

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2473, Page 1, in the title, Line 3, by deleting the phrase "law enforcement
2 records, with penalty provisions" and inserting in lieu thereof the phrase "ethics, with penalty
3 provisions and a delayed effective date for certain sections"; and
4

5 Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the
6 following:
7

8 "105.483. 1. Each of the following persons shall be required to file a financial interest
9 statement:

10 (1) Associate circuit judges, circuit court judges, judges of the courts of appeals and of the
11 supreme court, and candidates for any such office;

12 (2) Persons holding an elective office of the state, whether by election or appointment, and
13 candidates for such elective office, except those running for or serving as county committee
14 members for a political party pursuant to section 115.609 or section 115.611;

15 (3) The principal administrative or deputy officers or assistants serving the governor,
16 lieutenant governor, secretary of state, state treasurer, state auditor and attorney general, which
17 officers shall be designated by the respective elected state official, and any paid, full-time employee
18 of such elected official who works in any manner to develop or influence the passage or defeat of
19 any legislation;

20 (4) The members of each board or commission and the chief executive officer of each
21 public entity created pursuant to the constitution or interstate compact or agreement and the
22 members of each board of regents or curators and the chancellor or president of each state
23 institution of higher education;

24 (5) The director and each assistant deputy director and the general counsel and the chief
25 purchasing officer of each department, division and agency of state government;

26 (6) Any official or employee of the state authorized by law to promulgate rules and
27 regulations or authorized by law to vote on the adoption of rules and regulations;

28 (7) Any member of a board or commission created by interstate compact or agreement,
29 including the executive director and any Missouri resident who is a member of the bi-state
30 development agency created pursuant to sections 70.370 to [70.440] 70.429;

31 (8) Any board member of a metropolitan sewer district authorized under Section 30(a) of
Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 Article VI of the state constitution;

2 (9) Any member of a commission appointed or operating pursuant to sections 64.650 to
3 64.950, sections 67.650 to 67.658, or sections 70.840 to 70.859;

4 (10) The members, the chief executive officer and the chief purchasing officer of each
5 board or commission which enters into or approves contracts for the expenditure of state funds;

6 (11) Each elected official, candidate for elective office, the chief administrative officer, the
7 chief purchasing officer and the general counsel, if employed full time, of each political subdivision
8 [with an annual operating budget in excess of one million dollars], and each official or employee of
9 a political subdivision who is authorized by the governing body of the political subdivision to
10 promulgate rules and regulations with the force of law or to vote on the adoption of rules and
11 regulations with the force of law; [unless the political subdivision adopts an ordinance, order or
12 resolution pursuant to subsection 4 of section 105.485;]

13 (12) Any person who is designated as a decision-making public servant by any of the
14 officials or entities listed in subdivision (6) of section 105.450;

15 (13) Any person who is employed by the state or by any elected or appointed official of the
16 state, or by any political subdivision of the state, including cities, towns, villages, counties, and
17 public school districts, and who receives any compensation for political activities or consulting not
18 directly associated with the person's official duties;

19 (14) Any staff of any member of the general assembly that is a paid, full-time employee of
20 such member.

21 2. This section shall apply to all persons listed in this section regardless of whether the
22 person is compensated on a full-time, part-time, or contract basis.

23 [105.485. 1. Each financial interest statement required by sections 105.483 to
24 105.492 shall be on a form prescribed by the commission and shall be signed and
25 verified by a written declaration that it is made under penalties of perjury; provided,
26 however, the form shall not seek information which is not specifically required by
27 sections 105.483 to 105.492.

