

FIRST REGULAR SESSION

SENATE BILL NO. 2

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0444S.02I

AN ACT

To repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to lobbyists.

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

Section A. Section 105.470, RSMo, section 105.473 as enacted by senate
2 bill no. 844, ninety-fifth general assembly, second regular session, section 105.473
3 as enacted by house bill no. 1900, ninety-third general assembly, second regular
4 session, are repealed and two new sections enacted in lieu thereof, to be known
5 as sections 105.470 and 105.473, to read as follows:

105.470. **1. The provisions of sections 105.470 and 105.473 shall be**
2 **known, and may be cited as the "Clean Lobbying Act".**

3 **2.** As used in section 105.473, unless the context requires otherwise, the
4 following words and terms mean:

5 (1) **"Deliver", to physically or electronically transfer a**
6 **contribution, whether personally or through a third party, in a manner**
7 **that is explicitly or implicitly attributable to the person making the**
8 **transfer or to an entity or person who employs, hires, contracts for pay,**
9 **or compensates that person;**

10 (2) "Elected local government official lobbyist", any natural person
11 employed specifically for the purpose of attempting to influence any action by a
12 local government official elected in a county, city, town, or village with an annual
13 operating budget of over ten million dollars;

14 [(2)] (3) **"Elective office", any state, judicial, county, municipal,**

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

15 **school or other district, ward, township, or other political subdivision**
16 **office or any political party office which is filled by a vote of registered**
17 **voters;**

18 (4) "Executive lobbyist", any natural person who acts for the purpose of
19 attempting to influence any action by the executive branch of government or by
20 any elected or appointed official, employee, department, division, agency or board
21 or commission thereof and in connection with such activity, meets the
22 requirements of any one or more of the following:

23 (a) Is acting in the ordinary course of employment on behalf of or for the
24 benefit of such person's employer; or

25 (b) Is engaged for pay or for any valuable consideration for the purpose
26 of performing such activity; or

27 (c) Is designated to act as a lobbyist by any person, business entity,
28 governmental entity, religious organization, nonprofit corporation, association or
29 other entity; or

30 (d) Makes total expenditures of fifty dollars or more during the
31 twelve-month period beginning January first and ending December thirty-first for
32 the benefit of one or more public officials or one or more employees of the
33 executive branch of state government in connection with such activity.

34 An "executive lobbyist" shall not include a member of the general assembly, an
35 elected state official, or any other person solely due to such person's participation
36 in any of the following activities:

37 a. Appearing or inquiring in regard to a complaint, citation, summons,
38 adversary proceeding, or contested case before a state board, commission,
39 department, division or agency of the executive branch of government or any
40 elected or appointed officer or employee thereof;

41 b. Preparing, filing or inquiring, or responding to any audit, regarding any
42 tax return, any public document, permit or contract, any application for any
43 permit or license or certificate, or any document required or requested to be filed
44 with the state or a political subdivision;

45 c. Selling of goods or services to be paid for by public funds, provided that
46 such person is attempting to influence only the person authorized to authorize or
47 enter into a contract to purchase the goods or services being offered for sale;

48 d. Participating in public hearings or public proceedings on rules, grants,
49 or other matters;

50 e. Responding to any request for information made by any public official

51 or employee of the executive branch of government;

52 f. Preparing or publication of an editorial, a newsletter, newspaper,
53 magazine, radio or television broadcast, or similar news medium, whether print
54 or electronic;

55 g. Acting within the scope of employment by the general assembly, or
56 acting within the scope of employment by the executive branch of government
57 when acting with respect to the department, division, board, commission, agency
58 or elected state officer by which such person is employed, or with respect to any
59 duty or authority imposed by law to perform any action in conjunction with any
60 other public official or state employee; or

61 h. Testifying as a witness before a state board, commission or agency of
62 the executive branch;

63 [(3)] (5) "Expenditure", any payment made or charge, expense, cost, debt
64 or bill incurred; any gift[, honorarium] or item of value bestowed including any
65 food or beverage; any price, charge or fee which is waived, forgiven, reduced or
66 indefinitely delayed; any loan or debt which is cancelled, reduced or otherwise
67 forgiven; the transfer of any item with a reasonably discernible cost or fair
68 market value from one person to another or provision of any service or granting
69 of any opportunity for which a charge is customarily made, without charge or for
70 a reduced charge; except that the term "expenditure" shall not include the
71 following:

72 (a) Any item, service or thing of value transferred to any person within
73 the third degree of consanguinity **or affinity** of the transferor which is unrelated
74 to any activity of the transferor as a lobbyist;

