

SECOND REGULAR SESSION

# SENATE BILL NO. 1113

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Read 1st time February 29, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6696S.011

## AN ACT

To repeal section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to financial disclosure under campaign finance laws.

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

Section A. Section 130.041 as enacted by senate bill no. 844, ninety-fifth  
2 general assembly, second regular session, and section 130.041 as enacted by  
3 senate bills nos. 31 & 285, ninetieth general assembly, first regular session,  
4 RSMo, are repealed and one new section enacted in lieu thereof, to be known as  
5 section 130.041, to read as follows:

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

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

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

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.]

130.041. 1. Except as provided in subsection 5 of section 130.016, the  
2 candidate, if applicable, treasurer or deputy treasurer of every committee which

3 is required to file a statement of organization, shall file a legibly printed or typed  
4 disclosure report of receipts and expenditures. The reports shall be filed with the  
5 appropriate officer designated in section 130.026 at the times and for the periods  
6 prescribed in section 130.046. Except as provided in sections 130.049 and  
7 130.050, each report shall set forth:

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

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

15 (3) Receipts for the period, including:

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

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

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

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

34 (e) A separate listing by name and address and employer, or occupation  
35 if self-employed or notation of retirement, of each person from whom the  
36 committee received contributions, in money or any other thing of value,  
37 aggregating more than one hundred dollars, together with the date and amount  
38 of each such contribution;

39 (f) A listing of each loan received by name and address of the lender and  
40 date and amount of the loan. For each loan of more than one hundred dollars, a  
41 separate statement shall be attached setting forth the name and address of the  
42 lender and each person liable directly, indirectly or contingently, and the date,  
43 amount and terms of the loan;

44 (4) Expenditures for the period, including:

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

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

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

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

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

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

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

65 (7) The amount of expenditures for or against a candidate or ballot  
66 measure during the period covered and the cumulative amount of expenditures  
67 for or against that candidate or ballot measure, with each candidate being listed  
68 by name, mailing address and office sought. For the purpose of disclosure  
69 reports, expenditures made in support of more than one candidate or ballot  
70 measure or both shall be apportioned reasonably among the candidates or ballot  
71 measure or both. In apportioning expenditures to each candidate or ballot  
72 measure, political party committees and continuing committees need not include  
73 expenditures for maintaining a permanent office, such as expenditures for  
74 salaries of regular staff, office facilities and equipment or other expenditures not

75 designed to support or oppose any particular candidates or ballot measures;  
76 however, all such expenditures shall be listed pursuant to subdivision (4) of this  
77 subsection;

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

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

88 (10) Each committee that receives a contribution which is restricted or  
89 designated in whole or in part by the contributor for transfer to a particular  
90 candidate, committee or other person shall include a statement of the name and  
91 address of that contributor in the next disclosure report required to be filed after  
92 receipt of such contribution, together with the date and amount of any such  
93 contribution which was so restricted or designated by that contributor, together  
94 with the name of the particular candidate or committee to whom such  
95 contribution was so designated or restricted by that contributor and the date and  
96 amount of such contribution.

97 2. For the purpose of this section and any other section in this chapter  
98 except sections 130.049 and 130.050 which requires a listing of each contributor  
99 who has contributed a specified amount, the aggregate amount shall be computed  
100 by adding all contributions received from any one person during the following  
101 periods:

102 (1) In the case of a candidate committee, the period shall begin on the  
103 date on which the candidate became a candidate according to the definition of the  
104 term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the  
105 primary election, if the candidate has such an election or at 11:59 p.m. on the day  
106 of the general election. If the candidate has a general election held after a  
107 primary election, the next aggregating period shall begin at 12:00 midnight on the  
108 day after the primary election day and shall close at 11:59 p.m. on the day of the  
109 general election. Except that for contributions received during the thirty-day  
110 period immediately following a primary election, the candidate shall designate



111 whether such contribution is received as a primary election contribution or a  
112 general election contribution;

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

116 (3) In the case of a political party committee or a continuing committee,  
117 the period shall begin on the first day of January of the year in which the report  
118 or statement is being filed and end on the closing date for the period for which  
119 the report or statement is required; except, if the report or statement is required  
120 to be filed prior to the first day of July in any given year, the period shall begin  
121 on the first day of July of the preceding year.

122 3. The disclosure report shall be signed and attested by the committee  
123 treasurer or deputy treasurer and by the candidate in case of a candidate  
124 committee.

125 4. The words "consulting or consulting services, fees, or expenses", or  
126 similar words, shall not be used to describe the purpose of a payment as required  
127 in this section. The reporting of any payment to such an independent contractor  
128 shall be on a form supplied by the appropriate officer, established by the ethics  
129 commission and shall include identification of the specific service or services  
130 provided including, but not limited to, public opinion polling, research on issues  
131 or opposition background, print or broadcast media production, print or broadcast  
132 media purchase, computer programming or data entry, direct mail production,  
133 postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount  
134 prorated for each service.