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

1 financial interest statement and the name under which the statement was filed:

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

5 (2) The name and address of each sole proprietorship which he owned; the name,
6 address and the general nature of the business conducted of each general partnership
7 and joint venture in which he was a partner or participant; the name and address of
8 each partner or coparticipant for each partnership or joint venture unless such names
9 and addresses are filed by the partnership or joint venture with the secretary of state;
10 the name, address and general nature of the business conducted of any closely held
11 corporation or limited partnership in which the person owned ten percent or more of
12 any class of the outstanding stock or limited partners' units; and the name of any
13 publicly traded corporation or limited partnership which is listed on a regulated stock
14 exchange or automated quotation system in which the person owned two percent or
15 more of any class of outstanding stock, limited partnership units or other equity
16 interests;

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

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

33 (5) The name and address of each entity in which such person owned stock,
34 bonds or other equity interest with a value in excess of ten thousand dollars; except
35 that, if the entity is a corporation listed on a regulated stock exchange, only the name
36 of the corporation need be listed; and provided that any member of any board or
37 commission of the state or any political subdivision who does not receive any
38 compensation for his services to the state or political subdivision other than
39 reimbursement for his actual expenses or a per diem allowance as prescribed by law
40 for each day of such service need not report interests in publicly traded corporations
41 or limited partnerships which are listed on a regulated stock exchange or automated

1 quotation system pursuant to this subdivision; and provided further that the
2 provisions of this subdivision shall not require reporting of any interest in any
3 qualified plan or annuity pursuant to the Employees' Retirement Income Security
4 Act;

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

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

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

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

28 (a) Paid in the ordinary course of business for businesses described in subdivisions
29 (1), (2), (5) and (6) of this subsection which are related to the duties of office of such
30 official; or

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

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

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

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

1 expenses;

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

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

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

8 (b) Is a lobbyist; or

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

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

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

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

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

(1) Disclosure in writing of the following described transactions, if any such

1 transactions were engaged in during the calendar year:

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

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

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

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

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

24 105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall
25 be on a form prescribed by the commission and shall be signed and verified by a written declaration
26 that it is made under penalties of perjury; provided, however, the form shall not seek information
27 which is not specifically required by sections 105.483 to 105.492.

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

1 statement and the name under which the statement was filed:

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

4 (2) The name and address of each sole proprietorship which [he] such person owned; the
5 name, address, and the general nature of the business conducted of each limited liability company in
6 which the person had an interest; the name, address and the general nature of the business conducted
7 of each general partnership and joint venture in which [he] such person was a partner or participant;
8 the name and address of each partner or coparticipant for each partnership or joint venture unless
9 such names and addresses are filed by the partnership or joint venture with the secretary of state; the
10 name, address and general nature of the business conducted of any closely held corporation or
11 limited partnership in which the person owned ten percent or more of any class of the outstanding
12 stock or limited partners' units; and the name of any publicly traded corporation or limited
13 partnership which is listed on a regulated stock exchange or automated quotation system in which
14 the person owned two percent or more of any class of outstanding stock, limited partnership units or
15 other equity interests;

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

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

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

41 (6) The name and address of each corporation for which such person served in the capacity

1 of a director, officer [or], receiver, trustee, partner, proprietor, representative, employee, or
2 consultant;

3 (7) The name and address of each not-for-profit corporation and each association,
4 organization, or union, whether incorporated or not, except not-for-profit corporations formed to
5 provide church services, fraternal organizations or service clubs from which the officer or employee
6 draws no remuneration, in which such person was an officer, director, employee [or], trustee,
7 partner, proprietor, representative, or consultant at any time during the year covered by the
8 statement, and for each such organization, a general description of the nature and purpose of the
9 organization;

10 (8) The name and address of each source from which such person received a gift or gifts, or
11 honorarium or honoraria in excess of two hundred dollars in value per source during the year
12 covered by the statement other than gifts from persons within the third degree of consanguinity or
13 affinity of the person filing the financial interest statement, and the source, date, and amount of
14 payments made to charitable organizations in lieu of honoraria. For the purposes of this section, a
15 "gift" shall not be construed to mean political contributions otherwise required to be reported by law
16 or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or
17 informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors
18 of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of
19 the individual to that creditor;

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

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

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

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

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

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

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

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

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

1 (b) Is a lobbyist; or

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

3 (12) The name and address of each campaign committee, political committee, candidate
4 committee, or [continuing] political action committee for which such person or any corporation
5 listed on such person's financial interest statement received payment; [and]