75 (b) Informational material such as books, reports, pamphlets, calendars
76 or periodicals informing a public official regarding such person's official duties,
77 or souvenirs or mementos valued at less than ten dollars;

78 (c) Contributions to the public official's campaign committee or candidate
79 committee which are reported pursuant to the provisions of chapter 130;

80 (d) Any loan made or other credit accommodations granted or other
81 payments made by any person or entity which extends credit or makes loan
82 accommodations or such payments in the regular ordinary scope and course of
83 business, provided that such are extended, made or granted in the ordinary
84 course of such person's or entity's business to persons who are not public officials;

85 (e) Any item, service or thing of de minimis value offered to the general
86 public, whether or not the recipient is a public official or a staff member,

87 employee, spouse or dependent child of a public official, and only if the grant of
88 the item, service or thing of de minimis value is not motivated in any way by the
89 recipient's status as a public official or staff member, employee, spouse or
90 dependent child of a public official;

91 (f) The transfer of any item, provision of any service, or granting of any
92 opportunity with a reasonably discernible cost or fair market value when such
93 item, service, or opportunity is necessary for a public official or employee to
94 perform his or her duty in his or her official capacity, including but not limited
95 to entrance fees to any sporting event, museum, or other venue when the official
96 or employee is participating in a ceremony, public presentation or official meeting
97 therein;

98 (g) Any payment, gift, compensation, fee, expenditure or anything of value
99 which is bestowed upon or given to any public official or a staff member,
100 employee, spouse or dependent child of a public official when it is compensation
101 for employment or given as an employment benefit and when such employment
102 is in addition to their employment as a public official;

103 **(h) Any plaque, award, or item that signifies the honorary**
104 **recognition of a service or other notable accomplishment and has a fair**
105 **market value of less than fifty dollars;**

106 [(4)] (6) "Judicial lobbyist", any natural person who acts for the purpose
107 of attempting to influence any purchasing decision by the judicial branch of
108 government or by any elected or appointed official or any employee thereof and
109 in connection with such activity, meets the requirements of any one or more of the
110 following:

111 (a) Is acting in the ordinary course of employment which primary purpose
112 is to influence the judiciary in its purchasing decisions on a regular basis on
113 behalf of or for the benefit of such person's employer, except that this shall not
114 apply to any person who engages in lobbying on an occasional basis only and not
115 as a regular pattern of conduct; or

116 (b) Is engaged for pay or for any valuable consideration for the purpose
117 of performing such activity; or

118 (c) Is designated to act as a lobbyist by any person, business entity,
119 governmental entity, religious organization, nonprofit corporation or association;
120 or

121 (d) Makes total expenditures of fifty dollars or more during the
122 twelve-month period beginning January first and ending December thirty-first for

123 the benefit of one or more public officials or one or more employees of the judicial
124 branch of state government in connection with attempting to influence such
125 purchasing decisions by the judiciary.

126 A "judicial lobbyist" shall not include a member of the general assembly, an
127 elected state official, or any other person solely due to such person's participation
128 in any of the following activities:

129 a. Appearing or inquiring in regard to a complaint, citation, summons,
130 adversary proceeding, or contested case before a state court;

131 b. Participating in public hearings or public proceedings on rules, grants,
132 or other matters;

133 c. Responding to any request for information made by any judge or
134 employee of the judicial branch of government;

135 d. Preparing, distributing or publication of an editorial, a newsletter,
136 newspaper, magazine, radio or television broadcast, or similar news medium,
137 whether print or electronic; or

138 e. Acting within the scope of employment by the general assembly, or
139 acting within the scope of employment by the executive branch of government
140 when acting with respect to the department, division, board, commission, agency
141 or elected state officer by which such person is employed, or with respect to any
142 duty or authority imposed by law to perform any action in conjunction with any
143 other public official or state employee;

144 ~~[(5)]~~ **(7)** "Legislative lobbyist", any natural person who acts for the
145 purpose of attempting to influence the taking, passage, amendment, delay or
146 defeat of any official action on any bill, resolution, amendment, nomination,
147 appointment, report or any other action or any other matter pending or proposed
148 in a legislative committee in either house of the general assembly, or in any
149 matter which may be the subject of action by the general assembly and in
150 connection with such activity, meets the requirements of any one or more of the
151 following:

152 (a) Is acting in the ordinary course of employment, which primary purpose
153 is to influence legislation on a regular basis, on behalf of or for the benefit of such
154 person's employer, except that this shall not apply to any person who engages in
155 lobbying on an occasional basis only and not as a regular pattern of conduct; or

156 (b) Is engaged for pay or for any valuable consideration for the purpose
157 of performing such activity; or

158 (c) Is designated to act as a lobbyist by any person, business entity,

159 governmental entity, religious organization, nonprofit corporation, association or
160 other entity; or

161 (d) Makes total expenditures of fifty dollars or more during the
162 twelve-month period beginning January first and ending December thirty-first for
163 the benefit of one or more public officials or one or more employees of the
164 legislative branch of state government in connection with such activity.

