

FIRST REGULAR SESSION

HOUSE BILL NO. 85

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DUGGER.

0560H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 130.026 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the filing of ethics reports.

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

Section A. Sections 130.026 as enacted by senate bill no. 844, ninety-fifth general
2 assembly, second regular session, and 130.026 as enacted by senate bill no. 262, eighty-eighth
3 general assembly, first regular session, RSMo, are repealed and one new section enacted in lieu
4 thereof, to be known as section 130.026, to read as follows:

130.026. 1. For the purpose of this section, the term "election authority" or "local
2 election authority" means the county clerk, except that in a city or county having a board of
3 election commissioners the board of election commissioners shall be the election authority. For
4 any political subdivision or other district which is situated within the jurisdiction of more than
5 one election authority, as defined herein, the election authority is the one in whose jurisdiction
6 the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most
7 populous portion of the political subdivision or district for which an election is held is situated,
8 except that a county clerk or a county board of election commissioners shall be the election
9 authority for all candidates for elective county offices other than county clerk and for any
10 countywide ballot measures.

11 2. The appropriate officer or officers for candidates and ballot measures shall be as
12 follows:

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.

13 (1) In the case of candidates for the offices of governor, lieutenant governor, secretary
14 of state, state treasurer, state auditor, attorney general, judges of the supreme court and appellate
15 court judges, the appropriate officer shall be the Missouri ethics commission;

16 (2) Notwithstanding the provisions of subsection 1 of this section, in the case of
17 candidates for the offices of state senator, state representative, county clerk, and associate circuit
18 court judges and circuit court judges, the appropriate officers shall be the Missouri ethics
19 commission and the election authority for the place of residence of the candidate;

20 (3) In the case of candidates for elective municipal offices in municipalities of more than
21 one hundred thousand inhabitants and elective county offices in counties of more than one
22 hundred thousand inhabitants, the appropriate officers shall be the Missouri ethics commission
23 and the election authority of the municipality or county in which the candidate seeks office;

24 (4) In the case of all other offices, the appropriate officer shall be the [election authority
25 of the district or political subdivision for which the candidate seeks office] **Missouri ethics**
26 **commission. Beginning January 1, 2016, the commission shall enable electronic reporting**
27 **for such offices;**

28 (5) In the case of ballot measures, the appropriate officer or officers shall be:

29 (a) The Missouri ethics commission for a statewide measure;

30 (b) The local election authority for any political subdivision or district as determined by
31 the provisions of subsection 1 of this section for any measure, other than a statewide measure,
32 to be voted on in that political subdivision or district.

33 3. The appropriate officer or officers for candidate committees and campaign committees
34 shall be the same as designated in subsection 2 of this section for the candidates or ballot
35 measures supported or opposed as indicated in the statement of organization required to be filed
36 by any such committee.

37 4. The appropriate officer for political party committees shall be as follows:

38 (1) In the case of state party committees, the appropriate officer shall be the Missouri
39 ethics commission;

40 (2) In the case of any district, county or city political party committee, the appropriate
41 officer shall be the Missouri ethics commission and the election authority for that district, county
42 or city.

43 5. The appropriate officers for a political action committee and for any other committee
44 not named in subsections 3, 4 and 5 of this section shall be as follows:

45 (1) The Missouri ethics commission and the election authority for the county in which
46 the committee is domiciled; and

47 (2) If the committee makes or anticipates making expenditures other than direct
48 contributions which aggregate more than five hundred dollars to support or oppose one or more

49 candidates or ballot measures in the same political subdivision or district for which the
50 appropriate officer is an election authority other than the one for the county in which the
51 committee is domiciled, the appropriate officers for that committee shall include such other
52 election authority or authorities, except that committees covered by this subsection need not file
53 statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section
54 130.046 with any appropriate officer other than those set forth in subdivision (1) of this
55 subsection.

56 6. The term "domicile" or "domiciled" means the address of the committee listed on the
57 statement of organization required to be filed by that committee in accordance with the
58 provisions of section 130.021.

2 [130.026. 1. For the purpose of this section, the term "election authority"
3 or "local election authority" means the county clerk, except that in a city or
4 county having a board of election commissioners the board of election
5 commissioners shall be the election authority. For any political subdivision or
6 other district which is situated within the jurisdiction of more than one election
7 authority, as defined herein, the election authority is the one in whose jurisdiction
8 the candidate resides or, in the case of ballot measures, the one in whose
9 jurisdiction the most populous portion of the political subdivision or district for
10 which an election is held is situated, except that a county clerk or a county board
11 of election commissioners shall be the election authority for all candidates for
12 elective county offices other than county clerk and for any countywide ballot
13 measures.

14 2. The appropriate officer or officers for candidates and ballot measures
15 shall be as follows:

16 (1) In the case of candidates for the offices of governor, lieutenant
17 governor, secretary of state, state treasurer, state auditor, attorney general, judges
18 of the supreme court and appellate court judges, the appropriate officer shall be
19 the Missouri ethics commission;

20 (2) Notwithstanding the provisions of subsection 1 of this section, in the
21 case of candidates for the offices of state senator, state representative, county
22 clerk, and associate circuit court judges and circuit court judges, the appropriate
23 officers shall be the Missouri ethics commission and the election authority for the
24 place of residence of the candidate;

25 (3) In the case of candidates for elective municipal offices in
26 municipalities of more than one hundred thousand inhabitants and elective county
27 offices in counties of more than one hundred thousand inhabitants, the
28 appropriate officers shall be the Missouri ethics commission and the election
29 authority of the municipality or county in which the candidate seeks office;

30 (4) In the case of all other offices, the appropriate officer shall be the
31 election authority of the district or political subdivision for which the candidate
seeks office;

32 (5) In the case of ballot measures, the appropriate officer or officers shall
33 be:

34 (a) The Missouri ethics commission for a statewide measure;

35 (b) The local election authority for any political subdivision or district as
36 determined by the provisions of subsection 1 of this section for any measure,
37 other than a statewide measure, to be voted on in that political subdivision or
38 district.

39 3. The appropriate officer or officers for candidate committees and
40 campaign committees shall be the same as designated in subsection 2 of this
41 section for the candidates or ballot measures supported or opposed as indicated
42 in the statement of organization required to be filed by any such committee.

43 4. The appropriate officer for political party committees shall be as
44 follows:

45 (1) In the case of state party committees, the appropriate officer shall be
46 the Missouri ethics commission;

47 (2) In the case of any district, county or city political party committee, the
48 appropriate officer shall be the Missouri ethics commission and the election
49 authority for that district, county or city.

50 5. The appropriate officers for a continuing committee and for any other
51 committee not named in subsections 3, 4 and 5 of this section shall be as follows:

52 (1) The Missouri ethics commission and the election authority for the
53 county in which the committee is domiciled; and

54 (2) If the committee makes or anticipates making expenditures other than
55 direct contributions which aggregate more than five hundred dollars to support
56 or oppose one or more candidates or ballot measures in the same political
57 subdivision or district for which the appropriate officer is an election authority
58 other than the one for the county in which the committee is domiciled, the
59 appropriate officers for that committee shall include such other election authority
60 or authorities, except that committees covered by this subsection need not file
61 statements required by section 130.021 and reports required by subsections 6, 7
62 and 8 of section 130.046 with any appropriate officer other than those set forth
63 in subdivision (1) of this subsection.

64 6. The term "domicile" or "domiciled" means the address of the
65 committee listed on the statement of organization required to be filed by that
66 committee in accordance with the provisions of section 130.021.]

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