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

9 (14) A brief description, the date, and category of value of any purchase, sale, or exchange
10 during the preceding calendar year which exceeds one thousand dollars in real property, other than
11 property used solely as a personal residence of the reporting individual or the individual's spouse, or
12 in stocks, bonds, commodities futures, and other forms of securities. Reporting is not required
13 under this subdivision of any transaction solely by and between the reporting individual, the
14 individual's spouse, or dependent children;

15 (15) The identity and category of value of the total liabilities owed to any creditor other
16 than a spouse, or a parent, brother, sister, or child of the reporting individual or of the individual's
17 spouse which exceed ten thousand dollars at any time during the preceding calendar year, excluding
18 any mortgage secured by real property that is a personal residence of the reporting individual or the
19 individual's spouse, any loan secured by a personal motor vehicle, household furniture, or
20 appliances, which loan does not exceed the purchase price of the item which secures it, and
21 excluding any qualified education loan as such term is defined in Section 221 of the Internal
22 Revenue Code of 1986, as amended. With respect to revolving charge accounts, only those with an
23 outstanding liability that exceeds ten thousand dollars as of the close of the preceding calendar year
24 shall be reported under this subdivision;

25 (16) A description of the date, parties to, and terms of any agreement or arrangement with
26 respect to future employment, a leave of absence during the period of the reporting individual's
27 government service, continuation of payments by a former employer other than this state, and
28 continuing participation in an employee welfare or benefit plan maintained by a former employer;

29 (17) For paid, full-time employees of members of the general assembly and designated
30 officers and employees of statewide elected officials required to report under subdivision (3) of
31 subsection 1 of section 105.483, any income received by or payments made to such person in
32 connection with any political campaign; and

33 (18) For members of the general assembly, paid, full-time employees of members of the
34 general assembly, statewide elected officials, and designated officers and employees of statewide
35 elected officials required to report under subdivision (3) of subsection 1 of section 105.483, any
36 income, other than income reported under subdivision (1) of subsection 2 of this section, received
37 by or payments made to such person by any business entity or organization; the name, address, and
38 the general nature of the business conducted by each entity or organization; and the amount of
39 income received by or payments made to such person in check-off form representing less than one
40 thousand dollars, one thousand to ten thousand dollars, and more than ten thousand dollars.

41 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an

1 individual shall be deemed to have received a salary from [his] the individual's employer or income
2 from any source at the time when [he] the individual shall receive a negotiable instrument whether
3 or not payable at a later date and at the time when under the practice of [his] the individual's
4 employer or the terms of an agreement [he] the individual has earned or is entitled to anything of
5 actual value whether or not delivery of the value is deferred or right to it has vested. The term
6 income as used in this section shall have the same meaning as provided in the Internal Revenue
7 Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or
8 from time to time for the taxable year, provided that income shall not be considered received or
9 earned for purposes of this section from a partnership or sole proprietorship until such income is
10 converted from business to personal use.

11 [4. Each official, officer or employee or candidate of any political subdivision described in
12 subdivision (11) of section 105.483 shall be required to file a financial interest statement as required
13 by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order
14 or resolution at an open meeting by September fifteenth of the preceding year, which establishes and
15 makes public its own method of disclosing potential conflicts of interest and substantial interests
16 and therefore excludes the political subdivision or district and its officers and employees from the
17 requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution
18 shall be sent to the commission within ten days of its adoption. The commission shall assist any
19 political subdivision in developing forms to complete the requirements of this subsection. The
20 ordinance, order or resolution shall contain, at a minimum, the following requirements with respect
21 to disclosure of substantial interests:

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

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

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

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

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

40 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
41 commission and the governing body of the political subdivision. The clerk of such governing body

1 shall maintain such disclosure reports available for public inspection and copying during normal
2 business hours.]

