

SENATE BILL NO. 1134

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

2863S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 105.963, 130.011, 130.021, 130.034, 130.036, 130.041, 130.056, and 347.163, RSMo, and to enact in lieu thereof eight new sections relating to campaign finance, with penalty provisions.

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

Section A. Sections 105.963, 130.011, 130.021, 130.034,
2 130.036, 130.041, 130.056, and 347.163, RSMo, are repealed and
3 eight new sections enacted in lieu thereof, to be known as
4 sections 105.963, 130.011, 130.021, 130.034, 130.036, 130.041,
5 130.056, and 347.163, to read as follows:

105.963. 1. The executive director shall assess every
2 committee, as defined in section 130.011, failing to file
3 with a filing officer other than a local election authority
4 as provided by section 130.026 a campaign disclosure report
5 as required by chapter 130, [other than the report required
6 pursuant to subdivision (1) of subsection 1 of section
7 130.046,] a late filing fee of [ten] **twenty** dollars for each
8 day after such report is due to the commission, **unless**
9 **subsection 2 of this section applies.** The executive
10 director shall [mail] **send** a notice[, by registered mail,]
11 to any candidate and the treasurer of any committee who
12 fails to file such report informing such person of such
13 failure and the fees provided by this section. If the
14 candidate or treasurer of any committee persists in such
15 failure for a period in excess of thirty days beyond receipt

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

16 of such notice, the amount of the late filing fee shall
17 increase to one hundred dollars for each day that the report
18 is not filed, provided that the total amount of such fees
19 assessed pursuant to this subsection per report shall not
20 exceed three thousand dollars.

21 2. (1) Any [candidate for state or local office who]
22 **committee that** fails to file a campaign disclosure report
23 required pursuant to subdivision (1) of subsection 1 of
24 section 130.046 **or pursuant to subdivision (1) of subsection**
25 **3 of section 130.046**, other than a report required to be
26 filed with a local election authority as provided by section
27 130.026, shall be assessed by the executive director a late
28 filing fee of one hundred dollars for each day that the
29 report is not filed, until the first day after the date of
30 the election. After such election date, the amount of such
31 late filing fee shall accrue at the rate of ten dollars per
32 day that such report remains unfiled, except as provided in
33 subdivision (2) of this subsection.

34 (2) The executive director shall [mail] **send** a
35 notice[, by certified mail or other means to give actual
36 notice,] to any candidate [who] **and the treasurer of any**
37 **committee that** fails to file the report described in
38 subdivision (1) of this subsection informing such person of
39 such failure and the fees provided by this section. If the
40 candidate persists in such failure for a period in excess of
41 thirty days beyond receipt of such notice, the amount of the
42 late filing fee shall increase to one hundred dollars for
43 each day that the report is not filed, provided that the
44 total amount of such fees assessed pursuant to this
45 subsection per report shall not exceed six thousand dollars.

46 3. The executive director shall assess every person
47 required to file a financial interest statement pursuant to

48 sections 105.483 to 105.492 failing to file such a financial
49 interest statement with the commission a late filing fee of
50 ten dollars for each day after such statement is due to the
51 commission. The executive director shall [mail] **send** a
52 notice[, by certified mail,] to any person who fails to file
53 such statement informing the individual required to file of
54 such failure and the fees provided by this section. If the
55 person persists in such failure for a period in excess of
56 thirty days beyond receipt of such notice, the amount of the
57 late filing fee shall increase to one hundred dollars for
58 each day thereafter that the statement is late, provided
59 that the total amount of such fees assessed pursuant to this
60 subsection per statement shall not exceed six thousand
61 dollars.

62 4. Any person assessed a late filing fee may seek
63 review of such assessment or the amount of late filing fees
64 assessed, at the person's option, by filing a petition
65 within fourteen days after receiving [actual] notice of
66 assessment with the administrative hearing commission, or
67 without exhausting the person's administrative remedies may
68 seek review of such issues with the circuit court of Cole
69 County.

70 5. The executive director of the Missouri ethics
71 commission shall collect such late filing fees as are
72 provided for in this section. Unpaid late filing fees shall
73 be collected by action filed by the commission. The
74 commission shall contract with the appropriate entity to
75 collect such late filing fees after a thirty-day
76 delinquency. If not collected within one hundred twenty
77 days, the Missouri ethics commission shall file a petition
78 in Cole County circuit court to seek a judgment on said
79 fees. All late filing fees collected pursuant to this

80 section shall be transmitted to the state treasurer and
81 deposited to the general revenue fund.

82 6. The late filing fees provided by this section shall
83 be in addition to any penalty provided by law for violations
84 of sections 105.483 to 105.492 or chapter 130.

85 7. **The late filing fees and corresponding cumulative**
86 **late filing fee limits described in subsections 1 and 2 of**
87 **this section shall be increased as provided in this**
88 **subsection. On January 1, 2025, and on January first of**
89 **successive years, the executive director of the commission**
90 **shall measure the increase in the cost of living by the**
91 **percentage increase as of the preceding July over the level**
92 **as of July of the immediately preceding year of the Consumer**
93 **Price Index for Urban Wage Earners and Clerical Workers (CPI-**
94 **W) or successor index as published by the U.S. Department of**
95 **Labor or its successor agency. On January 1, 2025, the**
96 **dollar amounts listed in this subsection shall be increased**
97 **by the percentage increase in the cost of living as measured**
98 **in this subsection, and this shall be known as the base**
99 **amount. The base amount shall be the dollar amount that is**
100 **increased each year pursuant to this subsection. If in any**
101 **given year, the base amount has cumulatively increased by an**
102 **increment of five dollars or more from the original dollar**
103 **amount listed in this subsection, the late filing fee shall**
104 **be increased by five dollars.**

105 8. If any candidate fails to file a campaign
106 disclosure report in a timely manner and that candidate is
107 assessed a late filing fee, the candidate, candidate
108 committee treasurer or assistant treasurer may file an
109 appeal of the assessment of the late filing fee with the
110 commission. The commission may forgive the assessment of
111 the late filing fee upon a showing of good cause. Such

112 appeal shall be filed within ten days of the receipt of
113 notice of the assessment of the late filing fee.

