

SECOND REGULAR SESSION

REVISION

SENATE BILL NO. 1024

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Read 1st time February 22, 2018, and ordered printed.

6573S.011

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 104.620, 104.1042, 104.1054, 105.463, 115.001, 115.002, 115.003, 115.005, 115.007, 115.009, 115.023, 115.049, 115.155, 115.177, 115.227, 115.243, 115.247, 115.287, 115.421, 115.429, 115.453, 115.507, 115.515, 115.629, 115.631, 115.641, 181.100, 181.110, and 181.130, RSMo, and sections 105.456, 105.473, 105.485, 105.957, 105.959, 105.961, 105.963, and 105.966 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and sections 130.011, 130.021, 130.026, 130.041, 130.044, 130.046, 130.057, and 130.071 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof twenty-four new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with existing penalty provisions.

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

Section A. Sections 104.620, 104.1042, 104.1054, 105.463, 115.001,
2 115.002, 115.003, 115.005, 115.007, 115.009, 115.023, 115.049, 115.155, 115.177,
3 115.227, 115.243, 115.247, 115.287, 115.421, 115.429, 115.453, 115.507, 115.515,
4 115.629, 115.631, 115.641, 181.100, 181.110, and 181.130, RSMo, and sections
5 105.456, 105.473, 105.485, 105.957, 105.959, 105.961, 105.963, and 105.966 as
6 enacted by senate bill no. 844, ninety-fifth general assembly, second regular
7 session, and sections 130.011, 130.021, 130.026, 130.041, 130.044, 130.046,
8 130.057, and 130.071 as enacted by senate bill no. 844, ninety-fifth general
9 assembly, second regular session, are repealed and twenty-four new sections
10 enacted in lieu thereof, to be known as sections 104.620, 104.1042, 104.1054,
11 115.003, 115.005, 115.007, 115.023, 115.049, 115.155, 115.177, 115.227, 115.243,

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

12 115.247, 115.287, 115.421, 115.429, 115.453, 115.507, 115.515, 115.629, 115.631,
13 115.641, 181.100, and 181.110, to read as follows:

THESE SECTIONS CONTAIN OBSOLETE REFERENCES:

104.620. 1. Any member who has not received a lump sum payment equal
2 to the sum total of the contributions that the member paid into the retirement
3 system, plus interest credited to his or her account, shall be entitled to such a
4 lump sum payment. Lump sum payments made pursuant to this section shall not
5 be reduced by any retirement benefits which a member is entitled to receive, but
6 shall be paid in full out of appropriate funds pursuant to appropriations for this
7 purpose.

8 2. In the event any accumulated contributions standing to a [member of
9 the Missouri state employees' retirement system's] **member's** credit remains
10 unclaimed by such member for a period of four years or more, such accumulated
11 contributions shall automatically revert to the credit of the fund [for the Missouri
12 state employees' retirement system]. If an application is made, after such
13 reversion, for such accumulated contributions, the board shall pay such
14 contributions from the fund [for the Missouri state employees' retirement
15 system]; except that, no interest shall be paid on such funds after the date of the
16 reversion to the fund [for the Missouri state employees' retirement system].

17 3. In the event any amount is due a deceased member, survivor, or
18 beneficiary who dies after September 1, 2002, and the member's survivor's or
19 beneficiary's financial institution is unable to accept the final payments due to
20 the member, survivor, or beneficiary, such amount shall be paid to the person or
21 entity designated in writing as beneficiary to receive such amount by such
22 member, survivor, or beneficiary. The member, survivor, or beneficiary may
23 designate in writing a beneficiary to receive any final payment due after the
24 death of a member, survivor, or beneficiary pursuant to this chapter. If no living
25 person or entity so designated as beneficiary exists at the time of death, such
26 amount shall be paid to the surviving spouse married to the deceased member,
27 survivor, or beneficiary at the time of death. If no surviving spouse exists, such
28 amount shall be paid to the surviving children of such member, survivor, or
29 beneficiary in equal parts. If no surviving children exist, such amount shall be
30 paid to the surviving parents of such member, survivor, or beneficiary in equal
31 parts. If no surviving parents exist, such amount shall be paid to the surviving
32 brothers or sisters of such member, survivor, or beneficiary in equal parts. If no
33 surviving brothers or sisters exist, payment may be made as otherwise permitted

34 by law. Notwithstanding this subsection, any amount due to a deceased member
35 as payment of all or part of a lump sum pursuant to section 104.625 shall be paid
36 to the member's surviving spouse married to the member at the time of death,
37 and otherwise payment may be made as provided in this subsection. In the event
38 any amount that is due to a person from either system remains unclaimed for a
39 period of four years or more, such amount shall automatically revert to the credit
40 of the fund of the member's system. If an application is made after such
41 reversion for such amount, the board shall pay such amount to the person from
42 the board's fund, except that no interest shall be paid on such funds after the
43 date of the reversion to the fund.

44 4. The beneficiary of any member who purchased creditable service [in the
45 Missouri state employees' retirement system] shall receive a refund upon the
46 member's death equal to the amount of any purchase less any retirement benefits
47 received by the member unless an annuity is payable to a survivor or beneficiary
48 as a result of the member's death. In that event, the beneficiary of the survivor
49 or beneficiary who received the annuity shall receive a refund upon the survivor's
50 or beneficiary's death equal to the amount of the member's purchase of service
51 less any annuity amounts received by the member and the survivor or beneficiary.

104.1042. 1. Any member [who is in the Missouri state employees'
2 retirement system] pursuant to the year 2000 plan created by sections 104.1003
3 to 104.1093 and who becomes disabled and qualifies for long-term disability
4 benefits and retires after August 28, 1999, or who becomes disabled and qualifies
5 for long-term disability benefits under a program provided by the member's
6 employing department and retires after August 28, 1999, shall continue to accrue
7 credited service and such member's rate of pay for purposes of calculating an
8 annuity pursuant to the year 2000 plan created by sections 104.1003 to 104.1093
9 shall be the member's regular monthly pay received at the time of disablement,
10 increased thereafter for any increases in the consumer price index. Such
11 increases in the member's monthly pay shall be made annually beginning twelve
12 months after disablement and shall be equal to eighty percent of the increase in
13 the consumer price index during the calendar year prior to the adjustment, but
14 not more than five percent of the member's monthly pay immediately before the
15 increase. Such accruals shall continue until the earliest of receipt of an early
16 retirement annuity, attainment of normal retirement eligibility, or termination
17 of disability benefits.

18 2. A member described in subsection 1 of this section who continues to be

19 disabled until normal retirement eligibility may elect an annuity starting date
20 upon termination of disability payments and shall receive a normal retirement
21 annuity provided for in section 104.1024.

22 3. If the member's disability terminates, disability accruals described in
23 subsection 1 of this section shall terminate.

24 4. Upon termination of disability payments and not returning to a position
25 in which the member is an employee, the member's rights to plan benefits shall
26 be determined as if the member had terminated employment at time of
27 termination of disability payments.

28 5. Any member who was disabled under the closed plan prior to July 1,
29 2000, and who returns to a position in which the member is an employee after
30 July 1, 2000, shall be covered under the closed plan and shall be eligible to elect
31 coverage under the new plan as provided by subsection 5 of section 104.1015.

104.1054. 1. The benefits provided to each member and each member's
2 spouse, beneficiary, or former spouse under the year 2000 plan are hereby made
3 obligations of the state of Missouri and are an incident of every member's
4 continued employment with the state. No alteration, amendment, or repeal of the
5 year 2000 plan shall affect the then-existing rights of members, or their spouses,
6 beneficiaries or former spouses, but shall be effective only as to rights which
7 would otherwise accrue hereunder as a result of services rendered by a member
8 after such alteration, amendment, or repeal.

9 2. Except as otherwise provided in section 104.1051, any annuity, benefit,
10 funds, property, or rights created by, or accruing or paid to, any person covered
11 under the year 2000 plan shall not be subject to execution, garnishment,
12 attachment, writ of sequestration, or any other process or claim whatsoever, and
13 shall be unassignable, except with regard to the collection of child support and
14 maintenance, and except that a beneficiary may assign life insurance
15 proceeds. Any retiree may request the executive director, in writing, to withhold
16 and pay on his behalf to the proper person, from each of his monthly annuity
17 payments, if the payment is large enough, the contribution due from the retiree
18 to any group providing state-sponsored life or medical insurance and to the
19 Missouri state employees charitable campaign.

20 3. The executive director shall, when requested in writing by a retiree,
21 withhold and pay over the funds authorized in subsection 2 of this section until
22 such time as the request to do so is revoked by the death or written revocation
23 of the retiree.

24 4. In the event any amount is due a deceased member, survivor, or
25 beneficiary who dies after September 1, 2002, and the member's, survivor's, or
26 beneficiary's financial institution is unable to accept the final payments due to
27 the member, survivor, or beneficiary, such amount shall be paid to the person or
28 entity designated in writing as beneficiary to receive such amount by such
29 member, survivor, or beneficiary. The member, survivor, or beneficiary may
30 designate in writing a beneficiary to receive any final payment due after the
31 death of a member, survivor, or beneficiary pursuant to this chapter. If no living
32 person or entity so designated as beneficiary exists at the time of death, such
33 amount shall be paid to the surviving spouse married to the deceased member,
34 survivor, or beneficiary at the time of death. If no surviving spouse exists, such
35 amount shall be paid to the surviving children of such member, survivor, or
36 beneficiary in equal parts. If no surviving children exist, such amount shall be
37 paid to the surviving parents of such member, survivor, or beneficiary in equal
38 parts. If no surviving parents exist, such amount shall be paid to the surviving
39 brothers or sisters of such member, survivor, or beneficiary in equal parts. If no
40 surviving brothers or sisters exist, payment may be made as otherwise permitted
41 by law. Notwithstanding this subsection, any amount due to a deceased member
42 as payment of all or part of a lump sum pursuant to subsection 6 of section
43 104.1024 shall be paid to the member's surviving spouse married to the member
44 at the time of death, and otherwise payment may be made as provided in this
45 subsection. In the event any amount that is due to a person from either system
46 remains unclaimed for a period of four years or more, such amount shall
47 automatically revert to the credit of the fund of the member's system. If an
48 application is made for such amount after such reversion, the board shall pay
49 such amount to the person from the board's fund, except that no interest shall be
50 paid on such amounts after the date of the reversion to the fund.

51 5. All annuities payable pursuant to the year 2000 plan shall be
52 determined based upon the law in effect on the last date of termination of
53 employment.

54 6. The beneficiary of any member who purchased creditable service [in the
55 Missouri state employees' retirement system] shall receive a refund upon the
56 member's death equal to the amount of any purchase less any retirement benefits
57 received by the member unless an annuity is payable to a survivor or beneficiary
58 as a result of the member's death. In such event, the beneficiary of the survivor
59 or beneficiary who received the annuity shall receive a refund upon the survivor's

60 or beneficiary's death equal to the amount of the member's purchase of services
61 less any annuity amounts received by the member and the survivor or beneficiary.
THERE ARE INCORRECT INTERSECTIONAL REFERENCES IN THESE
SECTIONS:

115.003. The purpose of [sections 115.001 to 115.801] **this chapter** is to
2 simplify, clarify and harmonize the laws governing elections. It shall be
3 construed and applied so as to accomplish its purpose.

115.005. Notwithstanding any other provision of law to the contrary,
2 [sections 115.001 to 115.801] **the provisions of this chapter** shall apply to all
3 public elections in the state, except elections for which ownership of real property
4 is required by law for voting.

115.007. No part of [sections 115.001 to 115.801] **the provisions of this**
2 **chapter** shall be construed as impliedly amended or repealed by subsequent
3 legislation if such construction can be reasonably avoided.

115.023. 1. Except as provided in subsections 2 and 3 of this section, each
2 election authority shall conduct all public elections within its jurisdiction.

3 2. When an election is to be conducted for a political subdivision or special
4 district, and the political subdivision or special district is located within the
5 jurisdiction of more than one election authority, the election authority of the
6 jurisdiction with the greatest proportion of the political subdivision's or special
7 district's registered voters shall be responsible for publishing any legal notice
8 required in this chapter.

9 3. When an election is to be conducted for a political subdivision or special
10 district, and the political subdivision or special district is located within the
11 jurisdiction of more than one election authority, the affected election authorities
12 may, by contract, authorize one of their number to conduct the election for all or
13 any part of the political subdivision or special district. In any election conducted
14 pursuant to this subsection, the election authority conducting part of an election
15 in an area outside its jurisdiction may consolidate precincts across jurisdiction
16 lines and shall have all powers and duties granted pursuant to this chapter,
17 except the provisions of sections 115.133 to [115.223] **115.221** and sections
18 115.279 and 115.297, in the area outside its jurisdiction.

19 4. Notwithstanding the [provision of section 493.030] **provisions of**
20 **sections 493.025 and 493.027**, whenever the publication of a legal
21 advertisement, legal notice, order of court or public notice of any kind is allowed
22 or required pursuant to this chapter, a newspaper publishing such notice shall

23 charge and receive not more than its regular local classified advertising rate. The
24 regular local classified advertising rate is that rate shown by the newspaper's
25 rate schedule as offered to the public, and shall have been in effect for at least
26 thirty days preceding publication of the particular notice to which it is applied.

115.049. 1. Each board of election commissioners in existence on January
2 1, 1978, shall set the salaries of its employees. Except as provided in subsection
3 3 of this section, the number of employees of each board and the total yearly
4 amount of all salaries paid to the board's employees shall not exceed the number
5 of employees and the total yearly amount of all salaries authorized on January
6 1, 1982; except that, in any city which has over three hundred thousand
7 inhabitants and is located in more than one county, the board of election
8 commissioners having jurisdiction in the part of the city situated in the county
9 containing the major portion of the city may set the number of its employees and
10 the total yearly amount of all salaries authorized by statute on January 1, 1982.

11 2. Each board of election commissioners established after January 1, 1978,
12 shall set the salaries of its employees. Except as provided in subsection 3 of this
13 section, the number of employees of each board and the total yearly amount of all
14 salaries paid to the board's employees shall not exceed the number of employees
15 and the total yearly amount of all salaries authorized on December 31, 1977, for
16 counties of the first class not having a charter form of government [by sections
17 119.090 and 119.100].

18 3. If any board of election commissioners wishes to increase the number
19 of its employees or the total yearly amount of all salaries paid to its employees,
20 the board shall deliver a notice of the fact to the presiding officer of the local
21 legislative body or bodies responsible for providing payment of the election
22 commissioners' salaries. The notice shall specify the number of additional
23 employees requested and the additional yearly amount requested by the board
24 and shall include a justification of the increase and a day, not less than ninety
25 days after the notice is delivered, on which the increase is to take effect. Unless
26 any legislative body responsible for approving payment of the election
27 commissioners' salaries adopts a resolution disapproving the increase, the
28 increase shall take effect on the day specified. Any board of election
29 commissioners may implement salary adjustments, after notice to the presiding
30 officer of the local legislative body or bodies responsible for providing payment of
31 the election commissioners' salaries, equal to, but not more than, those
32 adjustments granted to the employees of the local legislative body or bodies

33 without prior legislative approval.

115.155. 1. The election authority shall provide for the registration of
2 each voter. Each application shall be in substantially the following form:

3 APPLICATION FOR REGISTRATION

4 Are you a citizen of the United States?

5 YES NO

6 Will you be 18 years of age on or before election day?

7 YES NO

8 IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE
9 QUESTIONS, DO NOT COMPLETE THIS FORM.

10 IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE
11 REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A
12 COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF
13 YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE
14 REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION
15 UPON VOTING FOR THE FIRST TIME SUCH AS A BIRTH
16 CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT,
17 OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID
18 MISSOURI DRIVERS LICENSE OR OTHER FORM OF
19 PERSONAL IDENTIFICATION.

20 _____
21 Township (or Ward)

22 _____
23 Name Precinct

24 _____
25 Home Address Required Personal
26 Identification
27 Information

28 _____
29 City ZIP

30 _____
31 Date of Birth Place of Birth
32 (Optional)

33 _____
34 Telephone Number Mother's Maiden
35 (Optional) Name (Optional)

36 _____
 37 Occupation (Optional) Last Place Previously
 38 Registered

39 _____
 40 Last four digits of Under What Name
 41 Social Security Number
 42 (Required for registration
 43 unless no Social Security
 44 number exists for Applicant)

45 Remarks: _____
 46 _____ When

47 I am a citizen of the United States and a resident of the state of
 48 Missouri. I have not been adjudged incapacitated by any court of
 49 law. If I have been convicted of a felony or of a misdemeanor
 50 connected with the right of suffrage, I have had the voting
 51 disabilities resulting from such conviction removed pursuant to
 52 law. I do solemnly swear that all statements made on this card are
 53 true to the best of my knowledge and belief.

54 I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING
 55 THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM
 56 COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY
 57 BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE
 58 YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE
 59 HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY
 60 BOTH SUCH IMPRISONMENT AND FINE.

61 _____
 62 Signature of Voter Date

63 _____
 64 Signature of Election Official

65 2. After supplying all information necessary for the registration records,
 66 each applicant who appears in person before the election authority shall swear
 67 or affirm the statements on the registration application by signing his or her full
 68 name, witnessed by the signature of the election authority or such authority's
 69 deputy registration official. Each applicant who applies to register by mail
 70 pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall
 71 attest to the statements on the application by his or her signature.

