

FIRST REGULAR SESSION

HOUSE BILL NO. 222

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROWDEN.

0693H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session and 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to committee reporting requirements.

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

Section A. Sections 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session and 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 130.011, to read as follows:

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

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

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

(3) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 committee receives contributions or makes expenditures, and which shall terminate the later of
15 either thirty days after the general election or upon the satisfaction of all committee debt after
16 the general election, except that no committee retiring debt shall engage in any other activities
17 in support of a measure for which the committee was formed;

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

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

29 (b) Knows or has reason to know that contributions are being received or expenditures
30 are being made or space or facilities are being reserved with the intent to promote the person's
31 candidacy for office; except that, such individual shall not be deemed a candidate if the person
32 files a statement with the appropriate officer within five days after learning of the receipt of
33 contributions, the making of expenditures, or the reservation of space or facilities disavowing
34 the candidacy and stating that the person will not accept nomination or take office if elected;
35 provided that, if the election at which such individual is supported as a candidate is to take place
36 within five days after the person's learning of the above-specified activities, the individual shall
37 file the statement disavowing the candidacy within one day; or

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

39 (5) "Candidate committee", a committee which shall be formed by a candidate to receive
40 contributions or make expenditures in behalf of the person's candidacy and which shall continue
41 in existence for use by an elected candidate or which shall terminate the later of either thirty days
42 after the general election for a candidate who was not elected or upon the satisfaction of all
43 committee debt after the election, except that no committee retiring debt shall engage in any
44 other activities in support of the candidate for which the committee was formed. Any candidate
45 for elective office shall have only one candidate committee for the elective office sought, which
46 is controlled directly by the candidate for the purpose of making expenditures. A candidate
47 committee is presumed to be under the control and direction of the candidate unless the candidate
48 files an affidavit with the appropriate officer stating that the committee is acting without control
49 or direction on the candidate's part;

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

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

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

57 (9) "Committee", a person or any combination of persons, who accepts contributions or
58 makes expenditures for the primary or incidental purpose of influencing or attempting to
59 influence the action of voters for or against the nomination or election to public office of one or
60 more candidates or the qualification, passage or defeat of any ballot measure or for the purpose
61 of paying a previously incurred campaign debt or obligation of a candidate or the debts or
62 obligations of a committee or for the purpose of contributing funds to another committee:

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

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

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

70 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
71 organized or operated for a primary or principal purpose other than that of influencing or
72 attempting to influence the action of voters for or against the nomination or election to public
73 office of one or more candidates or the qualification, passage or defeat of any ballot measure, and
74 it accepts no contributions, and all expenditures it makes are from its own funds or property
75 obtained in the usual course of business or in any commercial or other transaction and which are
76 not contributions as defined by subdivision (11) of this section. **Notwithstanding this**
77 **exception to the definition of a committee, any of the aforementioned entities that makes**
78 **expenditures constituting more than twenty-five percent of such entity's overall annual**
79 **budget influencing or attempting to influence the action of voters for or against the**
80 **nomination or election to public office of one or more candidates or the qualification for**
81 **or against the passage or defeat of any ballot measure shall be defined as a committee**
82 **under this chapter. An entity domiciled outside of this state shall be defined as a committee**
83 **if it make aggregate annual expenditures constituting more than twenty-five percent of**
84 **such entity's overall annual budget to influence the action of voters for or against the**

85 **nomination or election to public office of one or more candidates or the qualification for**
86 **or against the passage or defeat of any ballot measures in all fifty states;**

87 d. A labor organization organized or operated for a primary or principal purpose other
88 than that of influencing or attempting to influence the action of voters for or against the
89 nomination or election to public office of one or more candidates, or the qualification, passage,
90 or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the
91 organization are from its own funds or property received from membership dues or membership
92 fees which were given or solicited for the purpose of supporting the normal and usual activities
93 and functions of the organization and which are not contributions as defined by subdivision (11)
94 of this section;

95 e. A person who acts as an authorized agent for a committee in soliciting or receiving
96 contributions or in making expenditures or incurring indebtedness on behalf of the committee
97 if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable,
98 an accurate account of each receipt or other transaction in the detail required by the treasurer to
99 comply with all record-keeping and reporting requirements of this chapter;