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

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

6 (2) "Ballot measure" or "measure", any proposal
7 submitted or intended to be submitted to qualified voters
8 for their approval or rejection, including any proposal
9 submitted by initiative petition, referendum petition, or by
10 the general assembly or any local governmental body having
11 authority to refer proposals to the voter;

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

27 (a) Receives contributions or makes expenditures or
28 reserves space or facilities with intent to promote the
29 person's candidacy for office; or

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

45 (c) Announces or files a declaration of candidacy for
46 office;

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

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

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

57 (7) "Committee", a person or any combination of
58 persons, who accepts contributions or makes expenditures for
59 the primary or incidental purpose of influencing or
60 attempting to influence the action of voters for or against
61 the nomination or election to public office of one or more

62 candidates or the qualification, passage or defeat of any
63 ballot measure or for the purpose of paying a previously
64 incurred campaign debt or obligation of a candidate or the
65 debts or obligations of a committee or for the purpose of
66 contributing funds to another committee:

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

68 a. A person or combination of persons, if neither the
69 aggregate of expenditures made nor the aggregate of
70 contributions received during a calendar year exceeds five
71 hundred dollars and if no single contributor has contributed
72 more than two hundred fifty dollars of such aggregate
73 contributions;

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

77 c. A corporation, cooperative association,
78 partnership, proprietorship, or joint venture organized or
79 operated for a primary or principal purpose other than that
80 of influencing or attempting to influence the action of
81 voters for or against the nomination or election to public
82 office of one or more candidates or the qualification,
83 passage or defeat of any ballot measure, and it accepts no
84 contributions, and all expenditures it makes are from its
85 own funds or property obtained in the usual course of
86 business or in any commercial or other transaction and which
87 are not contributions as defined by subdivision (12) of this
88 section;

89 d. A labor organization organized or operated for a
90 primary or principal purpose other than that of influencing
91 or attempting to influence the action of voters for or
92 against the nomination or election to public office of one
93 or more candidates, or the qualification, passage, or defeat

94 of any ballot measure, and it accepts no contributions, and
95 expenditures made by the organization are from its own funds
96 or property received from membership dues or membership fees
97 which were given or solicited for the purpose of supporting
98 the normal and usual activities and functions of the
99 organization and which are not contributions as defined by
100 subdivision (12) of this section;

101 e. A person who acts as an authorized agent for a
102 committee in soliciting or receiving contributions or in
103 making expenditures or incurring indebtedness on behalf of
104 the committee if such person renders to the committee
105 treasurer or deputy treasurer or candidate, if applicable,
106 an accurate account of each receipt or other transaction in
107 the detail required by the treasurer to comply with all
108 record-keeping and reporting requirements of this chapter;

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

113 (b) The term "committee" includes, but is not limited
114 to, each of the following committees: campaign committee,
115 candidate committee, continuing committee and political
116 party committee;

117 (8) "Campaign committee", a committee, other than a
118 candidate committee, which shall be formed by an individual
119 or group of individuals to receive contributions or make
120 expenditures and whose sole purpose is to support or oppose
121 the qualification and passage of one or more particular
122 ballot measures in an election or the retention of judges
123 under the nonpartisan court plan, such committee shall be
124 formed no later than thirty days prior to the election for
125 which the committee receives contributions or makes

126 expenditures, and which shall terminate the later of either
127 thirty days after the general election or upon the
128 satisfaction of all committee debt after the general
129 election, except that no committee retiring debt shall
130 engage in any other activities in support of a measure for
131 which the committee was formed;

132 (9) "Candidate committee", a committee which shall be
133 formed by a candidate to receive contributions or make
134 expenditures in behalf of the person's candidacy and which
135 shall continue in existence for use by an elected candidate
136 or which shall terminate the later of either thirty days
137 after the general election for a candidate who was not
138 elected or upon the satisfaction of all committee debt after
139 the election, except that no committee retiring debt shall
140 engage in any other activities in support of the candidate
141 for which the committee was formed. Any candidate for
142 elective office shall have only one candidate committee for
143 the elective office sought, which is controlled directly by
144 the candidate for the purpose of making expenditures. A
145 candidate committee is presumed to be under the control and
146 direction of the candidate unless the candidate files an
147 affidavit with the appropriate officer stating that the
148 committee is acting without control or direction on the
149 candidate's part;

150 (10) "Continuing committee", a committee of continuing
151 existence which is not formed, controlled or directed by a
152 candidate, and is a committee other than a candidate
153 committee or campaign committee, whose primary or incidental
154 purpose is to receive contributions or make expenditures to
155 influence or attempt to influence the action of voters
156 whether or not a particular candidate or candidates or a
157 particular ballot measure or measures to be supported or

158 opposed has been determined at the time the committee is
159 required to file any statement or report pursuant to the
160 provisions of this chapter. "Continuing committee"
161 includes, but is not limited to, any committee organized or
162 sponsored by a business entity, a labor organization, a
163 professional association, a trade or business association, a
164 club or other organization and whose primary purpose is to
165 solicit, accept and use contributions from the members,
166 employees or stockholders of such entity and any individual
167 or group of individuals who accept and use contributions to
168 influence or attempt to influence the action of voters.
169 Such committee shall be formed no later than sixty days
170 prior to the election for which the committee receives
171 contributions or makes expenditures;

172 (11) "Connected organization", any organization such
173 as a corporation, a labor organization, a membership
174 organization, a cooperative, or trade or professional
175 association which expends funds or provides services or
176 facilities to establish, administer or maintain a committee
177 or to solicit contributions to a committee from its members,
178 officers, directors, employees or security holders. An
179 organization shall be deemed to be the connected
180 organization if more than fifty percent of the persons
181 making contributions to the committee during the current
182 calendar year are members, officers, directors, employees or
183 security holders of such organization or their spouses;

184 (12) "Contribution", a payment, gift, loan, advance,
185 deposit, or donation of money or anything of value for the
186 purpose of supporting or opposing the nomination or election
187 of any candidate for public office or the qualification,
188 passage or defeat of any ballot measure, or for the support
189 of any committee supporting or opposing candidates or ballot

190 measures or for paying debts or obligations of any candidate
191 or committee previously incurred for the above purposes. A
192 contribution of anything of value shall be deemed to have a
193 money value equivalent to the fair market value.

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

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

199 (b) Payment by any person, other than a candidate or
200 committee, to compensate another person for services
201 rendered to that candidate or committee;

202 (c) Receipts from the sale of goods and services,
203 including the sale of advertising space in a brochure,
204 booklet, program or pamphlet of a candidate or committee and
205 the sale of tickets or political merchandise;

206 (d) Receipts from fund-raising events including
207 testimonial affairs;

208 (e) Any loan, guarantee of a loan, cancellation or
209 forgiveness of a loan or debt or other obligation by a third
210 party, or payment of a loan or debt or other obligation by a
211 third party if the loan or debt or other obligation was
212 contracted, used, or intended, in whole or in part, for use
213 in an election campaign or used or intended for the payment
214 of such debts or obligations of a candidate or committee
215 previously incurred, or which was made or received by a
216 committee;

217 (f) Funds received by a committee which are
218 transferred to such committee from another committee or
219 other source, except funds received by a candidate committee
220 as a transfer of funds from another candidate committee

221 controlled by the same candidate but such transfer shall be
222 included in the disclosure reports;

223 (g) Facilities, office space or equipment supplied by
224 any person to a candidate or committee without charge or at
225 reduced charges, except gratuitous space for meeting
226 purposes which is made available regularly to the public,
227 including other candidates or committees, on an equal basis
228 for similar purposes on the same conditions;