135 **5. Any continuing committee, and any person who is not a**  
136 **committee, which has made one or more expenditures or one or more**  
137 **covered transfers, aggregating two thousand dollars or more since the**  
138 **conclusion of the most recent general election, in support of, or**  
139 **opposition to:**

140 (1) **One or more candidates; or**

141 (2) **The qualification or passage of one or more ballot measures,**  
142 **shall, in addition to the report required under subsection 1 of this**  
143 **section, file a report with the appropriate officer no later than fourteen**  
144 **days after the date of making an expenditure or covered transfer**  
145 **which, by itself or when added to all other such expenditures and**  
146 **covered transfers made since the most recent report equals five**

147 **hundred dollars or more. If an expenditure or covered transfer is made**  
148 **within thirty days prior to an election, such report shall be filed within**  
149 **forty-eight hours after the date of making such expenditure or covered**  
150 **transfer. All reports filed under this subsection shall contain the**  
151 **following information:**

152 **(a) The name and address of the person who made the**  
153 **expenditure or covered transfer, the date and amount of each**  
154 **expenditure or covered transfer, the name and address of the recipient,**  
155 **and a description of the nature and purpose of each expenditure or**  
156 **covered transfer, including the name of any candidate or ballot**  
157 **measure supported or opposed. If the person making the expenditure**  
158 **or covered transfer is a natural person, the report shall also include**  
159 **that person's employer;**

160 **(b) The name of any non-natural reporting person's owners,**  
161 **partners, board members, and officers, or their equivalents. In the**  
162 **event that a report does not otherwise include the name of a natural**  
163 **person associated with the reporting person, the report shall include**  
164 **the name, address, and other contact information of at least one natural**  
165 **person with managerial control over the person making the**  
166 **expenditure or covered transfer;**

167 **(c) Each report shall include receipts for the period of two years**  
168 **before the date on which the expenditure or covered transfer was**  
169 **made, including:**

170 **a. Total amount of all monetary contributions received which**  
171 **can be identified in the person's records by name and address of each**  
172 **contributor;**

173 **b. Total amount of all anonymous contributions accepted;**

174 **c. Total amount of all monetary contributions received through**  
175 **fund-raising events or activities from participants whose names and**  
176 **addresses were not obtained with such contributions, with an attached**  
177 **statement or copy of the statement describing each fund-raising event**  
178 **as required in subsection 6 of section 130.031;**

179 **d. Total dollar value of all in-kind contributions received;**

180 **e. (i) A separate listing by name and address, and employer, if**  
181 **any, of each person from whom the reporting person received**  
182 **contributions aggregating more than three hundred dollars, together**  
183 **with the date and amount of each such contribution;**

184 (ii) The names of the owners, partners, board members, and  
185 officers, or their equivalents, of any person listed as required by item  
186 (1) of paragraph (e) of this subdivision;

187 (iii) A separate listing by name and address of each person from  
188 whom each person listed as required by item (1) of paragraph (e) of this  
189 subdivision received contributions in the two-year period before such  
190 contributions were made, aggregating more than two thousand dollars,  
191 together with the date and amount of each such contribution;

192 (iv) The names of the owners, partners, board members, and  
193 officers, or their equivalents, of any person listed as required by  
194 paragraph (e)(iii) of this subdivision;

195 (v) A separate listing by name and address of each person from  
196 whom each person listed as required by paragraph (e)(iii) of this  
197 subdivision received contributions in the two-year period before such  
198 contributions were made, aggregating more than five thousand dollars,  
199 together with the date and amount of each such contribution;

200 (vi) The names of the owners, partners, board members, and  
201 officers, or their equivalents, of any person listed as required by item  
202 (v) of paragraph (e) of this subdivision;

203 f. A listing of each loan received by name and address of the  
204 lender and date and amount of the loan. For each loan of more than  
205 one hundred dollars, a separate statement shall be attached setting  
206 forth the name and address of the lender and each person liable  
207 directly, indirectly or contingently, and the date, amount and terms of  
208 the loan.

209 6. (1) A report filed under subsection 5 of this section need not  
210 include:

211 (a) Any contribution or loan received by a natural person, so  
212 long as the contribution or loan does not qualify as a covered transfer  
213 under this section;

214 (b) A contribution or loan if:

215 a. The person making the contribution or loan prohibited, in  
216 writing, the use of such transfer or payment for expenditures or  
217 covered transfers; and

218 b. The recipient of the contribution or loan agreed to follow the  
219 prohibition and deposited the funds in an account segregated from any  
220 account used to make expenditures or covered transfers.

