

HOUSE

AMENDMENT NO. ___

Offered by

of

1 AMEND House Bill No. 341, Page 1, In the Title, Line 2, by
2 deleting the word "section" and inserting in lieu thereof the
3 following: "sections 130.011 and"; and
4

5 Further amend said bill, Page 1, In the Title, Line 3, by
6 inserting immediately after the word "session," the following:
7 "and section 130.011 as enacted by house bill no. 1900, ninety-
8 third general assembly, second regular session,"; and
9

10 Further amend said bill, Page 1, Section A, Line 1, by
11 deleting the word "Section" and inserting in lieu thereof the
12 following: "Sections 130.011 and"; and
13

14 Further amend said bill, Page 1, Section A, Line 2, by
15 inserting immediately after the word "session," the following:
16 "and section 130.011 as enacted by house bill no. 1900, ninety-
17 third general assembly, second regular session,"; and
18

19 Further amend said bill, Page 1, Section A, Line 4, by
20 inserting after all of said line the following:

21 "[130.011. As used in this chapter, unless the
22 context clearly indicates otherwise, the following
23 terms mean:

24 (1) "Appropriate officer" or "appropriate
25 officers", the person or persons designated in section
26 130.026 to receive certain required statements and
27 reports;

28 (2) "Ballot measure" or "measure", any proposal
29 submitted or intended to be submitted to qualified

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1 voters for their approval or rejection, including any
2 proposal submitted by initiative petition, referendum
3 petition, or by the general assembly or any local
4 governmental body having authority to refer proposals
5 to the voter;

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

22 (4) "Candidate", an individual who seeks
23 nomination or election to public office. The term
24 "candidate" includes an elected officeholder who is the
25 subject of a recall election, an individual who seeks
26 nomination by the individual's political party for
27 election to public office, an individual standing for
28 retention in an election to an office to which the
29 individual was previously appointed, an individual who
30 seeks nomination or election whether or not the
31 specific elective public office to be sought has been
32 finally determined by such individual at the time the
33 individual meets the conditions described in paragraph
34 (a) or (b) of this subdivision, and an individual who
35 is a write-in candidate as defined in subdivision (28)
36 of this section. A candidate shall be deemed to seek
37 nomination or election when the person first:

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

41 (b) Knows or has reason to know that
42 contributions are being received or expenditures are
43 being made or space or facilities are being reserved
44 with the intent to promote the person's candidacy for
45 office; except that, such individual shall not be
46 deemed a candidate if the person files a statement with
47 the appropriate officer within five days after learning
48 of the receipt of contributions, the making of

1 expenditures, or the reservation of space or facilities
2 disavowing the candidacy and stating that the person
3 will not accept nomination or take office if elected;
4 provided that, if the election at which such individual
5 is supported as a candidate is to take place within
6 five days after the person's learning of the
7 above-specified activities, the individual shall file
8 the statement disavowing the candidacy within one day;
9 or

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

12 (5) "Candidate committee", a committee which
13 shall be formed by a candidate to receive contributions
14 or make expenditures in behalf of the person's
15 candidacy and which shall continue in existence for use
16 by an elected candidate or which shall terminate the
17 later of either thirty days after the general election
18 for a candidate who was not elected or upon the
19 satisfaction of all committee debt after the election,
20 except that no committee retiring debt shall engage in
21 any other activities in support of the candidate for
22 which the committee was formed. Any candidate for
23 elective office shall have only one candidate committee
24 for the elective office sought, which is controlled
25 directly by the candidate for the purpose of making
26 expenditures. A candidate committee is presumed to be
27 under the control and direction of the candidate unless
28 the candidate files an affidavit with the appropriate
29 officer stating that the committee is acting without
30 control or direction on the candidate's part;

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

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

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

41 (9) "Committee", a person or any combination of
42 persons, who accepts contributions or makes
43 expenditures for the primary or incidental purpose of
44 influencing or attempting to influence the action of
45 voters for or against the nomination or election to
46 public office of one or more candidates or the
47 qualification, passage or defeat of any ballot measure
48 or for the purpose of paying a previously incurred

1 campaign debt or obligation of a candidate or the debts
2 or obligations of a committee or for the purpose of
3 contributing funds to another committee:

