

SECOND REGULAR SESSION

# HOUSE BILL NO. 2170

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CURTMAN.

5848H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 115.646, RSMo, and to enact in lieu thereof two new sections relating to the use of public funds for lobbying activities, with a penalty provision.

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

Section A. Section 115.646, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 105.1435 and 115.646, to read as follows:

2           **105.1435. 1. (1) No employee of a state agency or department shall engage in any**  
3 **activity requiring registration as a legislative lobbyist, as such term is defined under section**  
4 **105.470, testify in an official capacity in favor of or against legislation before a committee**  
5 **of the general assembly, or remain on the floor of either chamber of the general assembly**  
6 **during a session thereof while receiving compensation for time worked, including per-diem**  
7 **compensation.**

8           **(2) This section shall not be construed to prohibit any state agency official or**  
9 **employee from making public appearances or testifying before a committee of the general**  
10 **assembly for informational purposes only. State agency employees may provide their own**  
11 **personal opinions on legislation at committee meetings of the general assembly or with**  
12 **individual legislators during those hours when they are not being compensated for time**  
13 **worked or receiving a per diem. Salaried employees shall not count any time spent**  
14 **providing personal opinions on legislation as compensated time, without regard to whether**  
15 **the time is compensated at an hourly rate or is a salary requirement.**

16           **2. The restrictions on lobbying and the expenditure of public funds for lobbying**  
**in this section shall not be interpreted to include any of the political activities of elected**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **statewide officials, members of the general assembly, members of the judicial branch of**  
18 **government, or the staff and employees of such elected officials and judges.**

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

6 **2. (1) No contribution or expenditure of public funds shall be made directly by any**  
7 **state agency or any member or employee thereof to advocate, support, or oppose any ballot**  
8 **measure or candidate for public office or to employ in any capacity whatsoever, whether**  
9 **full-time or part-time or under a contractual agreement, any individual who is required**  
10 **to register as a legislative lobbyist, as such term is defined under section 105.470.**

11 **(2) No state agency shall compensate or provide anything of value to an individual**  
12 **required to register as a legislative lobbyist, as such term is defined under section 105.470,**  
13 **in exchange for such individual's lobbying services.**

14 **(3) Any individual in violation of this subsection shall be guilty of a class B**  
15 **misdemeanor.**

16 **3. The restrictions on lobbying and the expenditure of public funds for lobbying**  
17 **in this section shall not be interpreted to include any of the political activities of elected**  
18 **statewide officials, members of the general assembly, members of the judicial branch of**  
19 **government, or the staff and employees of such elected officials and judges.**

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