229 (h) The direct or indirect payment by any person,
230 other than a connected organization, of the costs of
231 establishing, administering, or maintaining a committee,
232 including legal, accounting and computer services, fund
233 raising and solicitation of contributions for a committee;

234 (i) "Contribution" does not include:

235 a. Ordinary home hospitality or services provided
236 without compensation by individuals volunteering their time
237 in support of or in opposition to a candidate, committee or
238 ballot measure, nor the necessary and ordinary personal
239 expenses of such volunteers incidental to the performance of
240 voluntary activities, so long as no compensation is directly
241 or indirectly asked or given;

242 b. An offer or tender of a contribution which is
243 expressly and unconditionally rejected and returned to the
244 donor within ten business days after receipt or transmitted
245 to the state treasurer;

246 c. Interest earned on deposit of committee funds;

247 d. The costs incurred by any connected organization
248 listed pursuant to subdivision [(4)] (5) of subsection 5 of
249 section 130.021 for establishing, administering or
250 maintaining a committee, or for the solicitation of
251 contributions to a committee which solicitation is solely

252 directed or related to the members, officers, directors,
253 employees or security holders of the connected organization;

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

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

260 (15) "Election", any primary, general or special
261 election held to nominate or elect an individual to public
262 office, to retain or recall an elected officeholder or to
263 submit a ballot measure to the voters, and any caucus or
264 other meeting of a political party or a political party
265 committee at which that party's candidate or candidates for
266 public office are officially selected. A primary election
267 and the succeeding general election shall be considered
268 separate elections;

269 (16) "Expenditure", a payment, advance, conveyance,
270 deposit, donation or contribution of money or anything of
271 value for the purpose of supporting or opposing the
272 nomination or election of any candidate for public office or
273 the qualification or passage of any ballot measure or for
274 the support of any committee which in turn supports or
275 opposes any candidate or ballot measure or for the purpose
276 of paying a previously incurred campaign debt or obligation
277 of a candidate or the debts or obligations of a committee; a
278 payment, or an agreement or promise to pay, money or
279 anything of value, including a candidate's own money or
280 property, for the purchase of goods, services, property,
281 facilities or anything of value for the purpose of
282 supporting or opposing the nomination or election of any
283 candidate for public office or the qualification or passage

284 of any ballot measure or for the support of any committee
285 which in turn supports or opposes any candidate or ballot
286 measure or for the purpose of paying a previously incurred
287 campaign debt or obligation of a candidate or the debts or
288 obligations of a committee. An expenditure of anything of
289 value shall be deemed to have a money value equivalent to
290 the fair market value. "Expenditure" includes, but is not
291 limited to:

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

294 (b) The purchase of tickets, goods, services or
295 political merchandise in connection with any testimonial
296 affair or fund-raising event of or for candidates or
297 committees, or the purchase of advertising in a brochure,
298 booklet, program or pamphlet of a candidate or committee;

299 (c) The transfer of funds by one committee to another
300 committee;

301 (d) The direct or indirect payment by any person,
302 other than a connected organization for a committee, of the
303 costs of establishing, administering or maintaining a
304 committee, including legal, accounting and computer
305 services, fund raising and solicitation of contributions for
306 a committee; but

307 (e) "Expenditure" does not include:

308 a. Any news story, commentary or editorial which is
309 broadcast or published by any broadcasting station,
310 newspaper, magazine or other periodical without charge to
311 the candidate or to any person supporting or opposing a
312 candidate or ballot measure;

313 b. The internal dissemination by any membership
314 organization, proprietorship, labor organization,
315 corporation, association or other entity of information

316 advocating the election or defeat of a candidate or
317 candidates or the passage or defeat of a ballot measure or
318 measures to its directors, officers, members, employees or
319 security holders, provided that the cost incurred is
320 reported pursuant to subsection 2 of section 130.051;

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

323 d. The rendering of voluntary personal services by an
324 individual of the sort commonly performed by volunteer
325 campaign workers and the payment by such individual of the
326 individual's necessary and ordinary personal expenses
327 incidental to such volunteer activity, provided no
328 compensation is, directly or indirectly, asked or given;

329 e. The costs incurred by any connected organization
330 listed pursuant to subdivision [(4)] (5) of subsection 5 of
331 section 130.021 for establishing, administering or
332 maintaining a committee, or for the solicitation of
333 contributions to a committee which solicitation is solely
334 directed or related to the members, officers, directors,
335 employees or security holders of the connected organization;

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

341 (17) "Exploratory committees", a committee which shall
342 be formed by an individual to receive contributions and make
343 expenditures on behalf of this individual in determining
344 whether or not the individual seeks elective office. Such
345 committee shall terminate no later than December thirty-
346 first of the year prior to the general election for the
347 possible office;

348 (18) "Fund-raising event", an event such as a dinner,
349 luncheon, reception, coffee, testimonial, rally, auction or
350 similar affair through which contributions are solicited or
351 received by such means as the purchase of tickets, payment
352 of attendance fees, donations for prizes or through the
353 purchase of goods, services or political merchandise;

354 (19) "In-kind contribution" or "in-kind expenditure",
355 a contribution or expenditure in a form other than money;

356 (20) "Labor organization", any organization of any
357 kind, or any agency or employee representation committee or
358 plan, in which employees participate and which exists for
359 the purpose, in whole or in part, of dealing with employers
360 concerning grievances, labor disputes, wages, rates of pay,
361 hours of employment, or conditions of work;

362 (21) "Loan", a transfer of money, property or anything
363 of ascertainable monetary value in exchange for an
364 obligation, conditional or not, to repay in whole or in part
365 and which was contracted, used, or intended for use in an
366 election campaign, or which was made or received by a
367 committee or which was contracted, used, or intended to pay
368 previously incurred campaign debts or obligations of a
369 candidate or the debts or obligations of a committee;

370 (22) "Person", an individual, group of individuals,
371 corporation, partnership, committee, proprietorship, joint
372 venture, any department, agency, board, institution or other
373 entity of the state or any of its political subdivisions,
374 union, labor organization, trade or professional or business
375 association, association, political party or any executive
376 committee thereof, or any other club or organization however
377 constituted or any officer or employee of such entity acting
378 in the person's official capacity;

379 (23) "Political merchandise", goods such as bumper
380 stickers, pins, hats, ties, jewelry, literature, or other
381 items sold or distributed at a fund-raising event or to the
382 general public for publicity or for the purpose of raising
383 funds to be used in supporting or opposing a candidate for
384 nomination or election or in supporting or opposing the
385 qualification, passage or defeat of a ballot measure;

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

389 (25) "Political party committee", a state, district,
390 county, city, or area committee of a political party, as
391 defined in section 115.603, which may be organized as a not-
392 for-profit corporation under Missouri law, and which
393 committee is of continuing existence, and has the primary or
394 incidental purpose of receiving contributions and making
395 expenditures to influence or attempt to influence the action
396 of voters on behalf of the political party;

397 (26) "Public office" or "office", any state, judicial,
398 county, municipal, school or other district, ward, township,
399 or other political subdivision office or any political party
400 office which is filled by a vote of registered voters;

401 (27) "Regular session", includes that period beginning
402 on the first Wednesday after the first Monday in January and
403 ending following the first Friday after the second Monday in
404 May;

405 (28) "Write-in candidate", an individual whose name is
406 not printed on the ballot but who otherwise meets the
407 definition of candidate in subdivision (3) of this section.

