

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1303
99TH GENERAL ASSEMBLY

Reported from the Committee on Rules, Joint Rules, Resolutions and Ethics, February 22, 2018, with recommendation that the Senate Committee Substitute do pass.

5017S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 105.470, 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 three new sections relating to the influencing of public officials by lobbyists, with an existing penalty provision.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 105.470, 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and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, are repealed and three new sections enacted in lieu thereof, to be known as sections 105.470, 105.473, and 105.474, to read as follows:

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

(1) **"Constituent expenditure", any item of value, including any food or beverage:**

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

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

(c) **That is for the exclusive benefit of an individual or group of individuals who are constituents of an elected public official; and**

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

(2) **"Elected local government official lobbyist", any natural person employed specifically for the purpose of attempting to influence any action by a**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

13 local government official elected in a county, city, town, or village with an annual
14 operating budget of over ten million dollars;

15 ~~[(2)]~~ **(3)** "Executive lobbyist", any natural person who acts for the
16 purpose of attempting to influence any action by the executive branch of
17 government or by any elected or appointed official, employee, department,
18 division, agency or board or commission thereof and in connection with such
19 activity, meets the requirements of any one or more of the following:

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

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

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

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

31 An "executive lobbyist" shall not include a member of the general assembly, an
32 elected state official, or any other person solely due to such person's participation
33 in any of the following activities:

34 a. Appearing or inquiring in regard to a complaint, citation, summons,
35 adversary proceeding, or contested case before a state board, commission,
36 department, division or agency of the executive branch of government or any
37 elected or appointed officer or employee thereof;

38 b. Preparing, filing or inquiring, or responding to any audit, regarding any
39 tax return, any public document, permit or contract, any application for any
40 permit or license or certificate, or any document required or requested to be filed
41 with the state or a political subdivision;

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

45 d. Participating in public hearings or public proceedings on rules, grants,
46 or other matters;

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

49 f. Preparing or publication of an editorial, a newsletter, newspaper,
50 magazine, radio or television broadcast, or similar news medium, whether print
51 or electronic;

52 g. Acting within the scope of employment by the general assembly, or
53 acting within the scope of employment by the executive branch of government
54 when acting with respect to the department, division, board, commission, agency
55 or elected state officer by which such person is employed, or with respect to any
56 duty or authority imposed by law to perform any action in conjunction with any
57 other public official or state employee; or

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

60 ~~[(3)]~~ **(4) (a)** "Expenditure", any payment made ~~[or]~~; any charge,
61 expense, cost, debt or bill incurred; any ~~[gift, honorarium or]~~ item of value
62 bestowed including any food or beverage; any price, charge or fee which is waived,
63 forgiven, reduced or indefinitely delayed; any loan or debt which is cancelled,
64 reduced or otherwise forgiven; the transfer of any item with a reasonably
65 discernible cost or fair market value from one person to another or provision of
66 any service or granting of any opportunity for which a charge is customarily
67 made, without charge or for a reduced charge; ~~[except that]~~ **provided that such**
68 **expenditure meets the following conditions:**

69 **a. The expenditure is made by a lobbyist, lobbyist principal, or**
70 **a person acting on behalf of a lobbyist or lobbyist principal;**

71 **b. The expenditure is made on behalf of a public official or such**
72 **public official's staff, spouse, or dependent children; and**

73 **c. The lobbyist, lobbyist principal, or person acting on behalf of**
74 **a lobbyist or lobbyist principal making the expenditure is present for**
75 **the consumption or enjoyment of the expenditure by the recipient,**
76 **except that if the expenditure is for food or beverages that are**
77 **provided to an elected public official so that he or she may provide**
78 **hospitality in the capitol building, the person making the expenditure**
79 **shall not be required to be present for such consumption or enjoyment;**

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

81 ~~[(a)]~~ **a.** Any item, service or thing of value transferred to any person
82 within the third degree of consanguinity **or affinity** of the transferor which is
83 unrelated to any activity of the transferor as a lobbyist;

84 ~~[(b)]~~ **b.** Informational material such as books, reports, pamphlets,

85 calendars or periodicals informing a public official regarding such person's official
86 duties, or souvenirs or mementos valued at less than ten dollars;

