049 and
8 130.050 which requires a listing of each contributor
9 who has contributed a specified amount, the aggregate
10 amount shall be computed by adding all contributions
11 received from any one person during the following
12 periods:

13 (1) In the case of a candidate committee, the
14 period shall begin on the date on which the candidate
15 became a candidate according to the definition of the
16 term "candidate" in section 130.011 and end at 11:59
17 p.m. on the day of the primary election, if the
18 candidate has such an election or at 11:59 p.m. on the
19 day of the general election. If the candidate has a
20 general election held after a primary election, the
21 next aggregating period shall begin at 12:00 midnight
22 on the day after the primary election day and shall
23 close at 11:59 p.m. on the day of the general election.
24 Except that for contributions received during the
25 thirty-day period immediately following a primary
26 election, the candidate shall designate whether such
27 contribution is received as a primary election
28 contribution or a general election contribution;

29 (2) In the case of a campaign committee, the
30 period shall begin on the date the committee received
31 its first contribution and end on the closing date for
32 the period for which the report or statement is
33 required;

34 (3) In the case of a political party committee or
35 a political action committee, the period shall begin on
36 the first day of January of the year in which the
37 report or statement is being filed and end on the
38 closing date for the period for which the report or
39 statement is required; except, if the report or
40 statement is required to be filed prior to the first
41 day of July in any given year, the period shall begin
42 on the first day of July of the preceding year.

43 3. The disclosure report shall be signed and
44 attested by the committee treasurer or deputy treasurer
45 and by the candidate in case of a candidate committee.

46 4. The words "consulting or consulting services,
47 fees, or expenses", or similar words, shall not be used
48 to describe the purpose of a payment as required in
49 this section. The reporting of any payment to such an
50 independent contractor shall be on a form supplied by
51 the appropriate officer, established by the ethics
52 commission and shall include identification of the

specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.】

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one

1 or more contributions which in the aggregate total in excess of
2 one hundred dollars and shall make a reasonable effort to obtain
3 and report a description of any contractual relationship over
4 five hundred dollars between the contributor and the state if the
5 candidate is seeking election to a state office or between the
6 contributor and any political subdivision of the state if the
7 candidate is seeking election to another political subdivision of
8 the state;

9 (b) Total amount of all anonymous contributions accepted;

10 (c) Total amount of all monetary contributions received
11 through fund-raising events or activities from participants whose
12 names and addresses were not obtained with such contributions,
13 with an attached statement or copy of the statement describing
14 each fund-raising event as required in subsection 6 of section
15 130.031;

16 (d) Total dollar value of all in-kind contributions
17 received;

18 (e) A separate listing by name and address and employer, or
19 occupation if self-employed or notation of retirement, of each
20 person from whom the committee received contributions, in money
21 or any other thing of value, aggregating more than one hundred
22 dollars, together with the date and amount of each such
23 contribution;

24 (f) A listing of each loan received by name and address of
25 the lender and date and amount of the loan. For each loan of
26 more than one hundred dollars, a separate statement shall be
27 attached setting forth the name and address of the lender and
28 each person liable directly, indirectly or contingently, and the
29 date, amount and terms of the loan;

1 (4) Expenditures for the period, including:

2 (a) The total dollar amount of expenditures made by check
3 drawn on the committee's depository;

4 (b) The total dollar amount of expenditures made in cash;

5 (c) The total dollar value of all in-kind expenditures
6 made;

7 (d) The full name and mailing address of each person to
8 whom an expenditure of money or any other thing of value in the
9 amount of more than one hundred dollars has been made, contracted
10 for or incurred, together with the date, amount and purpose of
11 each expenditure. Expenditures of one hundred dollars or less
12 may be grouped and listed by categories of expenditure showing
13 the total dollar amount of expenditures in each category, except
14 that the report shall contain an itemized listing of each payment
15 made to campaign workers by name, address, date, amount and
16 purpose of each payment and the aggregate amount paid to each
17 such worker;

18 (e) A list of each loan made, by name and mailing address
19 of the person receiving the loan, together with the amount, terms
20 and date;

21 (5) The total amount of cash on hand as of the closing date
22 of the reporting period covered, including amounts in depository
23 accounts and in petty cash fund;

