

SECOND REGULAR SESSION

SENATE BILL NO. 1133

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

4965S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 130.176, RSMo, and to enact in lieu thereof one new section relating to campaign finance, with an emergency clause.

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

Section A. Section 130.176, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 130.176,
3 to read as follows:

130.176. 1. Upon a committee's receipt of a
2 contribution of more than two thousand dollars, the
3 treasurer shall obtain from the donor an affirmation that
4 the donor is not a foreign national and has not knowingly or
5 willfully accepted funds, directly or indirectly,
6 aggregating in excess of ten thousand dollars from one or
7 more prohibited sources within the two-year period
8 immediately preceding the date the contribution is made, in
9 the case of an individual, or within the four-year period
10 immediately preceding the date the contribution is made, in
11 case of any other entity. Receipt of an affirmation by a
12 committee pursuant to this subsection shall create a
13 rebuttable presumption of compliance with this subsection on
14 the part of the committee. Nothing in this subsection shall
15 prohibit the attorney general from pursuing any action
16 pursuant to section 130.188 if the attorney general has
17 found a willful violation of this subsection.

18 2. Each disclosure report filed pursuant to section
19 130.041 shall require the treasurer of a committee to affirm
20 that the donor associated with each contribution is not a
21 foreign national and has not knowingly or willfully
22 received, solicited, or accepted, whether directly or
23 indirectly, contributions from one or more prohibited
24 sources aggregating in excess of ten thousand dollars within
25 the **two-year period immediately preceding the date of the**
26 **contribution, in the case of an individual, or within the**
27 four-year period immediately preceding the date of the
28 contribution, **in the case of any other entity.**

29 3. Within forty-eight hours of making one or more
30 expenditures supporting or opposing a ballot measure, the
31 entity making the expenditure shall affirm to the Missouri
32 ethics commission that it has not knowingly or willfully
33 accepted funds, directly or indirectly, aggregating in
34 excess of ten thousand dollars from one or more prohibited
35 sources within the four-year period immediately preceding
36 the date the expenditure is made and that it will not do so
37 through the remainder of the calendar year in which the
38 ballot measure will appear on the ballot. Each disclosure
39 report filed pursuant to section 130.041 shall require the
40 entity making the expenditure to affirm that it has not
41 knowingly or willfully accepted funds, directly or
42 indirectly, aggregating in excess of ten thousand dollars
43 from one or more prohibited sources within the four-year
44 period immediately preceding the date the expenditure is
45 made. Receipt of an affirmation from a donor that it is not
46 a foreign national shall create a rebuttable presumption
47 that the entity has not knowingly or willingly accepted
48 funds, directly or indirectly, aggregating in excess of ten
49 thousand dollars from one or more prohibited sources.

50 Nothing in this subsection shall prohibit the attorney
51 general from pursuing any action pursuant to section 130.188
52 if the attorney general has found a willful violation of
53 this subsection.

54 4. Notwithstanding any provision of this section to
55 the contrary, a donor or entity that makes a contribution to
56 a committee or an expenditure in support of or in opposition
57 to a ballot measure from its own funds obtained through the
58 usual course of business or in any commercial or other
59 transaction from any source and which are not contributions
60 does not violate this section.

61 5. A committee shall not accept an in-kind
62 contribution from any foreign national or from any
63 individual or entity that has knowingly or willfully
64 accepted funds, directly or indirectly, aggregating in
65 excess of ten thousand dollars from one or more foreign
66 nationals within the four-year period immediately preceding
67 the date the in-kind contribution is made. A foreign
68 national shall not make an in-kind expenditure for the
69 purpose of supporting or opposing any ballot measure.

Section B. Because of the need to ensure that Missouri
2 elections are protected from undue foreign influence,
3 section A of this act is deemed necessary for the immediate
4 preservation of the public health, welfare, peace, and
5 safety, and is hereby declared to be an emergency act within
6 the meaning of the constitution, and section A of this act
7 shall be in full force and effect upon its passage and
8 approval.

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