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

5 a. A person or combination of persons, if neither
6 the aggregate of expenditures made nor the aggregate of
7 contributions received during a calendar year exceeds
8 five hundred dollars and if no single contributor has
9 contributed more than two hundred fifty dollars of such
10 aggregate contributions;

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

14 c. A corporation, cooperative association,
15 partnership, proprietorship, or joint venture organized
16 or operated for a primary or principal purpose other
17 than that of influencing or attempting to influence the
18 action of voters for or against the nomination or
19 election to public office of one or more candidates or
20 the qualification, passage or defeat of any ballot
21 measure, and it accepts no contributions, and all
22 expenditures it makes are from its own funds or
23 property obtained in the usual course of business or in
24 any commercial or other transaction and which are not
25 contributions as defined by subdivision (11) of this
26 section;

27 d. A labor organization organized or operated for
28 a primary or principal purpose other than that of
29 influencing or attempting to influence the action of
30 voters for or against the nomination or election to
31 public office of one or more candidates, or the
32 qualification, passage, or defeat of any ballot
33 measure, and it accepts no contributions, and
34 expenditures made by the organization are from its own
35 funds or property received from membership dues or
36 membership fees which were given or solicited for the
37 purpose of supporting the normal and usual activities
38 and functions of the organization and which are not
39 contributions as defined by subdivision (11) of this
40 section;

41 e. A person who acts as an authorized agent for a
42 committee in soliciting or receiving contributions or
43 in making expenditures or incurring indebtedness on
44 behalf of the committee if such person renders to the
45 committee treasurer or deputy treasurer or candidate,
46 if applicable, an accurate account of each receipt or
47 other transaction in the detail required by the
48 treasurer to comply with all record-keeping and

1 reporting requirements of this chapter;

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

6 (b) The term "committee" includes, but is not
7 limited to, each of the following committees: campaign
8 committee, candidate committee, political action
9 committee, exploratory committee, and political party
10 committee;

11 (10) "Connected organization", any organization
12 such as a corporation, a labor organization, a
13 membership organization, a cooperative, or trade or
14 professional association which expends funds or
15 provides services or facilities to establish,
16 administer or maintain a committee or to solicit
17 contributions to a committee from its members,
18 officers, directors, employees or security holders. An
19 organization shall be deemed to be the connected
20 organization if more than fifty percent of the persons
21 making contributions to the committee during the
22 current calendar year are members, officers, directors,
23 employees or security holders of such organization or
24 their spouses;

25 (11) "Contribution", a payment, gift, loan,
26 advance, deposit, or donation of money or anything of
27 value for the purpose of supporting or opposing the
28 nomination or election of any candidate for public
29 office or the qualification, passage or defeat of any
30 ballot measure, or for the support of any committee
31 supporting or opposing candidates or ballot measures or
32 for paying debts or obligations of any candidate or
33 committee previously incurred for the above purposes.
34 A contribution of anything of value shall be deemed to
35 have a money value equivalent to the fair market value.
36 "Contribution" includes, but is not limited to:

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

41 (b) Payment by any person, other than a candidate
42 or committee, to compensate another person for services
43 rendered to that candidate or committee;

44 (c) Receipts from the sale of goods and services,
45 including the sale of advertising space in a brochure,
46 booklet, program or pamphlet of a candidate or
47 committee and the sale of tickets or political
48 merchandise;

1 (d) Receipts from fund-raising events including
2 testimonial affairs;

3 (e) Any loan, guarantee of a loan, cancellation
4 or forgiveness of a loan or debt or other obligation by
5 a third party, or payment of a loan or debt or other
6 obligation by a third party if the loan or debt or
7 other obligation was contracted, used, or intended, in
8 whole or in part, for use in an election campaign or
9 used or intended for the payment of such debts or
10 obligations of a candidate or committee previously
11 incurred, or which was made or received by a committee;

12 (f) Funds received by a committee which are
13 transferred to such committee from another committee or
14 other source, except funds received by a candidate
15 committee as a transfer of funds from another candidate
16 committee controlled by the same candidate but such
17 transfer shall be included in the disclosure reports;