3 105.487. The financial interest statements shall be filed at the following times, but, with the
4 exception of persons described in subdivision (4) of this section, no person is required to file more
5 than one financial interest statement in any calendar year:

6 (1) Each candidate for elective office, except those candidates for county committee of a
7 political party pursuant to section 115.609 or section 115.611, who is required to file a personal
8 financial disclosure statement shall file a financial interest statement no later than fourteen days
9 after the close of filing at which the candidate seeks nomination or election, and the statement shall
10 be for the [twelve months prior to the closing date] previous calendar year ending the immediately
11 preceding December thirty-first, except that in the event an individual does not become a candidate
12 until after the date of certification for candidates, the statement shall be filed within fourteen days of
13 the individual's nomination by caucus. An individual required to file a financial interest statement
14 because of the individual's candidacy for office prior to a primary election in accordance with this
15 section is also required to amend such statement no later than the close of business on Monday prior
16 to the general election to reflect any changes in financial interest during the interim. The
17 appropriate election authority shall provide to the candidate at the time of filing for [election] office
18 written notice of the candidate's obligation to file pursuant to sections 105.483 to 105.492 and the
19 candidate shall sign a statement acknowledging receipt of such notice;

20 (2) Each person appointed to office, except any person elected for county committee of a
21 political party pursuant to section 115.617, and each official or employee described in section
22 105.483 who is not otherwise covered in this subsection shall file the statement within thirty days of
23 such appointment or employment, and the statement shall be for the previous calendar year ending
24 the immediately preceding December thirty-first;

25 (3) Every other person required by sections 105.483 to 105.492 to file a financial interest
26 statement shall file the statement annually not later than the [first] thirty-first day of [May] January
27 and the statement shall cover the calendar year ending the immediately preceding December thirty-
28 first; provided that the governor, lieutenant governor, any member of the general assembly or any
29 member of the governing body of a political subdivision may supplement such person's financial
30 interest statement to report additional interests acquired after December thirty-first of the covered
31 year until the date of filing of the financial interest statement;

32 (4) Members of the general assembly; paid, full-time employees of members of the general
33 assembly; statewide elected officials; and designated officers and employees of statewide elected
34 officials required to report under subdivision (3) of subsection 1 of section 105.483 shall file an
35 additional statement annually not later than the thirtieth day of June and the statement shall cover
36 the period including the first day of January until the thirty-first day of May immediately preceding
37 the filing date;

38 (5) The deadline for filing any statement required by sections 105.483 to 105.492 shall be
39 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls on a
40 Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00 p.m.
41 on the next day which is not a Saturday or Sunday or official holiday. Any statement required

1 within a specified time shall be deemed to be timely filed if it is postmarked not later than midnight
2 of the day [previous to the last day] designated for filing the statement.

3 105.955. 1. A bipartisan "Missouri Ethics Commission", composed of six members, is
4 hereby established. The commission shall be assigned to the office of administration with
5 supervision by the office of administration only for budgeting and reporting as provided by
6 subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision
7 by the office of administration shall not extend to matters relating to policies, regulative functions or
8 appeals from decisions of the commission, and the commissioner of administration, any employee
9 of the office of administration, or the governor, either directly or indirectly, shall not participate or
10 interfere with the activities of the commission in any manner not specifically provided by law and
11 shall not in any manner interfere with the budget request of or withhold any moneys appropriated to
12 the commission by the general assembly. All members of the commission shall be appointed by the
13 governor with the advice and consent of the senate from lists submitted pursuant to this section.
14 Each congressional district committee of the political parties having the two highest number of
15 votes cast for their candidate for governor at the last gubernatorial election shall submit two names
16 of eligible nominees for membership on the commission to the governor, and the governor shall
17 select six members from such nominees to serve on the commission.

18 2. Within thirty days of submission of the person's name to the governor as provided in
19 subsection 1 of this section, and in order to be an eligible nominee for appointment to the
20 commission, a person shall file a financial interest statement in the manner provided by section
21 105.485 and shall provide the governor, the president pro tempore of the senate, and the commission
22 with a list of all political contributions and the name of the candidate or committee, political party,
23 or [continuing] political action committee, as defined in chapter 130, to which those contributions
24 were made within the four-year period prior to such appointment, made by the nominee, the
25 nominee's spouse, or any business entity in which the nominee has a substantial interest. The
26 information shall be maintained by the commission and available for public inspection during the
27 period of time during which the appointee is a member of the commission. In order to be an
28 eligible nominee for membership on the commission, a person shall be a citizen and a resident of
29 the state and shall have been a registered voter in the state for a period of at least five years
30 preceding the person's appointment.