87 [(c)] **c.** Contributions to the public official's campaign committee or
88 candidate committee which are reported pursuant to the provisions of chapter
89 130;

90 [(d)] **d.** Any loan made or other credit accommodations granted or other
91 payments made by any person or entity which extends credit or makes loan
92 accommodations or such payments in the regular ordinary scope and course of
93 business, provided that such are extended, made or granted in the ordinary
94 course of such person's or entity's business to persons who are not public officials;

95 [(e)] **e.** Any item, service or thing of de minimis value offered to the
96 general public, whether or not the recipient is a public official or a staff member,
97 employee, spouse or dependent child of a public official, and only if the grant of
98 the item, service or thing of de minimis value is not motivated in any way by the
99 recipient's status as a public official or staff member, employee, spouse or
100 dependent child of a public official;

101 [(f)] **f.** The transfer of any item, provision of any service or granting of
102 any opportunity with a reasonably discernible cost or fair market value when
103 such item, service or opportunity is necessary for a public official or employee to
104 perform his or her duty in his or her official capacity, including but not limited
105 to entrance fees to any sporting event, museum, or other venue when the official
106 or employee is participating in a ceremony, public presentation or official meeting
107 therein;

108 [(g)] **g.** Any payment, [gift,] compensation, fee, [expenditure] or anything
109 of value which is bestowed upon or given to any public official or a staff member,
110 employee, spouse or dependent child of a public official when it is compensation
111 for employment or given as an employment benefit and when such employment
112 is in addition to their employment as a public official;

113 **h. Flowers or plants sent as an expression of condolence or**
114 **congratulations within a reasonable period of time of the occasion**
115 **being observed;**

116 **i. Any plaque or award that signifies the honorary recognition**
117 **of a service or other notable accomplishment, provided such plaque or**
118 **award does not exceed fifty dollars;**

119 **(5) "Gift", any of the following that do not otherwise meet the**
120 **definition of "expenditure" or "constituent expenditure": any payment**

121 **made; any charge, expense, cost, debt or bill incurred; any item of value**
122 **bestowed including any food or beverage; any price, charge or fee**
123 **which is waived, forgiven, reduced or indefinitely delayed; any loan or**
124 **debt which is cancelled, reduced or otherwise forgiven; the transfer of**
125 **any item with a reasonably discernible cost or fair market value from**
126 **one person to another or provision of any service or granting of any**
127 **opportunity for which a charge is customarily made, without charge or**
128 **for a reduced charge; and such gift is not made for the immediate**
129 **consumption or enjoyment by the recipient and the person making the**
130 **gift is not present for the consumption or enjoyment of the gift;**

131 [(4)] (6) "Judicial lobbyist", any natural person who acts for the purpose
132 of attempting to influence any purchasing decision by the judicial branch of
133 government or by any elected or appointed official or any employee thereof and
134 in connection with such activity, meets the requirements of any one or more of the
135 following:

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

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

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

146 (d) Makes total expenditures of fifty dollars or more during the
147 twelve-month period beginning January first and ending December thirty-first for
148 the benefit of one or more public officials or one or more employees of the judicial
149 branch of state government in connection with attempting to influence such
150 purchasing decisions by the judiciary.

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

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

156 b. Participating in public hearings or public proceedings on rules, grants,

157 or other matters;

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

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

163 e. Acting within the scope of employment by the general assembly, or
164 acting within the scope of employment by the executive branch of government
165 when acting with respect to the department, division, board, commission, agency
166 or elected state officer by which such person is employed, or with respect to any
167 duty or authority imposed by law to perform any action in conjunction with any
168 other public official or state employee;

169 [(5)] (7) "Legislative lobbyist", any natural person who acts for the
170 purpose of attempting to influence the taking, passage, amendment, delay or
171 defeat of any official action on any bill, resolution, amendment, nomination,
172 appointment, report or any other action or any other matter pending or proposed
173 in a legislative committee in either house of the general assembly, or in any
174 matter which may be the subject of action by the general assembly and in
175 connection with such activity, meets the requirements of any one or more of the
176 following:

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

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

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

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

190 A "legislative lobbyist" shall include an attorney at law engaged in activities on
191 behalf of any person unless excluded by any of the following exceptions. A
192 "legislative lobbyist" shall not include any member of the general assembly, an

193 elected state official, or any other person solely due to such person's participation
194 in any of the following activities:

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

197 b. Preparing or publication of an editorial, a newsletter, newspaper,
198 magazine, radio or television broadcast, or similar news medium, whether print
199 or electronic;

200 c. Acting within the scope of employment of the legislative branch of
201 government when acting with respect to the general assembly or any member
202 thereof;

203 d. Testifying as a witness before the general assembly or any committee
204 thereof;

205 [(6)] (8) "Lobbyist", any natural person defined as an executive lobbyist,
206 judicial lobbyist, elected local government official lobbyist, or a legislative
207 lobbyist;

208 [(7)] (9) "Lobbyist principal", any person, business entity, governmental
209 entity, religious organization, nonprofit corporation or association who employs,
210 contracts for pay or otherwise compensates a lobbyist;

211 [(8)] (10) "Public official", any member or member-elect of the general
212 assembly, judge or judicial officer, or any other person holding an elective office
213 of state government or any agency head, department director or division director
214 of state government or any member of any state board or commission and any
215 designated decision-making public servant designated by persons described in
216 this subdivision.

[105.473. 1. Each lobbyist shall, not later than January
2 fifth of each year or five days after beginning any activities as a
3 lobbyist, file standardized registration forms, verified by a written
4 declaration that it is made under the penalties of perjury, along
5 with a filing fee of ten dollars, with the commission. The forms
6 shall include the lobbyist's name and business address, the name
7 and address of all persons such lobbyist employs for lobbying
8 purposes, the name and address of each lobbyist principal by whom
9 such lobbyist is employed or in whose interest such lobbyist
10 appears or works. The commission shall maintain files on all
11 lobbyists' filings, which shall be open to the public. Each lobbyist
12 shall file an updating statement under oath within one week of any

13 addition, deletion, or change in the lobbyist's employment or
14 representation. The filing fee shall be deposited to the general
15 revenue fund of the state. The lobbyist principal or a lobbyist
16 employing another person for lobbying purposes may notify the
17 commission that a judicial, executive or legislative lobbyist is no
18 longer authorized to lobby for the principal or the lobbyist and
19 should be removed from the commission's files.

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

28 3. (1) During any period of time in which a lobbyist
29 continues to act as an executive lobbyist, judicial lobbyist,
30 legislative lobbyist, or elected local government official lobbyist, the
31 lobbyist shall file with the commission on standardized forms
32 prescribed by the commission monthly reports which shall be due
33 at the close of business on the tenth day of the following month;

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

37 (a) The total of all expenditures by the lobbyist or his or her
38 lobbyist principals made on behalf of all public officials, their staffs
39 and employees, and their spouses and dependent children, which
40 expenditures shall be separated into at least the following
41 categories by the executive branch, judicial branch and legislative
42 branch of government: printing and publication expenses; media
43 and other advertising expenses; travel; the time, venue, and nature
44 of any entertainment; honoraria; meals, food and beverages; and
45 gifts;

46 (b) The total of all expenditures by the lobbyist or his or her
47 lobbyist principals made on behalf of all elected local government
48 officials, their staffs and employees, and their spouses and

49 children. Such expenditures shall be separated into at least the
50 following categories: printing and publication expenses; media and
51 other advertising expenses; travel; the time, venue, and nature of
52 any entertainment; honoraria; meals; food and beverages; and gifts;

53 (c) An itemized listing of the name of the recipient and the
54 nature and amount of each expenditure by the lobbyist or his or
55 her lobbyist principal, including a service or anything of value, for
56 all expenditures made during any reporting period, paid or
57 provided to or for a public official or elected local government
58 official, such official's staff, employees, spouse or dependent
59 children;

60 (d) The total of all expenditures made by a lobbyist or
61 lobbyist principal for occasions and the identity of the group
62 invited, the date, location, and description of the occasion and the
63 amount of the expenditure for each occasion when any of the
64 following are invited in writing:

65 a. All members of the senate, which may or may not include
66 senate staff and employees under the direct supervision of a state
67 senator;

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

71 c. All members of a joint committee of the general assembly
72 or a standing committee of either the house of representatives or
73 senate, which may or may not include joint and standing committee
74 staff;

75 d. All members of a caucus of the majority party of the
76 house of representatives, minority party of the house of
77 representatives, majority party of the senate, or minority party of
78 the senate;

79 e. All statewide officials, which may or may not include the
80 staff and employees under the direct supervision of the statewide
81 official;

82 (e) Any expenditure made on behalf of a public official, an
83 elected local government official or such official's staff, employees,
84 spouse or dependent children, if such expenditure is solicited by

85 such official, the official's staff, employees, or spouse or dependent
86 children, from the lobbyist or his or her lobbyist principals and the
87 name of such person or persons, except any expenditures made to
88 any not-for-profit corporation, charitable, fraternal or civic
89 organization or other association formed to provide for good in the
90 order of benevolence and except for any expenditure reported under
91 paragraph (d) of this subdivision;

92 (f) A statement detailing any direct business relationship
93 or association or partnership the lobbyist has with any public
94 official or elected local government official. The reports required
95 by this subdivision shall cover the time periods since the filing of
96 the last report or since the lobbyist's employment or representation
97 began, whichever is most recent.

98 4. No expenditure reported pursuant to this section shall
99 include any amount expended by a lobbyist or lobbyist principal on
100 himself or herself. All expenditures disclosed pursuant to this
101 section shall be valued on the report at the actual amount of the
102 payment made, or the charge, expense, cost, or obligation, debt or
103 bill incurred by the lobbyist or the person the lobbyist
104 represents. Whenever a lobbyist principal employs more than one
105 lobbyist, expenditures of the lobbyist principal shall not be reported
106 by each lobbyist, but shall be reported by one of such lobbyists. No
107 expenditure shall be made on behalf of a state senator or state
108 representative, or such public official's staff, employees, spouse, or
109 dependent children for travel or lodging outside the state of
110 Missouri unless such travel or lodging was approved prior to the
111 date of the expenditure by the administration and accounts
112 committee of the house or the administration committee of the
113 senate.

114 5. Any lobbyist principal shall provide in a timely fashion
115 whatever information is reasonably requested by the lobbyist
116 principal's lobbyist for use in filing the reports required by this
117 section.

118 6. All information required to be filed pursuant to the
119 provisions of this section with the commission shall be kept
120 available by the executive director of the commission at all times

121 open to the public for inspection and copying for a reasonable fee
122 for a period of five years from the date when such information was
123 filed.

124 7. No person shall knowingly employ any person who is
125 required to register as a registered lobbyist but is not registered
126 pursuant to this section. Any person who knowingly violates this
127 subsection shall be subject to a civil penalty in an amount of not
128 more than ten thousand dollars for each violation. Such civil
129 penalties shall be collected by action filed by the commission.

130 8. Any lobbyist found to knowingly omit, conceal, or falsify
131 in any manner information required pursuant to this section shall
132 be guilty of a class A misdemeanor.

133 9. The prosecuting attorney of Cole County shall be
134 reimbursed only out of funds specifically appropriated by the
135 general assembly for investigations and prosecutions for violations
136 of this section.

137 10. Any public official or other person whose name appears
138 in any lobbyist report filed pursuant to this section who contests
139 the accuracy of the portion of the report applicable to such person
140 may petition the commission for an audit of such report and shall
141 state in writing in such petition the specific disagreement with the
142 contents of such report. The commission shall investigate such
143 allegations in the manner described in section 105.959. If the
144 commission determines that the contents of such report are
145 incorrect, incomplete or erroneous, it shall enter an order requiring
146 filing of an amended or corrected report.

147 11. The commission shall provide a report listing the total
148 spent by a lobbyist for the month and year to any member or
149 member-elect of the general assembly, judge or judicial officer, or
150 any other person holding an elective office of state government or
151 any elected local government official on or before the twentieth day
152 of each month. For the purpose of providing accurate information
153 to the public, the commission shall not publish information in
154 either written or electronic form for ten working days after
155 providing the report pursuant to this subsection. The commission
156 shall not release any portion of the lobbyist report if the accuracy

157 of the report has been questioned pursuant to subsection 10 of this
158 section unless it is conspicuously marked "Under Review".