130.021. 1. Every committee shall have a treasurer
2 who, except as provided in subsection 10 of this section,
3 shall be a resident of this state and reside in the district

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

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

32 3. A candidate who has more than one candidate
33 committee supporting the person's candidacy shall designate
34 one of those candidate committees as the committee
35 responsible for consolidating the aggregate contributions to

36 all such committees under the candidate's control and
37 direction as required by section 130.041.

38 4. (1) Every committee shall have a single official
39 fund depository within this state which shall be a federally
40 or state-chartered bank, a federally or state-chartered
41 savings and loan association, or a federally or state-
42 chartered credit union in which the committee shall open and
43 thereafter maintain at least one official depository account
44 in its own name. An "official depository account" shall be
45 a checking account or some type of negotiable draft or
46 negotiable order of withdrawal account, and the official
47 fund depository shall, regarding an official depository
48 account, be a type of financial institution which provides a
49 record of deposits, cancelled checks or other cancelled
50 instruments of withdrawal evidencing each transaction by
51 maintaining copies within this state of such instruments and
52 other transactions. All contributions which the committee
53 receives in money, checks and other negotiable instruments
54 shall be deposited in a committee's official depository
55 account. Contributions shall not be accepted and
56 expenditures shall not be made by a committee except by or
57 through an official depository account and the committee
58 treasurer, deputy treasurer or candidate. Contributions
59 received by a committee shall not be commingled with any
60 funds of an agent of the committee, a candidate or any other
61 person, except that contributions from a candidate of the
62 candidate's own funds to the person's candidate committee
63 shall be deposited to an official depository account of the
64 person's candidate committee. No expenditure shall be made
65 by a committee when the office of committee treasurer is
66 vacant except that when the office of a candidate committee

67 treasurer is vacant, the candidate shall be the treasurer
68 until the candidate appoints a new treasurer.

69 (2) A committee treasurer, deputy treasurer or
70 candidate may withdraw funds from a committee's official
71 depository account and deposit such funds in one or more
72 savings accounts in the committee's name in any bank,
73 savings and loan association or credit union within this
74 state, and may also withdraw funds from an official
75 depository account for investment in the committee's name in
76 any **mutual funds**, certificate of deposit, bond, or
77 security. Proceeds from interest or dividends from a
78 savings account or other investment or proceeds from
79 withdrawals from a savings account or from the sale of an
80 investment shall not be expended or reinvested, except in
81 the case of renewals of certificates of deposit, without
82 first redepositing such proceeds in an official depository
83 account. Investments, other than savings accounts, held
84 outside the committee's official depository account at any
85 time during a reporting period shall be disclosed by
86 description, amount, any identifying numbers and the name
87 and address of any institution or person in which or through
88 which it is held in an attachment to disclosure reports the
89 committee is required to file. Proceeds from an investment
90 such as interest or dividends or proceeds from its sale,
91 shall be reported by date and amount. In the case of the
92 sale of an investment, the names and addresses of the
93 persons involved in the transaction shall also be stated.
94 Funds held in savings accounts and investments, including
95 interest earned, shall be included in the report of money on
96 hand as required by section 130.041.

97 (3) Notwithstanding any other provision of law to the
98 contrary, funds held in candidate committees, campaign

99 committees, debt service committees, and exploratory
100 committees shall be liquid such that these funds shall be
101 readily available for the specific and limited purposes
102 allowed by law. These funds may be invested only in **mutual**
103 **funds or** short-term treasury instruments or short-term bank
104 certificates with durations of one year or less, or that
105 allow the removal of funds at any time without any
106 additional financial penalty other than the loss of interest
107 income. Continuing committees, political party committees,
108 and other committees such as out-of-state committees not
109 formed for the benefit of any single candidate or ballot
110 issue shall not be subject to the provisions of this
111 subdivision. This subdivision shall not be interpreted to
112 restrict the placement of funds in an interest-bearing
113 checking account.

114 5. The treasurer or deputy treasurer acting on behalf
115 of any person or organization or group of persons which is a
116 committee by virtue of the definitions of committee in
117 section 130.011 and any candidate who is not excluded from
118 forming a committee in accordance with the provisions of
119 section 130.016 shall file a statement of organization with
120 the appropriate officer within twenty days after the person
121 or organization becomes a committee but no later than the
122 date for filing the first report required pursuant to the
123 provisions of section 130.046. The statement of
124 organization shall contain the following information:

125 (1) The name, mailing address and telephone number, if
126 any, of the committee filing the statement of organization.
127 If the committee is deemed to be affiliated with a connected
128 organization as provided in subdivision (11) of section
129 130.011, the name of the connected organization, or a
130 legally registered fictitious name which reasonably

131 identifies the connected organization, shall appear in the
132 name of the committee. If the committee is a candidate
133 committee, the name of the candidate shall be a part of the
134 committee's name;

135 (2) The name, mailing address and telephone number of
136 the candidate;

137 (3) The name, mailing address and telephone number of
138 the committee treasurer, and the name, mailing address and
139 telephone number of its deputy treasurer if the committee
140 has named a deputy treasurer;

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

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

145 (6) The name and mailing address of its depository,
146 and the name and account number of each account the
147 committee has in the depository. The account number of each
148 account shall be redacted prior to disclosing the statement
149 to the public;

150 (7) Identification of the major nature of the
151 committee such as a candidate committee, campaign committee,
152 continuing committee, political party committee, incumbent
153 committee, or any other committee according to the
154 definition of committee in section 130.011;

155 (8) In the case of the candidate committee designated
156 in subsection 3 of this section, the full name and address
157 of each other candidate committee which is under the control
158 and direction of the same candidate, together with the name,
159 address and telephone number of the treasurer of each such
160 other committee;

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

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

165 6. A committee may omit the information required in
166 subdivisions (9) and (10) of subsection 5 of this section
167 if, on the date on which it is required to file a statement
168 of organization, the committee has not yet determined the
169 particular candidates or particular ballot measures it will
170 support or oppose.

171 7. A committee which has filed a statement of
172 organization and has not terminated shall not be required to
173 file another statement of organization, except that when
174 there is a change in any of the information previously
175 reported as required by subdivisions (1) to (8) of
176 subsection 5 of this section an amended statement of
177 organization shall be filed within twenty days after the
178 change occurs, but no later than the date of the filing of
179 the next report required to be filed by that committee by
180 section 130.046.

