

SECOND REGULAR SESSION

SENATE BILL NO. 629

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KRAUS.

Pre-filed December 13, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

4963S.02I

AN ACT

To repeal sections 105.450, 105.463, and 115.646, RSMo, section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof eight new sections relating to ethics, with penalty provisions.

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

Section A. Sections 105.450, 105.463, and 115.646, RSMo, section 105.456
2 as truly agreed to and finally passed by conference committee substitute no. 3 for
3 house committee substitute no. 2 for senate bill no. 844, ninety-fifth general
4 assembly, second regular session, section 105.456 as enacted by house bill no.
5 1120, ninety-first general assembly, second regular session, section 105.473 as
6 truly agreed to and finally passed by conference committee substitute no. 3 for
7 house committee substitute no. 2 for senate bill no. 844, ninety-fifth general
8 assembly, second regular session, and section 105.473 as enacted by conference
9 committee substitute for senate substitute for house committee substitute for
10 house bill no. 1900, ninety-third general assembly, second regular session, are
11 repealed and eight new sections enacted in lieu thereof, to be known as sections

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

12 8.925, 105.450, 105.456, 105.463, 105.465, 105.473, 115.646, and 130.032, to read
13 as follows:

**8.925. No solicitation of expenditures, as defined in section
2 130.011, or fund raising activities or fund raising events, as defined in
3 section 130.011, supporting or opposing any candidate, ballot measure,
4 political party, or political party committee shall occur on any property
5 or in any building owned or leased by the state or any political
6 subdivision of this state.**

105.450. As used in sections 105.450 to 105.496 and sections 105.955 to
2 105.963, unless the context clearly requires otherwise, the following terms mean:

3 (1) "Adversary proceeding", any proceeding in which a record of the
4 proceedings may be kept and maintained as a public record at the request of
5 either party by a court reporter, notary public or other person authorized to keep
6 such record by law or by any rule or regulation of the agency conducting the
7 hearing; or from which an appeal may be taken directly or indirectly, or any
8 proceeding from the decision of which any party must be granted, on request, a
9 hearing de novo; or any arbitration proceeding; or a proceeding of a personnel
10 review board of a political subdivision; or an investigative proceeding initiated by
11 an official, department, division, or agency which pertains to matters which,
12 depending on the conclusion of the investigation, could lead to a judicial or
13 administrative proceeding being initiated against the party by the official,
14 department, division or agency;

15 (2) "Business entity", a corporation, association, firm, partnership,
16 proprietorship, or business entity of any kind or character;

17 (3) "Business with which a person is associated":

18 (a) Any sole proprietorship owned by himself or herself, the person's
19 spouse or any dependent child in the person's custody;

20 (b) Any partnership or joint venture in which the person or the person's
21 spouse is a partner, other than as a limited partner of a limited partnership, and
22 any corporation or limited partnership in which the person is an officer or
23 director or of which either the person or the person's spouse or dependent child
24 in the person's custody whether singularly or collectively owns in excess of ten
25 percent of the outstanding shares of any class of stock or partnership units; or

26 (c) Any trust in which the person is a trustee or settlor or in which the
27 person or the person's spouse or dependent child whether singularly or
28 collectively is a beneficiary or holder of a reversionary interest of ten percent or

29 more of the corpus of the trust;

30 (4) "Commission", the Missouri ethics commission established in section
31 105.955;

32 (5) "Confidential information", all information whether transmitted orally
33 or in writing which is of such a nature that it is not, at that time, a matter of
34 public record or public knowledge;

35 (6) "Decision-making public servant", an official, appointee or employee
36 of the offices or entities delineated in paragraphs (a) through (h) of this
37 subdivision who exercises supervisory authority over the negotiation of contracts,
38 or has the legal authority to adopt or vote on the adoption of rules and
39 regulations with the force of law or exercises primary supervisory responsibility
40 over purchasing decisions. The following officials or entities shall be responsible
41 for designating a decision-making public servant:

42 (a) The governing body of the political subdivision with a general
43 operating budget in excess of one million dollars;

44 (b) A department director;

45 (c) A judge vested with judicial power by article V of the Constitution of
46 the state of Missouri;

47 (d) Any commission empowered by interstate compact;

48 (e) A statewide elected official;

49 (f) The speaker of the house of representatives;

50 (g) The president pro tem of the senate;

51 (h) The president or chancellor of a state institution of higher education;

52 (7) "Dependent child" or "dependent child in the person's custody", all
53 children, stepchildren, foster children and wards under the age of eighteen
54 residing in the person's household and who receive in excess of fifty percent of
55 their support from the person;

56 (8) **"Paid political consultant", a person who is paid to provide**
57 **political consulting services to promote the election of a certain**
58 **candidate or the interest of a certain group, including but not limited**
59 **to, planning campaign strategies, coordinating campaign staff,**
60 **organizing meetings and public events to publicize the candidate or**
61 **cause, public opinion polling, providing research on issues or**
62 **opposition background, coordinating, producing, or purchasing print**
63 **or broadcast media, direct mail production, phone solicitation, fund**
64 **raising, and any other political activities;**