159 12. Each lobbyist or lobbyist principal by whom the lobbyist
160 was employed, or in whose behalf the lobbyist acted, shall provide
161 a general description of the proposed legislation or action by the
162 executive branch or judicial branch which the lobbyist or lobbyist
163 principal supported or opposed. This information shall be supplied
164 to the commission on March fifteenth and May thirtieth of each
165 year.

166 13. The provisions of this section shall supersede any
167 contradicting ordinances or charter provisions.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year
2 or five days after beginning any activities as a lobbyist, file standardized
3 registration forms, verified by a written declaration that it is made under the
4 penalties of perjury, along with a filing fee of ten dollars, with the
5 commission. The forms shall include the lobbyist's name and business address,
6 the name and address of all persons such lobbyist employs for lobbying purposes,
7 the name and address of each lobbyist principal by whom such lobbyist is
8 employed or in whose interest such lobbyist appears or works. The commission
9 shall maintain files on all lobbyists' filings, which shall be open to the
10 public. Each lobbyist shall file an updating statement under oath within one
11 week of any addition, deletion, or change in the lobbyist's employment or
12 representation. The filing fee shall be deposited to the general revenue fund of
13 the state. The lobbyist principal or a lobbyist employing another person for
14 lobbying purposes may notify the commission that a judicial, executive or
15 legislative lobbyist is no longer authorized to lobby for the principal or the
16 lobbyist and should be removed from the commission's files.

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

23 3. (1) During any period of time in which a lobbyist continues to act as
24 an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local
25 government official lobbyist, the lobbyist shall file with the commission on

26 standardized forms prescribed by the commission monthly reports which shall be
27 due at the close of business on the tenth day of the following month[;].

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

31 (a) The total of all expenditures by the lobbyist or his or her lobbyist
32 principals made on behalf of all public officials, their staffs and employees, and
33 their spouses and dependent children, which expenditures shall be separated into
34 at least the following categories by the executive branch, judicial branch and
35 legislative branch of government: printing and publication expenses; media and
36 other advertising expenses; travel; the time, venue, and nature of any
37 entertainment; [honoraria;] **and** meals, food and beverages[; and gifts];

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

44 (c) **The total of all constituent expenditures by the lobbyist or his**
45 **or her lobbyist principals made on behalf of all elected public officials,**
46 **which expenditures shall be separated into at least the following**
47 **categories by the executive branch, judicial branch, and legislative**
48 **branch of government: travel; the time, venue, and nature of any**
49 **entertainment; meals, food, and beverages;**

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

55 [(d)] (e) The total of all expenditures made by a lobbyist or lobbyist
56 principal [for occasions] and the identity of the group invited, the date [and
57 description of the occasion] and the amount of the expenditure [for each occasion]
58 when any of the following are invited **by a notice** in writing **or by electronic**
59 **means:**

60 a. All members of the senate, **which may or may not include staff**
61 **and employees;**

62 b. All members of the house of representatives, **which may or may not**
63 **include staff and employees;**

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

66 d. All members of a caucus of the majority party of the house of
67 representatives, minority party of the house of representatives, majority party of
68 the senate, or minority party of the senate] **which may or may not include**
69 **staff and employees; or**

70 e. **All statewide elected officials, which may or may not include**
71 **staff and employees;**

72 [(e)] (f) Any expenditure made on behalf of a public official, an elected
73 local government official or such official's staff, employees, spouse or dependent
74 children, if such expenditure is solicited by such official, the official's staff,
75 employees, or spouse or dependent children, from the lobbyist or his or her
76 lobbyist principals and the name of such person or persons, except any
77 expenditures made to any not-for-profit corporation, charitable, fraternal or civic
78 organization or other association formed to provide for good in the order of
79 benevolence;