31 3. The term of each member shall be for four years, except that of the members first
32 appointed, the governor shall select three members from even-numbered congressional districts and
33 three members from odd-numbered districts. Not more than three members of the commission shall
34 be members of the same political party, nor shall more than one member be from any one United
35 States congressional district. Not more than two members appointed from the even-numbered
36 congressional districts shall be members of the same political party, and no more than two members
37 from the odd-numbered congressional districts shall be members of the same political party. Of the
38 members first appointed, the terms of the members appointed from the odd-numbered congressional
39 districts shall expire on March 15, 1994, and the terms of the members appointed from the even-
40 numbered congressional districts shall expire on March 15, 1996. Thereafter all successor members
41 of the commission shall be appointed for four-year terms. Terms of successor members of the

1 commission shall expire on March fifteenth of the fourth year of their term. No member of the
2 commission shall serve on the commission after the expiration of the member's term, except that a
3 member's term may be extended one time for up to one hundred twenty days if there are vacancies
4 on the commission. No person shall be appointed to more than one full four-year term on the
5 commission plus one term extension of one hundred twenty days as provided in this subsection.

6 4. Vacancies or expired terms on the commission shall be filled in the same manner as the
7 original appointment was made, except as provided in this subsection. Within thirty days of the
8 vacancy or ninety days before the expiration of the term, the names of two eligible nominees for
9 membership on the commission shall be submitted to the governor by the congressional district
10 committees of the political party or parties of the vacating member or members, from the even- or
11 odd-numbered congressional districts, based on the residence of the vacating member or members,
12 other than from the congressional district committees from districts then represented on the
13 commission and from the same congressional district party committee or committees which
14 originally appointed the member or members whose positions are vacated. Appointments to fill
15 vacancies or expired terms shall be made within forty-five days after the deadline for submission of
16 names by the congressional district committees, and shall be subject to the same qualifications for
17 appointment and eligibility as is provided in subsections 2 and 3 of this section. Appointments to
18 fill vacancies for unexpired terms shall be for the remainder of the unexpired term of the member
19 whom the appointee succeeds, and such appointees shall be eligible for appointment to one full
20 four-year term. If the congressional district committee does not submit the required two nominees
21 within the thirty days or if the congressional district committee does not submit the two nominees
22 within an additional thirty days after receiving notice from the governor to submit the nominees,
23 then the governor may appoint a person or persons who shall be subject to the same qualifications
24 for appointment and eligibility as provided in subsections 2 and 3 of this section.

25 5. The governor, with the advice and consent of the senate, may remove any member only
26 for substantial neglect of duty, inability to discharge the powers and duties of office, gross
27 misconduct or conviction of a felony or a crime involving moral turpitude. Members of the
28 commission also may be removed from office by concurrent resolution of the general assembly
29 signed by the governor. If such resolution receives the vote of two-thirds or more of the
30 membership of both houses of the general assembly, the signature of the governor shall not be
31 necessary to effect removal. The office of any member of the commission who moves from the
32 congressional district from which the member was appointed shall be deemed vacated upon such
33 change of residence.

34 6. The commission shall elect biennially one of its members as the [chairman] chair. The
35 [chairman may] chair shall not succeed himself or herself after two years. No member of the
36 commission shall succeed as [chairman] chair any member of the same political party as himself or
37 herself. At least four members are necessary to constitute a quorum, and at least four affirmative
38 votes shall be required for any action or recommendation of the commission.

39 7. No member or employee of the commission, during the person's term of service, shall
40 hold or be a candidate for any other public office.

41 8. In the event that a retired judge is appointed as a member of the commission, the judge

1 shall not serve as a special investigator while serving as a member of the commission.