24 (6) The total amount of outstanding indebtedness as of the
25 closing date of the reporting period covered;

26 (7) The amount of expenditures for or against a candidate
27 or ballot measure during the period covered and the cumulative
28 amount of expenditures for or against that candidate or ballot
29 measure, with each candidate being listed by name, mailing

1 address and office sought. For the purpose of disclosure
2 reports, expenditures made in support of more than one candidate
3 or ballot measure or both shall be apportioned reasonably among
4 the candidates or ballot measure or both. In apportioning
5 expenditures to each candidate or ballot measure, political party
6 committees and political action committees need not include
7 expenditures for maintaining a permanent office, such as
8 expenditures for salaries of regular staff, office facilities and
9 equipment or other expenditures not designed to support or oppose
10 any particular candidates or ballot measures; however, all such
11 expenditures shall be listed pursuant to subdivision (4) of this
12 subsection;

13 (8) A separate listing by full name and address of any
14 committee including a candidate committee controlled by the same
15 candidate for which a transfer of funds or a contribution in any
16 amount has been made during the reporting period, together with
17 the date and amount of each such transfer or contribution;

18 (9) A separate listing by full name and address of any
19 committee, including a candidate committee controlled by the same
20 candidate from which a transfer of funds or a contribution in any
21 amount has been received during the reporting period, together
22 with the date and amount of each such transfer or contribution;

23 (10) Each committee that receives a contribution which is
24 restricted or designated in whole or in part by the contributor
25 for transfer to a particular candidate, committee or other person
26 shall include a statement of the name and address of that
27 contributor in the next disclosure report required to be filed
28 after receipt of such contribution, together with the date and
29 amount of any such contribution which was so restricted or

1 designated by that contributor, together with the name of the
2 particular candidate or committee to whom such contribution was
3 so designated or restricted by that contributor and the date and
4 amount of such contribution.

5 2. For the purpose of this section and any other section in
6 this chapter except sections 130.049 and 130.050 which requires a
7 listing of each contributor who has contributed a specified
8 amount, the aggregate amount shall be computed by adding all
9 contributions received from any one person during the following
10 periods:

11 (1) In the case of a candidate committee, the period shall
12 begin on the date on which the candidate became a candidate
13 according to the definition of the term "candidate" in section
14 130.011 and end at 11:59 p.m. on the day of the primary election,
15 if the candidate has such an election or at 11:59 p.m. on the day
16 of the general election. If the candidate has a general election
17 held after a primary election, the next aggregating period shall
18 begin at 12:00 midnight on the day after the primary election day
19 and shall close at 11:59 p.m. on the day of the general election.
20 Except that for contributions received during the thirty-day
21 period immediately following a primary election, the candidate
22 shall designate whether such contribution is received as a
23 primary election contribution or a general election contribution;

24 (2) In the case of a campaign committee, the period shall
25 begin on the date the committee received its first contribution
26 and end on the closing date for the period for which the report
27 or statement is required;

28 (3) In the case of a political party committee or a
29 political action committee, the period shall begin on the first

1 day of January of the year in which the report or statement is
2 being filed and end on the closing date for the period for which
3 the report or statement is required; except, if the report or
4 statement is required to be filed prior to the first day of July
5 in any given year, the period shall begin on the first day of
6 July of the preceding year.

7 3. The disclosure report shall be signed and attested by
8 the committee treasurer or deputy treasurer and by the candidate
9 in case of a candidate committee.

10 4. The words "consulting or consulting services, fees, or
11 expenses", or similar words, shall not be used to describe the
12 purpose of a payment as required in this section. The reporting
13 of any payment to such an independent contractor shall be on a
14 form supplied by the appropriate officer, established by the
15 ethics commission and shall include identification of the
16 specific service or services provided including, but not limited
17 to, public opinion polling, research on issues or opposition
18 background, print or broadcast media production, print or
19 broadcast media purchase, computer programming or data entry,
20 direct mail production, postage, rent, utilities, phone
21 solicitation, or fund raising, and the dollar amount prorated for
22 each service.