181 8. Upon termination of a committee, a termination
182 statement indicating dissolution shall be filed not later
183 than ten days after the date of dissolution with the
184 appropriate officer or officers with whom the committee's
185 statement of organization was filed. The termination
186 statement shall include: the distribution made of any
187 remaining surplus funds and the disposition of any deficits;
188 and the name, mailing address and telephone number of the
189 individual responsible for preserving the committee's
190 records and accounts as required in section 130.036.

191 9. Any statement required by this section shall be
192 signed and attested by the committee treasurer or deputy
193 treasurer, and by the candidate in the case of a candidate
194 committee.

195 10. A committee domiciled outside this state shall be
196 required to file a statement of organization and appoint a
197 treasurer residing in this state and open an account in a
198 depository within this state; provided that either of the
199 following conditions prevails:

200 (1) The aggregate of all contributions received from
201 persons domiciled in this state exceeds twenty percent in
202 total dollar amount of all funds received by the committee
203 in the preceding twelve months; or

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

208 11. If a committee domiciled in this state receives a
209 contribution of one thousand five hundred dollars or more
210 from any committee domiciled outside of this state, the
211 committee domiciled in this state shall file a disclosure
212 report with the commission. The report shall disclose the
213 full name, mailing address, telephone numbers and domicile
214 of the contributing committee and the date and amount of the
215 contribution. The report shall be filed within forty-eight
216 hours of the receipt of such contribution if the
217 contribution is received after the last reporting date
218 before the election.

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

 130.034. 1. Contributions as defined in section
2 130.011, received by any committee shall not be converted to
3 any personal use.

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

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

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

10 (3) Any expenses associated with the duties of
11 candidacy or of elective office pertaining to the
12 entertaining of or providing social courtesies to
13 constituents, professional associations, or other holders of
14 elective office;

15 (4) The return of any contribution to the person who
16 made the contribution to the candidate or holder of elective
17 office;

18 (5) To contribute to a political organization or
19 candidate committee as allowed by law;

20 (6) To establish a new committee as defined by this
21 chapter;

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

28 (8) Except when such candidate, former candidate or
29 holder of elective office dies while the committee remains
30 in existence, the committee may make an unconditional gift
31 to a fund established for the benefit of the spouse and
32 children of the candidate, former candidate or holder of
33 elective office. The provisions of this subdivision shall
34 expire October 1, 1997.

35 3. Upon the death of the candidate, former candidate
36 or holder of elective office who received such
37 contributions, all contributions shall be disposed of

38 according to this section and any funds remaining after
39 final settlement of the candidate's decedent's estate, or if
40 no estate is opened, then twelve months after the
41 candidate's death, will escheat to the state of Missouri to
42 be deposited in the general revenue fund.

43 4. No contributions, as defined in section 130.011,
44 received by a candidate, former candidate or holder of
45 elective office shall be used to make restitution payments
46 ordered of such individual by a court of law or for the
47 payment of any fine resulting from conviction of a violation
48 of any local, state or federal law.

49 5. Committees described in subdivision (17) of section
50 130.011 shall make expenditures only for the purpose of
51 determining whether an individual will be a candidate. Such
52 expenditures include polling information, mailings, personal
53 appearances, telephone expenses, office and travel expenses
54 but may not include contributions to other candidate
55 committees.

56 6. Any moneys in the exploratory committee fund may be
57 transferred to the candidate committee upon declaration of
58 candidacy for the position being explored. Such funds shall
59 be included for the purposes of reporting and limitation.
60 In the event that candidacy is not declared for the position
61 being explored, the remaining exploratory committee funds
62 shall be returned to the contributors on a pro rata basis.
63 In no event shall the amount returned exceed the amount
64 given by each contributor nor be less than ten dollars.

65 7. Funds held in candidate committees, campaign
66 committees, debt service committees, and exploratory
67 committees shall be liquid such that these funds shall be
68 readily available for the specific and limited purposes
69 allowed by law. These funds may be invested only in **mutual**

70 **funds or in** short-term treasury instruments or short-term
71 bank certificates with durations of one year or less, or
72 that allow the removal of funds at any time without any
73 additional financial penalty other than the loss of interest
74 income. Continuing committees, political party committees,
75 and other committees such as out-of-state committees not
76 formed for the benefit of any single candidate or ballot
77 issue shall not be subject to the provisions of this
78 subsection. This subsection shall not be interpreted to
79 restrict the placement of funds in an interest-bearing
80 checking account.

130.036. 1. The candidate, treasurer or deputy
2 treasurer of a committee shall maintain accurate records and
3 accounts on a current basis. The records and accounts shall
4 be maintained in accordance with accepted normal bookkeeping
5 procedures and shall contain the bills, receipts, deposit
6 records, cancelled checks and other detailed information
7 necessary to prepare and substantiate any statement or
8 report required to be filed pursuant to this chapter. Every
9 person who acts as an agent for a committee in receiving
10 contributions, making expenditures or incurring indebtedness
11 for the committee shall, on request of that committee's
12 treasurer, deputy treasurer or candidate, but in any event
13 within five days after any such action, render to the
14 candidate, committee treasurer or deputy treasurer a
15 detailed account thereof, including names, addresses, dates,
16 exact amounts and any other details required by the
17 candidate, treasurer or deputy treasurer to comply with this
18 chapter. Notwithstanding the provisions of subsection 4 of
19 section 130.021 prohibiting commingling of funds, an
20 individual, trade or professional association, business
21 entity, or labor organization which acts as an agent for a

22 committee in receiving contributions may deposit
23 contributions received on behalf of the committee to the
24 agent's account within a financial institution within this
25 state, for purposes of facilitating transmittal of the
26 contributions to the candidate, committee treasurer or
27 deputy treasurer. Such contributions shall not be held in
28 the agent's account for more than five days after the date
29 the contribution was received by the agent, and shall not be
30 transferred to the account of any other agent or person,
31 other than the committee treasurer.

32 2. Unless a contribution is rejected by the candidate
33 or committee and returned to the donor or transmitted to the
34 state treasurer within ten business days after its receipt,
35 it shall be considered received and accepted on the date
36 received, notwithstanding the fact that it was not deposited
37 by the closing date of a reporting period.

38 3. Notwithstanding the provisions of section 130.041
39 that only contributors of more than one hundred dollars
40 shall be reported by name and address for all committees,
41 the committee's records shall contain a listing of each
42 contribution received by the committee, including those
43 accepted and those which are rejected and either returned to
44 the donor or transmitted to the state treasurer. Each
45 contribution, regardless of the amount, shall be recorded by
46 date received, name and address of the contributor and the
47 amount of the contribution, except that any contributions
48 from unidentifiable persons which are received through fund-
49 raising activities and events as permitted in subsection 6
50 of section 130.031 shall be recorded to show the dates and
51 amounts of all such contributions received together with
52 information contained in statements required by subsection 6
53 of section 130.031. The procedure for recording

54 contributions shall be of a type which enables the
55 candidate, committee treasurer or deputy treasurer to
56 maintain a continuing total of all contributions received
57 from any one contributor.