18 (g) Facilities, office space or equipment
19 supplied by any person to a candidate or committee
20 without charge or at reduced charges, except gratuitous
21 space for meeting purposes which is made available
22 regularly to the public, including other candidates or
23 committees, on an equal basis for similar purposes on
24 the same conditions;

25 (h) The direct or indirect payment by any person,
26 other than a connected organization, of the costs of
27 establishing, administering, or maintaining a
28 committee, including legal, accounting and computer
29 services, fund raising and solicitation of
30 contributions for a committee;

31 (i) "Contribution" does not include:

32 a. Ordinary home hospitality or services provided
33 without compensation by individuals volunteering their
34 time in support of or in opposition to a candidate,
35 committee or ballot measure, nor the necessary and
36 ordinary personal expenses of such volunteers
37 incidental to the performance of voluntary activities,
38 so long as no compensation is directly or indirectly
39 asked or given;

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

44 c. Interest earned on deposit of committee funds;

45 d. The costs incurred by any connected
46 organization listed pursuant to subdivision (4) of
47 subsection 5 of section 130.021 for establishing,
48 administering or maintaining a committee, or for the

1 solicitation of contributions to a committee which
2 solicitation is solely directed or related to the
3 members, officers, directors, employees or security
4 holders of the connected organization;

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

7 (13) "Disclosure report", an itemized report of
8 receipts, expenditures and incurred indebtedness which
9 is prepared on forms approved by the Missouri ethics
10 commission and filed at the times and places
11 prescribed;

12 (14) "Election", any primary, general or special
13 election held to nominate or elect an individual to
14 public office, to retain or recall an elected
15 officeholder or to submit a ballot measure to the
16 voters, and any caucus or other meeting of a political
17 party or a political party committee at which that
18 party's candidate or candidates for public office are
19 officially selected. A primary election and the
20 succeeding general election shall be considered
21 separate elections;

22 (15) "Expenditure", a payment, advance,
23 conveyance, deposit, donation or contribution of money
24 or anything of value for the purpose of supporting or
25 opposing the nomination or election of any candidate
26 for public office or the qualification or passage of
27 any ballot measure or for the support of any committee
28 which in turn supports or opposes any candidate or
29 ballot measure or for the purpose of paying a
30 previously incurred campaign debt or obligation of a
31 candidate or the debts or obligations of a committee; a
32 payment, or an agreement or promise to pay, money or
33 anything of value, including a candidate's own money or
34 property, for the purchase of goods, services,
35 property, facilities or anything of value for the
36 purpose of supporting or opposing the nomination or
37 election of any candidate for public office or the
38 qualification or passage of any ballot measure or for
39 the support of any committee which in turn supports or
40 opposes any candidate or ballot measure or for the
41 purpose of paying a previously incurred campaign debt
42 or obligation of a candidate or the debts or
43 obligations of a committee. An expenditure of anything
44 of value shall be deemed to have a money value
45 equivalent to the fair market value. "Expenditure"
46 includes, but is not limited to:

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

1 (b) The purchase of tickets, goods, services or
2 political merchandise in connection with any
3 testimonial affair or fund-raising event of or for
4 candidates or committees, or the purchase of
5 advertising in a brochure, booklet, program or pamphlet
6 of a candidate or committee;

7 (c) The transfer of funds by one committee to
8 another committee;

9 (d) The direct or indirect payment by any person,
10 other than a connected organization for a committee, of
11 the costs of establishing, administering or maintaining
12 a committee, including legal, accounting and computer
13 services, fund raising and solicitation of
14 contributions for a committee; but

15 (e) "Expenditure" does not include:

16 a. Any news story, commentary or editorial which
17 is broadcast or published by any broadcasting station,
18 newspaper, magazine or other periodical without charge
19 to the candidate or to any person supporting or
20 opposing a candidate or ballot measure;

21 b. The internal dissemination by any membership
22 organization, proprietorship, labor organization,
23 corporation, association or other entity of information
24 advocating the election or defeat of a candidate or
25 candidates or the passage or defeat of a ballot measure
26 or measures to its directors, officers, members,
27 employees or security holders, provided that the cost
28 incurred is reported pursuant to subsection 2 of
29 section 130.051;