23 5. The provisions of subsections 5 to 18 of this section
24 shall be known, and may be cited as, the "Dark Money Disclosure
25 Act".

26 6. For the purposes of subsections 5 to 18 of this section,
27 the term "reportable outlay" shall mean any contribution,
28 expenditure, covered transfer, or elected official communication
29 payment.

1 7. For the purposes of subsections 5 to 18 of this section,
2 the terms "contribution" and "expenditure" shall have the
3 meanings they are given in section 130.011.

4 8. (1) For the purposes of subsections 5 to 18 of this
5 section, the term "covered transfer" shall mean any monetary or
6 in-kind transfer or payment made to another person with the
7 intention that any part of such transfer or payment be used to
8 make or pay for a reportable outlay by someone other than the
9 person making the transfer or payment. There shall be a
10 rebuttable presumption that a transfer or payment is a covered
11 transfer if the person making the transfer or payment:

12 (a) Designates, requests, suggests, or discusses the
13 possibility that any part of the transfer or payment be used for:

14 a. A reportable outlay; or

15 b. Making a transfer or payment to another person for the
16 purpose of making or paying for a reportable outlay;

17 (b) Made such transfer or payment in response to a
18 solicitation or other request for a donation or payment for:

19 a. The making of a reportable outlay; or

20 b. Making a transfer or payment to another person for the
21 purpose of making or paying for a reportable outlay;

22 (c) Knew or had reason to know that the person receiving
23 the transfer or payment intended to use any part of it for:

24 a. The making of a reportable outlay; or

25 b. Making a transfer or payment to another person for the
26 purpose of making or paying for a reportable outlay;

27 (d) Knew or had reason to know that the person receiving
28 the transfer or payment had made reportable outlays in an
29 aggregate amount of ten thousand dollars or more during the

1 two-year period ending on the date of the transfer or payment,
2 provided that it was a non-natural person who received the
3 transfer or payment; or

4 (e) Knew or had reason to know that the person receiving
5 the transfer or payment would make reportable outlays in an
6 aggregate amount of ten thousand dollars or more during the
7 two-year period beginning on the date of the transfer or payment,
8 provided that it was a non-natural person who received the
9 transfer or payment.

10 (2) "Covered transfer" shall not include any of the
11 following:

12 (a) A transfer or payment made in a commercial transaction
13 in the ordinary course of any trade or business conducted by the
14 covered person or in the form of investments made by the covered
15 person;

16 (b) An offer or tender of a transfer or payment which is
17 expressly and unconditionally rejected and returned to the donor
18 within ten business days after receipt or transmitted to the
19 state treasurer;

20 (c) A transfer or payment if:

21 a. The person making the transfer or payment prohibited, in
22 writing, the use of such transfer or payment for reportable
23 outlays; and

24 b. The recipient of the transfer or payment agreed to
25 follow the prohibition and deposited the funds in an account
26 segregated from any account used to make reportable outlays;

27 (d) A transfer or payment between two entities if one of
28 the entities is an affiliate of the other entity or each of the
29 entities is an affiliate of the same entity, unless one of the

1 entities is established for the purpose of making any type of
2 reportable outlay, or unless the transfer or payment is monetary
3 and the recipient deposits the funds into a segregated bank
4 account used to make reportable outlays.

5 (3) For purposes of this subsection, the following entities
6 shall be considered to be affiliated with each other:

7 (a) A membership organization, including a trade or
8 professional association, and the related state and local
9 entities of that organization;

10 (b) A national or international labor organization and its
11 state or local unions, or an organization of national or
12 international unions and its state and local entities;

13 (c) A corporation and its wholly owned subsidiaries.

14 9. (1) For the purposes of subsections 5 to 18 of this
15 section, the term "elected official communication payment" shall
16 mean a payment for a communication that:

17 (a) Is in the form of:

18 a. Radio, television, cable, or satellite broadcast;

19 b. Printed material such as advertisements, pamphlets,
20 circulars, flyers, brochures, or letters;

21 c. Telephone communication; or

22 d. Paid internet advertising; and

23 (b) Is made:

24 a. In substantial consultation with or at the suggestion of
25 an elected official or an employee of or a consultant to an
26 elected official;

27 b. By a person who is managed, operated, or founded by an
28 individual who, in the two years preceding the communication,
29 served as an employee or consultant for a person who is an

1 elected official at the time of the communication;

2 c. By or in consultation with or at the suggestion of a
3 family member of an elected official;

4 d. By a person founded by or at the suggestion of an
5 elected official or the family member of an elected official; or

6 e. By a person for which an elected official has raised
7 money in the two years before the communication;

8 and

9 (c) Includes the name, likeness, or voice of or otherwise
10 clearly identifies any Missouri elected official.