2 9. No member of the commission shall, during the member's term of service or within one
3 year thereafter:

4 (1) Be employed by the state or any political subdivision of the state;

5 (2) Be employed as a lobbyist;

6 (3) Serve on any other governmental board or commission;

7 (4) Be an officer of any political party or political organization;

8 (5) Permit the person's name to be used, or make contributions, in support of or in
9 opposition to any candidate or proposition;

10 (6) Participate in any way in any election campaign; except that a member or employee of
11 the commission shall retain the right to register and vote in any election, to express the person's
12 opinion privately on political subjects or candidates, to participate in the activities of a civic,
13 community, social, labor or professional organization and to be a member of a political party.

14 10. Each member of the commission shall receive, as full compensation for the member's
15 services, the sum of one hundred dollars per day for each full day actually spent on work of the
16 commission, and the member's actual and necessary expenses incurred in the performance of the
17 member's official duties.

18 11. The commission shall appoint an executive director who shall serve subject to the
19 supervision of and at the pleasure of the commission[, but in no event for more than six years]. The
20 executive director shall be responsible for the administrative operations of the commission and
21 perform such other duties as may be delegated or assigned to the director by law or by rule of the
22 commission. The executive director shall employ staff and retain such contract services as the
23 director deems necessary, within the limits authorized by appropriations by the general assembly.

24 12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed
25 pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of section
26 105.489, and campaign finance disclosure reports filed other than with election authorities or local
27 election authorities as provided by section 130.026 shall be filed with the commission.

28 13. Within sixty days of the initial meeting of the first commission appointed, the
29 commission shall obtain from the clerk of the supreme court or the state courts administrator a list
30 of retired appellate and circuit court judges who did not leave the judiciary as a result of being
31 defeated in an election. The executive director shall determine those judges who indicate their
32 desire to serve as special investigators and to investigate any and all complaints referred to them by
33 the commission. The executive director shall maintain an updated list of those judges qualified and
34 available for appointment to serve as special investigators. Such list shall be updated at least
35 annually. The commission shall refer complaints to such special investigators on that list on a
36 rotating schedule which ensures a random assignment of each special investigator. Each special
37 investigator shall receive only one unrelated investigation at a time and shall not be assigned to a
38 second or subsequent investigation until all other eligible investigators on the list have been
39 assigned to an investigation. In the event that no special investigator is qualified or available to
40 conduct a particular investigation, the commission may appoint a special investigator to conduct
41 such particular investigation.

1 14. The commission shall have the following duties and responsibilities relevant to the
2 impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, as provided in
3 sections 105.955 to 105.963:

4 (1) Receive and review complaints regarding alleged violation of sections 105.450 to
5 105.496 and chapter 130, conduct initial reviews and investigations regarding such complaints as
6 provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary
7 authorities along with recommendations for sanctions; and initiate judicial proceedings as allowed
8 by sections 105.955 to 105.963;

9 (2) Review and [audit] investigate any reports and statements required by the campaign
10 finance disclosure laws contained in chapter 130, and financial interest disclosure laws or lobbyist
11 registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness, accuracy
12 and completeness of content as provided in sections 105.955 to 105.963;

13 (3) Conduct investigations as provided in section 105.959;

14 (4) Develop appropriate systems to file and maintain an index of all such reports and
15 statements to facilitate public access to such information, except as may be limited by
16 confidentiality requirements otherwise provided by law, including cross-checking of information
17 contained in such statements and reports. The commission may enter into contracts with the
18 appropriate filing officers to effectuate such system. Such filing officers shall cooperate as
19 necessary with the commission as reasonable and necessary to effectuate such purposes;

20 [[4]] (5) Provide information and assistance to lobbyists, elected and appointed officials,
21 and employees of the state and political subdivisions in carrying out the provisions of sections
22 105.450 to 105.496 and chapter 130;

23 [[5]] (6) Make recommendations to the governor and general assembly or any state agency
24 on the need for further legislation with respect to the ethical conduct of public officials and
25 employees and to advise state and local government in the development of local government codes
26 of ethics and methods of disclosing conflicts of interest as the commission may deem appropriate to
27 promote high ethical standards among all elected and appointed officials or employees of the state
28 or any political subdivision thereof and lobbyists;

29 [[6]] (7) Render advisory opinions as provided by this section;

30 [[7]] (8) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and
31 chapter 130. All rules and regulations issued by the commission shall be prospective only in
32 operation;

33 [[8]] (9) Request and receive from the officials and entities identified in subdivision (6) of
34 section 105.450 designations of decision-making public servants.