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

32 d. The rendering of voluntary personal services
33 by an individual of the sort commonly performed by
34 volunteer campaign workers and the payment by such
35 individual of the individual's necessary and ordinary
36 personal expenses incidental to such volunteer
37 activity, provided no compensation is, directly or
38 indirectly, asked or given;

39 e. The costs incurred by any connected
40 organization listed pursuant to subdivision (4) of
41 subsection 5 of section 130.021 for establishing,
42 administering or maintaining a committee, or for the
43 solicitation of contributions to a committee which
44 solicitation is solely directed or related to the
45 members, officers, directors, employees or security
46 holders of the connected organization;

47 f. The use of a candidate's own money or property
48 for expense of the candidate's personal food, lodging,

1 travel, and payment of any fee necessary to the filing
2 for public office, if such expense is not reimbursed to
3 the candidate from any source;

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

11 (17) "Fund-raising event", an event such as a
12 dinner, luncheon, reception, coffee, testimonial,
13 rally, auction or similar affair through which
14 contributions are solicited or received by such means
15 as the purchase of tickets, payment of attendance fees,
16 donations for prizes or through the purchase of goods,
17 services or political merchandise;

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

21 (19) "Labor organization", any organization of
22 any kind, or any agency or employee representation
23 committee or plan, in which employees participate and
24 which exists for the purpose, in whole or in part, of
25 dealing with employers concerning grievances, labor
26 disputes, wages, rates of pay, hours of employment, or
27 conditions of work;

28 (20) "Loan", a transfer of money, property or
29 anything of ascertainable monetary value in exchange
30 for an obligation, conditional or not, to repay in
31 whole or in part and which was contracted, used, or
32 intended for use in an election campaign, or which was
33 made or received by a committee or which was
34 contracted, used, or intended to pay previously
35 incurred campaign debts or obligations of a candidate
36 or the debts or obligations of a committee;

37 (21) "Person", an individual, group of
38 individuals, corporation, partnership, committee,
39 proprietorship, joint venture, any department, agency,
40 board, institution or other entity of the state or any
41 of its political subdivisions, union, labor
42 organization, trade or professional or business
43 association, association, political party or any
44 executive committee thereof, or any other club or
45 organization however constituted or any officer or
46 employee of such entity acting in the person's official
47 capacity;

48 (22) "Political action committee", a committee of

1 continuing existence which is not formed, controlled or
2 directed by a candidate, and is a committee other than
3 a candidate committee, political party committee,
4 campaign committee, exploratory committee, or debt
5 service committee, whose primary or incidental purpose
6 is to receive contributions or make expenditures to
7 influence or attempt to influence the action of voters
8 whether or not a particular candidate or candidates or
9 a particular ballot measure or measures to be supported
10 or opposed has been determined at the time the
11 committee is required to file any statement or report
12 pursuant to the provisions of this chapter. Such a
13 committee includes, but is not limited to, any
14 committee organized or sponsored by a business entity,
15 a labor organization, a professional association, a
16 trade or business association, a club or other
17 organization and whose primary purpose is to solicit,
18 accept and use contributions from the members,
19 employees or stockholders of such entity and any
20 individual or group of individuals who accept and use
21 contributions to influence or attempt to influence the
22 action of voters. Such committee shall be formed no
23 later than sixty days prior to the election for which
24 the committee receives contributions or makes
25 expenditures;

26 (23) "Political merchandise", goods such as
27 bumper stickers, pins, hats, ties, jewelry, literature,
28 or other items sold or distributed at a fund-raising
29 event or to the general public for publicity or for the
30 purpose of raising funds to be used in supporting or
31 opposing a candidate for nomination or election or in
32 supporting or opposing the qualification, passage or
33 defeat of a ballot measure;

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

37 (25) "Political party committee", a committee of
38 a political party which may be organized as a
39 not-for-profit corporation under Missouri law and has
40 the primary or incidental purpose of receiving
41 contributions and making expenditures to influence or
42 attempt to influence the action of voters on behalf of
43 the political party. Political party committees shall
44 only take the following forms:

45 (a) One congressional district committee per
46 political party for each congressional district in the
47 state; and