72 3. Upon receipt by mail of a completed and signed voter registration
73 application, a voter registration application forwarded by the division of motor
74 vehicle and drivers licensing of the department of revenue pursuant to section
75 115.160, or a voter registration agency pursuant to section 115.162, the election
76 authority shall, if satisfied that the applicant is entitled to register, transfer all
77 data necessary for the registration records from the application to its registration
78 system. Within seven business days after receiving the application, the election
79 authority shall send the applicant a verification notice. If such notice is returned
80 as undeliverable by the postal service within the time established by the election
81 authority, the election authority shall not place the applicant's name on the voter
82 registration file.

83 4. If, upon receipt by mail of a voter registration application or a voter
84 registration application forwarded pursuant to section 115.160 or 115.162, the
85 election authority determines that the applicant is not entitled to register, such
86 authority shall, within seven business days after receiving the application, so
87 notify the applicant by mail and state the reason such authority has determined
88 the applicant is not qualified. The applicant may [have such determination
89 reviewed pursuant to the provisions of section 115.223] **file a complaint with**
90 **the elections division of the secretary of state's office under section**
91 **115.219.** If an applicant for voter registration fails to answer the question on the
92 application concerning United States citizenship, the election authority shall
93 notify the applicant of the failure and provide the applicant with an opportunity
94 to complete the form in a timely manner to allow for the completion of the
95 registration form before the next election.

96 5. It shall be the responsibility of the secretary of state to prescribe
97 specifications for voter registration documents so that they are uniform
98 throughout the state of Missouri and comply with the National Voter Registration
99 Act of 1993, including the reporting requirements, and so that registrations, name
100 changes and transfers of registrations within the state may take place as allowed
101 by law.

102 6. All voter registration applications shall be preserved in the office of the
103 election authority.

115.177. Nothing in this subchapter shall be construed in any way as
2 interfering with or discontinuing any person's valid registration which is in effect
3 on January 1, 1978, until such time as the person is required to transfer his
4 registration or to reregister under the provisions of [sections 115.001 to 115.641

5 and section 51.460] **this chapter**.

115.227. All provisions of law not inconsistent with sections [8.001 to
2 8.040] **115.225 to 115.235** shall apply with full force and effect to elections in
3 each jurisdiction using an electronic voting system.

115.243. 1. For the purposes of [sections 115.001 to 115.641 and sections
2 51.450 and 51.460] **this chapter**, the candidates for president and vice president
3 of the United States from any political party or group of petitioners shall be
4 considered one candidate. The names of the candidates for president and vice
5 president from each political party or group of petitioners shall be enclosed in a
6 brace directly to the left of the names in the appropriate column on the official
7 ballot. Directly to the left of each brace shall be printed one square, the sides of
8 which are not less than one-fourth inch in length. The names of candidates for
9 presidential electors shall not be printed on the ballot but shall be filed with the
10 secretary of state in the manner provided in section 115.399.

11 2. A vote for any candidate for president and vice president shall be a vote
12 for their electors.

13 3. When presidential and vice-presidential candidates are to be elected,
14 the following instruction shall be printed on the official ballot: "A vote for
15 candidates for President and Vice President is a vote for their electors."

115.247. 1. Each election authority shall provide all ballots for every
2 election within its jurisdiction. Ballots other than those printed by the election
3 authority in accordance with [sections 115.001 to 115.641 and section 51.460]
4 **this chapter** shall not be cast or counted at any election.

5 2. Whenever it appears that an error has occurred in any publication
6 required by [sections 115.001 to 115.641 and section 51.460] **this chapter**, or in
7 the printing of any ballot, any circuit court may, upon the application of any
8 voter, order the appropriate election authorities to correct the error or to show
9 cause why the error should not be corrected.

10 3. For each election held in a county with a charter form of government
11 and with more than two hundred fifty thousand but fewer than three hundred
12 fifty thousand inhabitants, the election authority may provide for each polling
13 place in its jurisdiction fifty-five ballots for each fifty and fraction of fifty voters
14 registered in the voting district at the time of the election. For each election,
15 except a general election, held in any county other than a county with a charter
16 form of government and with more than two hundred fifty thousand but fewer
17 than three hundred fifty thousand inhabitants, the election authority shall

18 provide for each polling place in its jurisdiction a number of ballots equal to at
19 least one and one-third times the number of ballots cast in the voting district
20 served by such polling place at the election held two years before at that polling
21 place or at the polling place that served the voting district in the previous
22 election. For each general election held in any county other than a county with
23 a charter form of government and with more than two hundred fifty thousand but
24 fewer than three hundred fifty thousand inhabitants, the election authority shall
25 provide for each polling place in its jurisdiction a number of ballots equal to one
26 and one-third times the number of ballots cast in the voting district served by
27 such polling place or at the polling place that served the voting district in the
28 general election held four years prior. When determining the number of ballots
29 to provide for each polling place, the election authority shall consider any factors
30 that would affect the turnout at such polling place. The election authority shall
31 keep a record of the exact number of ballots delivered to each polling place. For
32 purposes of this subsection, the election authority shall not be required to count
33 registered voters designated as inactive pursuant to section 115.193.

34 4. After the polls have closed on every election day, the election judges
35 shall return all unused ballots to the election authority with the other election
36 supplies.

37 5. All ballots cast in public elections shall be printed and distributed at
38 public expense, payable as provided in sections [115.061] **115.063** to 115.077.

115.287. 1. Upon receipt of a signed application for an absentee ballot
2 and if satisfied the applicant is entitled to vote by absentee ballot, the election
3 authority shall, within three working days after receiving the application, or if
4 absentee ballots are not available at the time the application is received, within
5 five working days after they become available, deliver to the voter an absentee
6 ballot, ballot envelope and such instructions as are necessary for the applicant
7 to vote. Delivery shall be made to the voter personally in the office of the election
8 authority or by bipartisan teams appointed by the election authority, or by first
9 class, registered, or certified mail at the discretion of the election authority, or in
10 the case of a covered voter as defined in section 115.902, the method of
11 transmission prescribed in section 115.914. Where the election authority is a
12 county clerk, the members of bipartisan teams representing the political party
13 other than that of county clerk shall be selected from a list of persons submitted
14 to the county clerk by the county chairman of that party. If no list is provided by
15 the time that absentee ballots are to be made available, the county clerk may

16 select a person or persons from lists provided in accordance with section 115.087.
17 If the election authority is not satisfied that any applicant is entitled to vote by
18 absentee ballot, it shall not deliver an absentee ballot to the applicant. Within
19 three working days of receiving such an application, the election authority shall
20 notify the applicant and state the reason he or she is not entitled to vote by
21 absentee ballot. The applicant may [appeal the decision of the election authority
22 to the circuit court in the manner provided in section 115.223] **file a complaint**
23 **with the elections division of the secretary of state's office under**
24 **section 115.219.**

25 2. If, after 5:00 p.m. on the Wednesday before an election, any voter from
26 the jurisdiction has become hospitalized, becomes confined due to illness or
27 injury, or is confined in an adult boarding facility, **or in an** intermediate care
28 facility, residential care facility, or skilled nursing facility, as defined in section
29 198.006, in the county in which the jurisdiction is located or in the jurisdiction
30 [or] **of** an adjacent election authority within the same county, the election
31 authority shall appoint a team to deliver, witness the signing of and return the
32 voter's application and deliver, witness the voting of and return the voter's
33 absentee ballot. In counties with a charter form of government and in cities not
34 within a county, and in each city which has over three hundred thousand
35 inhabitants, and is situated in more than one county, if the election authority
36 receives ten or more applications for absentee ballots from the same address it
37 may appoint a team to deliver and witness the voting and return of absentee
38 ballots by voters residing at that address, except when such addresses are for an
39 apartment building or other structure wherein individual living units are located,
40 each of which has its own separate cooking facilities. Each team appointed
41 pursuant to this subsection shall consist of two registered voters, one from each
42 major political party. Both members of any team appointed pursuant to this
43 subsection shall be present during the delivery, signing or voting and return of
44 any application or absentee ballot signed or voted pursuant to this subsection.

45 3. On the mailing and ballot envelopes for each covered voter, the election
46 authority shall stamp prominently in black the words "FEDERAL BALLOT,
47 STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

48 4. No information which encourages a vote for or against a candidate or
49 issue shall be provided to any voter with an absentee ballot.

115.421. Before the time fixed by law for the opening of the polls, the
2 election judges shall:

- 3 (1) Set up the voting equipment, arrange the furniture, supplies and
4 records and make all other arrangements necessary to open the polls at the time
5 fixed by law;
- 6 (2) Post a voter instruction card in each voting booth or machine and in
7 at least one other conspicuous place within the polling place and post a sample
8 ballot in a conspicuous place near the voting booths;
- 9 (3) Certify the number of ballots received at each polling place. In each
10 polling place using voting machines, the election judges shall, in lieu of certifying
11 the number of ballots received, certify the number on each voting machine
12 received at the polling place, the number on the seal of each voting machine, the
13 number on the protective counter of each voting machine and that all recording
14 counters on all voting machines at the polling place are set at zero. If a recording
15 counter on any voting machine is not set at zero, the election judges shall
16 immediately notify the election authority and proceed as it directs;
- 17 (4) Compare the ballot, ballot label or ballot card and ballot label with the
18 sample ballots, see that the names, numbers and letters agree and certify thereto
19 in the tally book. If the names, numbers or letters do not agree, the election
20 judges shall immediately notify the election authority and proceed as it directs;
- 21 (5) Sign the tally book in the manner provided in the form for tally books
22 in section 115.461[,] or 115.473 [or 115.487]. If any election judge, challenger
23 or watcher has not been previously sworn as the law directs, he shall take and
24 subscribe the oath of his office as provided in section 115.091 or 115.109, and the
25 oath shall be returned to the election authority with the tally book.

115.429. 1. The election judges shall not permit any person to vote unless
2 satisfied that such person is the person whose name appears on the precinct
3 register.

4 2. The identity or qualifications of any person offering to vote may be
5 challenged by any election authority personnel, any registered voter, or any duly
6 authorized challenger at the polling place. No person whose right to vote is
7 challenged shall receive a ballot until his identity and qualifications have been
8 established.

9 3. Any question of doubt concerning the identity or qualifications of a
10 voter shall be decided by a majority of the judges from the major political parties.
11 If such election judges decide not to permit a person to vote because of doubt as
12 to his identity or qualifications, the person may apply to the election authority
13 [or to the circuit court] as provided in [sections 115.193 and 115.223] **section**

14 **115.193 or file a complaint with the elections division of the secretary**
15 **of state's office under section 115.219.**

16 4. If the election judges cannot reach a decision on the identity or
17 qualifications of any person, the question shall be decided by the election
18 authority[, subject to appeal to the circuit court as provided in section 115.223].

19 5. The election judges or the election authority may require any person
20 whose right to vote is challenged to execute an affidavit affirming his
21 qualifications. The election authority shall furnish to the election judges a
22 sufficient number of blank affidavits of qualification, and the election judges shall
23 enter any appropriate information or comments under the title "Remarks" which
24 shall appear at the bottom of the affidavit. All executed affidavits of qualification
25 shall be returned to the election authority with the other election supplies. Any
26 person who makes a false affidavit of qualification shall be guilty of a class one
27 election offense.

115.453. Election judges shall count votes for all candidates in the
2 following manner:

3 (1) No candidate shall be counted as voted for, except a candidate before
4 whose name a distinguishing mark appears preceding the name and a
5 distinguishing mark does not appear in the square preceding the name of any
6 candidate for the same office in another column. Except as provided in this
7 subdivision and subdivision (2) of this section, each candidate with a
8 distinguishing mark preceding his or her name shall be counted as voted for;

9 (2) If distinguishing marks appear next to the names of more candidates
10 for an office than are entitled to fill the office, no candidate for the office shall be
11 counted as voted for. If more than one candidate is to be nominated or elected to
12 an office, and any voter has voted for the same candidate more than once for the
13 same office at the same election, no votes cast by the voter for the candidate shall
14 be counted;

15 (3) No vote shall be counted for any candidate that is not marked
16 substantially in accordance with the provisions of this section. The judges shall
17 count votes marked substantially in accordance with this section and section
18 115.456 when the intent of the voter seems clear. Regulations promulgated by
19 the secretary of state shall be used by the judges to determine voter intent. No
20 ballot containing any proper votes shall be rejected for containing fewer marks
21 than are authorized by law;

22 (4) Write-in votes shall be counted only for candidates for election to office

23 who have filed a declaration of intent to be a write-in candidate for election to
24 office with the proper election authority, who shall then notify the proper filing
25 officer of the write-in candidate prior to 5:00 p.m. on the second Friday
26 immediately preceding the election day; except that, write-in votes shall be
27 counted only for candidates for election to state or federal office who have filed
28 a declaration of intent to be a write-in candidate for election to state or federal
29 office with the secretary of state pursuant to section 115.353 prior to 5:00 p.m. on
30 the second Friday immediately preceding the election day. No person who filed
31 as a party or independent candidate for nomination or election to an office may,
32 without withdrawing as provided by law, file as a write-in candidate for election
33 to the same office for the same term. No candidate who files for nomination to
34 an office and is not nominated at a primary election may file a declaration of
35 intent to be a write-in candidate for the same office at the general election. When
36 declarations are properly filed with the secretary of state, the secretary of state
37 shall promptly transmit copies of all such declarations to the proper election
38 authorities for further action pursuant to this section. The election authority
39 shall furnish a list to the election judges and counting teams prior to election day
40 of all write-in candidates who have filed such declaration. This subdivision shall
41 not apply to elections wherein candidates are being elected to an office for which
42 no candidate has filed. No person shall file a declaration of intent to be a
43 write-in candidate for election to any municipal office unless such person is
44 qualified to be certified as a candidate under section [115.346] **115.306**;

45 (5) Write-in votes shall be cast and counted for a candidate without party
46 designation. Write-in votes for a person cast with a party designation shall not
47 be counted. Except for candidates for political party committees, no candidate
48 shall be elected as a write-in candidate unless such candidate receives a separate
49 plurality of the votes without party designation regardless of whether or not the
50 total write-in votes for such candidate under all party and without party
51 designations totals a majority of the votes cast;

52 (6) When submitted to the election authority, each declaration of intent
53 to be a write-in candidate for the office of United States president shall include
54 the name of a candidate for vice president and the name of nominees for
55 presidential elector equal to the number to which the state is entitled. At least
56 one qualified resident of each congressional district shall be nominated as
57 presidential elector. Each such declaration of intent to be a write-in candidate
58 shall be accompanied by a declaration of candidacy for each presidential elector

59 in substantially the form set forth in subsection 3 of section 115.399. Each
60 declaration of candidacy for the office of presidential elector shall be subscribed
61 and sworn to by the candidate before the election official receiving the declaration
62 of intent to be a write-in, notary public or other officer authorized by law to
63 administer oaths.

115.507. 1. Not later than the second Tuesday after the election, the
2 verification board shall issue a statement announcing the results of each election
3 held within its jurisdiction and shall certify the returns to each political
4 subdivision and special district submitting a candidate or question at the
5 election. The statement shall include a categorization of the number of regular
6 and absentee votes cast in the election, and how those votes were cast; provided
7 however, that absentee votes shall not be reported separately where such
8 reporting would disclose how any single voter cast his or her vote. When
9 absentee votes are not reported separately the statement shall include the reason
10 why such reporting did not occur. Nothing in this section shall be construed to
11 require the election authority to tabulate absentee ballots by precinct on election
12 night.

13 2. The verification board shall prepare the returns by drawing an abstract
14 of the votes cast for each candidate and on each question submitted to a vote of
15 people in its jurisdiction by the state and by each political subdivision and special
16 district at the election. The abstract of votes drawn by the verification board
17 shall be the official returns of the election.

18 3. Any home rule city with more than four hundred thousand inhabitants
19 and located in more than one county may by ordinance designate one of the
20 election authorities situated partially or wholly within that home rule city to be
21 the verification board that shall certify the returns of such city submitting a
22 candidate or question at any election and shall notify each verification board
23 within the city of that designation by providing each with a copy of such duly
24 adopted ordinance. Not later than the second Tuesday after any election in any
25 city making such a designation, each verification board within the city shall
26 certify the returns of such city submitting a candidate or question at the election
27 to the election authority so designated by the city to be its verification board, and
28 such election authority shall announce the results of the election and certify the
29 cumulative returns to the city in conformance with subsections 1 and 2 of this
30 section not later than ten days thereafter.

31 4. Not later than the second Tuesday after each election at which the

32 name of a candidate for nomination or election to the office of president of the
33 United States, United States senator, representative in Congress, governor,
34 lieutenant governor, state senator, state representative, judge of the circuit court,
35 secretary of state, attorney general, state treasurer, or state auditor, or at which
36 an initiative, referendum, constitutional amendment or question of retaining a
37 judge subject to the provisions of Article V, [Section 29] **Sections 29(a) to 29(g)**
38 of the State Constitution, appears on the ballot in a jurisdiction, the election
39 authority of the jurisdiction shall mail or deliver to the secretary of state the
40 abstract of the votes given in its jurisdiction, by polling place or precinct, for each
41 such office and on each such question. If mailed, the abstract shall be enclosed
42 in a strong, sealed envelope or envelopes. On the outside of each envelope shall
43 be printed: "Returns of election held in the county of _____ (City of St. Louis,
44 Kansas City) on the _____ day of _____, _____," etc.

115.515. 1. If two or more persons receive an equal number of votes for
2 nomination as a party's candidate for any federal office, governor, lieutenant
3 governor, secretary of state, attorney general, state treasurer, state auditor,
4 circuit judge not subject to the provisions of Article V, [Section 29] **Sections**
5 **29(a) to 29(g)** of the State Constitution, state senator or state representative,
6 and a higher number of votes than any other candidate for the same office on the
7 same party ballot, the governor shall, immediately after the results of the election
8 have been announced, issue a proclamation stating the fact and ordering a special
9 primary election to determine the party's nominee for the office. The
10 proclamation shall set the date of the election, which shall be not less than
11 fourteen or more than thirty days after the proclamation is issued, and shall be
12 sent by the governor to each election authority responsible for conducting the
13 special primary election. In his proclamation, the governor shall specify the name
14 of each candidate for the office to be voted on at the election, and the special
15 primary election shall be conducted and the votes counted as in other primary
16 elections.

