

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 869, Page 22, Section 99.845, Line 335,
2 by inserting after all of said section and line the following:

3
4 "105.470. As used in section 105.473, unless the context requires otherwise, the following
5 words and terms mean:

6 (1) "Elected local government official lobbyist", any natural person employed specifically
7 for the purpose of attempting to influence any action by a local government official elected in a
8 county, city, town, or village with an annual operating budget of over ten million dollars who makes
9 total expenditures of fifty dollars or more during the twelve-month period beginning January first
10 and ending December thirty-first for the benefit of one or more local government officials;

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

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

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

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

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

25
26 An "executive lobbyist" shall not include a member of the general assembly, an elected state
27 official, or any other person solely due to such person's participation in any of the following
28 activities:

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

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

35 c. Selling of goods or services to be paid for by public funds, provided that such person is
36 attempting to influence only the person authorized to authorize or enter into a contract to purchase

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1 the goods or services being offered for sale;

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

3 e. Responding to any request for information made by any public official or employee of
4 the executive branch of government;

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

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

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

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

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

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

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

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

33 (e) Any item, service or thing of de minimis value offered to the general public, whether or
34 not the recipient is a public official or a staff member, employee, spouse or dependent child of a
35 public official, and only if the grant of the item, service or thing of de minimis value is not
36 motivated in any way by the recipient's status as a public official or staff member, employee, spouse
37 or dependent child of a public official;

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

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

47 (h) Any plaque or award that signifies the honorary recognition of a service or other notable
48 accomplishment not to exceed fifty dollars in value;

1 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
2 influence any purchasing decision by the judicial branch of government or by any elected or
3 appointed official or any employee thereof and in connection with such activity, meets the
4 requirements of any one or more of the following:

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

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

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

13 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
14 beginning January first and ending December thirty-first for the benefit of one or more public
15 officials or one or more employees of the judicial branch of state government in connection with
16 attempting to influence such purchasing decisions by the judiciary.

17
18 A "judicial lobbyist" shall not include a member of the general assembly, an elected state official, or
19 any other person solely due to such person's participation in any of the following activities:

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

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

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

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

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

32 (5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to
33 influence the taking, passage, amendment, delay or defeat of any official action on any bill,
34 resolution, amendment, nomination, appointment, report or any other action or any other matter
35 pending or proposed in a legislative committee in either house of the general assembly, or in any
36 matter which may be the subject of action by the general assembly and in connection with such
37 activity, meets the requirements of any one or more of the following:

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

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

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

46 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
47 beginning January first and ending December thirty-first for the benefit of one or more public
48 officials or one or more employees of the legislative branch of state government in connection with

1 such activity.

2
3 A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person
4 unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any
5 member of the general assembly, an elected state official, or any other person solely due to such
6 person's participation in any of the following activities:

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

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

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

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

14 (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist,
15 elected local government official lobbyist, or a legislative lobbyist;

16 (7) "Lobbyist principal", any person, business entity, governmental entity, religious
17 organization, nonprofit corporation or association who employs, contracts for pay or otherwise
18 compensates a lobbyist;

19 (8) "Public official", any member or member-elect of the general assembly, judge or judicial
20 officer, or any other person holding an elective office of state government or any agency head,
21 department director or division director of state government or any member of any state board or
22 commission and any designated decision-making public servant designated by persons described in
23 this subdivision.

24 [105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after
25 beginning any activities as a lobbyist, file standardized registration forms, verified by a written
26 declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with
27 the commission. The forms shall include the lobbyist's name and business address, the name and
28 address of all persons such lobbyist employs for lobbying purposes, the name and address of each
29 lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or
30 works. The commission shall maintain files on all lobbyists' filings, which shall be open to the
31 public. Each lobbyist shall file an updating statement under oath within one week of any addition,
32 deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited
33 to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another
34 person for lobbying purposes may notify the commission that a judicial, executive or legislative
35 lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed
36 from the commission's files.

37 2. Each person shall, before giving testimony before any committee of the
38 general assembly, give to the secretary of such committee such person's name
39 and address and the identity of any lobbyist or organization, if any, on whose
40 behalf such person appears. A person who is not a lobbyist as defined in
41 section 105.470 shall not be required to give such person's address if the
42 committee determines that the giving of such address would endanger the
43 person's physical health.