48 (b) One state party committee per political

1 party;

2 (26) "Public office" or "office", any state,
3 judicial, county, municipal, school or other district,
4 ward, township, or other political subdivision office
5 or any political party office which is filled by a vote
6 of registered voters;

7 (27) "Regular session", includes that period
8 beginning on the first Wednesday after the first Monday
9 in January and ending following the first Friday after
10 the second Monday in May;

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

15 130.011. As used in this chapter, unless the context
16 clearly indicates otherwise, the following terms mean:

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

20 (2) "Ballot measure" or "measure", any proposal submitted
21 or intended to be submitted to qualified voters for their
22 approval or rejection, including any proposal submitted by
23 initiative petition, referendum petition, or by the general
24 assembly or any local governmental body having authority to refer
25 proposals to the voter;

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

1 sought has been finally determined by such individual at the time
2 the individual meets the conditions described in paragraph (a) or
3 (b) of this subdivision, and an individual who is a write-in
4 candidate as defined in [subdivision (28) of] this section. A
5 candidate shall be deemed to seek nomination or election when the
6 person first:

7 (a) Receives contributions or makes expenditures or
8 reserves space or facilities with intent to promote the person's
9 candidacy for office; or

10 (b) Knows or has reason to know that contributions are
11 being received or expenditures are being made or space or
12 facilities are being reserved with the intent to promote the
13 person's candidacy for office; except that, such individual shall
14 not be deemed a candidate if the person files a statement with
15 the appropriate officer within five days after learning of the
16 receipt of contributions, the making of expenditures, or the
17 reservation of space or facilities disavowing the candidacy and
18 stating that the person will not accept nomination or take office
19 if elected; provided that, if the election at which such
20 individual is supported as a candidate is to take place within
21 five days after the person's learning of the above-specified
22 activities, the individual shall file the statement disavowing
23 the candidacy within one day; or

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

26 (4) "Cash", currency, coin, United States postage stamps,
27 or any negotiable instrument which can be transferred from one

1 person to another person without the signature or endorsement of
2 the transferor;

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

6 (6) "Closing date", the date through which a statement or
7 report is required to be complete;

8 (7) "Committee", a person or any combination of persons,
9 who accepts contributions or makes expenditures for the primary
10 or incidental purpose of influencing or attempting to influence
11 the action of voters for or against the nomination or election to
12 public office of one or more candidates or the qualification,
13 passage or defeat of any ballot measure or for the purpose of
14 paying a previously incurred campaign debt or obligation of a
15 candidate or the debts or obligations of a committee or for the
16 purpose of contributing funds to another committee. The term
17 "committee" shall also include organizations exempt from taxation
18 under 26 U.S.C. Section 501(c)(4), as amended, that accept
19 contributions and make expenditures as described in this
20 subdivision, and the annual aggregate amount of such expenditures
21 consists of more than ten percent of the organization's assets:

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

23 a. A person or combination of persons, if neither the
24 aggregate of expenditures made nor the aggregate of contributions
25 received during a calendar year exceeds five hundred dollars and
26 if no single contributor has contributed more than two hundred
27 fifty dollars of such aggregate contributions;

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

4 c. A corporation, cooperative association, partnership,
5 proprietorship, or joint venture organized or operated for a
6 primary or principal purpose other than that of influencing or
7 attempting to influence the action of voters for or against the
8 nomination or election to public office of one or more candidates
9 or the qualification, passage or defeat of any ballot measure,
10 and it accepts no contributions, and all expenditures it makes
11 are from its own funds or property obtained in the usual course
12 of business or in any commercial or other transaction and which
13 are not contributions as defined by [subdivision (12) of] this
14 section;

15 d. A labor organization organized or operated for a primary
16 or principal purpose other than that of influencing or attempting
17 to influence the action of voters for or against the nomination
18 or election to public office of one or more candidates, or the
19 qualification, passage, or defeat of any ballot measure, and it
20 accepts no contributions, and expenditures made by the
21 organization are from its own funds or property received from
22 membership dues or membership fees which were given or solicited
23 for the purpose of supporting the normal and usual activities and
24 functions of the organization and which are not contributions as
25 defined by [subdivision (12) of] this section;