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

85 4. No expenditure reported pursuant to this section shall include any
86 amount expended by a lobbyist or lobbyist principal on himself or herself. All
87 expenditures disclosed pursuant to this section shall be valued on the report at
88 the actual amount of the payment made, or the charge, expense, cost, or
89 obligation, debt or bill incurred by the lobbyist or the person the lobbyist
90 represents. Whenever a lobbyist principal employs more than one lobbyist,
91 expenditures of the lobbyist principal shall not be reported by each lobbyist, but
92 shall be reported by one of such lobbyists. No expenditure shall be made on
93 behalf of a state senator or state representative, or such public official's staff,
94 employees, spouse, or dependent children for travel or lodging outside the state
95 of Missouri unless such travel or lodging was approved prior to the date of the
96 expenditure by the administration and accounts committee of the house or the
97 administration committee of the senate.

98 5. Any lobbyist principal shall provide in a timely fashion whatever
99 information is reasonably requested by the lobbyist principal's lobbyist for use in
100 filing the reports required by this section.

101 6. All information required to be filed pursuant to the provisions of this
102 section with the commission shall be kept available by the executive director of
103 the commission at all times open to the public for inspection and copying for a
104 reasonable fee for a period of five years from the date when such information was
105 filed.

106 7. No person shall knowingly employ any person who is required to
107 register as a registered lobbyist but is not registered pursuant to this
108 section. Any person who knowingly violates this subsection shall be subject to a
109 civil penalty in an amount of not more than ten thousand dollars for each
110 violation. Such civil penalties shall be collected by action filed by the
111 commission.

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

114 9. The prosecuting attorney of Cole County shall be reimbursed only out
115 of funds specifically appropriated by the general assembly for investigations and
116 prosecutions for violations of this section.

117 10. Any public official or other person whose name appears in any lobbyist
118 report filed pursuant to this section who contests the accuracy of the portion of
119 the report applicable to such person may petition the commission for an audit of
120 such report and shall state in writing in such petition the specific disagreement
121 with the contents of such report. The commission shall investigate such
122 allegations in the manner described in section 105.959. If the commission
123 determines that the contents of such report are incorrect, incomplete or
124 erroneous, it shall enter an order requiring filing of an amended or corrected
125 report.

126 11. The commission shall provide a report listing the total spent by a
127 lobbyist for the month and year to any member or member-elect of the general
128 assembly, judge or judicial officer, or any other person holding an elective office
129 of state government or any elected local government official on or before the
130 twentieth day of each month. For the purpose of providing accurate information
131 to the public, the commission shall not publish information in either written or
132 electronic form for ten working days after providing the report pursuant to this
133 subsection. The commission shall not release any portion of the lobbyist report

134 if the accuracy of the report has been questioned pursuant to subsection 10 of this
135 section unless it is conspicuously marked "Under Review".

136 12. Each lobbyist or lobbyist principal by whom the lobbyist was
137 employed, or in whose behalf the lobbyist acted, shall provide a general
138 description of the proposed legislation or action by the executive branch or
139 judicial branch which the lobbyist or lobbyist principal supported or
140 opposed. This information shall be supplied to the commission on March fifteenth
141 and May thirtieth of each year.

142 13. The provisions of this section shall supersede any contradicting
143 ordinances or charter provisions.

**105.474. 1. (1) No public official shall accept any expenditure or
2 combination of expenditures from any lobbyist, lobbyist principal, or
3 person acting on behalf of a lobbyist or lobbyist principal in excess of
4 forty dollars on any one calendar day.**

**5 (2) The limitations set out in subdivision (1) of this subsection
6 shall not apply to any expenditure that is properly reported as a group
7 expenditure under paragraph (e) of subdivision (2) of subsection 3 of
8 section 105.473.**

**9 (3) Any public official who accepts any expenditure or
10 combination of expenditures from any lobbyist, lobbyist principal, or
11 person acting on behalf of a lobbyist or lobbyist principal in excess of
12 forty dollars on any one calendar day shall be permitted to cure such
13 violation by reimbursing the lobbyist, lobbyist principal, or person
14 acting on behalf of the lobbyist or lobbyist principal for the excess in
15 expenditure made within thirty days of being notified by the
16 commission.**

**17 2. No public official shall accept any gift from any lobbyist,
18 lobbyist principal, or person acting on behalf of a lobbyist or lobbyist
19 principal.**

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