17 2. If two or more persons receive an equal number of votes for nomination
18 as a party's candidate for any other office, except party committeeman or
19 committeewoman, and a higher number of votes than any other candidate for the
20 same office on the same party ballot, the officer with whom such candidates filed
21 their declarations of candidacy shall, immediately after the results of the election
22 have been certified, issue a proclamation stating the fact and ordering a special
23 primary election to determine the party's nominee for the office. The

24 proclamation shall set the date of the election, which shall be not less than
25 fourteen or more than thirty days after the proclamation is issued, and shall be
26 sent by the officer to each election authority responsible for conducting the special
27 primary election. In his proclamation, the officer shall specify the name of each
28 candidate for the office to be voted on at the election, and the special primary
29 election shall be conducted and the votes counted as in other primary elections.

30 3. As an alternative to the procedure prescribed in subsections 1 and 2 of
31 this section, if the candidates who received an equal number of votes in such
32 election agree to the procedure prescribed in this subsection, the officer with
33 whom such candidates filed their declarations of candidacy may, after notification
34 of the time and place of such drawing given to each such candidate at least five
35 days before such drawing, determine the winner of such election by lot. Any
36 candidate who received an equal number of votes may decline to have his name
37 put into such drawing.

115.629. There shall be four classes of election offenses consisting of all
2 offenses arising under [sections 115.001 to 115.641 and sections 51.450 and
3 51.460] **this chapter**, and such other offenses as are specified by law.

115.631. The following offenses, and any others specifically so described
2 by law, shall be class one election offenses and are deemed felonies connected
3 with the exercise of the right of suffrage. Conviction for any of these offenses
4 shall be punished by imprisonment of not more than five years or by fine of not
5 less than two thousand five hundred dollars but not more than ten thousand
6 dollars or by both such imprisonment and fine:

7 (1) Willfully and falsely making any certificate, affidavit, or statement
8 required to be made pursuant to any provision of [sections 115.001 to 115.641]
9 **this chapter**, including but not limited to statements specifically required to be
10 made "under penalty of perjury"; or in any other manner knowingly furnishing
11 false information to an election authority or election official engaged in any lawful
12 duty or action in such a way as to hinder or mislead the authority or official in
13 the performance of official duties. If an individual willfully and falsely makes
14 any certificate, affidavit, or statement required to be made under section 115.155,
15 including but not limited to statements specifically required to be made "under
16 penalty of perjury", such individual shall be guilty of a class D felony;

17 (2) Voting more than once or voting at any election knowing that the
18 person is not entitled to vote or that the person has already voted on the same
19 day at another location inside or outside the state of Missouri;

20 (3) Procuring any person to vote knowing the person is not lawfully
21 entitled to vote or knowingly procuring an illegal vote to be cast at any election;

22 (4) Applying for a ballot in the name of any other person, whether the
23 name be that of a person living or dead or of a fictitious person, or applying for
24 a ballot in his own or any other name after having once voted at the election
25 inside or outside the state of Missouri;

26 (5) Aiding, abetting or advising another person to vote knowing the person
27 is not legally entitled to vote or knowingly aiding, abetting or advising another
28 person to cast an illegal vote;

29 (6) An election judge knowingly causing or permitting any ballot to be in
30 the ballot box at the opening of the polls and before the voting commences;

31 (7) Knowingly furnishing any voter with a false or fraudulent or bogus
32 ballot, or knowingly practicing any fraud upon a voter to induce him to cast a
33 vote which will be rejected, or otherwise defrauding him of his vote;

34 (8) An election judge knowingly placing or attempting to place or
35 permitting any ballot, or paper having the semblance of a ballot, to be placed in
36 a ballot box at any election unless the ballot is offered by a qualified voter as
37 provided by law;

38 (9) Knowingly placing or attempting to place or causing to be placed any
39 false or fraudulent or bogus ballot in a ballot box at any election;

40 (10) Knowingly removing any legal ballot from a ballot box for the purpose
41 of changing the true and lawful count of any election or in any other manner
42 knowingly changing the true and lawful count of any election;

43 (11) Knowingly altering, defacing, damaging, destroying or concealing any
44 ballot after it has been voted for the purpose of changing the lawful count of any
45 election;

46 (12) Knowingly altering, defacing, damaging, destroying or concealing any
47 poll list, report, affidavit, return or certificate for the purpose of changing the
48 lawful count of any election;

49 (13) On the part of any person authorized to receive, tally or count a poll
50 list, tally sheet or election return, receiving, tallying or counting a poll list, tally
51 sheet or election return the person knows is fraudulent, forged or counterfeit, or
52 knowingly making an incorrect account of any election;

53 (14) On the part of any person whose duty it is to grant certificates of
54 election, or in any manner declare the result of an election, granting a certificate
55 to a person the person knows is not entitled to receive the certificate, or declaring

56 any election result the person knows is based upon fraudulent, fictitious or illegal
57 votes or returns;

58 (15) Willfully destroying or damaging any official ballots, whether marked
59 or unmarked, after the ballots have been prepared for use at an election and
60 during the time they are required by law to be preserved in the custody of the
61 election judges or the election authority;

62 (16) Willfully tampering with, disarranging, altering the information on,
63 defacing, impairing or destroying any voting machine or marking device after the
64 machine or marking device has been prepared for use at an election and during
65 the time it is required by law to remain locked and sealed with intent to impair
66 the functioning of the machine or marking device at an election, mislead any
67 voter at the election, or to destroy or change the count or record of votes on such
68 machine;

69 (17) Registering to vote knowing the person is not legally entitled to
70 register or registering in the name of another person, whether the name be that
71 of a person living or dead or of a fictitious person;

72 (18) Procuring any other person to register knowing the person is not
73 legally entitled to register, or aiding, abetting or advising another person to
74 register knowing the person is not legally entitled to register;

75 (19) Knowingly preparing, altering or substituting any computer program
76 or other counting equipment to give an untrue or unlawful result of an election;

77 (20) On the part of any person assisting a blind or disabled person to vote,
78 knowingly failing to cast such person's vote as such person directs;

79 (21) On the part of any registration or election official, permitting any
80 person to register to vote or to vote when such official knows the person is not
81 legally entitled to register or not legally entitled to vote;

82 (22) On the part of a notary public acting in his official capacity,
83 knowingly violating any of the provisions of [sections 115.001 to 115.627] **this**
84 **chapter** or any provision of law pertaining to elections;

85 (23) Violation of any of the provisions of sections 115.275 to 115.303, or
86 of any provision of law pertaining to absentee voting;

87 (24) Assisting a person to vote knowing such person is not legally entitled
88 to such assistance, or while assisting a person to vote who is legally entitled to
89 such assistance, in any manner coercing, requesting or suggesting that the voter
90 vote for or against, or refrain from voting on any question, ticket or candidate;

91 (25) Engaging in any act of violence, destruction of property having a

92 value of five hundred dollars or more, or threatening an act of violence with the
 93 intent of denying a person's lawful right to vote or to participate in the election
 94 process; and

95 (26) Knowingly providing false information about election procedures for
 96 the purpose of preventing any person from going to the polls.

115.641. Any duty or requirement imposed by [sections 115.001 to 115.641
 2 and sections 51.450 and 51.460] **this chapter** which is not fulfilled and for which
 3 no other or different punishment is prescribed shall constitute a class four
 4 election offense.

THESE SECTIONS CONTAIN OBSOLETE PROVISIONS BECAUSE THERE
 ARE NO PARTICIPATING LIBRARIES REMAINING:

181.100. 1. As used in sections 181.100 [to 181.130] **181.110** the
 2 following terms shall mean, unless the context requires otherwise:

3 (1) "Agency", each department, office, commission, board, or other
 4 administrative office or unit of state government;

5 (2) "Electronic repository", a collection of electronic publications kept in
 6 a secure environment with adequate backup to protect the collection;

7 (3) "Format", any media used in the publication of state information
 8 including electronic, print, audio, visual, and microform;

9 (4) ["Participating libraries", a library selected by the secretary of state
 10 to assist the public in locating and using state publications in any format; and
 11 designated to house and make available to the public publications which agencies
 12 have produced in print;

13 (5)] "Publications", the information published by agencies intended for
 14 distribution to the legislature, agencies, political subdivisions, nonprofit
 15 organizations or broad distribution to the public, including publications issued
 16 electronically or in other formats;

17 [(6)] **(5)** "State publications access program", a program to provide access
 18 to state publications for all citizens of Missouri through a secure repository of
 19 electronic publications available to the public through electronic networks [and
 20 print collections located in libraries throughout Missouri].

21 2. [Other provisions of law to the contrary notwithstanding, all state
 22 agencies required to issue and distribute multiple-produced annual, biannual, or
 23 periodic reports shall distribute such reports without charge only to those persons
 24 and offices listed in subsection 4 of this section.] For the purposes of sections
 25 181.100 [to 181.130] **and 181.110**, the word "report" means a state publication

26 which is either a printed statement by a state agency, issued at specific intervals,
27 which describes its operations and progress, and possibly contains a statement
28 of its future plans; or a formal, written account of an investigation given by a
29 person or group delegated to make the investigation. Such reports shall not be
30 distributed to any other person, including members of the general assembly, state
31 officeholders, other state agencies, divisions or departments, or to members of the
32 public, except upon request.

33 3. [No report described in subsection 2 of this section shall be distributed
34 free of charge to any person or office, except as provided in subsection 4 of this
35 section. Each recipient of any such report shall pay the cost of printing and
36 postage, which cost shall be determined by the issuing agency prior to
37 distribution of the document.

38 4.] Each agency of state government which distributes annual, biannual,
39 or periodic reports printed in paper shall provide such copies of each such
40 document free of charge to the state library as the state library shall specify,
41 along with a statement of the cost and address where additional copies of such
42 report may be requested. Two copies of all reports shall be provided to the
43 legislative library, one copy to the chief clerk of the house of representatives, one
44 copy to the secretary of the senate, one copy to the supreme court library and one
45 copy to the governor.

181.110. 1. For the purpose of providing the services described in this
2 section, each agency shall have the following responsibilities and powers:

3 (1) To submit to the state library electronically each publication created
4 by the agency in a manner consistent with the state's enterprise architecture;

5 (2) [To determine the format used to publish;

6 (3)] For those publications which the agency determines shall be printed
7 and published in paper, to supply the number of copies for participating libraries
8 as determined by the secretary of state;

9 [(4)] (3) To assign a designee as a contact for the state publications
10 access program and forward this information to the secretary of state annually.

11 2. For the purpose of providing the services described in this section, the
12 secretary of state shall have the following responsibilities:

13 (1) Through the state library, to provide a secure electronic repository of
14 state publications. Access to the state publications in the repository shall be
15 provided through multiple methods of access, including the statewide online
16 library catalog and a publicly accessible electronic network;

17 (2) [To create, in administrative rule, the criteria for selection of
18 participating libraries and the responsibilities incumbent upon those libraries in
19 serving the citizens of Missouri;

20 (3)] To set by administrative rule the electronic formats acceptable for
21 submission of publications to the electronic repository;

22 [(4)] (3) May issue and promulgate rules to enforce, implement and
23 effectuate the powers and duties established in sections 181.100 [to 181.130] and
24 181.110.

25 3. For the purpose of providing the services described in this section, the
26 state library shall have the following responsibilities, all to be performed in a
27 manner consistent with e-government:

28 (1) To administer the electronic repository of state publications for access
29 by the citizens of Missouri, and receive and distribute publications in other
30 formats, which will be housed and made available to the public by the
31 participating libraries;

32 (2) To ensure the organization and classification of state publications
33 regardless of formats and the distribution of materials in additional formats to
34 participating libraries;

35 (3) To publish regularly a list of all publications of the agencies,
36 regardless of format.

37 4. [For the purpose of providing the services described in this section, the
38 participating libraries shall have the following responsibilities:

39 (1) To ensure citizens who come to the library will be able to access
40 publications electronically;

41 (2) To maintain paper copies of those state publications that agencies
42 publish in paper that are designated by the secretary of state to be included in
43 the Missouri state publications access program;

44 (3) To maintain a collection of older state publications published by the
45 agencies in paper and designated by the secretary of state to be included in the
46 Missouri state publications access program;

47 (4) To provide training for staff of other libraries to assist the public in
48 the use of state publications;

49 (5) To assist agencies in the distribution of paper copies of state
50 publications to the public.

51 5.] All responsibilities and powers set out in this section shall be carried
52 out consistent with the provisions of section 161.935.

53 [6.] 5. Any rule or portion of a rule, as that term is defined in section
54 536.010, that is created under the authority delegated in this chapter shall
55 become effective only if it complies with and is subject to all of the provisions of
56 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
57 nonseverable and if any of the powers vested with the general assembly pursuant
58 to chapter 536 to review, to delay the effective date, or to disapprove and annul
59 a rule are subsequently held unconstitutional, then the grant of rulemaking
60 authority and any rule proposed or adopted after August 28, 2004, shall be
61 invalid and void.

THESE SECTIONS WERE DECLARED UNCONSTITUTIONAL IN *LEGENDS*
BANK V. STATE IN 2012:

[105.456. 1. No member of the general assembly or the
2 governor, lieutenant governor, attorney general, secretary of state,
3 state treasurer or state auditor shall:

4 (1) Perform any service for the state or any political
5 subdivision of the state or any agency of the state or any political
6 subdivision thereof or act in his or her official capacity or perform
7 duties associated with his or her position for any person for any
8 consideration other than the compensation provided for the
9 performance of his or her official duties; or

10 (2) Sell, rent or lease any property to the state or political
11 subdivision thereof or any agency of the state or any political
12 subdivision thereof for consideration in excess of five hundred
13 dollars per transaction or one thousand five hundred dollars per
14 annum unless the transaction is made pursuant to an award on a
15 contract let or sale made after public notice and in the case of
16 property other than real property, competitive bidding, provided
17 that the bid or offer accepted is the lowest received; or

18 (3) Attempt, for compensation other than the compensation
19 provided for the performance of his or her official duties, to
20 influence the decision of any agency of the state on any matter,
21 except that this provision shall not be construed to prohibit such
22 person from participating for compensation in any adversary
23 proceeding or in the preparation or filing of any public document
24 or conference thereon. The exception for a conference upon a public
25 document shall not permit any member of the general assembly or

26 the governor, lieutenant governor, attorney general, secretary of
27 state, state treasurer or state auditor to receive any consideration
28 for the purpose of attempting to influence the decision of any
29 agency of the state on behalf of any person with regard to any
30 application, bid or request for a state grant, loan, appropriation,
31 contract, award, permit other than matters involving a driver's
32 license, or job before any state agency, commission, or elected
33 official. Notwithstanding Missouri supreme court rule 1.10 of rule
34 4 or any other court rule or law to the contrary, other members of
35 a firm, professional corporation or partnership shall not be
36 prohibited pursuant to this subdivision from representing a person
37 or other entity solely because a member of the firm, professional
38 corporation or partnership serves in the general assembly, provided
39 that such official does not share directly in the compensation
40 earned, so far as the same may reasonably be accounted, for such
41 activity by the firm or by any other member of the firm. This
42 subdivision shall not be construed to prohibit any inquiry for
43 information or the representation of a person without consideration
44 before a state agency or in a matter involving the state if no
45 consideration is given, charged or promised in consequence thereof.

46 2. No sole proprietorship, partnership, joint venture, or
47 corporation in which a member of the general assembly, governor,
48 lieutenant governor, attorney general, secretary of state, state
49 treasurer, state auditor or spouse of such official is the sole
50 proprietor, a partner having more than a ten percent partnership
51 interest, or a coparticipant or owner of in excess of ten percent of
52 the outstanding shares of any class of stock, shall:

53 (1) Perform any service for the state or any political
54 subdivision thereof or any agency of the state or political
55 subdivision for any consideration in excess of five hundred dollars
56 per transaction or one thousand five hundred dollars per annum
57 unless the transaction is made pursuant to an award on a contract
58 let or sale made after public notice and competitive bidding,
59 provided that the bid or offer accepted is the lowest received; or

60 (2) Sell, rent, or lease any property to the state or any
61 political subdivision thereof or any agency of the state or political

62 subdivision thereof for consideration in excess of five hundred
63 dollars per transaction or one thousand five hundred dollars per
64 annum unless the transaction is made pursuant to an award on a
65 contract let or a sale made after public notice and in the case of
66 property other than real property, competitive bidding, provided
67 that the bid or offer accepted is the lowest and best received.

68 3. No statewide elected official, member of the general
69 assembly, or any person acting on behalf of such official or member
70 shall expressly and explicitly make any offer or promise to confer
71 any paid employment, where the individual is compensated above
72 actual and necessary expenses, to any statewide elected official or
73 member of the general assembly in exchange for the official's or
74 member's official vote on any public matter. Any person making
75 such offer or promise is guilty of the crime of bribery of a public
76 servant under section 576.010.

77 4. Any statewide elected official or member of the general
78 assembly who accepts or agrees to accept an offer described in
79 subsection 3 of this section is guilty of the crime of acceding to
80 corruption under section 576.020.]

[105.463. Within thirty days of submission of the person's
2 name to the governor and in order to be an eligible nominee for
3 appointment to a board or commission requiring senate
4 confirmation, a nominee shall file a financial interest statement in
5 the manner provided by section 105.485 and shall request a list of
6 all political contributions and the name of the candidate or
7 committee as defined in chapter 130, to which those contributions
8 were made within the four-year period prior to such appointment,
9 made by the nominee, from the ethics commission. The information
10 shall be delivered to the nominee by the ethics commission. The
11 nominee shall deliver the information to the president pro tem of
12 the senate prior to confirmation.]