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

102 (b) The term "committee" includes, but is not limited to, each of the following
103 committees: campaign committee, candidate committee, political action committee, exploratory
104 committee, and political party committee;

105 (10) "Connected organization", any organization such as a corporation, a labor
106 organization, a membership organization, a cooperative, or trade or professional association
107 which expends funds or provides services or facilities to establish, administer or maintain a
108 committee or to solicit contributions to a committee from its members, officers, directors,
109 employees or security holders. An organization shall be deemed to be the connected
110 organization if more than fifty percent of the persons making contributions to the committee
111 during the current calendar year are members, officers, directors, employees or security holders
112 of such organization or their spouses;

113 (11) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
114 anything of value for the purpose of supporting or opposing the nomination or election of any
115 candidate for public office or the qualification, passage or defeat of any ballot measure, or for
116 the support of any committee supporting or opposing candidates or ballot measures or for paying
117 debts or obligations of any candidate or committee previously incurred for the above purposes.
118 A contribution of anything of value shall be deemed to have a money value equivalent to the fair
119 market value. "Contribution" includes, but is not limited to:

- 120 (a) A candidate's own money or property used in support of the person's candidacy other
121 than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the
122 filing for public office;
- 123 (b) Payment by any person, other than a candidate or committee, to compensate another
124 person for services rendered to that candidate or committee;
- 125 (c) Receipts from the sale of goods and services, including the sale of advertising space
126 in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets
127 or political merchandise;
- 128 (d) Receipts from fund-raising events including testimonial affairs;
- 129 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other
130 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the
131 loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in
132 an election campaign or used or intended for the payment of such debts or obligations of a
133 candidate or committee previously incurred, or which was made or received by a committee;
- 134 (f) Funds received by a committee which are transferred to such committee from another
135 committee or other source, except funds received by a candidate committee as a transfer of funds
136 from another candidate committee controlled by the same candidate but such transfer shall be
137 included in the disclosure reports;
- 138 (g) Facilities, office space or equipment supplied by any person to a candidate or
139 committee without charge or at reduced charges, except gratuitous space for meeting purposes
140 which is made available regularly to the public, including other candidates or committees, on an
141 equal basis for similar purposes on the same conditions;
- 142 (h) The direct or indirect payment by any person, other than a connected organization,
143 of the costs of establishing, administering, or maintaining a committee, including legal,
144 accounting and computer services, fund raising and solicitation of contributions for a committee;
- 145 (i) "Contribution" does not include:
- 146 a. Ordinary home hospitality or services provided without compensation by individuals
147 volunteering their time in support of or in opposition to a candidate, committee or ballot
148 measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the
149 performance of voluntary activities, so long as no compensation is directly or indirectly asked
150 or given;
- 151 b. An offer or tender of a contribution which is expressly and unconditionally rejected
152 and returned to the donor within ten business days after receipt or transmitted to the state
153 treasurer;
- 154 c. Interest earned on deposit of committee funds;

155 d. The costs incurred by any connected organization listed pursuant to subdivision (4)
156 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee,
157 or for the solicitation of contributions to a committee which solicitation is solely directed or
158 related to the members, officers, directors, employees or security holders of the connected
159 organization;

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

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

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

169 (15) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution
170 of money or anything of value for the purpose of supporting or opposing the nomination or
171 election of any candidate for public office or the qualification or passage of any ballot measure
172 or for the support of any committee which in turn supports or opposes any candidate or ballot
173 measure or for the purpose of paying a previously incurred campaign debt or obligation of a
174 candidate or the debts or obligations of a committee; a payment, or an agreement or promise to
175 pay, money or anything of value, including a candidate's own money or property, for the
176 purchase of goods, services, property, facilities or anything of value for the purpose of supporting
177 or opposing the nomination or election of any candidate for public office or the qualification or
178 passage of any ballot measure or for the support of any committee which in turn supports or
179 opposes any candidate or ballot measure or for the purpose of paying a previously incurred
180 campaign debt or obligation of a candidate or the debts or obligations of a committee. An
181 expenditure of anything of value shall be deemed to have a money value equivalent to the fair
182 market value. "Expenditure" includes, but is not limited to:

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

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

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

189 (d) The direct or indirect payment by any person, other than a connected organization
190 for a committee, of the costs of establishing, administering or maintaining a committee,

191 including legal, accounting and computer services, fund raising and solicitation of contributions
192 for a committee; but

193 (e) "Expenditure" does not include:

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

197 b. The internal dissemination by any membership organization, proprietorship, labor
198 organization, corporation, association or other entity of information advocating the election or
199 defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to
200 its directors, officers, members, employees or security holders, provided that the cost incurred
201 is reported pursuant to subsection 2 of section 130.051;

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

203 d. The rendering of voluntary personal services by an individual of the sort commonly
204 performed by volunteer campaign workers and the payment by such individual of the individual's
205 necessary and ordinary personal expenses incidental to such volunteer activity, provided no
206 compensation is, directly or indirectly, asked or given;

207 e. The costs incurred by any connected organization listed pursuant to subdivision (4)
208 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee,
209 or for the solicitation of contributions to a committee which solicitation is solely directed or
210 related to the members, officers, directors, employees or security holders of the connected
211 organization;

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

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

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

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

225 (19) "Labor organization", any organization of any kind, or any agency or employee
226 representation committee or plan, in which employees participate and which exists for the

227 purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
228 wages, rates of pay, hours of employment, or conditions of work;

229 (20) "Loan", a transfer of money, property or anything of ascertainable monetary value
230 in exchange for an obligation, conditional or not, to repay in whole or in part and which was
231 contracted, used, or intended for use in an election campaign, or which was made or received by
232 a committee or which was contracted, used, or intended to pay previously incurred campaign
233 debts or obligations of a candidate or the debts or obligations of a committee;

234 (21) "Person", an individual, group of individuals, corporation, partnership, committee,
235 proprietorship, joint venture, any department, agency, board, institution or other entity of the
236 state or any of its political subdivisions, union, labor organization, trade or professional or
237 business association, association, political party or any executive committee thereof, or any other
238 club or organization however constituted or any officer or employee of such entity acting in the
239 person's official capacity;

240 (22) "Political action committee", a committee of continuing existence which is not
241 formed, controlled or directed by a candidate, and is a committee other than a candidate
242 committee, political party committee, campaign committee, exploratory committee, or debt
243 service committee, whose primary or incidental purpose is to receive contributions or make
244 expenditures to influence or attempt to influence the action of voters whether or not a particular
245 candidate or candidates or a particular ballot measure or measures to be supported or opposed
246 has been determined at the time the committee is required to file any statement or report pursuant
247 to the provisions of this chapter. Such a committee includes, but is not limited to, any committee
248 organized or sponsored by a business entity, a labor organization, a professional association, a
249 trade or business association, a club or other organization and whose primary purpose is to
250 solicit, accept and use contributions from the members, employees or stockholders of such entity
251 and any individual or group of individuals who accept and use contributions to influence or
252 attempt to influence the action of voters. Such committee shall be formed no later than sixty
253 days prior to the election for which the committee receives contributions or makes expenditures;

254 (23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
255 literature, or other items sold or distributed at a fund-raising event or to the general public for
256 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for
257 nomination or election or in supporting or opposing the qualification, passage or defeat of a
258 ballot measure;

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

261 (25) "Political party committee", a committee of a political party which may be
262 organized as a not-for-profit corporation under Missouri law and has the primary or incidental

263 purpose of receiving contributions and making expenditures to influence or attempt to influence
 264 the action of voters on behalf of the political party. Political party committees shall only take
 265 the following forms:

266 (a) One congressional district committee per political party for each congressional
 267 district in the state; and

268 (b) One state party committee per political party;

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

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

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

2 [130.011. As used in this chapter, unless the context clearly indicates
 3 otherwise, the following terms mean:

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

6 (2) "Ballot measure" or "measure", any proposal submitted or intended
 7 to be submitted to qualified voters for their approval or rejection, including any
 8 proposal submitted by initiative petition, referendum petition, or by the general
 9 assembly or any local governmental body having authority to refer proposals to
 10 the voter;

11 (3) "Candidate", an individual who seeks nomination or election to public
 12 office. The term "candidate" includes an elected officeholder who is the subject
 13 of a recall election, an individual who seeks nomination by the individual's
 14 political party for election to public office, an individual standing for retention
 15 in an election to an office to which the individual was previously appointed, an
 16 individual who seeks nomination or election whether or not the specific elective
 17 public office to be sought has been finally determined by such individual at the
 18 time the individual meets the conditions described in paragraph (a) or (b) of this
 19 subdivision, and an individual who is a write-in candidate as defined in
 20 subdivision (28) of this section. A candidate shall be deemed to seek nomination
 21 or election when the person first:

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

24 (b) Knows or has reason to know that contributions are being received
 25 or expenditures are being made or space or facilities are being reserved with the
 26 intent to promote the person's candidacy for office; except that, such individual
 27 shall not be deemed a candidate if the person files a statement with the
 28 appropriate officer within five days after learning of the receipt of contributions,
 the making of expenditures, or the reservation of space or facilities disavowing

29 the candidacy and stating that the person will not accept nomination or take office
30 if elected; provided that, if the election at which such individual is supported as
31 a candidate is to take place within five days after the person's learning of the
32 above-specified activities, the individual shall file the statement disavowing the
33 candidacy within one day; or

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

35 (4) "Cash", currency, coin, United States postage stamps, or any
36 negotiable instrument which can be transferred from one person to another person
37 without the signature or endorsement of the transferor;

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

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

43 (7) "Committee", a person or any combination of persons, who accepts
44 contributions or makes expenditures for the primary or incidental purpose of
45 influencing or attempting to influence the action of voters for or against the
46 nomination or election to public office of one or more candidates or the
47 qualification, passage or defeat of any ballot measure or for the purpose of paying
48 a previously incurred campaign debt or obligation of a candidate or the debts or
49 obligations of a committee or for the purpose of contributing funds to another
50 committee:

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

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

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

58 c. A corporation, cooperative association, partnership, proprietorship, or
59 joint venture organized or operated for a primary or principal purpose other than
60 that of influencing or attempting to influence the action of voters for or against
61 the nomination or election to public office of one or more candidates or the
62 qualification, passage or defeat of any ballot measure, and it accepts no
63 contributions, and all expenditures it makes are from its own funds or property
64 obtained in the usual course of business or in any commercial or other transaction
65 and which are not contributions as defined by subdivision (12) of this section;

66 d. A labor organization organized or operated for a primary or principal
67 purpose other than that of influencing or attempting to influence the action of
68 voters for or against the nomination or election to public office of one or more
69 candidates, or the qualification, passage, or defeat of any ballot measure, and it
70 accepts no contributions, and expenditures made by the organization are from its
71 own funds or property received from membership dues or membership fees

72 which were given or solicited for the purpose of supporting the normal and usual
73 activities and functions of the organization and which are not contributions as
74 defined by subdivision (12) of this section;

75 e. A person who acts as an authorized agent for a committee in soliciting
76 or receiving contributions or in making expenditures or incurring indebtedness
77 on behalf of the committee if such person renders to the committee treasurer or
78 deputy treasurer or candidate, if applicable, an accurate account of each receipt
79 or other transaction in the detail required by the treasurer to comply with all
80 record-keeping and reporting requirements of this chapter;

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

84 (b) The term "committee" includes, but is not limited to, each of the
85 following committees: campaign committee, candidate committee, continuing
86 committee and political party committee;

87 (8) "Campaign committee", a committee, other than a candidate
88 committee, which shall be formed by an individual or group of individuals to
89 receive contributions or make expenditures and whose sole purpose is to support
90 or oppose the qualification and passage of one or more particular ballot measures
91 in an election or the retention of judges under the nonpartisan court plan, such
92 committee shall be formed no later than thirty days prior to the election for which
93 the committee receives contributions or makes expenditures, and which shall
94 terminate the later of either thirty days after the general election or upon the
95 satisfaction of all committee debt after the general election, except that no
96 committee retiring debt shall engage in any other activities in support of a
97 measure for which the committee was formed;