165 A "legislative lobbyist" shall include an attorney at law engaged in activities on
166 behalf of any person unless excluded by any of the following exceptions. A
167 "legislative lobbyist" shall not include any member of the general assembly, an
168 elected state official, or any other person solely due to such person's participation
169 in any of the following activities:

170 a. Responding to any request for information made by any public official
171 or employee of the legislative branch of government;

172 b. Preparing or publication of an editorial, a newsletter, newspaper,
173 magazine, radio or television broadcast, or similar news medium, whether print
174 or electronic;

175 c. Acting within the scope of employment of the legislative branch of
176 government when acting with respect to the general assembly or any member
177 thereof;

178 d. Testifying as a witness before the general assembly or any committee
179 thereof;

180 [(6)] (8) "Lobbyist", any natural person defined as an executive lobbyist,
181 judicial lobbyist, elected local government official lobbyist, or a legislative
182 lobbyist;

183 [(7)] (9) "Lobbyist principal", any person, business entity, governmental
184 entity, religious organization, nonprofit corporation or association who employs,
185 contracts for pay or otherwise compensates a lobbyist;

186 [(8)] (10) "Public official", any member or member-elect of the general
187 assembly, judge or judicial officer, **any local government official elected in**
188 **a county, city, town, or village with an annual operating budget of over**
189 **ten million dollars**, or any other person holding an elective office of state
190 government or any agency head, department director or division director of state
191 government or any member of any state board or commission and any designated
192 decision-making public servant designated by persons described in this
193 subdivision.

[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.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year
2 or five days after beginning any activities as a lobbyist, file standardized
3 registration forms, verified by a written declaration that it is made under the
4 penalties of perjury, along with a filing fee of ten dollars, with the
5 commission. The forms shall include the lobbyist's name and business address,
6 the name and address of all persons such lobbyist employs for lobbying purposes,
7 the name and address of each lobbyist principal by whom such lobbyist is
8 employed or in whose interest such lobbyist appears or works. The commission
9 shall maintain files on all lobbyists' filings, which shall be open to the
10 public. Each lobbyist shall file an updating statement under oath within one
11 week of any addition, deletion, or change in the lobbyist's employment or
12 representation. The filing fee shall be deposited to the general revenue fund of
13 the state. The lobbyist principal or a lobbyist employing another person for
14 lobbying purposes may notify the commission that a judicial, executive or

15 legislative lobbyist is no longer authorized to lobby for the principal or the
16 lobbyist and should be removed from the commission's files.

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

23 3. (1) During any period of time in which a lobbyist continues to act as
24 an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local
25 government official lobbyist, the lobbyist shall file with the commission on
26 standardized forms prescribed by the commission monthly reports which shall be
27 due at the close of business on the tenth day of the following month[;

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

31 (a) The total of all expenditures by the lobbyist or his or her lobbyist
32 principals made on behalf of all public officials, their staffs and employees, and
33 their spouses and dependent children, which expenditures shall be separated into
34 at least the following categories by the executive branch, judicial branch and
35 legislative branch of government: printing and publication expenses; media and
36 other advertising expenses; travel; the time, venue, and nature of any
37 entertainment; honoraria; meals, food and beverages; and gifts;

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

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

49 (d) The total of all expenditures made by a lobbyist or lobbyist principal
50 for occasions and the identity of the group invited, the date and description of the

51 occasion and the amount of the expenditure for each occasion when any of the
52 following are invited in writing:

53 a. All members of the senate;

54 b. All members of the house of representatives;

55 c. All members of a joint committee of the general assembly or a standing
56 committee of either the house of representatives or senate; or

57 d. All members of a caucus of the majority party of the house of
58 representatives, minority party of the house of representatives, majority party of
59 the senate, or minority party of the senate;

60 (e) Any expenditure made on behalf of a public official, an elected local
61 government official or such official's staff, employees, spouse or dependent
62 children, if such expenditure is solicited by such official, the official's staff,
63 employees, or spouse or dependent children, from the lobbyist or his or her
64 lobbyist principals and the name of such person or persons, except any
65 expenditures made to any not-for-profit corporation, charitable, fraternal or civic
66 organization or other association formed to provide for good in the order of
67 benevolence;

68 (f). **Such report shall contain** a statement detailing any direct
69 business relationship or association or partnership the lobbyist has with any
70 public official [or elected local government official]. The reports required by this
71 subdivision shall cover the time periods since the filing of the last report or since
72 the lobbyist's employment or representation began, whichever is most recent.