44 3. (1) During any period of time in which a lobbyist continues to act as an
45 executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local
46 government official lobbyist, the lobbyist shall file with the commission on
47 standardized forms prescribed by the commission monthly reports which shall
48 be due at the close of business on the tenth day of the following month;

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

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

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

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

24 (d) The total of all expenditures made by a lobbyist or lobbyist principal for
25 occasions and the identity of the group invited, the date, location, and
26 description of the occasion and the amount of the expenditure for each
27 occasion when any of the following are invited in writing:

28 a. All members of the senate, which may or may not include senate staff and
29 employees under the direct supervision of a state senator;

30 b. All members of the house of representatives, which may or may not
31 include house staff and employees under the direct supervision of a state
32 representative;

33 c. All members of a joint committee of the general assembly or a standing
34 committee of either the house of representatives or senate, which may or may
35 not include joint and standing committee staff;

36 d. All members of a caucus of the majority party of the house of
37 representatives, minority party of the house of representatives, majority party
38 of the senate, or minority party of the senate;

39 e. All statewide officials, which may or may not include the staff and
40 employees under the direct supervision of the statewide official;

41 (e) Any expenditure made on behalf of a public official, an elected local
42 government official or such official's staff, employees, spouse or dependent
43 children, if such expenditure is solicited by such official, the official's staff,
44 employees, or spouse or dependent children, from the lobbyist or his or her
45 lobbyist principals and the name of such person or persons, except any
46 expenditures made to any not-for-profit corporation, charitable, fraternal or
47 civic organization or other association formed to provide for good in the
48 order of benevolence and except for any expenditure reported under

1 paragraph (d) of this subdivision;

2 (f) A statement detailing any direct business relationship or association or
3 partnership the lobbyist has with any public official or elected local
4 government official. The reports required by this subdivision shall cover the
5 time periods since the filing of the last report or since the lobbyist's
6 employment or representation began, whichever is most recent.

7 4. No expenditure reported pursuant to this section shall include any amount
8 expended by a lobbyist or lobbyist principal on himself or herself. All
9 expenditures disclosed pursuant to this section shall be valued on the report at
10 the actual amount of the payment made, or the charge, expense, cost, or
11 obligation, debt or bill incurred by the lobbyist or the person the lobbyist
12 represents. Whenever a lobbyist principal employs more than one lobbyist,
13 expenditures of the lobbyist principal shall not be reported by each lobbyist,
14 but shall be reported by one of such lobbyists. No expenditure shall be made
15 on behalf of a state senator or state representative, or such public official's
16 staff, employees, spouse, or dependent children for travel or lodging outside
17 the state of Missouri unless such travel or lodging was approved prior to the
18 date of the expenditure by the administration and accounts committee of the
19 house or the administration committee of the senate.

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

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

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

33 8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner
34 information required pursuant to this section shall be guilty of a class A
35 misdemeanor.

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

39 10. Any public official or other person whose name appears in any lobbyist
40 report filed pursuant to this section who contests the accuracy of the portion
41 of the report applicable to such person may petition the commission for an
42 audit of such report and shall state in writing in such petition the specific
43 disagreement with the contents of such report. The commission shall
44 investigate such allegations in the manner described in section 105.959. If
45 the commission determines that the contents of such report are incorrect,
46 incomplete or erroneous, it shall enter an order requiring filing of an amended
47 or corrected report.

48 11. The commission shall provide a report listing the total spent by a lobbyist

1 for the month and year to any member or member-elect of the general
 2 assembly, judge or judicial officer, or any other person holding an elective
 3 office of state government or any elected local government official on or
 4 before the twentieth day of each month. For the purpose of providing
 5 accurate information to the public, the commission shall not publish
 6 information in either written or electronic form for ten working days after
 7 providing the report pursuant to this subsection. The commission shall not
 8 release any portion of the lobbyist report if the accuracy of the report has
 9 been questioned pursuant to subsection 10 of this section unless it is
 10 conspicuously marked "Under Review".

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

17 13. The provisions of this section shall supersede any contradicting
 18 ordinances or charter provisions.]