58 4. Notwithstanding the provisions of section 130.041
59 that certain expenditures need not be identified in reports
60 by name and address of the payee, the committee's records
61 shall include a listing of each expenditure made and each
62 contract, promise or agreement to make an expenditure,
63 showing the date and amount of each transaction, the name
64 and address of the person to whom the expenditure was made
65 or promised, and the purpose of each expenditure made or
66 promised.

67 5. In the case of a committee which makes expenditures
68 for both the support or opposition of any candidate and the
69 passage or defeat of a ballot measure, the committee
70 treasurer shall maintain records segregated according to
71 each candidate or measure for which the expenditures were
72 made.

73 6. Records shall indicate which transactions, either
74 contributions received or expenditures made, were cash
75 transactions or in-kind transactions.

76 7. Any candidate who, pursuant to section 130.016, is
77 exempt from the requirements to form a committee shall
78 maintain records of each contribution received or
79 expenditure made in support of his candidacy. Any other
80 person or combination of persons who, although not deemed to
81 be a committee according to the definition of the term
82 "committee" in section 130.011, accepts contributions or
83 makes expenditures, other than direct contributions from the
84 person's own funds, for the purpose of supporting or
85 opposing the election or defeat of any candidate or for the

86 purpose of supporting or opposing the qualifications,
87 passage or defeat of any ballot measure shall maintain
88 records of each contribution received or expenditure made.
89 The records shall include name, address and amount
90 pertaining to each contribution received or expenditure made
91 and any bills, receipts, cancelled checks or other documents
92 relating to each transaction.

93 8. All records and accounts of receipts and
94 expenditures shall be preserved for at least three years
95 after the date of the election to which the records
96 pertain. Records and accounts regarding supplemental
97 disclosure reports or reports not required pursuant to an
98 election shall be preserved for at least three years after
99 the date of the report to which the records pertain. Such
100 records shall be available for inspection by the [campaign
101 finance review board] **Missouri ethics commission** and its
102 duly authorized representatives.

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

11 (1) The full name, as required in the statement of
12 organization pursuant to subsection 5 of section 130.021,
13 and mailing address of the committee filing the report and
14 the full name, mailing address and telephone number of the

15 committee's treasurer and deputy treasurer if the committee
16 has named a deputy treasurer;

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

19 (3) Receipts for the period, including:

20 (a) Total amount of all monetary contributions
21 received which can be identified in the committee's records
22 by name and address of each contributor. In addition, the
23 candidate committee shall make a reasonable effort to obtain
24 and report the employer, or occupation if self-employed or
25 notation of retirement, of each person from whom the
26 committee received one or more contributions which in the
27 aggregate total in excess of one hundred dollars and shall
28 make a reasonable effort to obtain and report a description
29 of any contractual relationship over five hundred dollars
30 between the contributor and the state if the candidate is
31 seeking election to a state office or between the
32 contributor and any political subdivision of the state if
33 the candidate is seeking election to another political
34 subdivision of the state;

35 (b) Total amount of all anonymous contributions
36 accepted;

37 (c) Total amount of all monetary contributions
38 received through fund-raising events or activities from
39 participants whose names and addresses were not obtained
40 with such contributions, with an attached statement or copy
41 of the statement describing each fund-raising event as
42 required in subsection 6 of section 130.031;

43 (d) Total dollar value of all in-kind contributions
44 received;

45 (e) A separate listing by name and address and
46 employer, or occupation if self-employed or notation of

47 retirement, of each person from whom the committee received
48 contributions, in money or any other thing of value,
49 aggregating more than one hundred dollars, together with the
50 date and amount of each such contribution;

51 (f) A listing of each loan received by name and
52 address of the lender and date and amount of the loan. For
53 each loan of more than one hundred dollars, a separate
54 statement shall be attached setting forth the name and
55 address of the lender and each person liable directly,
56 indirectly or contingently, and the date, amount and terms
57 of the loan;

58 (4) Expenditures for the period, including:

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

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

63 (c) The total dollar value of all in-kind expenditures
64 made;

65 (d) The full name and mailing address of each person
66 to whom an expenditure of money or any other thing of value
67 in the amount of more than [one] two hundred dollars has
68 been made, contracted for or incurred, together with the
69 date, amount and purpose of each expenditure. Expenditures
70 of [one] two hundred dollars or less may be grouped and
71 listed by categories of expenditure showing the total dollar
72 amount of expenditures in each category, except that the
73 report shall contain an itemized listing of each payment
74 made to campaign workers by name, address, date, amount and
75 purpose of each payment and the aggregate amount paid to
76 each such worker. **The reporting threshold listed in this**
77 **section shall be increased as provided in this paragraph.**
78 **On January 1, 2025, and on January first of successive**

79 years, the executive director of the commission shall
80 measure the increase in the cost of living by the percentage
81 increase as of the preceding July over the level as of July
82 of the immediately preceding year of the Consumer Price
83 Index for Urban Wage Earners and Clerical Workers (CPI-W) or
84 successor index as published by the U.S. Department of Labor
85 or its successor agency. On January 1, 2025, the dollar
86 amount listed in this paragraph shall be increased by the
87 percentage increase in the cost of living as measured in
88 this paragraph, and this shall be known as the base amount.
89 The base amount shall be the dollar amount that is increased
90 each year pursuant to this paragraph. If in any given year,
91 the base amount has cumulatively increased by an increment
92 of five dollars or more from the original dollar amount
93 listed in this paragraph, the reporting threshold shall be
94 increased by five dollars;

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

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

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

103 (7) The amount of expenditures for or against a
104 candidate or ballot measure during the period covered and
105 the cumulative amount of expenditures for or against that
106 candidate or ballot measure, with each candidate being
107 listed by name, mailing address and office sought. For the
108 purpose of disclosure reports, expenditures made in support
109 of more than one candidate or ballot measure or both shall
110 be apportioned reasonably among the candidates or ballot

111 measure or both. In apportioning expenditures to each
112 candidate or ballot measure, political party committees and
113 continuing committees need not include expenditures for
114 maintaining a permanent office, such as expenditures for
115 salaries of regular staff, office facilities and equipment
116 or other expenditures not designed to support or oppose any
117 particular candidates or ballot measures; however, all such
118 expenditures shall be listed pursuant to subdivision (4) of
119 this subsection;

120 (8) A separate listing by full name and address of any
121 committee including a candidate committee controlled by the
122 same candidate for which a transfer of funds or a
123 contribution in any amount has been made during the
124 reporting period, together with the date and amount of each
125 such transfer or contribution;

126 (9) A separate listing by full name and address of any
127 committee, including a candidate committee controlled by the
128 same candidate from which a transfer of funds or a
129 contribution in any amount has been received during the
130 reporting period, together with the date and amount of each
131 such transfer or contribution;

132 (10) Each committee that receives a contribution which
133 is restricted or designated in whole or in part by the
134 contributor for transfer to a particular candidate,
135 committee or other person shall include a statement of the
136 name and address of that contributor in the next disclosure
137 report required to be filed after receipt of such
138 contribution, together with the date and amount of any such
139 contribution which was so restricted or designated by that
140 contributor, together with the name of the particular
141 candidate or committee to whom such contribution was so

142 designated or restricted by that contributor and the date
143 and amount of such contribution.