[105.473. 1. Each lobbyist shall, not later than January
2 fifth of each year or five days after beginning any activities as a
3 lobbyist, file standardized registration forms, verified by a written
4 declaration that it is made under the penalties of perjury, along
5 with a filing fee of ten dollars, with the commission. The forms

6 shall include the lobbyist's name and business address, the name
7 and address of all persons such lobbyist employs for lobbying
8 purposes, the name and address of each lobbyist principal by whom
9 such lobbyist is employed or in whose interest such lobbyist
10 appears or works. The commission shall maintain files on all
11 lobbyists' filings, which shall be open to the public. Each lobbyist
12 shall file an updating statement under oath within one week of any
13 addition, deletion, or change in the lobbyist's employment or
14 representation. The filing fee shall be deposited to the general
15 revenue fund of the state. The lobbyist principal or a lobbyist
16 employing another person for lobbying purposes may notify the
17 commission that a judicial, executive or legislative lobbyist is no
18 longer authorized to lobby for the principal or the lobbyist and
19 should be removed from the commission's files.

20 2. Each person shall, before giving testimony before any
21 committee of the general assembly, give to the secretary of such
22 committee such person's name and address and the identity of any
23 lobbyist or organization, if any, on whose behalf such person
24 appears. A person who is not a lobbyist as defined in section
25 105.470 shall not be required to give such person's address if the
26 committee determines that the giving of such address would
27 endanger the person's physical health.

28 3. (1) During any period of time in which a lobbyist
29 continues to act as an executive lobbyist, judicial lobbyist,
30 legislative lobbyist, or elected local government official lobbyist, the
31 lobbyist shall file with the commission on standardized forms
32 prescribed by the commission monthly reports which shall be due
33 at the close of business on the tenth day of the following month;

34 (2) Each report filed pursuant to this subsection shall
35 include a statement, verified by a written declaration that it is
36 made under the penalties of perjury, setting forth the following:

37 (a) The total of all expenditures by the lobbyist or his or her
38 lobbyist principals made on behalf of all public officials, their staffs
39 and employees, and their spouses and dependent children, which
40 expenditures shall be separated into at least the following
41 categories by the executive branch, judicial branch and legislative

42 branch of government: printing and publication expenses; media
43 and other advertising expenses; travel; the time, venue, and nature
44 of any entertainment; honoraria; meals, food and beverages; and
45 gifts;

46 (b) The total of all expenditures by the lobbyist or his or her
47 lobbyist principals made on behalf of all elected local government
48 officials, their staffs and employees, and their spouses and
49 children. Such expenditures shall be separated into at least the
50 following categories: printing and publication expenses; media and
51 other advertising expenses; travel; the time, venue, and nature of
52 any entertainment; honoraria; meals; food and beverages; and gifts;

53 (c) An itemized listing of the name of the recipient and the
54 nature and amount of each expenditure by the lobbyist or his or
55 her lobbyist principal, including a service or anything of value, for
56 all expenditures made during any reporting period, paid or
57 provided to or for a public official or elected local government
58 official, such official's staff, employees, spouse or dependent
59 children;

60 (d) The total of all expenditures made by a lobbyist or
61 lobbyist principal for occasions and the identity of the group
62 invited, the date, location, and description of the occasion and the
63 amount of the expenditure for each occasion when any of the
64 following are invited in writing:

65 a. All members of the senate, which may or may not include
66 senate staff and employees under the direct supervision of a state
67 senator;

68 b. All members of the house of representatives, which may
69 or may not include house staff and employees under the direct
70 supervision of a state representative;

71 c. All members of a joint committee of the general assembly
72 or a standing committee of either the house of representatives or
73 senate, which may or may not include joint and standing committee
74 staff;

75 d. All members of a caucus of the majority party of the
76 house of representatives, minority party of the house of
77 representatives, majority party of the senate, or minority party of

78 the senate;

79 e. All statewide officials, which may or may not include the
80 staff and employees under the direct supervision of the statewide
81 official;

82 (e) Any expenditure made on behalf of a public official, an
83 elected local government official or such official's staff, employees,
84 spouse or dependent children, if such expenditure is solicited by
85 such official, the official's staff, employees, or spouse or dependent
86 children, from the lobbyist or his or her lobbyist principals and the
87 name of such person or persons, except any expenditures made to
88 any not-for-profit corporation, charitable, fraternal or civic
89 organization or other association formed to provide for good in the
90 order of benevolence and except for any expenditure reported under
91 paragraph (d) of this subdivision;

92 (f) A statement detailing any direct business relationship
93 or association or partnership the lobbyist has with any public
94 official or elected local government official. The reports required
95 by this subdivision shall cover the time periods since the filing of
96 the last report or since the lobbyist's employment or representation
97 began, whichever is most recent.

98 4. No expenditure reported pursuant to this section shall
99 include any amount expended by a lobbyist or lobbyist principal on
100 himself or herself. All expenditures disclosed pursuant to this
101 section shall be valued on the report at the actual amount of the
102 payment made, or the charge, expense, cost, or obligation, debt or
103 bill incurred by the lobbyist or the person the lobbyist
104 represents. Whenever a lobbyist principal employs more than one
105 lobbyist, expenditures of the lobbyist principal shall not be reported
106 by each lobbyist, but shall be reported by one of such lobbyists. No
107 expenditure shall be made on behalf of a state senator or state
108 representative, or such public official's staff, employees, spouse, or
109 dependent children for travel or lodging outside the state of
110 Missouri unless such travel or lodging was approved prior to the
111 date of the expenditure by the administration and accounts
112 committee of the house or the administration committee of the
113 senate.

114 5. Any lobbyist principal shall provide in a timely fashion
115 whatever information is reasonably requested by the lobbyist
116 principal's lobbyist for use in filing the reports required by this
117 section.

118 6. All information required to be filed pursuant to the
119 provisions of this section with the commission shall be kept
120 available by the executive director of the commission at all times
121 open to the public for inspection and copying for a reasonable fee
122 for a period of five years from the date when such information was
123 filed.

124 7. No person shall knowingly employ any person who is
125 required to register as a registered lobbyist but is not registered
126 pursuant to this section. Any person who knowingly violates this
127 subsection shall be subject to a civil penalty in an amount of not
128 more than ten thousand dollars for each violation. Such civil
129 penalties shall be collected by action filed by the commission.

130 8. Any lobbyist found to knowingly omit, conceal, or falsify
131 in any manner information required pursuant to this section shall
132 be guilty of a class A misdemeanor.

133 9. The prosecuting attorney of Cole County shall be
134 reimbursed only out of funds specifically appropriated by the
135 general assembly for investigations and prosecutions for violations
136 of this section.

137 10. Any public official or other person whose name appears
138 in any lobbyist report filed pursuant to this section who contests
139 the accuracy of the portion of the report applicable to such person
140 may petition the commission for an audit of such report and shall
141 state in writing in such petition the specific disagreement with the
142 contents of such report. The commission shall investigate such
143 allegations in the manner described in section 105.959. If the
144 commission determines that the contents of such report are
145 incorrect, incomplete or erroneous, it shall enter an order requiring
146 filing of an amended or corrected report.

147 11. The commission shall provide a report listing the total
148 spent by a lobbyist for the month and year to any member or
149 member-elect of the general assembly, judge or judicial officer, or

150 any other person holding an elective office of state government or
151 any elected local government official on or before the twentieth day
152 of each month. For the purpose of providing accurate information
153 to the public, the commission shall not publish information in
154 either written or electronic form for ten working days after
155 providing the report pursuant to this subsection. The commission
156 shall not release any portion of the lobbyist report if the accuracy
157 of the report has been questioned pursuant to subsection 10 of this
158 section unless it is conspicuously marked "Under Review".

159 12. Each lobbyist or lobbyist principal by whom the lobbyist
160 was employed, or in whose behalf the lobbyist acted, shall provide
161 a general description of the proposed legislation or action by the
162 executive branch or judicial branch which the lobbyist or lobbyist
163 principal supported or opposed. This information shall be supplied
164 to the commission on March fifteenth and May thirtieth of each
165 year.

166 13. The provisions of this section shall supersede any
167 contradicting ordinances or charter provisions.]

2 [105.485. 1. Each financial interest statement required by
3 sections 105.483 to 105.492 shall be on a form prescribed by the
4 commission and shall be signed and verified by a written
5 declaration that it is made under penalties of perjury; provided,
6 however, the form shall not seek information which is not
7 specifically required by sections 105.483 to 105.492.

8 2. Each person required to file a financial interest
9 statement pursuant to subdivisions (1) to (12) of section 105.483
10 shall file the following information for himself, his spouse and
11 dependent children at any time during the period covered by the
12 statement, whether singularly or collectively; provided, however,
13 that said person, if he does not know and his spouse will not
14 divulge any information required to be reported by this section
15 concerning the financial interest of his spouse, shall state on his
16 financial interest statement that he has disclosed that information
17 known to him and that his spouse has refused or failed to provide
18 other information upon his bona fide request, and such statement
shall be deemed to satisfy the requirements of this section for such

19 financial interest of his spouse; and provided further if the spouse
20 of any person required to file a financial interest statement is also
21 required by section 105.483 to file a financial interest statement,
22 the financial interest statement filed by each need not disclose the
23 financial interest of the other, provided that each financial interest
24 statement shall state that the spouse of the person has filed a
25 separate financial interest statement and the name under which
26 the statement was filed:

27 (1) The name and address of each of the employers of such
28 person from whom income of one thousand dollars or more was
29 received during the year covered by the statement;

30 (2) The name and address of each sole proprietorship which
31 he owned; the name, address and the general nature of the
32 business conducted of each general partnership and joint venture
33 in which he was a partner or participant; the name and address of
34 each partner or coparticipant for each partnership or joint venture
35 unless such names and addresses are filed by the partnership or
36 joint venture with the secretary of state; the name, address and
37 general nature of the business conducted of any closely held
38 corporation or limited partnership in which the person owned ten
39 percent or more of any class of the outstanding stock or limited
40 partners' units; and the name of any publicly traded corporation or
41 limited partnership which is listed on a regulated stock exchange
42 or automated quotation system in which the person owned two
43 percent or more of any class of outstanding stock, limited
44 partnership units or other equity interests;

45 (3) The name and address of any other source not reported
46 pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of
47 this subsection from which such person received one thousand
48 dollars or more of income during the year covered by the statement,
49 including, but not limited to, any income otherwise required to be
50 reported on any tax return such person is required by law to file;
51 except that only the name of any publicly traded corporation or
52 limited partnership which is listed on a regulated stock exchange
53 or automated quotation system need be reported pursuant to this
54 subdivision;

55 (4) The location by county, the subclassification for property
56 tax assessment purposes, the approximate size and a description
57 of the major improvements and use for each parcel of real property
58 in the state, other than the individual's personal residence, having
59 a fair market value of ten thousand dollars or more in which such
60 person held a vested interest including a leasehold for a term of ten
61 years or longer, and, if the property was transferred during the
62 year covered by the statement, the name and address of the
63 persons furnishing or receiving consideration for such transfer;

64 (5) The name and address of each entity in which such
65 person owned stock, bonds or other equity interest with a value in
66 excess of ten thousand dollars; except that, if the entity is a
67 corporation listed on a regulated stock exchange, only the name of
68 the corporation need be listed; and provided that any member of
69 any board or commission of the state or any political subdivision
70 who does not receive any compensation for his services to the state
71 or political subdivision other than reimbursement for his actual
72 expenses or a per diem allowance as prescribed by law for each day
73 of such service need not report interests in publicly traded
74 corporations or limited partnerships which are listed on a
75 regulated stock exchange or automated quotation system pursuant
76 to this subdivision; and provided further that the provisions of this
77 subdivision shall not require reporting of any interest in any
78 qualified plan or annuity pursuant to the Employees' Retirement
79 Income Security Act;

80 (6) The name and address of each corporation for which
81 such person served in the capacity of a director, officer or receiver;

82 (7) The name and address of each not-for-profit corporation
83 and each association, organization, or union, whether incorporated
84 or not, except not-for-profit corporations formed to provide church
85 services, fraternal organizations or service clubs from which the
86 officer or employee draws no remuneration, in which such person
87 was an officer, director, employee or trustee at any time during the
88 year covered by the statement, and for each such organization, a
89 general description of the nature and purpose of the organization;

90 (8) The name and address of each source from which such

91 person received a gift or gifts, or honorarium or honoraria in excess
92 of two hundred dollars in value per source during the year covered
93 by the statement other than gifts from persons within the third
94 degree of consanguinity or affinity of the person filing the financial
95 interest statement. For the purposes of this section, a "gift" shall
96 not be construed to mean political contributions otherwise required
97 to be reported by law or hospitality such as food, beverages or
98 admissions to social, art, or sporting events or the like, or
99 informational material. For the purposes of this section, a "gift"
100 shall include gifts to or by creditors of the individual for the
101 purpose of cancelling, reducing or otherwise forgiving the
102 indebtedness of the individual to that creditor;

103 (9) The lodging and travel expenses provided by any third
104 person for expenses incurred outside the state of Missouri whether
105 by gift or in relation to the duties of office of such official, except
106 that such statement shall not include travel or lodging expenses:

107 (a) Paid in the ordinary course of business for businesses
108 described in subdivisions (1), (2), (5) and (6) of this subsection
109 which are related to the duties of office of such official; or

110 (b) For which the official may be reimbursed as provided by
111 law; or

112 (c) Paid by persons related by the third degree of
113 consanguinity or affinity to the person filing the statement; or

114 (d) Expenses which are reported by the campaign committee
115 or candidate committee of the person filing the statement pursuant
116 to the provisions of chapter 130; or

117 (e) Paid for purely personal purposes which are not related
118 to the person's official duties by a third person who is not a
119 lobbyist, a lobbyist principal or member, or officer or director of a
120 member, of any association or entity which employs a lobbyist. The
121 statement shall include the name and address of such person who
122 paid the expenses, the date such expenses were incurred, the
123 amount incurred, the location of the travel and lodging, and the
124 nature of the services rendered or reason for the expenses;

125 (10) The assets in any revocable trust of which the
126 individual is the settlor if such assets would otherwise be required

127 to be reported under this section;

128 (11) The name, position and relationship of any relative
129 within the first degree of consanguinity or affinity to any other
130 person who:

131 (a) Is employed by the state of Missouri, by a political
132 subdivision of the state or special district, as defined in section
133 115.013, of the state of Missouri;

134 (b) Is a lobbyist; or

135 (c) Is a fee agent of the department of revenue;

136 (12) The name and address of each campaign committee,
137 political party committee, candidate committee, or political action
138 committee for which such person or any corporation listed on such
139 person's financial interest statement received payment; and

140 (13) For members of the general assembly or any statewide
141 elected public official, their spouses, and their dependent children,
142 whether any state tax credits were claimed on the member's,
143 spouse's, or dependent child's most recent state income tax return.

144 3. For the purposes of subdivisions (1), (2) and (3) of
145 subsection 2 of this section, an individual shall be deemed to have
146 received a salary from his employer or income from any source at
147 the time when he shall receive a negotiable instrument whether or
148 not payable at a later date and at the time when under the practice
149 of his employer or the terms of an agreement he has earned or is
150 entitled to anything of actual value whether or not delivery of the
151 value is deferred or right to it has vested. The term "income" as
152 used in this section shall have the same meaning as provided in
153 the Internal Revenue Code of 1986, and amendments thereto, as
154 the same may be or becomes effective, at any time or from time to
155 time for the taxable year, provided that income shall not be
156 considered received or earned for purposes of this section from a
157 partnership or sole proprietorship until such income is converted
158 from business to personal use.

159 4. Each official, officer or employee or candidate of any
160 political subdivision described in subdivision (11) of section 105.483
161 shall be required to file a financial interest statement as required
162 by subsection 2 of this section, unless the political subdivision

163 biennially adopts an ordinance, order or resolution at an open
164 meeting by September fifteenth of the preceding year, which
165 establishes and makes public its own method of disclosing potential
166 conflicts of interest and substantial interests and therefore
167 excludes the political subdivision or district and its officers and
168 employees from the requirements of subsection 2 of this section. A
169 certified copy of the ordinance, order or resolution shall be sent to
170 the commission within ten days of its adoption. The commission
171 shall assist any political subdivision in developing forms to
172 complete the requirements of this subsection. The ordinance, order
173 or resolution shall contain, at a minimum, the following
174 requirements with respect to disclosure of substantial interests:

175 (1) Disclosure in writing of the following described
176 transactions, if any such transactions were engaged in during the
177 calendar year:

178 (a) For such person, and all persons within the first degree
179 of consanguinity or affinity of such person, the date and the
180 identities of the parties to each transaction with a total value in
181 excess of five hundred dollars, if any, that such person had with
182 the political subdivision, other than compensation received as an
183 employee or payment of any tax, fee or penalty due to the political
184 subdivision, and other than transfers for no consideration to the
185 political subdivision;

186 (b) The date and the identities of the parties to each
187 transaction known to the person with a total value in excess of five
188 hundred dollars, if any, that any business entity in which such
189 person had a substantial interest, had with the political
190 subdivision, other than payment of any tax, fee or penalty due to
191 the political subdivision or transactions involving payment for
192 providing utility service to the political subdivision, and other than
193 transfers for no consideration to the political subdivision;

194 (2) The chief administrative officer and chief purchasing
195 officer of such political subdivision shall disclose in writing the
196 information described in subdivisions (1), (2) and (6) of subsection
197 2 of this section;

198 (3) Disclosure of such other financial interests applicable to

199 officials, officers and employees of the political subdivision, as may
200 be required by the ordinance or resolution;

201 (4) Duplicate disclosure reports made pursuant to this
202 subsection shall be filed with the commission and the governing
203 body of the political subdivision. The clerk of such governing body
204 shall maintain such disclosure reports available for public
205 inspection and copying during normal business hours.]