26 e. A person who acts as an authorized agent for a committee
27 in soliciting or receiving contributions or in making

1 expenditures or incurring indebtedness on behalf of the committee
2 if such person renders to the committee treasurer or deputy
3 treasurer or candidate, if applicable, an accurate account of
4 each receipt or other transaction in the detail required by the
5 treasurer to comply with all record-keeping and reporting
6 requirements of this chapter;

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

10 (b) The term "committee" includes, but is not limited to,
11 each of the following committees: campaign committee, candidate
12 committee, [continuing] political action committee, exploratory
13 committee, and political party committee;

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

1 (9) "Candidate committee", a committee which shall be
2 formed by a candidate to receive contributions or make
3 expenditures [in] on behalf of the person's candidacy [and which
4 shall continue in existence for use by an elected candidate or
5 which shall terminate the later of either thirty days after the
6 general election for a candidate who was not elected or upon the
7 satisfaction of all committee debt after the election, except
8 that no committee retiring debt shall engage in any other
9 activities in support of the candidate for which the committee
10 was formed]. Any candidate for elective office shall have only
11 one candidate committee for the elective office sought, which is
12 controlled directly by the candidate for the purpose of making
13 expenditures. A candidate committee is presumed to be under the
14 control and direction of the candidate unless the candidate files
15 an affidavit with the appropriate officer stating that the
16 committee is acting without control or direction on the
17 candidate's part;

18 (10) "[Continuing] Political action committee", a committee
19 of continuing existence [which is not formed, controlled or
20 directed by a candidate, and is a committee] other than a
21 candidate committee [or], political party committee, campaign
22 committee, exploratory committee, or debt service committee,
23 whose primary or incidental purpose is to receive contributions
24 or make expenditures to influence or attempt to influence the
25 action of voters whether or not a particular candidate or
26 candidates or a particular ballot measure or measures to be

1 supported or opposed has been determined at the time the
2 committee is required to file any statement or report pursuant to
3 the provisions of this chapter. ["Continuing committee"] Such a
4 committee includes, but is not limited to, any committee
5 organized or sponsored by a business entity, a labor
6 organization, a professional association, a trade or business
7 association, a club or other organization and whose primary
8 purpose is to solicit, accept and use contributions from the
9 members, employees or stockholders of such entity and any
10 individual or group of individuals who accept and use
11 contributions to influence or attempt to influence the action of
12 voters[. Such committee shall be formed no later than sixty days
13 prior to the election for which the committee receives
14 contributions or makes expenditures];

15 (11) "Connected organization", any organization such as a
16 corporation, a labor organization, a membership organization, a
17 cooperative, or trade or professional association which expends
18 funds or provides services or facilities to establish, administer
19 or maintain a committee or to solicit contributions to a
20 committee from its members, officers, directors, employees or
21 security holders. An organization shall be deemed to be the
22 connected organization if more than fifty percent of the persons
23 making contributions to the committee during the current calendar
24 year are members, officers, directors, employees or security
25 holders of such organization or their spouses;

26 (12) "Contribution", a payment, gift, loan, advance,
27 deposit, or donation of money or anything of value for the

1 purpose of supporting or opposing the nomination or election of
2 any candidate for public office or the qualification, passage or
3 defeat of any ballot measure, or for the support of any committee
4 supporting or opposing candidates or ballot measures or for
5 paying debts or obligations of any candidate or committee
6 previously incurred for the above purposes. A contribution of
7 anything of value shall be deemed to have a money value
8 equivalent to the fair market value. "Contribution" includes,
9 but is not limited to:

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

14 (b) Payment by any person, other than a candidate or
15 committee, to compensate another person for services rendered to
16 that candidate or committee;

17 (c) Receipts from the sale of goods and services, including
18 the sale of advertising space in a brochure, booklet, program or
19 pamphlet of a candidate or committee and the sale of tickets or
20 political merchandise;

21 (d) Receipts from fund-raising events including testimonial
22 affairs;

23 (e) Any loan, guarantee of a loan, cancellation or
24 forgiveness of a loan or debt or other obligation by a third
25 party, or payment of a loan or debt or other obligation by a
26 third party if the loan or debt or other obligation was
27 contracted, used, or intended, in whole or in part, for use in an

