

SECOND REGULAR SESSION

# SENATE BILL NO. 756

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAPPELLE-NADAL.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4415S.03I

## AN ACT

To amend chapter 130, RSMo, by adding thereto five new sections relating to publicly-financed elections.

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

Section A. Chapter 130, RSMo, is amended by adding thereto five new sections, to be known as sections 130.170, 130.175, 130.180, 130.185, and 130.190, to read as follows:

**130.170. 1. The provisions of sections 130.170 to 130.185 shall be known and may be cited as the "Missouri Citizens Funding Elections Act".**

**2. For the purposes of sections 130.170 to 130.185 the following words shall mean:**

**(1) "Election", any primary, general, or special election held to nominate or elect an individual to public office. A primary election and the succeeding general election shall be considered separate elections;**

**(2) "Person", an individual human being who is a Missouri citizen;**

**(3) "Public office", any of the following: governor, lieutenant governor, state attorney general, state auditor, state treasurer, secretary of state, state representative, or state senator;**

**(4) "Qualifying contribution", a contribution of money made by a written instrument by a person to a candidate committee that is twenty-five dollars or less. The qualifying contribution amount shall be increased or decreased on January 1, 2018, and on January first of successive years, by the increase or decrease in the cost of living. On September 30, 2018, and on each September thirtieth of each successive year, the secretary of state shall measure the increase or decrease in**

21 the cost of living by the percentage increase or decrease as of the  
22 preceding July over the level as of July of the immediately preceding  
23 year of the Consumer Price Index for Urban Wage Earners and Clerical  
24 Workers (CPI-W) or successor index as published by the U.S.  
25 Department of Labor or its successor agency, with the amount of the  
26 qualifying contribution increase or decrease rounded to the nearest  
27 five cents.

130.175. 1. There is hereby created in the state treasury the  
2 "Missouri Election Campaign Fund", which shall consist of moneys  
3 collected under this section. The state treasurer shall be custodian of  
4 the fund. In accordance with sections 30.170 and 30.180, the state  
5 treasurer may approve disbursements. The fund shall be a dedicated  
6 fund and money in the fund shall be used solely by the state treasurer  
7 for the purpose of funding elections pursuant to sections 130.170 to  
8 130.185.

9 2. Notwithstanding the provisions of section 33.080 to the  
10 contrary, any moneys remaining in the fund at the end of the biennium  
11 shall not revert to the credit of the general revenue fund.

12 3. The state treasurer shall invest moneys in the fund in the  
13 same manner as other funds are invested. Any interest and moneys  
14 earned on such investments shall be credited to the fund.

15 4. The general assembly shall appropriate funds annually to the  
16 fund established under this section for the purpose of ensuring that  
17 candidates who are eligible to receive matching funds under section  
18 130.180 may receive matching funds in a ratio of six dollars for each  
19 one dollar of qualifying contribution made to the candidate's candidate  
20 committee.

130.180. A candidate in an election may obtain matching funds  
2 from the Missouri election campaign fund in amount equal to six  
3 dollars for each one dollar of qualifying contribution made to the  
4 candidate's candidate committee. Candidates may only receive  
5 matching funds for up to twenty-five dollars in qualifying contributions  
6 from any one person in a single calendar year.

130.185. 1. For all tax years beginning on or after January 1,  
2 2017, any person subject to the state income tax imposed by the  
3 provisions of chapter 143 shall be allowed a tax credit against such tax  
4 liability incurred pursuant to chapter 143, exclusive of the provisions

5 relating to the withholding of tax as provided in sections 143.191 to  
6 143.265, in an amount not to exceed twenty-five dollars for  
7 contributions made to a candidate's candidate committee. The tax  
8 credit amount shall be increased or decreased on January 1, 2018, and  
9 on January first of successive years, by the increase or decrease in the  
10 cost of living. On September 30, 2018, and on each September thirtieth  
11 of each successive year, the secretary of state shall measure the  
12 increase or decrease in the cost of living by the percentage increase or  
13 decrease as of the preceding July over the level as of July of the  
14 immediately preceding year of the Consumer Price Index for Urban  
15 Wage Earners and Clerical Workers (CPI-W) or successor index as  
16 published by the U.S. Department of Labor or its successor agency, with  
17 the amount of the tax credit amount increase or decrease rounded to  
18 the nearest five cents. Each such person shall apply to the secretary of  
19 state and specify the total amount of contributions made to the  
20 candidate's candidate committee during the calendar year. The  
21 secretary of state shall certify to the department of revenue the amount  
22 of such tax credit to which a taxpayer is entitled pursuant to this  
23 section.

24 2. Tax credits issued pursuant to this section may be refundable.

130.190. The secretary of state shall promulgate rules for the  
2 purpose of certifying and verifying each qualifying contribution that  
3 is entitled to matching funds and also for the purpose of implementing  
4 and enforcing the provisions of sections 130.170 to 130.190. Any rule or  
5 portion of a rule, as that term is defined in section 536.010 that is  
6 created under the authority delegated in this section shall become  
7 effective only if it complies with and is subject to all of the provisions  
8 of chapter 536, and, if applicable, section 536.028. This section and  
9 chapter 536 are nonseverable and if any of the powers vested with the  
10 general assembly pursuant to chapter 536, to review, to delay the  
11 effective date, or to disapprove and annul a rule are subsequently held  
12 unconstitutional, then the grant of rulemaking authority and any rule  
13 proposed or adopted after August 28, 2016, shall be invalid and void.