19 105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after
 20 beginning any activities as a lobbyist, file standardized registration forms, verified by a written
 21 declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with
 22 the commission. The forms shall include the lobbyist's name and business address, the name and
 23 address of all persons such lobbyist employs for lobbying purposes, the name and address of each
 24 lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or
 25 works. The commission shall maintain files on all lobbyists' filings, which shall be open to the
 26 public. Each lobbyist shall file an updating statement under oath within one week of any addition,
 27 deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited
 28 to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another
 29 person for lobbying purposes may notify the commission that a judicial, executive or legislative
 30 lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed
 31 from the commission's files.

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

37 3. (1) During any period of time in which a lobbyist continues to act as an executive
 38 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the
 39 lobbyist shall file with the commission on standardized forms prescribed by the commission
 40 monthly reports which shall be due at the close of business on the tenth day of the following month;

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

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

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

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

10 (d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and
11 the identity of the group invited, the date and description of the occasion and the amount of the
12 expenditure for each occasion when [any] all of the following are invited seventy-two hours in
13 advance using the same communication medium and in writing:

14 a. [All members of the senate;

15 b. All members of the house of representatives;

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

18 d. All members of a caucus of the majority party of the house of representatives, minority
19 party of the house of representatives, majority party of the senate, or minority party of the senate]
20 All members of the general assembly, which may or may not include staff and employees under the
21 direct supervision of a member of the general assembly; and

22 b. All statewide officials, which may or may not include staff and employees under the
23 direct supervision of a statewide official;

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

30 (f) A statement detailing any direct business relationship or association or partnership the
31 lobbyist has with any public official or elected local government official. The reports required by
32 this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's
33 employment or representation began, whichever is most recent.

34 4. No expenditure reported pursuant to this section shall include any amount expended by a
35 lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this
36 section shall be valued on the report at the actual amount of the payment made, or the charge,
37 expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist
38 represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the
39 lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such
40 lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such
41 public official's staff, employees, spouse, or dependent children for travel or lodging outside the
42 state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by
43 the administration and accounts committee of the house or the administration committee of the
44 senate.

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

48 6. All information required to be filed pursuant to the provisions of this section with the

1 commission shall be kept available by the executive director of the commission at all times open to
2 the public for inspection and copying for a reasonable fee for a period of five years from the date
3 when such information was filed.

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

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

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

13 10. Any public official or other person whose name appears in any lobbyist report filed
14 pursuant to this section who contests the accuracy of the portion of the report applicable to such
15 person may petition the commission for an audit of such report and shall state in writing in such
16 petition the specific disagreement with the contents of such report. The commission shall
17 investigate such allegations in the manner described in section 105.959. If the commission
18 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an
19 order requiring filing of an amended or corrected report.

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

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

33 13. The provisions of this section shall supersede any contradicting ordinances or charter
34 provisions.

35 14. Notwithstanding any provision of law to the contrary, no lobbyist principal or lobbyist
36 or any other person acting on behalf of a lobbyist principal or lobbyist shall make any expenditure
37 for any public official of the state, local government official or school district board member, his or
38 her staff or employees, or his or her spouse or dependent children, except for expenditures reported
39 under paragraph (d) of subdivision (2) of subsection 3 of this section.

40 [105.485. 1. Each financial interest statement required by sections 105.483
41 to 105.492 shall be on a form prescribed by the commission and shall be
42 signed and verified by a written declaration that it is made under penalties of
43 perjury; provided, however, the form shall not seek information which is not
44 specifically required by sections 105.483 to 105.492.

45 2. Each person required to file a financial interest statement pursuant to
46 subdivisions (1) to (12) of section 105.483 shall file the following
47 information for himself, his spouse and dependent children at any time during
48 the period covered by the statement, whether singularly or collectively;