1 election campaign or used or intended for the payment of such
2 debts or obligations of a candidate or committee previously
3 incurred, or which was made or received by a committee;

4 (f) Funds received by a committee which are transferred to
5 such committee from another committee or other source, except
6 funds received by a candidate committee as a transfer of funds
7 from another candidate committee controlled by the same candidate
8 but such transfer shall be included in the disclosure reports;

9 (g) Facilities, office space or equipment supplied by any
10 person to a candidate or committee without charge or at reduced
11 charges, except gratuitous space for meeting purposes which is
12 made available regularly to the public, including other
13 candidates or committees, on an equal basis for similar purposes
14 on the same conditions;

15 (h) The direct or indirect payment by any person, other
16 than a connected organization, of the costs of establishing,
17 administering, or maintaining a committee, including legal,
18 accounting and computer services, fund raising and solicitation
19 of contributions for a committee;

20 (i) "Contribution" does not include:

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

27 b. An offer or tender of a contribution which is expressly

1 and unconditionally rejected and returned to the donor within ten
2 business days after receipt or transmitted to the state
3 treasurer;

4 c. Interest earned on deposit of committee funds;

5 d. The costs incurred by any connected organization listed
6 pursuant to subdivision [(4)] (5) of subsection 5 of section
7 130.021 for establishing, administering or maintaining a
8 committee, or for the solicitation of contributions to a
9 committee which solicitation is solely directed or related to the
10 members, officers, directors, employees or security holders of
11 the connected organization;

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

14 (14) "Disclosure report", an itemized report of receipts,
15 expenditures and incurred indebtedness which is prepared on forms
16 approved by the Missouri ethics commission and filed at the times
17 and places prescribed;

18 (15) "Election", any primary, general or special election
19 held to nominate or elect an individual to public office, to
20 retain or recall an elected officeholder or to submit a ballot
21 measure to the voters, and any caucus or other meeting of a
22 political party or a political party committee at which that
23 party's candidate or candidates for public office are officially
24 selected. A primary election and the succeeding general election
25 shall be considered separate elections;

26 (16) "Expenditure", a payment, advance, conveyance,
27 deposit, donation or contribution of money or anything of value

1 for the purpose of supporting or opposing the nomination or
2 election of any candidate for public office or the qualification
3 or passage of any ballot measure or for the support of any
4 committee which in turn supports or opposes any candidate or
5 ballot measure or for the purpose of paying a previously incurred
6 campaign debt or obligation of a candidate or the debts or
7 obligations of a committee; a payment, or an agreement or promise
8 to pay, money or anything of value, including a candidate's own
9 money or property, for the purchase of goods, services, property,
10 facilities or anything of value for the purpose of supporting or
11 opposing the nomination or election of any candidate for public
12 office or the qualification or passage of any ballot measure or
13 for the support of any committee which in turn supports or
14 opposes any candidate or ballot measure or for the purpose of
15 paying a previously incurred campaign debt or obligation of a
16 candidate or the debts or obligations of a committee. An
17 expenditure of anything of value shall be deemed to have a money
18 value equivalent to the fair market value. "Expenditure"
19 includes, but is not limited to:

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

22 (b) The purchase of tickets, goods, services or political
23 merchandise in connection with any testimonial affair or
24 fund-raising event of or for candidates or committees, or the
25 purchase of advertising in a brochure, booklet, program or
26 pamphlet of a candidate or committee;

27 (c) The transfer of funds by one committee to another

1 committee;

2 (d) The direct or indirect payment by any person, other
3 than a connected organization for a committee, of the costs of
4 establishing, administering or maintaining a committee, including
5 legal, accounting and computer services, fund raising and
6 solicitation of contributions for a committee; but

7 (e) "Expenditure" does not include:

8 a. Any news story, commentary or editorial which is
9 broadcast or published by any broadcasting station, newspaper,
10 magazine or other periodical without charge to the candidate or
11 to any person supporting or opposing a candidate or ballot
12 measure;