65 **(9)** "Political subdivision" shall include any political subdivision of the
66 state, and any special district or subdistrict;

67 **[(9)] (10)** "Public document", a state tax return or a document or other
68 record maintained for public inspection without limitation on the right of access
69 to it and a document filed in a juvenile court proceeding;

70 **[(10)] (11)** "Substantial interest", ownership by the individual, the
71 individual's spouse, or the individual's dependent children, whether singularly or
72 collectively, directly or indirectly, of ten percent or more of any business entity,
73 or of an interest having a value of ten thousand dollars or more, or the receipt by
74 an individual, the individual's spouse or the individual's dependent children,
75 whether singularly or collectively, of a salary, gratuity, or other compensation or
76 remuneration of five thousand dollars, or more, per year from any individual,
77 partnership, organization, or association within any calendar year;

78 **[(11)] (12)** "Substantial personal or private interest in any measure, bill,
79 order or ordinance", any interest in a measure, bill, order or ordinance which
80 results from a substantial interest in a business entity.

[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.]

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

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

9 (2) Sell, rent or lease any property to the state or political subdivision
10 thereof or any agency of the state or any political subdivision thereof for
11 consideration in excess of five hundred dollars per transaction or one thousand
12 five hundred dollars per annum unless the transaction is made pursuant to an

13 award on a contract let or sale made after public notice and in the case of
14 property other than real property, competitive bidding, provided that the bid or
15 offer accepted is the lowest received; or

16 (3) Attempt, for compensation other than the compensation provided for
17 the performance of his or her official duties, to influence the decision of any
18 agency of the state on any matter, except that this provision shall not be
19 construed to prohibit such person from participating for compensation in any
20 adversary proceeding or in the preparation or filing of any public document or
21 conference thereon. The exception for a conference upon a public document shall
22 not permit any member of the general assembly or the governor, lieutenant
23 governor, attorney general, secretary of state, state treasurer or state auditor to
24 receive any consideration for the purpose of attempting to influence the decision
25 of any agency of the state on behalf of any person with regard to any application,
26 bid or request for a state grant, loan, appropriation, contract, award, permit other
27 than matters involving a driver's license, or job before any state agency,
28 commission, or elected official. Notwithstanding Missouri supreme court rule
29 1.10 of rule 4 or any other court rule or law to the contrary, other members of a
30 firm, professional corporation or partnership shall not be prohibited pursuant to
31 this subdivision from representing a person or other entity solely because a
32 member of the firm, professional corporation or partnership serves in the general
33 assembly, provided that such official does not share directly in the compensation
34 earned, so far as the same may reasonably be accounted, for such activity by the
35 firm or by any other member of the firm. This subdivision shall not be construed
36 to prohibit any inquiry for information or the representation of a person without
37 consideration before a state agency or in a matter involving the state if no
38 consideration is given, charged or promised in consequence thereof.

39 2. No sole proprietorship, partnership, joint venture, or corporation in
40 which a member of the general assembly, governor, lieutenant governor, attorney
41 general, secretary of state, state treasurer, state auditor or spouse of such official,
42 is the sole proprietor, a partner having more than a ten percent partnership
43 interest, or a coparticipant or owner of in excess of ten percent of the outstanding
44 shares of any class of stock, shall:

45 (1) Perform any service for the state or any political subdivision thereof
46 or any agency of the state or political subdivision for any consideration in excess
47 of five hundred dollars per transaction or one thousand five hundred dollars per
48 annum unless the transaction is made pursuant to an award on a contract let or

49 sale made after public notice and competitive bidding, provided that the bid or
50 offer accepted is the lowest received; or

51 (2) Sell, rent, or lease any property to the state or any political
52 subdivision thereof or any agency of the state or political subdivision thereof for
53 consideration in excess of five hundred dollars per transaction or one thousand
54 five hundred dollars per annum unless the transaction is made pursuant to an
55 award on a contract let or a sale made after public notice and in the case of
56 property other than real property, competitive bidding, provided that the bid or
57 offer accepted is the lowest and best received.

58 **3. No statewide elected official or member of the general**
59 **assembly shall accept or receive compensation of any kind as a paid**
60 **political consultant for another statewide elected official or member of**
61 **the general assembly, or for any campaign committee, candidate**
62 **committee, continuing committee, or political party committee as such**
63 **committees are defined in chapter 130.**

64 **4. No member of the general assembly or statewide elected**
65 **official or such person's staff, employee, spouse, or dependent children**
66 **shall accept any tangible or intangible item, service, or thing of value**
67 **from any lobbyist as defined in section 105.470, unless such item,**
68 **service, or thing is valued at fifty dollars or less.**

69 **5. No member of the general assembly shall act, serve, or register**
70 **as a legislative lobbyist as defined in section 105.470 while serving as**
71 **a member of the general assembly or within two years after leaving**
72 **office.**

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

13 **president pro tempore of the senate a list of political contributions and**
14 **expenditures made by the appointee, the appointee's spouse, and any**
15 **business entity of any kind in which the appointee or appointee's**
16 **spouse has any interest representing the ten year period immediately**
17 **preceding the appointment.**