1 provided, however, that said person, if he does not know and his spouse will
2 not divulge any information required to be reported by this section
3 concerning the financial interest of his spouse, shall state on his financial
4 interest statement that he has disclosed that information known to him and
5 that his spouse has refused or failed to provide other information upon his
6 bona fide request, and such statement shall be deemed to satisfy the
7 requirements of this section for such financial interest of his spouse; and
8 provided further if the spouse of any person required to file a financial
9 interest statement is also required by section 105.483 to file a financial
10 interest statement, the financial interest statement filed by each need not
11 disclose the financial interest of the other, provided that each financial interest
12 statement shall state that the spouse of the person has filed a separate
13 financial interest statement and the name under which the statement was filed:
14 (1) The name and address of each of the employers of such person from
15 whom income of one thousand dollars or more was received during the year
16 covered by the statement;
17 (2) The name and address of each sole proprietorship which he owned; the
18 name, address and the general nature of the business conducted of each
19 general partnership and joint venture in which he was a partner or participant;
20 the name and address of each partner or coparticipant for each partnership or
21 joint venture unless such names and addresses are filed by the partnership or
22 joint venture with the secretary of state; the name, address and general nature
23 of the business conducted of any closely held corporation or limited
24 partnership in which the person owned ten percent or more of any class of the
25 outstanding stock or limited partners' units; and the name of any publicly
26 traded corporation or limited partnership which is listed on a regulated stock
27 exchange or automated quotation system in which the person owned two
28 percent or more of any class of outstanding stock, limited partnership units or
29 other equity interests;
30 (3) The name and address of any other source not reported pursuant to
31 subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from
32 which such person received one thousand dollars or more of income during
33 the year covered by the statement, including, but not limited to, any income
34 otherwise required to be reported on any tax return such person is required by
35 law to file; except that only the name of any publicly traded corporation or
36 limited partnership which is listed on a regulated stock exchange or
37 automated quotation system need be reported pursuant to this subdivision;
38 (4) The location by county, the subclassification for property tax assessment
39 purposes, the approximate size and a description of the major improvements
40 and use for each parcel of real property in the state, other than the individual's
41 personal residence, having a fair market value of ten thousand dollars or more
42 in which such person held a vested interest including a leasehold for a term of
43 ten years or longer, and, if the property was transferred during the year
44 covered by the statement, the name and address of the persons furnishing or
45 receiving consideration for such transfer;
46 (5) The name and address of each entity in which such person owned stock,
47 bonds or other equity interest with a value in excess of ten thousand dollars;
48 except that, if the entity is a corporation listed on a regulated stock exchange,

1 only the name of the corporation need be listed; and provided that any
2 member of any board or commission of the state or any political subdivision
3 who does not receive any compensation for his services to the state or
4 political subdivision other than reimbursement for his actual expenses or a per
5 diem allowance as prescribed by law for each day of such service need not
6 report interests in publicly traded corporations or limited partnerships which
7 are listed on a regulated stock exchange or automated quotation system
8 pursuant to this subdivision; and provided further that the provisions of this
9 subdivision shall not require reporting of any interest in any qualified plan or
10 annuity pursuant to the Employees' Retirement Income Security Act;

11 (6) The name and address of each corporation for which such person served
12 in the capacity of a director, officer or receiver;

13 (7) The name and address of each not-for-profit corporation and each
14 association, organization, or union, whether incorporated or not, except not-
15 for-profit corporations formed to provide church services, fraternal
16 organizations or service clubs from which the officer or employee draws no
17 remuneration, in which such person was an officer, director, employee or
18 trustee at any time during the year covered by the statement, and for each
19 such organization, a general description of the nature and purpose of the
20 organization;

21 (8) The name and address of each source from which such person received a
22 gift or gifts, or honorarium or honoraria in excess of two hundred dollars in
23 value per source during the year covered by the statement other than gifts
24 from persons within the third degree of consanguinity or affinity of the
25 person filing the financial interest statement. For the purposes of this section,
26 a "gift" shall not be construed to mean political contributions otherwise
27 required to be reported by law or hospitality such as food, beverages or
28 admissions to social, art, or sporting events or the like, or informational
29 material. For the purposes of this section, a "gift" shall include gifts to or by
30 creditors of the individual for the purpose of cancelling, reducing or
31 otherwise forgiving the indebtedness of the individual to that creditor;

32 (9) The lodging and travel expenses provided by any third person for
33 expenses incurred outside the state of Missouri whether by gift or in relation
34 to the duties of office of such official, except that such statement shall not
35 include travel or lodging expenses:

36 (a) Paid in the ordinary course of business for businesses described in
37 subdivisions (1), (2), (5) and (6) of this subsection which are related to the
38 duties of office of such official; or

39 (b) For which the official may be reimbursed as provided by law; or

40 (c) Paid by persons related by the third degree of consanguinity or
41 affinity to the person filing the statement; or

42 (d) Expenses which are reported by the campaign committee or candidate
43 committee of the person filing the statement pursuant to the provisions of
44 chapter 130; or