2 [105.957. 1. The commission shall receive any complaints
alleging violation of the provisions of:

3 (1) The requirements imposed on lobbyists by sections
4 105.470 to 105.478;

5 (2) The financial interest disclosure requirements contained
6 in sections 105.483 to 105.492;

7 (3) The campaign finance disclosure requirements contained
8 in chapter 130;

9 (4) Any code of conduct promulgated by any department,
10 division or agency of state government, or by state institutions of
11 higher education, or by executive order;

12 (5) The conflict of interest laws contained in sections
13 105.450 to 105.468 and section 171.181; and

14 (6) The provisions of the constitution or state statute or
15 order, ordinance or resolution of any political subdivision relating
16 to the official conduct of officials or employees of the state and
17 political subdivisions.

18 2. Complaints filed with the commission shall be in writing
19 and filed only by a natural person. The complaint shall contain all
20 facts known by the complainant that have given rise to the
21 complaint and the complaint shall be sworn to, under penalty of
22 perjury, by the complainant. No complaint shall be investigated
23 unless the complaint alleges facts which, if true, fall within the
24 jurisdiction of the commission. Within five days after receipt by
25 the commission of a complaint which is properly signed and
26 notarized, and which alleges facts which, if true, fall within the
27 jurisdiction of the commission, a copy of the complaint, including
28 the name of the complainant, shall be delivered to the alleged
29 violator.

30 3. No complaint shall be investigated which concerns
31 alleged criminal conduct which allegedly occurred previous to the
32 period of time allowed by law for criminal prosecution for such
33 conduct. The commission may refuse to investigate any conduct
34 which is the subject of civil or criminal litigation. The commission,
35 its executive director or an investigator shall not investigate any
36 complaint concerning conduct which is not criminal in nature
37 which occurred more than two years prior to the date of the
38 complaint. A complaint alleging misconduct on the part of a
39 candidate for public office, other than those alleging failure to file
40 the appropriate financial interest statements or campaign finance
41 disclosure reports, shall not be accepted by the commission within
42 sixty days prior to the primary election at which such candidate is
43 running for office, and until after the general election.

44 4. If the commission finds that any complaint is frivolous
45 in nature, the commission shall dismiss the case. For purposes of
46 this subsection, "frivolous" shall mean a complaint clearly lacking
47 any basis in fact or law. Any person who submits a frivolous
48 complaint shall be liable for actual and compensatory damages to
49 the alleged violator for holding the alleged violator before the
50 public in a false light. If the commission finds that a complaint is
51 frivolous, the commission shall issue a public report to the
52 complainant and the alleged violator stating with particularity its
53 reasons for dismissal of the complaint. Upon such issuance, the
54 complaint and all materials relating to the complaint shall be a
55 public record as defined in chapter 610.

56 5. Complaints which allege violations as described in this
57 section which are filed with the commission shall be handled as
58 provided by section 105.961.]

 [105.959. 1. The executive director of the commission,
2 under the supervision of the commission, shall review reports and
3 statements filed with the commission or other appropriate officers
4 pursuant to sections 105.470, 105.483 to 105.492, and chapter 130
5 for completeness, accuracy and timeliness of filing of the reports or
6 statements and any records relating to the reports or statements,
7 and upon review, if there are reasonable grounds to believe that a

8 violation has occurred, shall conduct an investigation of such
9 reports, statements, and records and assign a special investigator
10 following the provisions of subsection 1 of section 105.961.

11 2. (1) If there are reasonable grounds to believe that a
12 violation has occurred and after the commission unanimously votes
13 to proceed with all six members voting, the executive director shall,
14 without receipt of a complaint, conduct an independent
15 investigation of any potential violations of the provisions of:

16 (a) The requirements imposed on lobbyists by sections
17 105.470 to 105.478;

18 (b) The financial interest disclosure requirements contained
19 in sections 105.483 to 105.492;

20 (c) The campaign finance disclosure requirements contained
21 in chapter 130;

22 (d) Any code of conduct promulgated by any department,
23 division, or agency of state government, or by state institutions of
24 higher education, or by executive order;

25 (e) The conflict of interest laws contained in sections
26 105.450 to 105.468 and section 171.181; and

27 (f) The provisions of the constitution or state statute or
28 order, ordinance, or resolution of any political subdivision relating
29 to the official conduct of officials or employees of the state and
30 political subdivisions.

31 (2) If an investigation conducted under this subsection fails
32 to establish reasonable grounds to believe that a violation has
33 occurred, the investigation shall be terminated and the person who
34 had been under investigation shall be notified of the reasons for
35 the disposition of the complaint.

36 3. Upon findings of the appropriate filing officer which are
37 reported to the commission in accordance with the provisions of
38 section 130.056, the executive director shall investigate disclosure
39 reports, statements and records pertaining to such findings within
40 a reasonable time after receipt of the reports from the appropriate
41 filing officer.

42 4. The commission may make such investigations and
43 inspections within or outside of this state as are necessary to

44 determine compliance.

45 5. The commission shall notify the person under
46 investigation under this section, by registered mail, within five
47 days of the decision to conduct such investigation and assign a
48 special investigator following the provisions of subsection 1 of
49 section 105.961.

50 6. After completion of an investigation, the executive
51 director shall provide a detailed report of such investigation to the
52 commission. Upon determination that there are reasonable
53 grounds to believe that a person has violated the requirements of
54 sections 105.470, 105.483 to 105.492, or chapter 130, by a vote of
55 four members of the commission, the commission may refer the
56 report with the recommendations of the commission to the
57 appropriate prosecuting authority together with the details of the
58 investigation by the commission as is provided in subsection 2 of
59 section 105.961.

60 7. All investigations by the executive director of an alleged
61 violation shall be strictly confidential with the exception of
62 notification of the commission and the complainant and the person
63 under investigation. Revealing any such confidential investigation
64 information shall be cause for removal or dismissal of the executive
65 director or a commission member or employee.]

2 [105.961. 1. Upon receipt of a complaint as described by
3 section 105.957 or upon notification by the commission of an
4 investigation under subsection 5 of section 105.959, the commission
5 shall assign the complaint or investigation to a special investigator,
6 who may be a commission employee, who shall investigate and
7 determine the merits of the complaint or investigation. Within ten
8 days of such assignment, the special investigator shall review such
9 complaint and disclose, in writing, to the commission any conflict
10 of interest which the special investigator has or might have with
11 respect to the investigation and subject thereof. Within ninety
12 days of receipt of the complaint from the commission, the special
13 investigator shall submit the special investigator's report to the
14 commission. The commission, after review of such report, shall
determine:

15 (1) That there is reasonable grounds for belief that a
16 violation has occurred; or

17 (2) That there are no reasonable grounds for belief that a
18 violation exists and the complaint or investigation shall be
19 dismissed; or

20 (3) That additional time is necessary to complete the
21 investigation, and the status and progress of the investigation to
22 date. The commission, in its discretion, may allow the
23 investigation to proceed for no more than two additional successive
24 periods of ninety days each, pending reports regarding the status
25 and progress of the investigation at the end of each such period.

26 2. When the commission concludes, based on the report
27 from the special investigator, or based on an investigation
28 conducted pursuant to section 105.959, that there are reasonable
29 grounds to believe that a violation of any criminal law has
30 occurred, and if the commission believes that criminal prosecution
31 would be appropriate upon a vote of four members of the
32 commission, the commission shall refer the report to the Missouri
33 office of prosecution services, prosecutors coordinators training
34 council established in section 56.760, which shall submit a panel
35 of five attorneys for recommendation to the court having criminal
36 jurisdiction, for appointment of an attorney to serve as a special
37 prosecutor; except that, the attorney general of Missouri or any
38 assistant attorney general shall not act as such special
39 prosecutor. The court shall then appoint from such panel a special
40 prosecutor pursuant to section 56.110 who shall have all the
41 powers provided by section 56.130. The court shall allow a
42 reasonable and necessary attorney's fee for the services of the
43 special prosecutor. Such fee shall be assessed as costs if a case is
44 filed, or ordered by the court if no case is filed, and paid together
45 with all other costs in the proceeding by the state, in accordance
46 with rules and regulations promulgated by the state courts
47 administrator, subject to funds appropriated to the office of
48 administration for such purposes. If the commission does not have
49 sufficient funds to pay a special prosecutor, the commission shall
50 refer the case to the prosecutor or prosecutors having criminal

51 jurisdiction. If the prosecutor having criminal jurisdiction is not
52 able to prosecute the case due to a conflict of interest, the court
53 may appoint a special prosecutor, paid from county funds, upon
54 appropriation by the county or the attorney general to investigate
55 and, if appropriate, prosecute the case. The special prosecutor or
56 prosecutor shall commence an action based on the report by the
57 filing of an information or seeking an indictment within sixty days
58 of the date of such prosecutor's appointment, or shall file a written
59 statement with the commission explaining why criminal charges
60 should not be sought. If the special prosecutor or prosecutor fails
61 to take either action required by this subsection, upon request of
62 the commission, a new special prosecutor, who may be the attorney
63 general, shall be appointed. The report may also be referred to the
64 appropriate disciplinary authority over the person who is the
65 subject of the report.

66 3. When the commission concludes, based on the report
67 from the special investigator or based on an investigation
68 conducted pursuant to section 105.959, that there are reasonable
69 grounds to believe that a violation of any law has occurred which
70 is not a violation of criminal law or that criminal prosecution is not
71 appropriate, the commission shall conduct a hearing which shall be
72 a closed meeting and not open to the public. The hearing shall be
73 conducted pursuant to the procedures provided by sections 536.063
74 to 536.090 and shall be considered to be a contested case for
75 purposes of such sections. The commission shall determine, in its
76 discretion, whether or not that there is probable cause that a
77 violation has occurred. If the commission determines, by a vote of
78 at least four members of the commission, that probable cause exists
79 that a violation has occurred, the commission may refer its findings
80 and conclusions to the appropriate disciplinary authority over the
81 person who is the subject of the report, as described in subsection
82 8 of this section.

83 4. If the appropriate disciplinary authority receiving a
84 report from the commission pursuant to subsection 3 of this section
85 fails to follow, within sixty days of the receipt of the report, the
86 recommendations contained in the report, or if the commission

87 determines, by a vote of at least four members of the commission
88 that some action other than referral for criminal prosecution or for
89 action by the appropriate disciplinary authority would be
90 appropriate, the commission shall take any one or more of the
91 following actions:

92 (1) Notify the person to cease and desist violation of any
93 provision of law which the report concludes was violated and that
94 the commission may seek judicial enforcement of its decision
95 pursuant to subsection 5 of this section;

96 (2) Notify the person of the requirement to file, amend or
97 correct any report, statement, or other document or information
98 required by sections 105.473, 105.483 to 105.492, or chapter 130
99 and that the commission may seek judicial enforcement of its
100 decision pursuant to subsection 5 of this section; and

101 (3) File the report with the executive director to be
102 maintained as a public document; or

103 (4) Issue a letter of concern or letter of reprimand to the
104 person, which would be maintained as a public document; or

105 (5) Issue a letter that no further action shall be taken,
106 which would be maintained as a public document; or

107 (6) Through reconciliation agreements or action of the
108 commission, the power to seek fees for violations in an amount not
109 greater than one thousand dollars or double the amount involved
110 in the violation.

111 5. Upon vote of at least four members, the commission may
112 initiate formal judicial proceedings in the circuit court of Cole
113 County seeking to obtain any of the following orders:

114 (1) Cease and desist violation of any provision of sections
115 105.450 to 105.496, or chapter 130, or sections 105.955 to 105.963;

116 (2) Pay any civil penalties required by sections 105.450 to
117 105.496 or chapter 130;

118 (3) File any reports, statements, or other documents or
119 information required by sections 105.450 to 105.496, or chapter
120 130; or

121 (4) Pay restitution for any unjust enrichment the violator
122 obtained as a result of any violation of any criminal statute as

123 described in subsection 7 of this section.

124 6. After the commission determines by a vote of at least
125 four members of the commission that a violation has occurred,
126 other than a referral for criminal prosecution, and the commission
127 has referred the findings and conclusions to the appropriate
128 disciplinary authority over the person who is the subject of the
129 report, or has taken an action under subsection 4 of this section,
130 the subject of the report may appeal the determination of the
131 commission to the circuit court of Cole County. The court shall
132 conduct a de novo review of the determination of the
133 commission. Such appeal shall stay the action of the Missouri
134 ethics commission. Such appeal shall be filed not later than the
135 fourteenth day after the subject of the commission's action receives
136 actual notice of the commission's action. If a petition for judicial
137 review of a final order is not filed as provided in this section or
138 when an order for fees under subsection 4 of this section becomes
139 final following an appeal to the circuit court of Cole County, the
140 commission may file a certified copy of the final order with the
141 circuit court of Cole County. When any order for fees under
142 subsection 4 of this section becomes final, the commission may file
143 a certified copy of the final order with the circuit court of Cole
144 County. The order so filed shall have the same effect as a
145 judgment of the court and may be recorded, enforced, or satisfied
146 in the same manner as a judgment of the court.

147 7. In the proceeding in the circuit court of Cole County, the
148 commission may seek restitution against any person who has
149 obtained unjust enrichment as a result of violation of any provision
150 of sections 105.450 to 105.496, or chapter 130 and may recover on
151 behalf of the state or political subdivision with which the alleged
152 violator is associated, damages in the amount of any unjust
153 enrichment obtained and costs and attorney's fees as ordered by
154 the court.

155 8. The appropriate disciplinary authority to whom a report
156 shall be sent pursuant to subsection 2 or 3 of this section shall
157 include, but not be limited to, the following:

158 (1) In the case of a member of the general assembly, the

159 ethics committee of the house of which the subject of the report is
160 a member;

161 (2) In the case of a person holding an elective office or an
162 appointive office of the state, if the alleged violation is an
163 impeachable offense, the report shall be referred to the ethics
164 committee of the house of representatives;

165 (3) In the case of a person holding an elective office of a
166 political subdivision, the report shall be referred to the governing
167 body of the political subdivision;

168 (4) In the case of any officer or employee of the state or of
169 a political subdivision, the report shall be referred to the person
170 who has immediate supervisory authority over the employment by
171 the state or by the political subdivision of the subject of the report;

172 (5) In the case of a judge of a court of law, the report shall
173 be referred to the commission on retirement, removal and
174 discipline, or if the inquiry involves an employee of the judiciary to
175 the applicable presiding judge;

176 (6) In the case of a person holding an appointive office of
177 the state, if the alleged violation is not an impeachable offense, the
178 report shall be referred to the governor;

179 (7) In the case of a statewide elected official, the report
180 shall be referred to the attorney general;

181 (8) In a case involving the attorney general, the report shall
182 be referred to the prosecuting attorney of Cole County.

183 9. The special investigator having a complaint referred to
184 the special investigator by the commission shall have the following
185 powers:

186 (1) To request and shall be given access to information in
187 the possession of any person or agency which the special
188 investigator deems necessary for the discharge of the special
189 investigator's responsibilities;

190 (2) To examine the records and documents of any person or
191 agency, unless such examination would violate state or federal law
192 providing for confidentiality;

193 (3) To administer oaths and affirmations;

194 (4) Upon refusal by any person to comply with a request for

195 information relevant to an investigation, an investigator may issue
196 a subpoena for any person to appear and give testimony, or for a
197 subpoena duces tecum to produce documentary or other evidence
198 which the investigator deems relevant to a matter under the
199 investigator's inquiry. The subpoenas and subpoenas duces tecum
200 may be enforced by applying to a judge of the circuit court of Cole
201 County or any county where the person or entity that has been
202 subpoenaed resides or may be found, for an order to show cause
203 why the subpoena or subpoena duces tecum should not be
204 enforced. The order and a copy of the application therefor shall be
205 served in the same manner as a summons in a civil action, and if,
206 after hearing, the court determines that the subpoena or subpoena
207 duces tecum should be sustained and enforced, the court shall
208 enforce the subpoena or subpoena duces tecum in the same manner
209 as if it had been issued by the court in a civil action; and

210 (5) To request from the commission such investigative,
211 clerical or other staff assistance or advancement of other expenses
212 which are necessary and convenient for the proper completion of an
213 investigation. Within the limits of appropriations to the
214 commission, the commission may provide such assistance, whether
215 by contract to obtain such assistance or from staff employed by the
216 commission, or may advance such expenses.

217 10. (1) Any retired judge may request in writing to have
218 the judge's name removed from the list of special investigators
219 subject to appointment by the commission or may request to
220 disqualify himself or herself from any investigation. Such request
221 shall include the reasons for seeking removal;

222 (2) By vote of four members of the commission, the
223 commission may disqualify a judge from a particular investigation
224 or may permanently remove the name of any retired judge from the
225 list of special investigators subject to appointment by the
226 commission.

227 11. Any person who is the subject of any investigation
228 pursuant to this section shall be entitled to be represented by
229 counsel at any proceeding before the special investigator or the
230 commission.

231 12. The provisions of sections 105.957, 105.959 and 105.961
232 are in addition to other provisions of law under which any remedy
233 or right of appeal or objection is provided for any person, or any
234 procedure provided for inquiry or investigation concerning any
235 matter. The provisions of this section shall not be construed to
236 limit or affect any other remedy or right of appeal or objection.