98 (9) "Candidate committee", a committee which shall be formed by a
99 candidate to receive contributions or make expenditures in behalf of the person's
100 candidacy and which shall continue in existence for use by an elected candidate
101 or which shall terminate the later of either thirty days after the general election
102 for a candidate who was not elected or upon the satisfaction of all committee debt
103 after the election, except that no committee retiring debt shall engage in any other
104 activities in support of the candidate for which the committee was formed. Any
105 candidate for elective office shall have only one candidate committee for the
106 elective office sought, which is controlled directly by the candidate for the
107 purpose of making expenditures. A candidate committee is presumed to be under
108 the control and direction of the candidate unless the candidate files an affidavit
109 with the appropriate officer stating that the committee is acting without control
110 or direction on the candidate's part;

111 (10) "Continuing committee", a committee of continuing existence which
112 is not formed, controlled or directed by a candidate, and is a committee other than
113 a candidate committee or campaign committee, whose primary or incidental
114 purpose is to receive contributions or make expenditures to influence or attempt

115 to influence the action of voters whether or not a particular candidate or
116 candidates or a particular ballot measure or measures to be supported or opposed
117 has been determined at the time the committee is required to file any statement
118 or report pursuant to the provisions of this chapter. "Continuing committee"
119 includes, but is not limited to, any committee organized or sponsored by a
120 business entity, a labor organization, a professional association, a trade or
121 business association, a club or other organization and whose primary purpose is
122 to solicit, accept and use contributions from the members, employees or
123 stockholders of such entity and any individual or group of individuals who accept
124 and use contributions to influence or attempt to influence the action of voters.
125 Such committee shall be formed no later than sixty days prior to the election for
126 which the committee receives contributions or makes expenditures;

127 (11) "Connected organization", any organization such as a corporation,
128 a labor organization, a membership organization, a cooperative, or trade or
129 professional association which expends funds or provides services or facilities
130 to establish, administer or maintain a committee or to solicit contributions to a
131 committee from its members, officers, directors, employees or security holders.
132 An organization shall be deemed to be the connected organization if more than
133 fifty percent of the persons making contributions to the committee during the
134 current calendar year are members, officers, directors, employees or security
135 holders of such organization or their spouses;

136 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation
137 of money or anything of value for the purpose of supporting or opposing the
138 nomination or election of any candidate for public office or the qualification,
139 passage or defeat of any ballot measure, or for the support of any committee
140 supporting or opposing candidates or ballot measures or for paying debts or
141 obligations of any candidate or committee previously incurred for the above
142 purposes. A contribution of anything of value shall be deemed to have a money
143 value equivalent to the fair market value. "Contribution" includes, but is not
144 limited to:

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

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

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

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

154 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan
155 or debt or other obligation by a third party, or payment of a loan or debt or other
156 obligation by a third party if the loan or debt or other obligation was contracted,
157 used, or intended, in whole or in part, for use in an election campaign or used or

158 intended for the payment of such debts or obligations of a candidate or committee
159 previously incurred, or which was made or received by a committee;

160 (f) Funds received by a committee which are transferred to such
161 committee from another committee or other source, except funds received by a
162 candidate committee as a transfer of funds from another candidate committee
163 controlled by the same candidate but such transfer shall be included in the
164 disclosure reports;

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

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

174 (i) "Contribution" does not include:

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

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

183 c. Interest earned on deposit of committee funds;

184 d. The costs incurred by any connected organization listed pursuant to
185 subdivision (4) of subsection 5 of section 130.021 for establishing, administering
186 or maintaining a committee, or for the solicitation of contributions to a committee
187 which solicitation is solely directed or related to the members, officers, directors,
188 employees or security holders of the connected organization;