11 (2) The phrase "elected official communication payment"
12 shall not include a payment for a communication of either of the
13 following types:

14 (a) Communications with a professional journalist or
15 newscaster, including an editorial board or editorial or opinion
16 writer of a newspaper, magazine, news agency, press association,
17 or wire service; or

18 (b) A communication that is:

19 a. Directed, sent or distributed by the distributing
20 organization only to individuals who affirmatively consent to be
21 members of the distributing organization, contribute funds to the
22 distributing organization, or, pursuant to the distributing
23 organization's articles or bylaws, have the right to vote
24 directly or indirectly for the election of directors or officers,
25 or on changes to bylaws, disposition or all or substantially all
26 of the distributing entity's assets or the merger or dissolution
27 of the distributing entity; or

28 b. For the purpose of promoting or staging any candidate
29 debate, town hall or similar forum to which at least two

1 candidates seeking the same office, or two proponents of
2 differing positions on a referendum or question submitted to
3 voters, or two proponents of differing positions on a proposed
4 official action of a governmental body, are invited as
5 participants, and which does not promote or advance one candidate
6 or position over another.

7 10. (1) Any person which is not a defined committee, has
8 accepted one or more covered transfers since the most recent
9 general election, and has made a reportable outlay or reportable
10 outlays aggregating five thousand dollars or more since the most
11 recent general election, shall file reports as prescribed in this
12 subsection.

13 (2) Subsequent to each general election, a person required
14 to file reports by subdivision (1) of this subsection shall file
15 a report no later than fourteen days after first making a
16 reportable outlay which by itself or when added to all other
17 reportable outlays made since the general election equals five
18 thousand dollars or more. After such initial report, an
19 additional report shall be filed no later than fourteen days
20 after any date on which the reporting person makes a reportable
21 outlay which by itself or when added to all other reportable
22 outlays made since the reportable outlay most recently reported
23 equals five thousand dollars or more, except that, if such
24 reportable outlay is made during the thirty days before an
25 election, such additional report shall be filed within
26 forty-eight hours after the date on which the reporting person
27 made such reportable outlay.

28 (3) All reports filed under this subsection shall contain
29 the following information:

1 (a) The name and address of the reporting person, and, if
2 that person is a natural person, the name and address of that
3 person's employer;

4 (b) If the reporting person is a non-natural person, that
5 person's owners, partners, board members, and officers, or their
6 equivalents. In the event that a report does not otherwise
7 include the name of a natural person associated with the
8 reporting person, the report shall include the name, address, and
9 other contact information of at least one natural person with
10 managerial control over the reporting person;

11 (c) For each reportable outlay made by the reporting person
12 since the most recent general election:

13 a. The date and dollar value of each reportable outlay;

14 b. The name and address of the recipient of each reportable
15 outlay; and

16 c. A description of the nature and purpose of each
17 reportable outlay, including, in addition to any other
18 information required by rules promulgated by the ethics
19 commission, the name of any candidate or ballot measure supported
20 or opposed, and, if the reportable outlay is an elected official
21 communication payment, the name of any elected official
22 identified by the communication and the name of any elected
23 official in connection with whom the communication is made;

24 (d) Each report shall include receipts of covered transfers
25 accepted since the most recent general election, including:

26 a. The total dollar value of all covered transfers
27 accepted;

28 b. (i) A separate listing by name and address, and
29 employer, if any, of each person from whom the reporting person

1 accepted covered transfers aggregating more than five thousand
2 dollars, together with the date and dollar value of each such
3 covered transfer, as well as a description of each such covered
4 transfer that was in-kind;