45 (e) Paid for purely personal purposes which are not related to the person's
46 official duties by a third person who is not a lobbyist, a lobbyist principal or
47 member, or officer or director of a member, of any association or entity which
48 employs a lobbyist. The statement shall include the name and address of such

1 person who paid the expenses, the date such expenses were incurred, the
2 amount incurred, the location of the travel and lodging, and the nature of the
3 services rendered or reason for the expenses;

4 (10) The assets in any revocable trust of which the individual is the settlor if
5 such assets would otherwise be required to be reported under this section;

6 (11) The name, position and relationship of any relative within the first
7 degree of consanguinity or affinity to any other person who:

8 (a) Is employed by the state of Missouri, by a political subdivision of the
9 state or special district, as defined in section 115.013, of the state of Missouri;

10 (b) Is a lobbyist; or

11 (c) Is a fee agent of the department of revenue;

12 (12) The name and address of each campaign committee, political party
13 committee, candidate committee, or political action committee for which such
14 person or any corporation listed on such person's financial interest statement
15 received payment; and

16 (13) For members of the general assembly or any statewide elected public
17 official, their spouses, and their dependent children, whether any state tax
18 credits were claimed on the member's, spouse's, or dependent child's most
19 recent state income tax return.

20 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this
21 section, an individual shall be deemed to have received a salary from his
22 employer or income from any source at the time when he shall receive a
23 negotiable instrument whether or not payable at a later date and at the time
24 when under the practice of his employer or the terms of an agreement he has
25 earned or is entitled to anything of actual value whether or not delivery of the
26 value is deferred or right to it has vested. The term income as used in this
27 section shall have the same meaning as provided in the Internal Revenue
28 Code of 1986, and amendments thereto, as the same may be or becomes
29 effective, at any time or from time to time for the taxable year, provided that
30 income shall not be considered received or earned for purposes of this section
31 from a partnership or sole proprietorship until such income is converted from
32 business to personal use.

33 4. Each official, officer or employee or candidate of any political subdivision
34 described in subdivision (11) of section 105.483 shall be required to file a
35 financial interest statement as required by subsection 2 of this section, unless
36 the political subdivision biennially adopts an ordinance, order or resolution at
37 an open meeting by September fifteenth of the preceding year, which
38 establishes and makes public its own method of disclosing potential conflicts
39 of interest and substantial interests and therefore excludes the political
40 subdivision or district and its officers and employees from the requirements
41 of subsection 2 of this section. A certified copy of the ordinance, order or
42 resolution shall be sent to the commission within ten days of its adoption.
43 The commission shall assist any political subdivision in developing forms to
44 complete the requirements of this subsection. The ordinance, order or
45 resolution shall contain, at a minimum, the following requirements with
46 respect to disclosure of substantial interests:

47 (1) Disclosure in writing of the following described transactions, if any such
48 transactions were engaged in during the calendar year:

1 (a) For such person, and all persons within the first degree of consanguinity
 2 or affinity of such person, the date and the identities of the parties to each
 3 transaction with a total value in excess of five hundred dollars, if any, that
 4 such person had with the political subdivision, other than compensation
 5 received as an employee or payment of any tax, fee or penalty due to the
 6 political subdivision, and other than transfers for no consideration to the
 7 political subdivision;

8 (b) The date and the identities of the parties to each transaction known to the
 9 person with a total value in excess of five hundred dollars, if any, that any
 10 business entity in which such person had a substantial interest, had with the
 11 political subdivision, other than payment of any tax, fee or penalty due to the
 12 political subdivision or transactions involving payment for providing utility
 13 service to the political subdivision, and other than transfers for no
 14 consideration to the political subdivision;

15 (2) The chief administrative officer and chief purchasing officer of such
 16 political subdivision shall disclose in writing the information described in
 17 subdivisions (1), (2) and (6) of subsection 2 of this section;

18 (3) Disclosure of such other financial interests applicable to officials, officers
 19 and employees of the political subdivision, as may be required by the
 20 ordinance or resolution;

21 (4) Duplicate disclosure reports made pursuant to this subsection shall be
 22 filed with the commission and the governing body of the political
 23 subdivision. The clerk of such governing body shall maintain such disclosure
 24 reports available for public inspection and copying during normal business
 25 hours.]