144 2. For the purpose of this section and any other
145 section in this chapter except sections 130.049 and 130.050
146 which requires a listing of each contributor who has
147 contributed a specified amount, the aggregate amount shall
148 be computed by adding all contributions received from any
149 one person during the following periods:

150 (1) In the case of a candidate committee, the period
151 shall begin on the date on which the candidate became a
152 candidate according to the definition of the term
153 "candidate" in section 130.011 and end at 11:59 p.m. on the
154 day of the primary election, if the candidate has such an
155 election or at 11:59 p.m. on the day of the general
156 election. If the candidate has a general election held
157 after a primary election, the next aggregating period shall
158 begin at 12:00 midnight on the day after the primary
159 election day and shall close at 11:59 p.m. on the day of the
160 general election. Except that for contributions received
161 during the thirty-day period immediately following a primary
162 election, the candidate shall designate whether such
163 contribution is received as a primary election contribution
164 or a general election contribution;

165 (2) In the case of a campaign committee, the period
166 shall begin on the date the committee received its first
167 contribution and end on the closing date for the period for
168 which the report or statement is required;

169 (3) In the case of a political party committee or a
170 continuing committee, the period shall begin on the first
171 day of January of the year in which the report or statement
172 is being filed and end on the closing date for the period
173 for which the report or statement is required; except, if

174 the report or statement is required to be filed prior to the
175 first day of July in any given year, the period shall begin
176 on the first day of July of the preceding year.

177 3. The disclosure report shall be signed and attested
178 by the committee treasurer or deputy treasurer and by the
179 candidate in case of a candidate committee.

180 4. The words "consulting or consulting services, fees,
181 or expenses", or similar words, shall not be used to
182 describe the purpose of a payment as required in this
183 section. The reporting of any payment to such an
184 independent contractor shall be on a form supplied by the
185 appropriate officer, established by the ethics commission
186 and shall include identification of the specific service or
187 services provided including, but not limited to, public
188 opinion polling, research on issues or opposition
189 background, print or broadcast media production, print or
190 broadcast media purchase, computer programming or data
191 entry, direct mail production, postage, rent, utilities,
192 phone solicitation, or fund raising, and the dollar amount
193 prorated for each service.

130.056. 1. The executive director of the Missouri
2 ethics commission shall:

3 (1) Take such steps as are necessary to disseminate
4 among the general public such information as may serve to
5 guide all persons who are or may become subject to the
6 provisions of this chapter for the purpose of facilitating
7 voluntary compliance with the purposes and provisions of
8 this chapter;

9 (2) Be responsible for expediting the filing of all
10 reports, statements and other information required to be
11 filed pursuant to the provisions of this chapter and, in
12 connection therewith, be responsible for developing

13 procedures whereby all candidates shall be informed of the
14 provisions of section 130.016 so as to assure the timely
15 filing of statements which some candidates are eligible to
16 file as provided in section 130.016;

17 (3) Develop and publish forms and printed
18 instructional material and furnish such forms and
19 instructions to persons required to file reports and
20 statements pursuant to the provisions of this chapter,
21 together with a summary of the provisions of chapter 115,
22 which apply to candidates and committees covered by this
23 chapter, provided, however, such forms shall not seek
24 information which is not specifically required by this
25 chapter. All forms furnished pursuant to this chapter shall
26 clearly state in readable type on the face of the form the
27 date on which the form became effective. The forms
28 published by the executive director shall provide for
29 compliance with reporting and other provisions of this
30 chapter. Any report form published by the executive
31 director for purposes of compliance with section 130.041
32 shall provide for reporting contributions from individuals,
33 corporations, labor organizations and fictitious entities
34 and contributions from committees on the same form.
35 Contributions from committees shall be listed first on each
36 report form. All expenditures shall also be reported on a
37 single report form;

38 (4) Develop a filing, coding and cross-indexing system
39 for reports and statements required to be filed with the
40 Missouri ethics commission, and preserve such reports and
41 statements for a period of not less than five years from
42 date of receipt;

43 (5) Make the reports and statements filed with the
44 Missouri ethics commission available for public inspection

45 and copying, commencing as soon as practicable but not later
46 than the end of the second day after which a report was
47 received, and permit copying of any such report or statement
48 by hand or by duplicating machine, as requested by any
49 person, at the expense of such person, but no information
50 obtained from such reports and statements shall be sold or
51 utilized by any person for any commercial purpose;

52 (6) Examine each report and statement filed with the
53 Missouri ethics commission pursuant to the requirements of
54 this chapter to determine if the statements are properly
55 completed and filed within the time required by this chapter;

56 (7) Notify a person required to file a report or
57 statement pursuant to this chapter with the Missouri ethics
58 commission immediately if, upon examination of the official
59 ballot or other circumstances surrounding any election, it
60 appears that the person has failed to file a report or
61 statement as required by law;

62 (8) From reports filed with the Missouri ethics
63 commission, prepare and publish an annual report including
64 compilations of amounts contributed and expended for the
65 influencing of nominations and elections;

66 (9) Prepare and publish such other reports as the
67 Missouri ethics commission deems appropriate;

68 (10) Disseminate statistics, summaries, and reports
69 prepared under this chapter;

70 (11) Employ staff and retain such contract services,
71 including legal services to represent the commission before
72 any state agency or before the courts as the executive
73 director deems necessary within the limits authorized by
74 appropriation by the general assembly.