5 (ii) The names of the owners, partners, board members, and
6 officers, or their equivalents, of any non-natural person listed
7 pursuant to item (i) of this subparagraph;

8 c. A listing of each covered transfer that was received in
9 the form of a loan, such loans listed by name and address of the
10 lender and date and amount of the loan. For each such loan of
11 more than one hundred dollars, a separate statement shall be
12 attached setting forth the name and address of the lender and
13 each person liable directly, indirectly or contingently, and the
14 date, amount and terms of the loan; and

15 d. A listing of each covered transfer accepted that was
16 restricted or designated in whole or in part for a particular
17 purpose by the transferor, such listing including the name and
18 address of the transferor, together with the date and dollar
19 value of the covered transfer, together with a reasonably
20 detailed description of the purpose for which all or part of that
21 covered transfer was restricted or designated.

22 11. (1) If the person filing a report under subsection 10
23 of this section has filed any previous report under subsection 10
24 of this section since the most recent general election, the
25 subsequent report need only include updated information, and need
26 not contain information identical to that provided in previous
27 reports.

28 (2) Reports filed under subsection 10 of this section need
29 not include information about reportable outlays made before the

1 date on which subsection 10 of this section becomes effective or
2 on covered transfers accepted prior to such date.

3 (3) (a) For purposes of subsection 10 of this section, if
4 a covered transfer accepted is a payment to an organization of
5 bona fide membership dues that do not exceed two thousand five
6 hundred dollars in a five-year period, the name and other
7 identifying information of the person making the covered transfer
8 need not be reported.

9 (b) Any report that withholds information pursuant to
10 paragraph (a) of this subdivision shall report the aggregate
11 value of all covered transfers for which information is so
12 withheld, stating that full disclosure has been withheld pursuant
13 to paragraph (a) of this subdivision.

14 (c) Notwithstanding any other provision of law to the
15 contrary, no provision of subsections 5 to 18 of this section
16 shall be construed in such a way as to negate the exception
17 provided for in paragraph (a) of this subdivision or otherwise be
18 construed in such a way as to require that any person's name or
19 other identifying information be disclosed to any entity as a
20 result of such person having made a payment to an organization of
21 bona fide membership dues that do not exceed two thousand five
22 hundred dollars in a five-year period.

23 12. (1) No reportable outlay shall be made or accepted,
24 directly or indirectly, in a fictitious name, in the name of
25 another person, or by or through another person with the intent
26 to conceal the original source of the reportable outlay.

27 (2) (a) The Missouri ethics commission shall promulgate
28 rules to ensure that each person who, during the period between
29 two general elections, is the original source of more than five

1 thousand dollars of expenditures used to support or oppose any
2 single candidate or ballot measure is publicly reported as such,
3 together with the total amount of expenditures used to support or
4 oppose that candidate or ballot measure for which such person is
5 the original source, and together with a listing of any
6 intermediaries that facilitated the transfer by receiving and
7 transferring funds or items on their path between the original
8 source and the recipient person, including the values, immediate
9 sources, and immediate recipients of such funds or items received
10 and transferred by each such intermediary. For the purposes of
11 this paragraph, "expenditure" shall not include contributions or
12 covered transfers, nor transfers or payments made prior to the
13 date on which this paragraph takes effect as law.

14 (b) The Missouri ethics commission shall promulgate rules
15 to ensure that each person who, during the period between two
16 general elections, is the original source of more than five
17 thousand dollars of contributions or covered transfers received
18 by any single person is publicly reported as such, together with
19 the total amount of contributions or covered transfers to such
20 recipient for which such contributor or transferor is the
21 original source, and together with a listing of any
22 intermediaries that facilitated the transfer by receiving and
23 transferring funds or items on their path between the original
24 source and the recipient person, including the values, immediate
25 sources, and immediate recipients of such funds or items received
26 and transferred by each such intermediary. For the purposes of
27 this paragraph, the terms "contribution" and "covered transfer"
28 shall not include transfers or payments made prior to the date on
29 which this paragraph takes effect as law.