26 105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall
 27 be on a form prescribed by the commission and shall be signed and verified by a written declaration
 28 that it is made under penalties of perjury; provided, however, the form shall not seek information
 29 which is not specifically required by sections 105.483 to 105.492.

30 2. Each person required to file a financial interest statement pursuant to subdivisions (1) to
 31 (12) of section 105.483 shall file the following information for himself, his spouse and dependent
 32 children at any time during the period covered by the statement, whether singularly or collectively;
 33 provided, however, that said person, if he does not know and his spouse will not divulge any
 34 information required to be reported by this section concerning the financial interest of his spouse,
 35 shall state on his financial interest statement that he has disclosed that information known to him
 36 and that his spouse has refused or failed to provide other information upon his bona fide request,
 37 and such statement shall be deemed to satisfy the requirements of this section for such financial
 38 interest of his spouse; and provided further if the spouse of any person required to file a financial
 39 interest statement is also required by section 105.483 to file a financial interest statement, the
 40 financial interest statement filed by each need not disclose the financial interest of the other,
 41 provided that each financial interest statement shall state that the spouse of the person has filed a
 42 separate financial interest statement and the name under which the statement was filed:

43 (1) The name and address of each of the employers of such person from whom income of
 44 one thousand dollars or more was received during the year covered by the statement;

45 (2) The name and address of each sole proprietorship which he owned; the name, address
 46 and the general nature of the business conducted of each general partnership and joint venture in
 47 which he was a partner or participant; the name and address of each partner or coparticipant for each
 48 partnership or joint venture unless such names and addresses are filed by the partnership or joint

1 venture with the secretary of state; the name, address and general nature of the business conducted
2 of any closely held corporation or limited partnership in which the person owned ten percent or
3 more of any class of the outstanding stock or limited partners' units; and the name of any publicly
4 traded corporation or limited partnership which is listed on a regulated stock exchange or automated
5 quotation system in which the person owned two percent or more of any class of outstanding stock,
6 limited partnership units or other equity interests;

7 (3) The name and address of any other source not reported pursuant to subdivisions (1) and
8 (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand
9 dollars or more of income during the year covered by the statement, including, but not limited to,
10 any income otherwise required to be reported on any tax return such person is required by law to
11 file; except that only the name of any publicly traded corporation or limited partnership which is
12 listed on a regulated stock exchange or automated quotation system need be reported pursuant to
13 this subdivision;

14 (4) The location by county, the subclassification for property tax assessment purposes, the
15 approximate size and a description of the major improvements and use for each parcel of real
16 property in the state, other than the individual's personal residence, having a fair market value of ten
17 thousand dollars or more in which such person held a vested interest including a leasehold for a
18 term of ten years or longer, and, if the property was transferred during the year covered by the
19 statement, the name and address of the persons furnishing or receiving consideration for such
20 transfer;

21 (5) The name and address of each entity in which such person owned stock, bonds or other
22 equity interest with a value in excess of ten thousand dollars; except that, if the entity is a
23 corporation listed on a regulated stock exchange, only the name of the corporation need be listed;
24 and provided that any member of any board or commission of the state or any political subdivision
25 who does not receive any compensation for his services to the state or political subdivision other
26 than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each
27 day of such service need not report interests in publicly traded corporations or limited partnerships
28 which are listed on a regulated stock exchange or automated quotation system pursuant to this
29 subdivision; and provided further that the provisions of this subdivision shall not require reporting
30 of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income
31 Security Act;

32 (6) The name and address of each corporation for which such person served in the capacity
33 of a director, officer or receiver;

34 (7) The name and address of each not-for-profit corporation and each association,
35 organization, or union, whether incorporated or not, except not-for-profit corporations formed to
36 provide church services, fraternal organizations or service clubs from which the officer or employee
37 draws no remuneration, in which such person was an officer, director, employee or trustee at any
38 time during the year covered by the statement, and for each such organization, a general description
39 of the nature and purpose of the organization;

40 (8) The name and address of each source from which such person received a gift or gifts, or
41 honorarium or honoraria in excess of two hundred dollars in value per source during the year
42 covered by the statement other than gifts from persons within the third degree of consanguinity or
43 affinity of the person filing the financial interest statement. For the purposes of this section, a "gift"
44 shall not be construed to mean political contributions otherwise required to be reported by law or
45 hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or
46 informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors
47 of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of
48 the individual to that creditor;

