

# SENATE BILL NO. 1259

## 103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

4107S.011

KRISTINA MARTIN, Secretary

### AN ACT

To repeal section 130.034, RSMo, and to enact in lieu thereof one new section relating to permissible uses for campaign funds.

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

Section A. Section 130.034, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 130.034,  
3 to read as follows:

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 childcare expenses that result directly from**  
11 **campaigning for office or in connection with the duties of**  
12 **public office that would not have been otherwise incurred**  
13 **but for those activities. Eligible childcare expenses**  
14 **include any expenses that provide for the well-being and**  
15 **protection of the child, provided that no expenditure shall**  
16 **be made to a member of the candidate's or office holder's**  
17 **household;**

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

18           (4) Any expenses associated with the duties of  
19 candidacy or of elective office pertaining to the  
20 entertaining of or providing social courtesies to  
21 constituents, professional associations, or other holders of  
22 elective office;

23           [(4)] (5) The return of any contribution to the person  
24 who made the contribution to the candidate or holder of  
25 elective office;

26           [(5)] (6) To contribute to a political organization  
27 [or candidate committee] as allowed by law;

28           [(6)] (7) To establish a new committee as defined by  
29 this chapter;

30           [(7)] (8) To make an unconditional gift which is fully  
31 vested to any charitable, fraternal or civic organizations  
32 or other associations formed to provide for some good in the  
33 order of benevolence, if such candidate, former candidate or  
34 holder of elective office or such person's immediate family  
35 gain no direct financial benefit from the unconditional gift;

36           [(8)] (9) Except when such candidate, former candidate  
37 or holder of elective office dies while the committee  
38 remains in existence, the committee may make an  
39 unconditional gift to a fund established for the benefit of  
40 the spouse and children of the candidate, former candidate  
41 or holder of elective office. The provisions of this  
42 subdivision shall expire October 1, 1997.

43           3. Upon the death of the candidate, former candidate  
44 or holder of elective office who received such  
45 contributions, all contributions shall be disposed of  
46 according to this section and any funds remaining after  
47 final settlement of the candidate's decedent's estate, or if  
48 no estate is opened, then twelve months after the

49 candidate's death, will escheat to the state of Missouri to  
50 be deposited in the general revenue fund.

51 4. No contributions, as defined in section 130.011,  
52 received by a candidate, former candidate or holder of  
53 elective office shall be used to make restitution payments  
54 ordered of such individual by a court of law or for the  
55 payment of any fine resulting from conviction of a violation  
56 of any local, state or federal law.

57 5. Committees described in subdivision (18) of section  
58 130.011 shall make expenditures only for the purpose of  
59 determining whether an individual will be a candidate. Such  
60 expenditures include polling information, mailings, personal  
61 appearances, telephone expenses, office and travel expenses  
62 but may not include contributions to other candidate  
63 committees.

64 6. Any moneys in the exploratory committee fund may be  
65 transferred to the candidate committee upon declaration of  
66 candidacy for the position being explored. Such funds shall  
67 be included for the purposes of reporting and limitation.  
68 In the event that candidacy is not declared for the position  
69 being explored, the remaining exploratory committee funds  
70 shall be returned to the contributors on a pro rata basis.  
71 In no event shall the amount returned exceed the amount  
72 given by each contributor nor be less than ten dollars.

73 7. Funds held in candidate committees, campaign  
74 committees, debt service committees, and exploratory  
75 committees shall be liquid such that these funds shall be  
76 readily available for the specific and limited purposes  
77 allowed by law. These funds may be invested only in short-  
78 term treasury instruments or short-term bank certificates  
79 with durations of one year or less, or that allow the  
80 removal of funds at any time without any additional

81 financial penalty other than the loss of interest income.  
82 Continuing committees, political party committees, and other  
83 committees such as out-of-state committees not formed for  
84 the benefit of any single candidate or ballot issue shall  
85 not be subject to the provisions of this subsection. This  
86 subsection shall not be interpreted to restrict the  
87 placement of funds in an interest-bearing checking account.

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