1 (c) For the purpose of identifying the original source or
2 original sources of any reportable outlay:

3 a. When a person making a contribution or covered transfer
4 restricts or designates it for a particular purpose, such
5 contribution or covered transfer shall be attributed to a
6 reportable outlay the purpose of which matches that for which the
7 covered transfer was restricted or designated, if such a
8 reportable outlay is made by the immediate recipient of the
9 covered transfer and if no covered transfer received earlier has
10 already been attributed to that reportable outlay pursuant to
11 this subparagraph.

12 b. In all other cases, a contribution or covered transfer
13 shall be attributed to a reportable outlay in the same proportion
14 in which other contributions or covered transfers received by the
15 immediate recipient of the contribution or covered transfer and
16 not covered by subparagraph a of this paragraph are so
17 attributed.

18 (d) For purposes of this subdivision, an "original source"
19 is a person who makes a payment or transfer from its own sources
20 other than covered transfers, donations or gifts, such as wages,
21 investment income, inheritance, or revenue from the sale of goods
22 or services.

23 13. The disclosure thresholds described in subsection 10 of
24 this section shall be adjusted by an amount based upon the
25 average of the percentage change over a four-year period in the
26 United States Bureau of Labor Statistics Consumer Price Index for
27 Kansas City, all items, all consumers, or its successor index,
28 rounded to the nearest lowest twenty-five dollars and the
29 percentage change over a four-year period in the United States

1 Bureau of Labor Statistics Consumer Price Index for St. Louis,
2 all items, all consumers, or its successor index, rounded to the
3 nearest lowest twenty-five dollars. The first adjustment shall
4 be done in the first quarter of 2019, and then every four years
5 thereafter. The secretary of state shall calculate such an
6 adjustment in each limit and specify the limits in rules
7 promulgated in accordance with chapter 536, as amended from time
8 to time.

9 14. All reports filed with the Missouri ethics commission
10 under this section or under section 130.047 shall be filed in an
11 electronic format as prescribed by the commission. Within five
12 business days of receiving any report, the commission shall make
13 the report available to the public on its website in a searchable
14 format. The commission shall also maintain and update at least
15 weekly an online database of such reports' contents, cleaning the
16 data of errors, assigning a unique identifier to each person
17 whose identifying information is included in the database,
18 ensuring that all appearances of each person's identifying
19 information in the database are tagged with that person's unique
20 identifier, and making the data available to the public for easy
21 download in file formats well-suited for manipulation and
22 analysis of data.

23 15. Every person failing to file a report as required by
24 this section shall receive a warning from the executive director
25 of the Missouri ethics commission. After one warning, a person
26 failing to file a report shall be assessed a late filing fee of
27 one hundred dollars for each day after such report is due to the
28 commission, provided that the total amount of such fees assessed
29 under this subsection shall not exceed five thousand dollars per

1 report. The executive director shall send a notice to any person
2 who fails to file such report within seven business days of such
3 failure to file informing such person of such failure and the
4 fees provided by this section.

5 16. The provisions of subsections 5 to 18 of this section
6 shall not apply to any non-profit organization exempt from
7 taxation under any provision of Section 501(c) of the Internal
8 Revenue Code of 1986, as amended, that:

9 (1) Has been in continuous operation for over fifty years;

10 (2) Accepts more than one million dollars in annual
11 donations; and

12 (3) Operates in all fifty states.

13 17. Any rule or portion of a rule, as that term is defined
14 in section 536.010 that is created under the authority delegated
15 in this section shall become effective only if it complies with
16 and is subject to all of the provisions of chapter 536, and, if
17 applicable, section 536.028. This subsection and chapter 536 are
18 nonseverable and if any of the powers vested with the general
19 assembly pursuant to chapter 536, to review, to delay the
20 effective date, or to disapprove and annul a rule are
21 subsequently held unconstitutional, then the grant of rulemaking
22 authority and any rule proposed or adopted after August 28, 2017,
23 shall be invalid and void.

24 18. The provisions of this section are self-executing. All
25 of the provisions of this section are severable. If any
26 provision of this section is found by a court of competent
27 jurisdiction to be invalid, unconstitutional or
28 unconstitutionally enacted, the remaining provisions of this
29 section shall be and remain valid."; and

1 Further amend the title and enacting clause accordingly.