73 4. [No expenditure reported pursuant to this section shall include any
74 amount expended by a lobbyist or lobbyist principal on himself or herself. All
75 expenditures disclosed pursuant to this section shall be valued on the report at
76 the actual amount of the payment made, or the charge, expense, cost, or
77 obligation, debt or bill incurred by the lobbyist or the person the lobbyist
78 represents. Whenever a lobbyist principal employs more than one lobbyist,
79 expenditures of the lobbyist principal shall not be reported by each lobbyist, but
80 shall be reported by one of such lobbyists. No expenditure shall be made on
81 behalf of a state senator or state representative, or such public official's staff,
82 employees, spouse, or dependent children for travel or lodging outside the state
83 of Missouri unless such travel or lodging was approved prior to the date of the
84 expenditure by the administration and accounts committee of the house or the
85 administration committee of the senate.

86 5.] Any lobbyist principal shall provide in a timely fashion whatever

87 information is reasonably requested by the lobbyist principal's lobbyist for use in
88 filing the reports required by this section.

89 [6.] 5. All information required to be filed pursuant to the provisions of
90 this section with the commission shall be kept available by the executive director
91 of the commission at all times open to the public for inspection and copying for
92 a reasonable fee for a period of five years from the date when such information
93 was filed.

94 [7.] 6. No person shall knowingly employ any person who is required to
95 register as a registered lobbyist but is not registered pursuant to this
96 section. Any person who knowingly violates this subsection shall be subject to a
97 civil penalty in an amount of not more than ten thousand dollars for each
98 violation. Such civil penalties shall be collected by action filed by the
99 commission.

100 [8.] 7. No lobbyist shall knowingly omit, conceal, or falsify in any manner
101 information required pursuant to this section.

102 [9.] 8. The prosecuting attorney of Cole County shall be reimbursed only
103 out of funds specifically appropriated by the general assembly for investigations
104 and prosecutions for violations of this section.

105 [10.] 9. Any public official or other person whose name appears in any
106 lobbyist report filed pursuant to this section who contests the accuracy of the
107 portion of the report applicable to such person may petition the commission for
108 an audit of such report and shall state in writing in such petition the specific
109 disagreement with the contents of such report. The commission shall investigate
110 such allegations in the manner described in section 105.959. If the commission
111 determines that the contents of such report are incorrect, incomplete or
112 erroneous, it shall enter an order requiring filing of an amended or corrected
113 report.

114 [11.] 11. The commission shall provide a report listing the total spent by a
115 lobbyist for the month and year to any member or member-elect of the general
116 assembly, judge or judicial officer, or any other person holding an elective office
117 of state government or any elected local government official on or before the
118 twentieth day of each month. For the purpose of providing accurate information
119 to the public, the commission shall not publish information in either written or
120 electronic form for ten working days after providing the report pursuant to this
121 subsection. The commission shall not release any portion of the lobbyist report
122 if the accuracy of the report has been questioned pursuant to subsection 10 of this

123 section unless it is conspicuously marked "Under Review".

124 12.] **10.** Each lobbyist or lobbyist principal by whom the lobbyist was
125 employed, or in whose behalf the lobbyist acted, shall provide a general
126 description of the proposed legislation or action by the executive branch or
127 judicial branch which the lobbyist or lobbyist principal supported or
128 opposed. This information shall be supplied to the commission on March fifteenth
129 and May thirtieth of each year.

130 [13.] **11.** The provisions of this section shall supersede any contradicting
131 ordinances or charter provisions.

132 **12. Notwithstanding any provision of law to the contrary, no**
133 **lobbyist principal or lobbyist or any other person acting on behalf of**
134 **a lobbyist principal or lobbyist shall make any expenditure for any**
135 **public official, his or her staff or employees, or his or her spouse or**
136 **dependent children.**

137 **13. No lobbyist shall deliver a contribution to a candidate for**
138 **elective office unless such contribution is made on the lobbyist's own**
139 **behalf.**

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