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

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

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

200 (16) "Expenditure", a payment, advance, conveyance, deposit, donation
201 or contribution of money or anything of value for the purpose of supporting or
202 opposing the nomination or election of any candidate for public office or the
203 qualification or passage of any ballot measure or for the support of any committee
204 which in turn supports or opposes any candidate or ballot measure or for the
205 purpose of paying a previously incurred campaign debt or obligation of a
206 candidate or the debts or obligations of a committee; a payment, or an agreement
207 or promise to pay, money or anything of value, including a candidate's own
208 money or property, for the purchase of goods, services, property, facilities or
209 anything of value for the purpose of supporting or opposing the nomination or
210 election of any candidate for public office or the qualification or passage of any
211 ballot measure or for the support of any committee which in turn supports or
212 opposes any candidate or ballot measure or for the purpose of paying a previously
213 incurred campaign debt or obligation of a candidate or the debts or obligations
214 of a committee. An expenditure of anything of value shall be deemed to have a
215 money value equivalent to the fair market value. "Expenditure" includes, but is
216 not limited to:

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

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

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

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

228 (e) "Expenditure" does not include:

229 a. Any news story, commentary or editorial which is broadcast or
230 published by any broadcasting station, newspaper, magazine or other periodical
231 without charge to the candidate or to any person supporting or opposing a
232 candidate or ballot measure;

233 b. The internal dissemination by any membership organization,
234 proprietorship, labor organization, corporation, association or other entity of
235 information advocating the election or defeat of a candidate or candidates or the
236 passage or defeat of a ballot measure or measures to its directors, officers,
237 members, employees or security holders, provided that the cost incurred is
238 reported pursuant to subsection 2 of section 130.051;

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

241 d. The rendering of voluntary personal services by an individual of the
242 sort commonly performed by volunteer campaign workers and the payment by

243 such individual of the individual's necessary and ordinary personal expenses
244 incidental to such volunteer activity, provided no compensation is, directly or
245 indirectly, asked or given;

246 e. The costs incurred by any connected organization listed pursuant to
247 subdivision (4) of subsection 5 of section 130.021 for establishing, administering
248 or maintaining a committee, or for the solicitation of contributions to a committee
249 which solicitation is solely directed or related to the members, officers, directors,
250 employees or security holders of the connected organization;

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

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

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

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

267 (20) "Labor organization", any organization of any kind, or any agency
268 or employee representation committee or plan, in which employees participate
269 and which exists for the purpose, in whole or in part, of dealing with employers
270 concerning grievances, labor disputes, wages, rates of pay, hours of employment,
271 or conditions of work;

272 (21) "Loan", a transfer of money, property or anything of ascertainable
273 monetary value in exchange for an obligation, conditional or not, to repay in
274 whole or in part and which was contracted, used, or intended for use in an
275 election campaign, or which was made or received by a committee or which was
276 contracted, used, or intended to pay previously incurred campaign debts or
277 obligations of a candidate or the debts or obligations of a committee;

278 (22) "Person", an individual, group of individuals, corporation,
279 partnership, committee, proprietorship, joint venture, any department, agency,
280 board, institution or other entity of the state or any of its political subdivisions,
281 union, labor organization, trade or professional or business association,
282 association, political party or any executive committee thereof, or any other club
283 or organization however constituted or any officer or employee of such entity
284 acting in the person's official capacity;

285 (23) "Political merchandise", goods such as bumper stickers, pins, hats,
286 ties, jewelry, literature, or other items sold or distributed at a fund-raising event
287 or to the general public for publicity or for the purpose of raising funds to be used
288 in supporting or opposing a candidate for nomination or election or in supporting
289 or opposing the qualification, passage or defeat of a ballot measure;

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

292 (25) "Political party committee", a state, district, county, city, or area
293 committee of a political party, as defined in section 115.603, which may be
294 organized as a not-for-profit corporation under Missouri law, and which
295 committee is of continuing existence, and has the primary or incidental purpose
296 of receiving contributions and making expenditures to influence or attempt to
297 influence the action of voters on behalf of the political party;

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

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

304 (28) "Write-in candidate", an individual whose name is not printed on the
305 ballot but who otherwise meets the definition of candidate in subdivision (3) of
306 this section.]

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