221           **(2) If the person filing the report has filed any previous report**  
222 **under this subsection since the most recent general election, the**  
223 **subsequent report need only include updated information, and need not**  
224 **contain information identical to that provided in previous reports.**

225           **(3) Any person listing its contributors under this subsection shall**  
226 **make reasonable efforts to identify and state the actual individuals or**  
227 **other persons that are the sources of the contributions made.**

228           **7. (1) For purposes of subsections 5 to 7 of this section, the term**  
229 **"covered transfer" shall mean any transfer or payment of funds to**  
230 **another person if the person making the transfer or payment:**

231           **(a) Designates, requests, or suggests that the amounts be used**  
232 **for:**

233           **a. Any expenditure; or**

234           **b. Making a transfer to another person for the purpose of making**  
235 **or paying for an expenditure;**

236           **(b) Made such transfer or payment in response to a solicitation**  
237 **or other request for a donation or payment for:**

238           **a. The making of or paying for expenditures;**

239           **b. Making a transfer to another person for the purpose of making**  
240 **or paying for such expenditures;**

241           **(c) Engaged in discussions with the recipient of the transfer or**  
242 **payment regarding:**

243           **a. The making of or paying for expenditures;**

244           **b. Donating or transferring any amount of such transfer or**  
245 **payment to another person for the purpose of making or paying for**  
246 **such expenditures;**

247           **(d) Made expenditures or covered transfers in an aggregate**  
248 **amount of ten thousand dollars or more during the two-year period**  
249 **ending on the date of the transfer or payment, or knew or had reason**  
250 **to know that the person receiving the transfer or payment made such**  
251 **expenditures or covered transfers in such an aggregate amount during**  
252 **that two-year period; or**

253           **(e) Knew or had reason to know that the person receiving the**  
254 **transfer or payment would make expenditures or covered transfers in**  
255 **an aggregate amount of ten thousand dollars or more during the**  
256 **two-year period beginning on the date of the transfer or payment.**

257           **(2) "Covered transfer" shall not include any of the following:**

258 (a) A transfer or payment made in a commercial transaction in  
259 the ordinary course of any trade or business conducted by the covered  
260 person or in the form of investments made by the covered person;

261 (b) A transfer or payment if:

262 a. The person making the transfer or payment prohibited, in  
263 writing, the use of such transfer or payment for expenditures or  
264 covered transfers; and

265 b. The recipient of the transfer or payment agreed to follow the  
266 prohibition and deposited the funds in an account segregated from any  
267 account used to make expenditures or covered transfers;

268 (c) A transfer or payment between two entities if:

269 a. One of the entities is an affiliate of the other entity; or

270 b. Each of the entities is an affiliate of the same entity,  
271 unless one of the organizations is established for the purpose of making  
272 expenditures or the recipient of the funds deposits the funds into a  
273 segregated bank account used to make expenditures;

274 (d) A contribution to a campaign committee, political party  
275 committee, exploratory committee, candidate committee, or debt  
276 service committee.

277 (3) For purposes of this subsection, the following entities shall  
278 be considered to be affiliated with each other:

279 (a) A membership organization, including a trade or professional  
280 association, and the related state and local entities of that organization;

281 (b) A national or international labor organization and its state  
282 or local unions, or an organization of national or international unions  
283 and its state and local entities;

284 (c) A corporation and its wholly owned subsidiaries.

285 8. For purposes of subsection 5 of this section, "expenditure"  
286 shall not include contributions made to a committee, and does not  
287 include expenditures made in coordination or consultation with a  
288 committee, provided that any such expenditure is recorded as a  
289 contribution and so reported by the committee receiving support.

290 9. No person shall make payments or transfers to another person  
291 for the purpose of avoiding the disclosure of the identity of any  
292 person. The Missouri ethics commission shall promulgate rules to  
293 ensure that the original sources of all contributions and expenditures  
294 are disclosed. The commission may require any person to file reports

295 under this section or to disclose the original source of contributions or  
296 expenditures that meet the thresholds provided in this section,  
297 regardless of whether that disclosure is otherwise required by this  
298 section.

299       10. Any report filed by a continuing committee pursuant to  
300 subsection 5 of this section shall not contain information reported by  
301 such committee pursuant to any other provision of this section.

302       11. For purposes of this section, "base year amount" shall be the  
303 disclosure thresholds prescribed in this section on January 1,  
304 2017. Such thresholds shall be increased on the first day of January in  
305 each even-numbered year by multiplying the base year amount by the  
306 cumulative consumer price index, as defined in section 104.010, and  
307 rounded to the nearest twenty-five-dollar amount, for all years after  
308 January 1, 2017.

309       12. Any rule or portion of a rule, as that term is defined in  
310 section 536.010 that is created under the authority delegated in this  
311 section shall become effective only if it complies with and is subject to  
312 all of the provisions of chapter 536, and, if applicable, section  
313 536.028. This section and chapter 536 are nonseverable and if any of  
314 the powers vested with the general assembly pursuant to chapter 536,  
315 to review, to delay the effective date, or to disapprove and annul a rule  
316 are subsequently held unconstitutional, then the grant of rulemaking  
317 authority and any rule proposed or adopted after August 28, 2016, shall  
318 be invalid and void.

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