1 (9) The lodging and travel expenses provided by any third person for expenses incurred
2 outside the state of Missouri whether by gift or in relation to the duties of office of such official,
3 except that such statement shall not include travel or lodging expenses:

4 (a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2),
5 (5) and (6) of this subsection which are related to the duties of office of such official; or

6 (b) For which the official may be reimbursed as provided by law; or

7 (c) Paid by persons related by the third degree of consanguinity or affinity to the person
8 filing the statement; or

9 (d) Expenses which are reported by the campaign committee or candidate committee of the
10 person filing the statement pursuant to the provisions of chapter 130; or

11 (e) Paid for purely personal purposes which are not related to the person's official duties by
12 a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a
13 member, of any association or entity which employs a lobbyist. The statement shall include the
14 name and address of such person who paid the expenses, the date such expenses were incurred, the
15 amount incurred, the location of the travel and lodging, and the nature of the services rendered or
16 reason for the expenses;

17 (10) The assets in any revocable trust of which the individual is the settlor if such assets
18 would otherwise be required to be reported under this section;

19 (11) The name, position and relationship of any relative within the first degree of
20 consanguinity or affinity to any other person who:

21 (a) Is employed by the state of Missouri, by a political subdivision of the state or special
22 district, as defined in section 115.013, of the state of Missouri;

23 (b) Is a lobbyist; or

24 (c) Is a fee agent of the department of revenue;

25 (12) The name and address of each campaign committee, political committee, candidate
26 committee, or continuing committee for which such person or any corporation listed on such
27 person's financial interest statement received payment; and

28 (13) For members of the general assembly or any statewide elected public official, their
29 spouses, and their dependent children, whether any state tax credits were claimed on the member's,
30 spouse's, or dependent child's most recent state income tax return.

31 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an
32 individual shall be deemed to have received a salary from his employer or income from any source
33 at the time when he shall receive a negotiable instrument whether or not payable at a later date and
34 at the time when under the practice of his employer or the terms of an agreement he has earned or is
35 entitled to anything of actual value whether or not delivery of the value is deferred or right to it has
36 vested. The term income as used in this section shall have the same meaning as provided in the
37 Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective,
38 at any time or from time to time for the taxable year, provided that income shall not be considered
39 received or earned for purposes of this section from a partnership or sole proprietorship until such
40 income is converted from business to personal use.

41 4. Each official, officer or employee or candidate of any political subdivision described in
42 subdivision (11) of section 105.483 shall be required to file a financial interest statement as required
43 by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order
44 or resolution at an open meeting by September fifteenth of the preceding year, which establishes and
45 makes public its own method of disclosing potential conflicts of interest and substantial interests
46 and therefore excludes the political subdivision or district and its officers and employees from the
47 requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution
48 shall be sent to the commission within ten days of its adoption. The commission shall assist any

1 political subdivision in developing forms to complete the requirements of this subsection. The
2 ordinance, order or resolution shall contain, at a minimum, the following requirements with respect
3 to disclosure of substantial interests:

4 (1) Disclosure in writing of the following described transactions, if any such transactions
5 were engaged in during the calendar year:

6 (a) For such person, and all persons within the first degree of consanguinity or affinity of
7 such person, the date and the identities of the parties to each transaction with a total value in excess
8 of [five] two hundred fifty dollars, if any, that such person had with the political subdivision, other
9 than compensation received as an employee or payment of any tax, fee or penalty due to the
10 political subdivision, and other than transfers for no consideration to the political subdivision;

11 (b) The date and the identities of the parties to each transaction known to the person with a
12 total value in excess of [five] two hundred fifty dollars, if any, that any business entity in which
13 such person had a substantial interest, had with the political subdivision, other than payment of any
14 tax, fee or penalty due to the political subdivision or transactions involving payment for providing
15 utility service to the political subdivision, and other than transfers for no consideration to the
16 political subdivision;

17 (2) The chief administrative officer and chief purchasing officer of such political
18 subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of
19 subsection 2 of this section;

20 (3) Disclosure of such other financial interests applicable to officials, officers and
21 employees of the political subdivision, as may be required by the ordinance or resolution;

22 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
23 commission and the governing body of the political subdivision. The clerk of such governing body
24 shall maintain such disclosure reports available for public inspection and copying during normal
25 business hours."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.