35 15. In connection with such powers provided by sections 105.955 to 105.963 and chapter
36 130, the commission may:

37 (1) Subpoena witnesses and compel their attendance and testimony. Subpoenas shall be
38 served and enforced in the same manner provided by section 536.077, except that during an
39 investigation, the commission may delegate the power to issue subpoenas to the executive director;

40 (2) Administer oaths and affirmations;

41 (3) Take evidence and require by subpoena duces tecum the production of books, papers,

1 and other records relating to any matter being investigated or to the performance of the
2 commission's duties or exercise of its powers. Subpoenas duces tecum shall be served and enforced
3 in the same manner provided by section 536.077, except that during an investigation, the
4 commission may delegate the power to issue subpoenas duces tecum to the executive director;

5 (4) Employ such personnel, including legal counsel, and contract for services including
6 legal counsel, within the limits of its appropriation, as it deems necessary provided such legal
7 counsel, either employed or contracted, represents the Missouri ethics commission before any state
8 agency or before the courts at the request of the Missouri ethics commission. Nothing in this
9 section shall limit the authority of the Missouri ethics commission as provided for in subsection 2 of
10 section 105.961; and

11 (5) Obtain information from any department, division or agency of the state or any political
12 subdivision reasonably calculated to lead to the discovery of evidence which will reasonably assist
13 the commission in carrying out the duties prescribed in sections 105.955 to 105.963 and chapter
14 130.

15 16. (1) Upon written request for an advisory opinion received by the commission, and if the
16 commission determines that the person requesting the opinion would be directly affected by the
17 application of law to the facts presented by the requesting person, the commission shall issue a
18 written opinion advising the person who made the request, in response to the person's particular
19 request, regarding any issue that the commission can receive a complaint on pursuant to section
20 105.957. The commission may decline to issue a written opinion by a vote of four members and
21 shall provide to the requesting person the reason for the refusal in writing. The commission shall
22 give an approximate time frame as to when the written opinion shall be issued. Such advisory
23 opinions shall be issued no later than ninety days from the date of receipt by the commission. Such
24 requests and advisory opinions, deleting the name and identity of the requesting person, shall be
25 compiled and published by the commission on at least an annual basis. Advisory opinions issued by
26 the commission shall be maintained and made available for public inspection and copying at the
27 office of the commission during normal business hours. Any advisory opinion or portion of an
28 advisory opinion rendered pursuant to this subsection shall be withdrawn by the commission if, after
29 hearing thereon, the joint committee on administrative rules finds that such advisory opinion is
30 beyond or contrary to the statutory authority of the commission or is inconsistent with the legislative
31 intent of any law enacted by the general assembly, and after the general assembly, by concurrent
32 resolution, votes to adopt the findings and conclusions of the joint committee on administrative
33 rules. Any such concurrent resolution adopted by the general assembly shall be published at length
34 by the commission in its publication of advisory opinions of the commission next following the
35 adoption of such resolution, and a copy of such concurrent resolution shall be maintained by the
36 commission, along with the withdrawn advisory opinion, in its public file of advisory opinions. The
37 commission shall also send a copy of such resolution to the person who originally requested the
38 withdrawn advisory opinion. Any advisory opinion issued by the ethics commission shall act as
39 legal direction to any person requesting such opinion and no person shall be liable for relying on the
40 opinion and it shall act as a defense of justification against prosecution. An advisory opinion of the
41 commission shall not be withdrawn unless:

- 1 (a) The authorizing statute is declared unconstitutional;
2 (b) The opinion goes beyond the power authorized by statute; or
3 (c) The authorizing statute is changed to invalidate the opinion.

4 (2) Upon request, the attorney general shall give the attorney general's opinion, without fee,
5 to the commission, any elected official of the state or any political subdivision, any member of the
6 general assembly, or any director of any department, division or agency of the state, upon any
7 question of law regarding the effect or application of sections 105.450 to 105.496, or chapter 130.
8 Such opinion need be in writing only upon request of such official, member or director, and in any
9 event shall be rendered within sixty days [that] after such request is delivered to the attorney
10 general.