237 13. No person shall be required to make or file a complaint
238 to the commission as a prerequisite for exhausting the person's
239 administrative remedies before pursuing any civil cause of action
240 allowed by law.

241 14. If, in the opinion of the commission, the complaining
242 party was motivated by malice or reason contrary to the spirit of
243 any law on which such complaint was based, in filing the complaint
244 without just cause, this finding shall be reported to appropriate law
245 enforcement authorities. Any person who knowingly files a
246 complaint without just cause, or with malice, is guilty of a class A
247 misdemeanor.

248 15. A respondent party who prevails in a formal judicial
249 action brought by the commission shall be awarded those
250 reasonable fees and expenses incurred by that party in the formal
251 judicial action, unless the court finds that the position of the
252 commission was substantially justified or that special
253 circumstances make such an award unjust.

254 16. The special investigator and members and staff of the
255 commission shall maintain confidentiality with respect to all
256 matters concerning a complaint, with the exception of
257 communications with any person which are necessary to the
258 investigation. Any person who violates the confidentiality
259 requirements imposed by this section or subsection 17 of section
260 105.955 required to be confidential is guilty of a class A
261 misdemeanor and shall be subject to removal from or termination
262 of employment by the commission.

263 17. Any judge of the court of appeals or circuit court who
264 ceases to hold such office by reason of the judge's retirement and
265 who serves as a special investigator pursuant to this section shall
266 receive annual compensation, salary or retirement for such services

267 at the rates of compensation provided for senior judges by
268 subsections 1, 2 and 4 of section 476.682. Such retired judges shall
269 by the tenth day of each month following any month in which the
270 judge provided services pursuant to this section certify to the
271 commission and to the state courts administrator the amount of
272 time engaged in such services by hour or fraction thereof, the dates
273 thereof, and the expenses incurred and allowable pursuant to this
274 section. The commission shall then issue a warrant to the state
275 treasurer for the payment of the salary and expenses to the extent,
276 and within limitations, provided for in this section. The state
277 treasurer upon receipt of such warrant shall pay the same out of
278 any appropriations made for this purpose on the last day of the
279 month during which the warrant was received by the state
280 treasurer.]

[105.963. 1. The executive director shall assess every
2 committee, as defined in section 130.011, failing to file with a filing
3 officer other than a local election authority as provided by section
4 130.026 a campaign disclosure report or statement of limited
5 activity as required by chapter 130, other than the report required
6 pursuant to subdivision (1) of subsection 1 of section 130.046, a late
7 filing fee of fifty dollars for each day after such report is due to the
8 commission, provided that the total amount of such fees assessed
9 under this subsection per report shall not exceed three thousand
10 dollars. The executive director shall send a notice to any candidate
11 and the treasurer of any committee who fails to file such report
12 within seven business days of such failure to file informing such
13 person of such failure and the fees provided by this section.

14 2. Any committee that fails to file a campaign disclosure
15 report required pursuant to subdivision (1) of subsection 1 of
16 section 130.046, other than a report required to be filed with a local
17 election authority as provided by section 130.026, shall be assessed
18 by the executive director a late filing fee of one hundred dollars for
19 each day that the report is not filed, provided that the total amount
20 of such fees assessed under this subsection per report shall not
21 exceed three thousand dollars. The executive director shall send
22 a notice to any candidate and the treasurer of any committee who

23 fails to file the report described in this subsection within seven
24 business days of such failure to file informing such person of such
25 failure and the fees provided by this section.

26 3. The executive director shall assess every person required
27 to file a financial interest statement pursuant to sections 105.483
28 to 105.492 failing to file such a financial interest statement with
29 the commission a late filing fee of ten dollars for each day after
30 such statement is due to the commission. The executive director
31 shall send a notice to any person who fails to file such statement
32 informing the individual required to file of such failure and the fees
33 provided by this section. If the person persists in such failure for
34 a period in excess of thirty days beyond receipt of such notice, the
35 amount of the late filing fee shall increase to one hundred dollars
36 for each day thereafter that the statement is late, provided that the
37 total amount of such fees assessed pursuant to this subsection per
38 statement shall not exceed six thousand dollars.

39 4. Any person assessed a late filing fee may seek review of
40 such assessment or the amount of late filing fees assessed, at the
41 person's option, by filing a petition within fourteen days after
42 receiving notice of assessment with the circuit court of Cole
43 County.

44 5. The executive director of the Missouri ethics commission
45 shall collect such late filing fees as are provided for in this
46 section. Unpaid late filing fees shall be collected by action filed by
47 the commission. The commission shall contract with the
48 appropriate entity to collect such late filing fees after a thirty-day
49 delinquency. If not collected within one hundred twenty days, the
50 Missouri ethics commission shall file a petition in Cole County
51 circuit court to seek a judgment on said fees. After obtaining a
52 judgment for the unpaid late filing fees, the commission or any
53 entity contracted by the commission may proceed to collect the
54 judgment in any manner authorized by law, including but not
55 limited to garnishment of and execution against the committee's
56 official depository account as set forth in subsection 4 of section
57 130.021 after a thirty-day delinquency. All late filing fees collected
58 pursuant to this section shall be transmitted to the state treasurer

59 and deposited to the general revenue fund.

60 6. The late filing fees provided by this section shall be in
61 addition to any penalty provided by law for violations of sections
62 105.483 to 105.492 or chapter 130.

63 7. If any lobbyist fails to file a lobbyist report in a timely
64 manner and that lobbyist is assessed a late fee, or if any individual
65 who is required to file a personal financial disclosure statement
66 fails to file such disclosure statement in a timely manner and is
67 assessed a late fee, or if any candidate or the treasurer of any
68 committee fails to file a campaign disclosure report or a statement
69 of limited activity in a timely manner and that candidate or
70 treasurer of any committee who fails to file a disclosure statement
71 in a timely manner and is assessed a late filing fee, the lobbyist,
72 individual, candidate, or the treasurer of any committee may file
73 an appeal of the assessment of the late filing fee with the
74 commission. The commission may forgive the assessment of the
75 late filing fee upon a showing of good cause. Such appeal shall be
76 filed within ten days of the receipt of notice of the assessment of
77 the late filing fee.]

2 [105.966. 1. The ethics commission shall complete and
3 make determinations pursuant to subsection 1 of section 105.961
4 on all complaint investigations within ninety days of initiation.

5 2. Any complaint investigation not completed and decided
6 upon by the ethics commission within the time allowed by this
7 section shall be deemed to not have been a violation.]

THESE SECTIONS ARE OBSOLETE:

2 [115.001. Sections 115.001 to 115.641 and sections 51.450
3 and 51.460 shall be known as the "Comprehensive Election Act of
4 1977".]

2 [115.002. Sections 115.002, 115.024, 115.105, 115.124,
3 115.159, 115.163, 115.203, 115.205, 115.219, 115.225, 115.237,
4 115.247, 115.249, 115.427, 115.430, 115.431, 115.439, 115.445,
5 115.449, 115.453, 115.456, and 115.631, may be cited as the
6 "Missouri Voter Protection Act".]

2 [115.009. The effective date of sections 115.001 to 115.641
3 and sections 51.450 and 51.460 shall be January 1, 1978. Any

3 amendment made to a provision repealed by sections 115.001 to
4 115.641 and sections 51.450 and 51.460 shall remain in force only
5 until January 1, 1978.]

THESE SECTIONS WERE DECLARED UNCONSTITUTIONAL IN *LEGENDS*
BANK V. STATE IN 2012:

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

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

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

11 (3) "Campaign committee", a committee, other than a
12 candidate committee, which shall be formed by an individual or
13 group of individuals to receive contributions or make expenditures
14 and whose sole purpose is to support or oppose the qualification
15 and passage of one or more particular ballot measures in an
16 election or the retention of judges under the nonpartisan court
17 plan, such committee shall be formed no later than thirty days
18 prior to the election for which the committee receives contributions
19 or makes expenditures, and which shall terminate the later of
20 either thirty days after the general election or upon the satisfaction
21 of all committee debt after the general election, except that no
22 committee retiring debt shall engage in any other activities in
23 support of a measure for which the committee was formed;

24 (4) "Candidate", an individual who seeks nomination or
25 election to public office. The term "candidate" includes an elected
26 officeholder who is the subject of a recall election, an individual
27 who seeks nomination by the individual's political party for election
28 to public office, an individual standing for retention in an election
29 to an office to which the individual was previously appointed, an
30 individual who seeks nomination or election whether or not the
31 specific elective public office to be sought has been finally

32 determined by such individual at the time the individual meets the
33 conditions described in paragraph (a) or (b) of this subdivision, and
34 an individual who is a write-in candidate as defined in subdivision
35 (28) of this section. A candidate shall be deemed to seek
36 nomination or election when the person first:

37 (a) Receives contributions or makes expenditures or
38 reserves space or facilities with intent to promote the person's
39 candidacy for office; or

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

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

54 (5) "Candidate committee", a committee which shall be
55 formed by a candidate to receive contributions or make
56 expenditures in behalf of the person's candidacy and which shall
57 continue in existence for use by an elected candidate or which shall
58 terminate the later of either thirty days after the general election
59 for a candidate who was not elected or upon the satisfaction of all
60 committee debt after the election, except that no committee retiring
61 debt shall engage in any other activities in support of the candidate
62 for which the committee was formed. Any candidate for elective
63 office shall have only one candidate committee for the elective office
64 sought, which is controlled directly by the candidate for the
65 purpose of making expenditures. A candidate committee is
66 presumed to be under the control and direction of the candidate
67 unless the candidate files an affidavit with the appropriate officer

68 stating that the committee is acting without control or direction on
69 the candidate's part;

70 (6) "Cash", currency, coin, United States postage stamps, or
71 any negotiable instrument which can be transferred from one
72 person to another person without the signature or endorsement of
73 the transferor;

74 (7) "Check", a check drawn on a state or federal bank, or a
75 draft on a negotiable order of withdrawal account in a savings and
76 loan association or a share draft account in a credit union;

77 (8) "Closing date", the date through which a statement or
78 report is required to be complete;

79 (9) "Committee", a person or any combination of persons,
80 who accepts contributions or makes expenditures for the primary
81 or incidental purpose of influencing or attempting to influence the
82 action of voters for or against the nomination or election to public
83 office of one or more candidates or the qualification, passage or
84 defeat of any ballot measure or for the purpose of paying a
85 previously incurred campaign debt or obligation of a candidate or
86 the debts or obligations of a committee or for the purpose of
87 contributing funds to another committee:

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

89 a. A person or combination of persons, if neither the
90 aggregate of expenditures made nor the aggregate of contributions
91 received during a calendar year exceeds five hundred dollars and
92 if no single contributor has contributed more than two hundred
93 fifty dollars of such aggregate contributions;

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

97 c. A corporation, cooperative association, partnership,
98 proprietorship, or joint venture organized or operated for a primary
99 or principal purpose other than that of influencing or attempting
100 to influence the action of voters for or against the nomination or
101 election to public office of one or more candidates or the
102 qualification, passage or defeat of any ballot measure, and it
103 accepts no contributions, and all expenditures it makes are from its

104 own funds or property obtained in the usual course of business or
105 in any commercial or other transaction and which are not
106 contributions as defined by subdivision (11) of this section;

107 d. A labor organization organized or operated for a primary
108 or principal purpose other than that of influencing or attempting
109 to influence the action of voters for or against the nomination or
110 election to public office of one or more candidates, or the
111 qualification, passage, or defeat of any ballot measure, and it
112 accepts no contributions, and expenditures made by the
113 organization are from its own funds or property received from
114 membership dues or membership fees which were given or solicited
115 for the purpose of supporting the normal and usual activities and
116 functions of the organization and which are not contributions as
117 defined by subdivision (11) of this section;

118 e. A person who acts as an authorized agent for a
119 committee in soliciting or receiving contributions or in making
120 expenditures or incurring indebtedness on behalf of the committee
121 if such person renders to the committee treasurer or deputy
122 treasurer or candidate, if applicable, an accurate account of each
123 receipt or other transaction in the detail required by the treasurer
124 to comply with all record-keeping and reporting requirements of
125 this chapter;

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

129 (b) The term "committee" includes, but is not limited to,
130 each of the following committees: campaign committee, candidate
131 committee, political action committee, exploratory committee, and
132 political party committee;

133 (10) "Connected organization", any organization such as a
134 corporation, a labor organization, a membership organization, a
135 cooperative, or trade or professional association which expends
136 funds or provides services or facilities to establish, administer or
137 maintain a committee or to solicit contributions to a committee
138 from its members, officers, directors, employees or security
139 holders. An organization shall be deemed to be the connected

140 organization if more than fifty percent of the persons making
141 contributions to the committee during the current calendar year
142 are members, officers, directors, employees or security holders of
143 such organization or their spouses;

144 (11) "Contribution", a payment, gift, loan, advance, deposit,
145 or donation of money or anything of value for the purpose of
146 supporting or opposing the nomination or election of any candidate
147 for public office or the qualification, passage or defeat of any ballot
148 measure, or for the support of any committee supporting or
149 opposing candidates or ballot measures or for paying debts or
150 obligations of any candidate or committee previously incurred for
151 the above purposes. A contribution of anything of value shall be
152 deemed to have a money value equivalent to the fair market
153 value. "Contribution" includes, but is not limited to:

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

158 (b) Payment by any person, other than a candidate or
159 committee, to compensate another person for services rendered to
160 that candidate or committee;

161 (c) Receipts from the sale of goods and services, including
162 the sale of advertising space in a brochure, booklet, program or
163 pamphlet of a candidate or committee and the sale of tickets or
164 political merchandise;

165 (d) Receipts from fund-raising events including testimonial
166 affairs;

167 (e) Any loan, guarantee of a loan, cancellation or
168 forgiveness of a loan or debt or other obligation by a third party, or
169 payment of a loan or debt or other obligation by a third party if the
170 loan or debt or other obligation was contracted, used, or intended,
171 in whole or in part, for use in an election campaign or used or
172 intended for the payment of such debts or obligations of a
173 candidate or committee previously incurred, or which was made or
174 received by a committee;

175 (f) Funds received by a committee which are transferred to

176 such committee from another committee or other source, except
177 funds received by a candidate committee as a transfer of funds
178 from another candidate committee controlled by the same candidate
179 but such transfer shall be included in the disclosure reports;

180 (g) Facilities, office space or equipment supplied by any
181 person to a candidate or committee without charge or at reduced
182 charges, except gratuitous space for meeting purposes which is
183 made available regularly to the public, including other candidates
184 or committees, on an equal basis for similar purposes on the same
185 conditions;

186 (h) The direct or indirect payment by any person, other
187 than a connected organization, of the costs of establishing,
188 administering, or maintaining a committee, including legal,
189 accounting and computer services, fund raising and solicitation of
190 contributions for a committee;

191 (i) "Contribution" does not include:

192 a. Ordinary home hospitality or services provided without
193 compensation by individuals volunteering their time in support of
194 or in opposition to a candidate, committee or ballot measure, nor
195 the necessary and ordinary personal expenses of such volunteers
196 incidental to the performance of voluntary activities, so long as no
197 compensation is directly or indirectly asked or given;

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

201 c. Interest earned on deposit of committee funds;

202 d. The costs incurred by any connected organization listed
203 pursuant to subdivision (4) of subsection 5 of section 130.021 for
204 establishing, administering or maintaining a committee, or for the
205 solicitation of contributions to a committee which solicitation is
206 solely directed or related to the members, officers, directors,
207 employees or security holders of the connected organization;

208 (12) "County", any one of the several counties of this state
209 or the city of St. Louis;

210 (13) "Disclosure report", an itemized report of receipts,
211 expenditures and incurred indebtedness which is prepared on

212 forms approved by the Missouri ethics commission and filed at the
213 times and places prescribed;

214 (14) "Election", any primary, general or special election held
215 to nominate or elect an individual to public office, to retain or
216 recall an elected officeholder or to submit a ballot measure to the
217 voters, and any caucus or other meeting of a political party or a
218 political party committee at which that party's candidate or
219 candidates for public office are officially selected. A primary
220 election and the succeeding general election shall be considered
221 separate elections;

222 (15) "Expenditure", a payment, advance, conveyance,
223 deposit, donation or contribution of money or anything of value for
224 the purpose of supporting or opposing the nomination or election
225 of any candidate for public office or the qualification or passage of
226 any ballot measure or for the support of any committee which in
227 turn supports or opposes any candidate or ballot measure or for the
228 purpose of paying a previously incurred campaign debt or
229 obligation of a candidate or the debts or obligations of a committee;
230 a payment, or an agreement or promise to pay, money or anything
231 of value, including a candidate's own money or property, for the
232 purchase of goods, services, property, facilities or anything of value
233 for the purpose of supporting or opposing the nomination or
234 election of any candidate for public office or the qualification or
235 passage of any ballot measure or for the support of any committee
236 which in turn supports or opposes any candidate or ballot measure
237 or for the purpose of paying a previously incurred campaign debt
238 or obligation of a candidate or the debts or obligations of a
239 committee. An expenditure of anything of value shall be deemed
240 to have a money value equivalent to the fair market
241 value. "Expenditure" includes, but is not limited to:

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

244 (b) The purchase of tickets, goods, services or political
245 merchandise in connection with any testimonial affair or
246 fund-raising event of or for candidates or committees, or the
247 purchase of advertising in a brochure, booklet, program or

248 pamphlet of a candidate or committee;

249 (c) The transfer of funds by one committee to another
250 committee;

251 (d) The direct or indirect payment by any person, other
252 than a connected organization for a committee, of the costs of
253 establishing, administering or maintaining a committee, including
254 legal, accounting and computer services, fund raising and
255 solicitation of contributions for a committee; but

256 (e) "Expenditure" does not include:

257 a. Any news story, commentary or editorial which is
258 broadcast or published by any broadcasting station, newspaper,
259 magazine or other periodical without charge to the candidate or to
260 any person supporting or opposing a candidate or ballot measure;

261 b. The internal dissemination by any membership
262 organization, proprietorship, labor organization, corporation,
263 association or other entity of information advocating the election or
264 defeat of a candidate or candidates or the passage or defeat of a
265 ballot measure or measures to its directors, officers, members,
266 employees or security holders, provided that the cost incurred is
267 reported pursuant to subsection 2 of section 130.051;

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

270 d. The rendering of voluntary personal services by an
271 individual of the sort commonly performed by volunteer campaign
272 workers and the payment by such individual of the individual's
273 necessary and ordinary personal expenses incidental to such
274 volunteer activity, provided no compensation is, directly or
275 indirectly, asked or given;

276 e. The costs incurred by any connected organization listed
277 pursuant to subdivision (4) of subsection 5 of section 130.021 for
278 establishing, administering or maintaining a committee, or for the
279 solicitation of contributions to a committee which solicitation is
280 solely directed or related to the members, officers, directors,
281 employees or security holders of the connected organization;

282 f. The use of a candidate's own money or property for
283 expense of the candidate's personal food, lodging, travel, and

284 payment of any fee necessary to the filing for public office, if such
285 expense is not reimbursed to the candidate from any source;

286 (16) "Exploratory committees", a committee which shall be
287 formed by an individual to receive contributions and make
288 expenditures on behalf of this individual in determining whether
289 or not the individual seeks elective office. Such committee shall
290 terminate no later than December thirty-first of the year prior to
291 the general election for the possible office;

292 (17) "Fund-raising event", an event such as a dinner,
293 luncheon, reception, coffee, testimonial, rally, auction or similar
294 affair through which contributions are solicited or received by such
295 means as the purchase of tickets, payment of attendance fees,
296 donations for prizes or through the purchase of goods, services or
297 political merchandise;

298 (18) "In-kind contribution" or "in-kind expenditure", a
299 contribution or expenditure in a form other than money;

300 (19) "Labor organization", any organization of any kind, or
301 any agency or employee representation committee or plan, in which
302 employees participate and which exists for the purpose, in whole
303 or in part, of dealing with employers concerning grievances, labor
304 disputes, wages, rates of pay, hours of employment, or conditions
305 of work;

306 (20) "Loan", a transfer of money, property or anything of
307 ascertainable monetary value in exchange for an obligation,
308 conditional or not, to repay in whole or in part and which was
309 contracted, used, or intended for use in an election campaign, or
310 which was made or received by a committee or which was
311 contracted, used, or intended to pay previously incurred campaign
312 debts or obligations of a candidate or the debts or obligations of a
313 committee;

314 (21) "Person", an individual, group of individuals,
315 corporation, partnership, committee, proprietorship, joint venture,
316 any department, agency, board, institution or other entity of the
317 state or any of its political subdivisions, union, labor organization,
318 trade or professional or business association, association, political
319 party or any executive committee thereof, or any other club or

320 organization however constituted or any officer or employee of such
321 entity acting in the person's official capacity;

322 (22) "Political action committee", a committee of continuing
323 existence which is not formed, controlled or directed by a
324 candidate, and is a committee other than a candidate committee,
325 political party committee, campaign committee, exploratory
326 committee, or debt service committee, whose primary or incidental
327 purpose is to receive contributions or make expenditures to
328 influence or attempt to influence the action of voters whether or
329 not a particular candidate or candidates or a particular ballot
330 measure or measures to be supported or opposed has been
331 determined at the time the committee is required to file any
332 statement or report pursuant to the provisions of this
333 chapter. Such a committee includes, but is not limited to, any
334 committee organized or sponsored by a business entity, a labor
335 organization, a professional association, a trade or business
336 association, a club or other organization and whose primary
337 purpose is to solicit, accept and use contributions from the
338 members, employees or stockholders of such entity and any
339 individual or group of individuals who accept and use contributions
340 to influence or attempt to influence the action of voters. Such
341 committee shall be formed no later than sixty days prior to the
342 election for which the committee receives contributions or makes
343 expenditures;

344 (23) "Political merchandise", goods such as bumper stickers,
345 pins, hats, ties, jewelry, literature, or other items sold or
346 distributed at a fund-raising event or to the general public for
347 publicity or for the purpose of raising funds to be used in
348 supporting or opposing a candidate for nomination or election or in
349 supporting or opposing the qualification, passage or defeat of a
350 ballot measure;

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

354 (25) "Political party committee", a committee of a political
355 party which may be organized as a not-for-profit corporation under

356 Missouri law and has the primary or incidental purpose of
357 receiving contributions and making expenditures to influence or
358 attempt to influence the action of voters on behalf of the political
359 party. Political party committees shall only take the following
360 forms:

361 (a) One congressional district committee per political party
362 for each congressional district in the state; and

363 (b) One state party committee per political party;

364 (26) "Public office" or "office", any state, judicial, county,
365 municipal, school or other district, ward, township, or other
366 political subdivision office or any political party office which is
367 filled by a vote of registered voters;

368 (27) "Regular session", includes that period beginning on
369 the first Wednesday after the first Monday in January and ending
370 following the first Friday after the second Monday in May;

371 (28) "Write-in candidate", an individual whose name is not
372 printed on the ballot but who otherwise meets the definition of
373 candidate in subdivision (4) of this section.]

[130.021. 1. Every committee shall have a treasurer who,
2 except as provided in subsection 10 of this section, shall be a
3 resident of this state. A committee may also have a deputy
4 treasurer who, except as provided in subsection 10 of this section,
5 shall be a resident of this state and serve in the capacity of
6 committee treasurer in the event the committee treasurer is unable
7 for any reason to perform the treasurer's duties.

8 2. Every candidate for offices listed in subsection 1 of
9 section 130.016 who has not filed a statement of exemption
10 pursuant to that subsection and every candidate for offices listed
11 in subsection 6 of section 130.016 who is not excluded from filing
12 a statement of organization and disclosure reports pursuant to
13 subsection 6 of section 130.016 shall form a candidate committee
14 and appoint a treasurer. Thereafter, all contributions on hand and
15 all further contributions received by such candidate and any of the
16 candidate's own funds to be used in support of the person's
17 candidacy shall be deposited in a candidate committee depository
18 account established pursuant to the provisions of subsection 4 of

19 this section, and all expenditures shall be made through the
20 candidate, treasurer or deputy treasurer of the person's candidate
21 committee. Nothing in this chapter shall prevent a candidate from
22 appointing himself or herself as a committee of one and serving as
23 the person's own treasurer, maintaining the candidate's own
24 records and filing all the reports and statements required to be
25 filed by the treasurer of a candidate committee.

26 3. A candidate who has more than one candidate committee
27 supporting the person's candidacy shall designate one of those
28 candidate committees as the committee responsible for
29 consolidating the aggregate contributions to all such committees
30 under the candidate's control and direction as required by section
31 130.041. No person shall form a new committee or serve as a
32 deputy treasurer of any committee as defined in section 130.011
33 until the person or the treasurer of any committee previously
34 formed by the person or where the person served as treasurer or
35 deputy treasurer has filed all required campaign disclosure reports
36 and statements of limited activity for all prior elections and paid
37 outstanding previously imposed fees assessed against that person
38 by the ethics commission.

39 4. (1) Every committee shall have a single official fund
40 depository within this state which shall be a federally or
41 state-chartered bank, a federally or state-chartered savings and
42 loan association, or a federally or state-chartered credit union in
43 which the committee shall open and thereafter maintain at least
44 one official depository account in its own name. An "official
45 depository account" shall be a checking account or some type of
46 negotiable draft or negotiable order of withdrawal account, and the
47 official fund depository shall, regarding an official depository
48 account, be a type of financial institution which provides a record
49 of deposits, cancelled checks or other cancelled instruments of
50 withdrawal evidencing each transaction by maintaining copies
51 within this state of such instruments and other transactions. All
52 contributions which the committee receives in money, checks and
53 other negotiable instruments shall be deposited in a committee's
54 official depository account. Contributions shall not be accepted and

55 expenditures shall not be made by a committee except by or
56 through an official depository account and the committee treasurer,
57 deputy treasurer or candidate. Contributions received by a
58 committee shall not be commingled with any funds of an agent of
59 the committee, a candidate or any other person, except that
60 contributions from a candidate of the candidate's own funds to the
61 person's candidate committee shall be deposited to an official
62 depository account of the person's candidate committee. No
63 expenditure shall be made by a committee when the office of
64 committee treasurer is vacant except that when the office of a
65 candidate committee treasurer is vacant, the candidate shall be the
66 treasurer until the candidate appoints a new treasurer.

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

91 130.041.

92 5. The treasurer or deputy treasurer acting on behalf of any
93 person or organization or group of persons which is a committee by
94 virtue of the definitions of committee in section 130.011 and any
95 candidate who is not excluded from forming a committee in
96 accordance with the provisions of section 130.016 shall file a
97 statement of organization with the appropriate officer within
98 twenty days after the person or organization becomes a committee
99 but no later than the date for filing the first report required
100 pursuant to the provisions of section 130.046. The statement of
101 organization shall contain the following information:

102 (1) The name, mailing address and telephone number, if
103 any, of the committee filing the statement of organization. If the
104 committee is deemed to be affiliated with a connected organization
105 as provided in subdivision (10) of section 130.011, the name of the
106 connected organization, or a legally registered fictitious name
107 which reasonably identifies the connected organization, shall
108 appear in the name of the committee. If the committee is a
109 candidate committee, the name of the candidate shall be a part of
110 the committee's name;

111 (2) The name, mailing address and telephone number of the
112 candidate;

113 (3) The name, mailing address and telephone number of the
114 committee treasurer, and the name, mailing address and telephone
115 number of its deputy treasurer if the committee has named a
116 deputy treasurer;

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

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

121 (6) The name and mailing address of its depository, and the
122 name and account number of each account the committee has in
123 the depository. The account number of each account shall be
124 redacted prior to disclosing the statement to the public;

125 (7) Identification of the major nature of the committee such
126 as a candidate committee, campaign committee, political action

127 committee, political party committee, incumbent committee, or any
128 other committee according to the definition of committee in section
129 130.011;

130 (8) In the case of the candidate committee designated in
131 subsection 3 of this section, the full name and address of each other
132 candidate committee which is under the control and direction of the
133 same candidate, together with the name, address and telephone
134 number of the treasurer of each such other committee;

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

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

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

144 7. A committee which has filed a statement of organization
145 and has not terminated shall not be required to file another
146 statement of organization, except that when there is a change in
147 any of the information previously reported as required by
148 subdivisions (1) to (8) of subsection 5 of this section an amended
149 statement of organization shall be filed within twenty days after
150 the change occurs, but no later than the date of the filing of the
151 next report required to be filed by that committee by section
152 130.046.

153 8. Upon termination of a committee, a termination
154 statement indicating dissolution shall be filed not later than ten
155 days after the date of dissolution with the appropriate officer or
156 officers with whom the committee's statement of organization was
157 filed. The termination statement shall include: the distribution
158 made of any remaining surplus funds and the disposition of any
159 deficits; and the name, mailing address and telephone number of
160 the individual responsible for preserving the committee's records
161 and accounts as required in section 130.036.

162 9. Any statement required by this section shall be signed

163 and attested by the committee treasurer or deputy treasurer, and
164 by the candidate in the case of a candidate committee.

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

169 (1) The aggregate of all contributions received from persons
170 domiciled in this state exceeds twenty percent in total dollar
171 amount of all funds received by the committee in the preceding
172 twelve months; or

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

177 11. If a committee domiciled in this state receives a
178 contribution of one thousand five hundred dollars or more from any
179 committee domiciled outside of this state, the committee domiciled
180 in this state shall file a disclosure report with the commission. The
181 report shall disclose the full name, mailing address, telephone
182 numbers and domicile of the contributing committee and the date
183 and amount of the contribution. The report shall be filed within
184 forty-eight hours of the receipt of such contribution if the
185 contribution is received after the last reporting date before the
186 election.]

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

13 elective county offices other than county clerk and for any
14 countywide ballot measures.

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

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

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

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

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

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

39 (a) The Missouri ethics commission for a statewide
40 measure;

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

45 3. The appropriate officer or officers for candidate
46 committees and campaign committees shall be the same as
47 designated in subsection 2 of this section for the candidates or
48 ballot measures supported or opposed as indicated in the statement

49 of organization required to be filed by any such committee.

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

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

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

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

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

63 (2) If the committee makes or anticipates making
64 expenditures other than direct contributions which aggregate more
65 than five hundred dollars to support or oppose one or more
66 candidates or ballot measures in the same political subdivision or
67 district for which the appropriate officer is an election authority
68 other than the one for the county in which the committee is
69 domiciled, the appropriate officers for that committee shall include
70 such other election authority or authorities, except that committees
71 covered by this subsection need not file statements required by
72 section 130.021 and reports required by subsections 6, 7 and 8 of
73 section 130.046 with any appropriate officer other than those set
74 forth in subdivision (1) of this subsection.

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

2 [130.041. 1. Except as provided in subsection 5 of section
3 130.016, the candidate, if applicable, treasurer or deputy treasurer
4 of every committee which is required to file a statement of
5 organization, shall file a legibly printed or typed disclosure report
6 of receipts and expenditures. The reports shall be filed with the
appropriate officer designated in section 130.026 at the times and

7 for the periods prescribed in section 130.046. Except as provided
8 in sections 130.049 and 130.050, each report shall set forth:

9 (1) The full name, as required in the statement of
10 organization pursuant to subsection 5 of section 130.021, and
11 mailing address of the committee filing the report and the full
12 name, mailing address and telephone number of the committee's
13 treasurer and deputy treasurer if the committee has named a
14 deputy treasurer;

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

17 (3) Receipts for the period, including:

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

31 (b) Total amount of all anonymous contributions accepted;

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

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

39 (e) A separate listing by name and address and employer,
40 or occupation if self-employed or notation of retirement, of each
41 person from whom the committee received contributions, in money
42 or any other thing of value, aggregating more than one hundred

43 dollars, together with the date and amount of each such
44 contribution;

45 (f) A listing of each loan received by name and address of
46 the lender and date and amount of the loan. For each loan of more
47 than one hundred dollars, a separate statement shall be attached
48 setting forth the name and address of the lender and each person
49 liable directly, indirectly or contingently, and the date, amount and
50 terms of the loan;

51 (4) Expenditures for the period, including:

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

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

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

56 (d) The full name and mailing address of each person to
57 whom an expenditure of money or any other thing of value in the
58 amount of more than one hundred dollars has been made,
59 contracted for or incurred, together with the date, amount and
60 purpose of each expenditure. Expenditures of one hundred dollars
61 or less may be grouped and listed by categories of expenditure
62 showing the total dollar amount of expenditures in each category,
63 except that the report shall contain an itemized listing of each
64 payment made to campaign workers by name, address, date,
65 amount and purpose of each payment and the aggregate amount
66 paid to each such worker;

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

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

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

75 (7) The amount of expenditures for or against a candidate
76 or ballot measure during the period covered and the cumulative
77 amount of expenditures for or against that candidate or ballot
78 measure, with each candidate being listed by name, mailing

79 address and office sought. For the purpose of disclosure reports,
80 expenditures made in support of more than one candidate or ballot
81 measure or both shall be apportioned reasonably among the
82 candidates or ballot measure or both. In apportioning expenditures
83 to each candidate or ballot measure, political party committees and
84 political action committees need not include expenditures for
85 maintaining a permanent office, such as expenditures for salaries
86 of regular staff, office facilities and equipment or other
87 expenditures not designed to support or oppose any particular
88 candidates or ballot measures; however, all such expenditures shall
89 be listed pursuant to subdivision (4) of this subsection;

90 (8) A separate listing by full name and address of any
91 committee including a candidate committee controlled by the same
92 candidate for which a transfer of funds or a contribution in any
93 amount has been made during the reporting period, together with
94 the date and amount of each such transfer or contribution;

95 (9) A separate listing by full name and address of any
96 committee, including a candidate committee controlled by the same
97 candidate from which a transfer of funds or a contribution in any
98 amount has been received during the reporting period, together
99 with the date and amount of each such transfer or contribution;

100 (10) Each committee that receives a contribution which is
101 restricted or designated in whole or in part by the contributor for
102 transfer to a particular candidate, committee or other person shall
103 include a statement of the name and address of that contributor in
104 the next disclosure report required to be filed after receipt of such
105 contribution, together with the date and amount of any such
106 contribution which was so restricted or designated by that
107 contributor, together with the name of the particular candidate or
108 committee to whom such contribution was so designated or
109 restricted by that contributor and the date and amount of such
110 contribution.

111 2. For the purpose of this section and any other section in
112 this chapter except sections 130.049 and 130.050 which requires a
113 listing of each contributor who has contributed a specified amount,
114 the aggregate amount shall be computed by adding all

115 contributions received from any one person during the following
116 periods:

117 (1) In the case of a candidate committee, the period shall
118 begin on the date on which the candidate became a candidate
119 according to the definition of the term "candidate" in section
120 130.011 and end at 11:59 p.m. on the day of the primary election,
121 if the candidate has such an election or at 11:59 p.m. on the day of
122 the general election. If the candidate has a general election held
123 after a primary election, the next aggregating period shall begin at
124 12:00 midnight on the day after the primary election day and shall
125 close at 11:59 p.m. on the day of the general election. Except that
126 for contributions received during the thirty-day period immediately
127 following a primary election, the candidate shall designate whether
128 such contribution is received as a primary election contribution or
129 a general election contribution;

130 (2) In the case of a campaign committee, the period shall
131 begin on the date the committee received its first contribution and
132 end on the closing date for the period for which the report or
133 statement is required;

134 (3) In the case of a political party committee or a political
135 action committee, the period shall begin on the first day of January
136 of the year in which the report or statement is being filed and end
137 on the closing date for the period for which the report or statement
138 is required; except, if the report or statement is required to be filed
139 prior to the first day of July in any given year, the period shall
140 begin on the first day of July of the preceding year.