105.465. Any person who intentionally offers any item, service,
2 **or thing of value, including a contribution as defined in section 130.011,**
3 **to any elected or appointed official or employee of the state or any**
4 **political subdivision of this state and such person who accepts such an**
5 **item when it is given or received in direct exchange for voting in favor**
6 **of, voting against, or engaging in any legislative, executive, or judicial**
7 **course of action designed to benefit, delay, or hinder the passage or**
8 **failure of any specific state legislation, rule, or regulation, or any**
9 **specific local legislation, order, ordinance, rule, or regulation, shall be**
10 **guilty of a class D felony.**

[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) A statement detailing any direct business relationship or association
69 or partnership the lobbyist has with any public official or elected local
70 government official.

71 The reports required by this subdivision shall cover the time periods since the
72 filing of the last report or since the lobbyist's employment or representation
73 began, whichever is most recent.

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

87 5. Any lobbyist principal shall provide in a timely fashion whatever
88 information is reasonably requested by the lobbyist principal's lobbyist for use in
89 filing the reports required by this section.

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

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

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

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

106 10. Any public official or other person whose name appears in any lobbyist

107 report filed pursuant to this section who contests the accuracy of the portion of
108 the report applicable to such person may petition the commission for an audit of
109 such report and shall state in writing in such petition the specific disagreement
110 with the contents of such report. The commission shall investigate such
111 allegations in the manner described in section 105.959. If the commission
112 determines that the contents of such report are incorrect, incomplete or
113 erroneous, it shall enter an order requiring filing of an amended or corrected
114 report.

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

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

131 13. **No lobbyist shall deliver any tangible or intangible item,**
132 **service, or thing of value to any member of the general assembly or**
133 **such member's staff, employee, spouse, or dependent children unless**
134 **such item, service, or thing is valued at fifty dollars or less.**

135 14. The provisions of this section shall supersede any contradicting
136 ordinances or charter provisions.

115.646. No contribution or expenditure of public funds shall be made
2 directly by any officer, employee or agent of any political subdivision, **school**
3 **district, or public institution of higher education** to advocate, support, or
4 oppose any ballot measure or candidate for public office. This section shall not
5 be construed to prohibit any public official of a political subdivision, **school**
6 **district, or public institution of higher education** from making public

7 appearances or from issuing press releases concerning any such ballot measure.

8 **130.032. 1. In addition to the limitations imposed under section**
9 **130.031, the amount of contributions made by or accepted from any**
10 **person other than the candidate in any one election shall not exceed**
11 **the following:**

12 **(1) To elect an individual to the office of governor, lieutenant**
13 **governor, secretary of state, state treasurer, state auditor, or attorney**
14 **general, ten thousand dollars;**

15 **(2) To elect an individual to the office of state senator, two**
16 **thousand five hundred dollars;**

17 **(3) To elect an individual to the office of state representative,**
18 **one thousand dollars;**

19 **(4) To elect an individual to any other office, including judicial**
20 **office, if the population of the electoral district, ward, or other unit**
21 **according to the latest decennial census is under one hundred**
22 **thousand, six hundred dollars;**

23 **(5) To elect an individual to any other office, including judicial**
24 **office, if the population of the electoral district, ward, or other unit**
25 **according to the latest decennial census is at least one hundred**
26 **thousand but less than two hundred fifty thousand, one thousand**
27 **dollars; and**

28 **(6) To elect an individual to any other office, including judicial**
29 **office, if the population of the electoral district, ward, or other unit**
30 **according to the latest decennial census is at least two hundred fifty**
31 **thousand, two thousand dollars.**

32 **2. For purposes of this subsection, "base year amount" shall be**
33 **the contribution limits prescribed in this section on January 1,**
34 **2015. Such limits shall be increased on the first day of January in each**
35 **even-numbered year by multiplying the base year amount by the**
36 **cumulative consumer price index, as defined in section 104.010 and**
rounded to the nearest twenty-five-dollar amount, for all years since
January 1, 2015.

3. Except as limited by this subsection, the amount of cash
contributions, and a separate amount for the amount of in-kind
contributions, made by or accepted from a political party committee in
any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant

37 governor, secretary of state, state treasurer, state auditor, or attorney
38 general, ten thousand dollars;

39 (2) To elect an individual to the office of state senator, two
40 thousand five hundred dollars;

41 (3) To elect an individual to the office of state representative,
42 one thousand dollars; and

43 (4) To elect an individual to any other office of an electoral
44 district, ward, or unit, ten times the allowable contribution limit for the
45 office sought.

46 4. Contributions from persons under fourteen years of age shall
47 be considered made by the parents or guardians of such person and
48 shall be attributed toward any contribution limits prescribed in this
49 chapter. Where the contributor under fourteen years of age has two
50 custodial parents or guardians, fifty percent of the contribution shall
51 be attributed to each parent or guardian, and where such contributor
52 has one custodial parent or guardian, all such contributions shall be
53 attributed to the custodial parent or guardian.

Bill ✓

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