75 2. Each appropriate officer other than the executive
76 director of the Missouri ethics commission shall:

77 (1) Assist the executive director in furnishing forms
78 and printed instructional material to persons required to
79 file reports and statements pursuant to the provisions of
80 this chapter;

81 (2) Accept reports and statements required to be filed
82 with the person's office;

83 (3) Develop for the officer's constituency a filing,
84 coding, and cross-indexing system consonant with the
85 purposes of this chapter;

86 (4) Make the reports and statements filed with the
87 officer available for public inspection and copying,
88 commencing as soon as practicable but not later than the end
89 of the second day after which a report was received, and
90 permit copying of any such report or statement by hand or by
91 duplicating machine, as requested by any person, at the
92 expense of such person, but no information obtained from
93 such reports and statements shall be sold or utilized by any
94 person for any commercial purpose;

95 (5) Preserve such reports and statements for a period
96 of not less than five years from the date of receipt;

97 (6) Examine each report and statement filed with the
98 person's office pursuant to the requirements of this chapter
99 to determine if the reports and statements appear to be
100 complete and filed within the required time;

101 (7) Notify a person required to file a report or
102 statement pursuant to this chapter immediately if, upon
103 examination of the circumstances surrounding any election,
104 it appears that the person has failed to file a report or
105 statement as required by law;

106 (8) Notify the Missouri ethics commission if the
107 person has reasonable cause to believe that a violation of
108 this chapter has occurred;

109 (9) Assess every candidate for state or local office
110 failing to file with a local election authority pursuant to
111 section 130.026, a campaign disclosure report as required by
112 this chapter other than the report required pursuant to
113 subdivision (1) of subsection 1 of section 130.046, a late
114 filing fee of **[ten] twenty** dollars for each day such report
115 is due to the election authority. The local election
116 authority shall mail a notice, by registered mail, to any
117 candidate and candidate committee treasurer and deputy
118 treasurer who fails to file such report informing such
119 person of such failure and the fees provided by this
120 subdivision. If the candidate persists in such failure for
121 a period in excess of thirty days beyond the receipt of such
122 notice, the amount of the late filing fee shall increase to
123 one hundred dollars for each day that the report is not
124 filed, provided that the total amount of such fees assessed
125 pursuant to this subsection per report shall not exceed
126 three hundred dollars. **The late filing fees listed in this**
127 **section shall be increased as provided in this subdivision.**
128 **On January 1, 2025, and on January first of successive**
129 **years, the executive director of the commission shall**
130 **measure the increase in the cost of living by the percentage**
131 **increase as of the preceding July over the level as of July**
132 **of the immediately preceding year of the Consumer Price**
133 **Index for Urban Wage Earners and Clerical Workers (CPI-W) or**
134 **successor index as published by the U.S. Department of Labor**
135 **or its successor agency. On January 1, 2025, the fee listed**
136 **in this subdivision shall be increased by the percentage**
137 **increase in the cost of living as measured in this**
138 **subdivision, and this shall be known as the base amount.**
139 **The base amount shall be the dollar amount that is increased**
140 **each year pursuant to this subdivision. If in any given**

141 **year, the base amount has cumulatively increased by an**
142 **increment of five dollars or more from the original fee**
143 **listed in this subdivision, the late filing fee shall be**
144 **increased by five dollars.**

145 3. Any person receiving from an appropriate officer a
146 copy of, or who is permitted to inspect or make a copy of,
147 any report or statement filed pursuant to the requirements
148 of this chapter shall sign a statement that the person will
149 not utilize the reports or statements or any information
150 thereon for any commercial use, except for public news
151 reporting, whatsoever and will not transfer the information
152 obtained to any other persons for such purposes. It shall
153 be the responsibility of each appropriate officer to
154 instruct any person making a request to inspect, copy or
155 receive a copy of any report or statement or any portion of
156 a report or statement filed pursuant to this chapter that
157 the utilization of any information obtained from such
158 reports for any commercial purpose is a violation of this
159 chapter.

347.163. 1. Every foreign limited liability company
2 now transacting business in or which may hereafter transact
3 business in this state which shall neglect or fail to comply
4 with the provisions of section 347.153 shall be subject to a
5 fine of not less than one thousand dollars. If the
6 secretary is advised that a foreign limited liability
7 company is transacting business within this state in
8 contravention of sections 347.010 to 347.187, the secretary
9 shall report the fact to the prosecuting attorney of any
10 county in which the limited liability company is transacting
11 business, and the prosecuting attorney shall, as soon
12 thereafter as is practical, institute proceedings to recover
13 the fine prescribed in this section. In addition to such

14 penalty, no foreign limited liability company failing to
15 comply with sections 347.010 to 347.187 may maintain any
16 suit or action, either legal or equitable, in any of the
17 courts of this state, upon any demand, whether arising out
18 of contract or tort, while the requirements of sections
19 347.010 to 347.187 have not been met.

20 2. The failure of a foreign limited liability company
21 to register in this state does not impair the validity of
22 any contract or act of the foreign limited liability company
23 or prevent the foreign limited liability company from
24 defending any action, suit or proceeding in any court of
25 this state.

26 3. A member of a foreign limited liability company is
27 not liable for any debts, obligations or liabilities of the
28 foreign limited liability company solely by reason of having
29 transacted business in this state without registration.

30 4. A foreign limited liability company, by transacting
31 business in this state without registration, shall be
32 subject to the provisions of sections 506.500 to 506.520
33 with respect to causes of actions arising out of the
34 transaction of business in this state.

35 5. Without excluding other activities which may not
36 constitute transacting business in this state, a foreign
37 limited liability company shall not be considered to be
38 transacting business in this state, for purposes of sections
39 347.010 to 347.187, by reason of carrying on in this state
40 any one or more of the following activities:

41 (1) Maintaining or defending any action or suit or any
42 administrative or arbitration proceeding, or effecting the
43 settlement thereof or the settlement of claims or disputes;

44 (2) Holding meetings of its members or carrying on
45 other activities concerning its internal affairs;

- 46 (3) Maintaining bank accounts;
- 47 (4) Borrowing money or creating evidence of debt,
48 mortgage or lien on or other security interest in real or
49 personal property;
- 50 (5) Securing or collecting debts or enforcing any
51 rights in properties securing the same;
- 52 (6) Transacting any business in interstate commerce;
53 **[or]**
- 54 (7) Conducting an isolated transaction completed
55 within a period of thirty days and not in the course of a
56 number of repeated transactions of a like nature; **or**
- 57 **(8) Making a contribution, as that term is defined in**
58 **section 130.011, to any committee, as that term is defined**
59 **in Article VIII, Section 23 of the Missouri Constitution.**

60 6. A foreign corporation, as defined in section
61 351.015 or section 355.066, shall not be deemed to be
62 transacting business in this state for the purposes of
63 section 351.572 solely for the reason that it is a member of
64 a limited liability company.

65 7. A foreign limited partnership or foreign registered
66 limited liability limited partnership, as defined in section
67 359.011, shall not be deemed to be transacting business in
68 this state for the purposes of section 359.551 solely for
69 the reason that it is a member of a limited liability
70 company.

71 8. A foreign limited liability company as defined in
72 sections 347.010 to 347.187 shall not be deemed to be
73 transacting business in this state for the purposes of this
74 section, solely for the reason that it is a member of a
75 limited liability company.

76 9. A foreign registered limited liability partnership,
77 as defined in section 358.020, shall not be deemed to be

78 transacting business in this state for the purposes of
79 section 351.572 solely for the reason that it is a member of
80 a limited liability company.

81 10. The provisions of this section do not apply in
82 determining the context or activities which may subject a
83 foreign limited liability company to service of process,
84 suit, taxation or regulation under any other statute of this
85 state.

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