

SECOND REGULAR SESSION

# SENATE BILL NO. 802

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Pre-filed December 23, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4355S.01I

## AN ACT

To repeal section 115.646, RSMo, and to enact in lieu thereof one new section relating to the use of public funds in elections.

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

Section A. Section 115.646, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 115.646, to read as follows:

115.646. 1. No contribution or expenditure of public funds shall be made  
2 directly by any officer, employee or agent of any political subdivision to advocate,  
3 support, or oppose any ballot measure or candidate for public office. This section  
4 shall not be construed to prohibit any public official of a political subdivision from  
5 making public appearances or from issuing press releases concerning any such  
6 ballot measure.

7 2. (1) No contribution or expenditure of public funds shall be  
8 made by any school district or by any officer, employee, or agent of any  
9 school district to:

10 (a) Support or oppose the nomination or election of any  
11 candidate for public office;

12 (b) Support or oppose the passage or defeat of any ballot  
13 measure;

14 (c) Any committee supporting or opposing candidates or ballot  
15 measures; or

16 (d) For paying debts or obligations of any candidate or  
17 committee previously incurred for the purposes derived in paragraphs  
18 (a) to (d) of this subdivision.

19 (2) For the purposes of this subsection, the following terms shall  
20 mean:

- 21           (a) "Ballot measure", as defined in section 130.011;  
22           (b) "Candidate", as defined in section 130.011;  
23           (c) "Committee", as defined in section 130.011;  
24           (d) "Contribution or expenditure of public funds", without  
25 limitation, any use of funds or equipment, supplies, facilities,  
26 electricity, ink, paper, or employee time paid for by the school district;  
27 and  
28           (e) "School district", as defined in section 160.011.  
29           (3) This subsection shall not be construed to prohibit any public  
30 official of a school district from making public appearances or from  
31 issuing press releases concerning any ballot measure, provided that the  
32 school district makes no contribution or expenditure of public funds  
33 with respect to any public appearance or press release.  
34           (4) Any purposeful violation of this subsection shall be punished  
35 as a class four election offense.

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Bill

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