141 3. The disclosure report shall be signed and attested by the
142 committee treasurer or deputy treasurer and by the candidate in
143 case of a candidate committee.

144 4. The words "consulting or consulting services, fees, or
145 expenses", or similar words, shall not be used to describe the
146 purpose of a payment as required in this section. The reporting of
147 any payment to such an independent contractor shall be on a form
148 supplied by the appropriate officer, established by the ethics
149 commission and shall include identification of the specific service
150 or services provided including, but not limited to, public opinion

151 polling, research on issues or opposition background, print or
152 broadcast media production, print or broadcast media purchase,
153 computer programming or data entry, direct mail production,
154 postage, rent, utilities, phone solicitation, or fund raising, and the
155 dollar amount prorated for each service.]

2 [130.044. 1. All individuals and committees required to file
disclosure reports under section 130.041 shall electronically report
3 any contribution by any single contributor which exceeds five
4 thousand dollars to the Missouri ethics commission within
5 forty-eight hours of receiving the contribution.

6 2. Any individual currently holding office as a state
7 representative, state senator, or any candidate for such office or
8 such individual's campaign committee shall electronically report
9 any contribution exceeding five hundred dollars made by any
10 contributor to his or her campaign committee during the regular
11 legislative session of the general assembly, within forty-eight hours
12 of receiving the contribution.

13 3. Any individual currently holding office as the governor,
14 lieutenant governor, treasurer, attorney general, secretary of state
15 or auditor or any candidate for such office or such person's
16 campaign committee shall electronically report any contribution
17 exceeding five hundred dollars made by any contributor to his or
18 her campaign committee during the regular legislative session or
19 any time when legislation from the regular legislative session
20 awaits gubernatorial action, within forty-eight hours of receiving
21 the contribution.

22 4. Reports required under this section shall contain the
23 same content required under section 130.041 and shall be filed in
24 accordance with the standards established by the commission for
25 electronic filing and other rules the commission may deem
26 necessary to promulgate for the effective administration of this
27 section.

28 5. Any rule or portion of a rule, as that term is defined in
29 section 536.010, that is created under the authority delegated in
30 this section shall become effective only if it complies with and is
31 subject to all of the provisions of chapter 536 and, if applicable,

32 section 536.028. This section and chapter 536 are nonseverable
33 and if any of the powers vested with the general assembly pursuant
34 to chapter 536 to review, to delay the effective date, or to
35 disapprove and annul a rule are subsequently held
36 unconstitutional, then the grant of rulemaking authority and any
37 rule proposed or adopted after August 28, 2008, shall be invalid
38 and void.]

[130.046. 1. The disclosure reports required by section
2 130.041 for all committees shall be filed at the following times and
3 for the following periods:

4 (1) Not later than the eighth day before an election for the
5 period closing on the twelfth day before the election if the
6 committee has made any contribution or expenditure either in
7 support or opposition to any candidate or ballot measure;

8 (2) Not later than the thirtieth day after an election for a
9 period closing on the twenty-fifth day after the election, if the
10 committee has made any contribution or expenditure either in
11 support of or opposition to any candidate or ballot measure; except
12 that, a successful candidate who takes office prior to the
13 twenty-fifth day after the election shall have complied with the
14 report requirement of this subdivision if a disclosure report is filed
15 by such candidate and any candidate committee under the
16 candidate's control before such candidate takes office, and such
17 report shall be for the period closing on the day before taking
18 office; and

19 (3) Not later than the fifteenth day following the close of
20 each calendar quarter.

21 Notwithstanding the provisions of this subsection, if any committee
22 accepts contributions or makes expenditures in support of or in
23 opposition to a ballot measure or a candidate, and the report
24 required by this subsection for the most recent calendar quarter is
25 filed prior to the fortieth day before the election on the measure or
26 candidate, the committee shall file an additional disclosure report
27 not later than the fortieth day before the election for the period
28 closing on the forty-fifth day before the election.

29 2. In the case of a ballot measure to be qualified to be on

30 the ballot by initiative petition or referendum petition, or a recall
31 petition seeking to remove an incumbent from office, disclosure
32 reports relating to the time for filing such petitions shall be made
33 as follows:

34 (1) In addition to the disclosure reports required to be filed
35 pursuant to subsection 1 of this section the treasurer of a
36 committee, other than a political action committee, supporting or
37 opposing a petition effort to qualify a measure to appear on the
38 ballot or to remove an incumbent from office shall file an initial
39 disclosure report fifteen days after the committee begins the
40 process of raising or spending money. After such initial report, the
41 committee shall file quarterly disclosure reports as required by
42 subdivision (3) of subsection 1 of this section until such time as the
43 reports required by subdivisions (1) and (2) of subsection 1 of this
44 section are to be filed. In addition the committee shall file a
45 second disclosure report no later than the fifteenth day after the
46 deadline date for submitting such petition. The period covered in
47 the initial report shall begin on the day the committee first
48 accepted contributions or made expenditures to support or oppose
49 the petition effort for qualification of the measure and shall close
50 on the fifth day prior to the date of the report;

51 (2) If the measure has qualified to be on the ballot in an
52 election and if a committee subject to the requirements of
53 subdivision (1) of this subsection is also required to file a
54 preelection disclosure report for such election any time within
55 thirty days after the date on which disclosure reports are required
56 to be filed in accordance with subdivision (1) of this subsection, the
57 treasurer of such committee shall not be required to file the report
58 required by subdivision (1) of this subsection, but shall include in
59 the committee's preelection report all information which would
60 otherwise have been required by subdivision (1) of this subsection.

61 3. The candidate, if applicable, treasurer or deputy
62 treasurer of a committee shall file disclosure reports pursuant to
63 this section, except for any calendar quarter in which the
64 contributions received by the committee or the expenditures or
65 contributions made by the committee do not exceed five hundred

66 dollars. The reporting dates and periods covered for such quarterly
67 reports shall not be later than the fifteenth day of January, April,
68 July and October for periods closing on the thirty-first day of
69 December, the thirty-first day of March, the thirtieth day of June
70 and the thirtieth day of September. No candidate, treasurer or
71 deputy treasurer shall be required to file the quarterly disclosure
72 report required not later than the fifteenth day of any January
73 immediately following a November election, provided that such
74 candidate, treasurer or deputy treasurer shall file the information
75 required on such quarterly report on the quarterly report to be filed
76 not later than the fifteenth day of April immediately following such
77 November election. Each report by such committee shall be
78 cumulative from the date of the last report. In the case of the
79 political action committee's first report, the report shall be
80 cumulative from the date of the political action committee's
81 organization. Every candidate, treasurer or deputy treasurer shall
82 file, at a minimum, the campaign disclosure reports covering the
83 quarter immediately preceding the date of the election and those
84 required by subdivisions (1) and (2) of subsection 1 of this section. A
85 political action committee shall submit additional reports if it
86 makes aggregate expenditures, other than contributions to a
87 committee, of five hundred dollars or more, within the reporting
88 period at the following times for the following periods:

89 (1) Not later than the eighth day before an election for the
90 period closing on the twelfth day before the election;

91 (2) Not later than twenty-four hours after aggregate
92 expenditures of two hundred fifty dollars or more are made after
93 the twelfth day before the election; and

94 (3) Not later than the thirtieth day after an election for a
95 period closing on the twenty-fifth day after the election.

96 4. The reports required to be filed no later than the
97 thirtieth day after an election and any subsequently required
98 report shall be cumulative so as to reflect the total receipts and
99 disbursements of the reporting committee for the entire election
100 campaign in question. The period covered by each disclosure report
101 shall begin on the day after the closing date of the most recent

102 disclosure report filed and end on the closing date for the period
103 covered. If the committee has not previously filed a disclosure
104 report, the period covered begins on the date the committee was
105 formed; except that in the case of a candidate committee, the period
106 covered begins on the date the candidate became a candidate
107 according to the definition of the term candidate in section 130.011.

108 5. Notwithstanding any other provisions of this chapter to
109 the contrary:

110 (1) Certain disclosure reports pertaining to any candidate
111 who receives nomination in a primary election and thereby seeks
112 election in the immediately succeeding general election shall not be
113 required in the following cases:

114 (a) If there are less than fifty days between a primary
115 election and the immediately succeeding general election, the
116 disclosure report required to be filed quarterly; provided that, any
117 other report required to be filed prior to the primary election and
118 all other reports required to be filed not later than the eighth day
119 before the general election are filed no later than the final dates for
120 filing such reports;

121 (b) If there are less than eighty-five days between a
122 primary election and the immediately succeeding general election,
123 the disclosure report required to be filed not later than the
124 thirtieth day after the primary election need not be filed; provided
125 that any report required to be filed prior to the primary election
126 and any other report required to be filed prior to the general
127 election are filed no later than the final dates for filing such
128 reports; and

129 (2) No disclosure report needs to be filed for any reporting
130 period if during that reporting period the committee has neither
131 received contributions aggregating more than five hundred dollars
132 nor made expenditure aggregating more than five hundred dollars
133 and has not received contributions aggregating more than three
134 hundred dollars from any single contributor and if the committee's
135 treasurer files a statement with the appropriate officer that the
136 committee has not exceeded the identified thresholds in the
137 reporting period. Any contributions received or expenditures made

138 which are not reported because this statement is filed in lieu of a
139 disclosure report shall be included in the next disclosure report
140 filed by the committee. This statement shall not be filed in lieu of
141 the report for two or more consecutive disclosure periods if either
142 the contributions received or expenditures made in the aggregate
143 during those reporting periods exceed five hundred dollars. This
144 statement shall not be filed, in lieu of the report, later than the
145 thirtieth day after an election if that report would show a deficit of
146 more than one thousand dollars.

147 6. (1) If the disclosure report required to be filed by a
148 committee not later than the thirtieth day after an election shows
149 a deficit of unpaid loans and other outstanding obligations in
150 excess of five thousand dollars, semiannual supplemental
151 disclosure reports shall be filed with the appropriate officer for
152 each succeeding semiannual period until the deficit is reported in
153 a disclosure report as being reduced to five thousand dollars or
154 less; except that, a supplemental semiannual report shall not be
155 required for any semiannual period which includes the closing date
156 for the reporting period covered in any regular disclosure report
157 which the committee is required to file in connection with an
158 election. The reporting dates and periods covered for semiannual
159 reports shall be not later than the fifteenth day of January and
160 July for periods closing on the thirty-first day of December and the
161 thirtieth day of June.

162 (2) Committees required to file reports pursuant to
163 subsection 2 or 3 of this section which are not otherwise required
164 to file disclosure reports for an election shall file semiannual
165 reports as required by this subsection if their last required
166 disclosure report shows a total of unpaid loans and other
167 outstanding obligations in excess of five thousand dollars.

168 7. In the case of a committee which disbands and is
169 required to file a termination statement pursuant to the provisions
170 of section 130.021 with the appropriate officer not later than the
171 tenth day after the committee was dissolved, the candidate,
172 committee treasurer or deputy treasurer shall attach to the
173 termination statement a complete disclosure report for the period

174 closing on the date of dissolution. A committee shall not utilize the
175 provisions of subsection 8 of section 130.021 or the provisions of
176 this subsection to circumvent or otherwise avoid the reporting
177 requirements of subsection 6 or 7 of this section.

178 8. Disclosure reports shall be filed with the appropriate
179 officer not later than 5:00 p.m. prevailing local time of the day
180 designated for the filing of the report and a report postmarked not
181 later than midnight of the day previous to the day designated for
182 filing the report shall be deemed to have been filed in a timely
183 manner. The appropriate officer may establish a policy whereby
184 disclosure reports may be filed by facsimile transmission.

185 9. Each candidate for the office of state representative,
186 state senator, and for statewide elected office shall file all
187 disclosure reports described in section 130.041 electronically with
188 the Missouri ethics commission. The Missouri ethics commission
189 shall promulgate rules establishing the standard for electronic
190 filings with the commission and shall propose such rules for the
191 importation of files to the reporting program.

192 10. Any rule or portion of a rule, as that term is defined in
193 section 536.010, that is created under the authority delegated in
194 this section shall become effective only if it complies with and is
195 subject to all of the provisions of chapter 536 and, if applicable,
196 section 536.028. This section and chapter 536 are nonseverable
197 and if any of the powers vested with the general assembly pursuant
198 to chapter 536 to review, to delay the effective date, or to
199 disapprove and annul a rule are subsequently held
200 unconstitutional, then the grant of rulemaking authority and any
201 rule proposed or adopted after August 28, 2006, shall be invalid
202 and void.]

2 [130.057. 1. In order for candidates for election and public
3 officials to more easily file reports required by law and to access
4 information contained in such reports, and for the Missouri ethics
5 commission to receive and store reports in an efficient and
6 economical method, and for the general public and news media to
7 access information contained in such reports, the commission shall
establish and maintain an electronic reporting system pursuant to

8 this section.

9 2. The ethics commission may establish for elections in
10 1996 and shall establish for elections and all required reporting
11 beginning in 1998 and maintain thereafter a state campaign
12 finance and financial interest disclosure electronic reporting system
13 pursuant to this section for all candidates required to file. The
14 system may be used for the collection, filing and dissemination of
15 all reports, including monthly lobbying reports filed by law, and all
16 reports filed with the commission pursuant to this chapter and
17 chapter 105. The system may be established and used for all
18 reports required to be filed for the primary and general elections
19 in 1996 and all elections thereafter, except that the system may
20 require maintenance of a paper backup system for the primary and
21 general elections in 1996. The reports shall be maintained and
22 secured in the electronic format by the commission.

23 3. When the commission determines that the electronic
24 reporting system has been properly implemented, the commission
25 shall certify to all candidates and committees required to file
26 pursuant to this chapter that such electronic reporting system has
27 been established and implemented. Beginning with the primary
28 and general elections in 2000, or the next primary or general
29 election in which the commission has made certification pursuant
30 to this subsection, whichever is later, candidates and all other
31 committees shall file reports by using either the electronic format
32 prescribed by the commission or paper forms provided by the
33 commission for that purpose. Political action committees shall file
34 reports by electronic format prescribed by the commission, except
35 political action committees which make contributions equal to or
36 less than fifteen thousand dollars in the applicable calendar
37 year. Any political action committee which makes contributions in
38 support of or opposition to any measure or candidate equal to or
39 less than fifteen thousand dollars in the applicable calendar year
40 shall file reports on paper forms provided by the commission for
41 that purpose or by electronic format prescribed by the commission,
42 whichever reporting method the political action committee
43 chooses. The commission shall supply a computer program which

44 shall be used for filing by modem or by a common magnetic media
45 chosen by the commission. In the event that filings are performed
46 electronically, the candidate shall file a signed original written
47 copy within five working days; except that, if a means becomes
48 available which will allow a verifiable electronic signature, the
49 commission may also accept this in lieu of a written statement.

50 4. Beginning January 1, 2000, or on the date the
51 commission makes the certification pursuant to subsection 3 of this
52 section, whichever is later, all reports filed with the commission by
53 any candidate for a statewide office, or such candidate's committee,
54 shall be filed in electronic format as prescribed by the commission;
55 provided however, that if a candidate for statewide office, or such
56 candidate's committee receives or spends five thousand dollars or
57 less for any reporting period, the report for that reporting period
58 shall not be required to be filed electronically.

59 5. A copy of all reports filed in the state campaign finance
60 electronic reporting system shall be placed on a public electronic
61 access system so that the general public may have open access to
62 the reports filed pursuant to this section. The access system shall
63 be organized and maintained in such a manner to allow an
64 individual to obtain information concerning all contributions made
65 to or on behalf of, and all expenditures made on behalf of, any
66 public official described in subsection 2 of this section in formats
67 that will include both written and electronically readable formats.

68 6. All records that are in electronic format, not otherwise
69 closed by law, shall be available in electronic format to the
70 public. The commission shall maintain and provide for public
71 inspection, a listing of all reports with a complete description for
72 each field contained on the report, that has been used to extract
73 information from their database files. The commission shall
74 develop a report or reports which contain every field in each
75 database.

76 7. Annually, the commission shall provide, without cost, a
77 system-wide dump of information contained in the commission's
78 electronic database files to the general assembly. The information
79 is to be copied onto a medium specified by the general

80 assembly. Such information shall not contain records otherwise
81 closed by law. It is the intent of the general assembly to provide
82 open access to the commission's records. The commission shall
83 make every reasonable effort to comply with requests for
84 information and shall take a liberal interpretation when
85 considering such requests.]

[130.071. 1. If a successful candidate, or the treasurer of
2 his candidate committee, or the successful candidate who also has
3 served as a treasurer or deputy treasurer of any committee defined
4 by section 130.011 fails to file the reports which are required by
5 this chapter, the candidate shall not take office until such reports
6 are filed and all fees assessed by the commission are paid.

7 2. In addition to any other penalties provided by law, no
8 person may file for any office in a subsequent election until he or
9 the treasurer of his existing candidate or any committee defined by
10 section 130.011 in which he is a treasurer or deputy treasurer has
11 filed all required campaign disclosure reports for all prior elections
12 and paid all fees assessed by the commission.]

THIS SECTION IS OBSOLETE BECAUSE THERE ARE NO PARTICIPATING
LIBRARIES REMAINING:

[181.130. The state library may enter into agreements with
2 participating libraries which meet standards for eligibility to be
3 established by the state library.]

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