13 b. The internal dissemination by any membership
14 organization, proprietorship, labor organization, corporation,
15 association or other entity of information advocating the
16 election or defeat of a candidate or candidates or the passage or
17 defeat of a ballot measure or measures to its directors,
18 officers, members, employees or security holders, provided that
19 the cost incurred is reported [pursuant to subsection 2 of
20 section 130.051] as provided by law;

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

23 d. The rendering of voluntary personal services by an
24 individual of the sort commonly performed by volunteer campaign
25 workers and the payment by such individual of the individual's
26 necessary and ordinary personal expenses incidental to such
27 volunteer activity, provided no compensation is, directly or

1 indirectly, asked or given;

2 e. The costs incurred by any connected organization listed
3 pursuant to subdivision [(4)] (5) of subsection 5 of section
4 130.021 for establishing, administering or maintaining a
5 committee, or for the solicitation of contributions to a
6 committee which solicitation is solely directed or related to the
7 members, officers, directors, employees or security holders of
8 the connected organization;

9 f. The use of a candidate's own money or property for
10 expense of the candidate's personal food, lodging, travel, and
11 payment of any fee necessary to the filing for public office, if
12 such expense is not reimbursed to the candidate from any source;

13 (17) "Exploratory [committees] committee", a committee
14 which shall be formed by an individual to receive contributions
15 and make expenditures on behalf of this individual in determining
16 whether or not the individual seeks elective office.
17 Such committee shall terminate no later than December
18 thirty-first of the year prior to the general election for the
19 possible office;

20 (18) "Fund-raising event", an event such as a dinner,
21 luncheon, reception, coffee, testimonial, rally, auction or
22 similar affair through which contributions are solicited or
23 received by such means as the purchase of tickets, payment of
24 attendance fees, donations for prizes or through the purchase of
25 goods, services or political merchandise;

26 (19) "In-kind contribution" or "in-kind expenditure", a
27 contribution or expenditure in a form other than money;

1 (20) "Labor organization", any organization of any kind, or
2 any agency or employee representation committee or plan, in which
3 employees participate and which exists for the purpose, in whole
4 or in part, of dealing with employers concerning grievances,
5 labor disputes, wages, rates of pay, hours of employment, or
6 conditions of work;

7 (21) "Loan", a transfer of money, property or anything of
8 ascertainable monetary value in exchange for an obligation,
9 conditional or not, to repay in whole or in part and which was
10 contracted, used, or intended for use in an election campaign, or
11 which was made or received by a committee or which was
12 contracted, used, or intended to pay previously incurred campaign
13 debts or obligations of a candidate or the debts or obligations
14 of a committee;

15 (22) "Person", an individual, group of individuals,
16 corporation, partnership, committee, proprietorship, joint
17 venture, any department, agency, board, institution or other
18 entity of the state or any of its political subdivisions, union,
19 labor organization, trade or professional or business
20 association, association, political party or any executive
21 committee thereof, or any other club or organization however
22 constituted or any officer or employee of such entity acting in
23 the person's official capacity;

24 (23) "Political merchandise", goods such as bumper
25 stickers, pins, hats, ties, jewelry, literature, or other items
26 sold or distributed at a fund-raising event or to the general
27 public for publicity or for the purpose of raising funds to be

1 used in supporting or opposing a candidate for nomination or
2 election or in supporting or opposing the qualification, passage
3 or defeat of a ballot measure;

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

7 (25) "Political party committee", a state, congressional
8 district, or county[, city, or area] political action committee
9 of a political party, as [defined] authorized in section 115.603,
10 which may be organized as a not-for-profit corporation under
11 Missouri law, and which committee is of continuing existence, and
12 has the primary or incidental purpose of receiving contributions
13 and making expenditures to influence or attempt to influence the
14 action of voters on behalf of the political party;

15 (26) "Public office" or "office", any state, judicial,
16 county, municipal, school or other district, ward, township, or
17 other political subdivision office or any political party office
18 which is filled by a vote of registered voters;

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

22 (28) "Write-in candidate", an individual whose name is not
23 printed on the ballot but who otherwise meets the definition of
24 candidate in [subdivision (3) of] this section."; and

25
26 Further amend said title, enacting clause and intersectional
27 references accordingly.