11 17. The state auditor and the state auditor's duly authorized employees who have taken the
12 oath of confidentiality required by section 29.070 may audit the commission and in connection
13 therewith may inspect materials relating to the functions of the commission. Such audit shall
14 include a determination of whether appropriations were spent within the intent of the general
15 assembly, but shall not extend to review of any file or document pertaining to any particular
16 investigation, audit or review by the commission, an investigator or any staff or person employed by
17 the commission or under the supervision of the commission or an investigator. The state auditor and
18 any employee of the state auditor shall not disclose the identity of any person who is or was the
19 subject of an investigation by the commission and whose identity is not public information as
20 provided by law.

21 18. From time to time but no more frequently than annually the commission may request
22 the officials and entities described in subdivision (6) of section 105.450 to identify for the
23 commission in writing those persons associated with such office or entity which such office or entity
24 has designated as a decision-making public servant. Each office or entity delineated in subdivision
25 (6) of section 105.450 receiving such a request shall identify those so designated within thirty days
26 of the commission's request.

27 19. (1) Notwithstanding any other provision of law to the contrary, fifty percent of any
28 fine, fee, or penalty imposed for violations of any provisions subject to the ethics commission's
29 jurisdiction, excluding the clear proceeds of any penalty, forfeiture, and fine collected for any
30 breach of the penal laws of the state that are distributed as provided in article IX, section 7 of the
31 Constitution of Missouri, shall be deposited in the Missouri ethics commission enforcement fund
32 created in this subsection.

33 (2) There is hereby created in the state treasury the "Missouri Ethics Commission
34 Enforcement Fund", which shall consist of moneys collected under this subsection. The state
35 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
36 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,
37 moneys in the fund shall be used solely to fund authorized activities of the ethics commission.
38 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund
39 at the end of the biennium shall not revert to the credit of the general revenue fund. The state
40 treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any
41 interest and moneys earned on such investments shall be credited to the fund.

1 (3) All funds in the Missouri ethics commission enforcement fund shall be deemed to be
2 additional funding to allow the ethics commission to fulfill the duties required of the commission by
3 state law, and no amount appropriated to the ethics commission for any fiscal year beginning on or
4 after July 1, 2016, shall be reduced below the appropriation made for the fiscal year ending on June
5 30, 2016.

6 [105.957. 1. The commission shall receive any complaints alleging violation of the
7 provisions of:

- 8 (1) The requirements imposed on lobbyists by sections 105.470 to 105.478;
9 (2) The financial interest disclosure requirements contained in sections 105.483 to
10 105.492;
11 (3) The campaign finance disclosure requirements contained in chapter 130;
12 (4) Any code of conduct promulgated by any department, division or agency of state
13 government, or by state institutions of higher education, or by executive order;
14 (5) The conflict of interest laws contained in sections 105.450 to 105.468 and
15 section 171.181; and

16 (6) The provisions of the constitution or state statute or order, ordinance or
17 resolution of any political subdivision relating to the official conduct of officials or
18 employees of the state and political subdivisions.

19 2. Complaints filed with the commission shall be in writing and filed only by a
20 natural person. The complaint shall contain all facts known by the complainant that
21 have given rise to the complaint and the complaint shall be sworn to, under penalty
22 of perjury, by the complainant. No complaint shall be investigated unless the
23 complaint alleges facts which, if true, fall within the jurisdiction of the commission.
24 Within five days after receipt by the commission of a complaint which is properly
25 signed and notarized, and which alleges facts which, if true, fall within the
26 jurisdiction of the commission, a copy of the complaint, including the name of the
27 complainant, shall be delivered to the alleged violator.

28 3. No complaint shall be investigated which concerns alleged criminal conduct
29 which allegedly occurred previous to the period of time allowed by law for criminal
30 prosecution for such conduct. The commission may refuse to investigate any
31 conduct which is the subject of civil or criminal litigation. The commission, its
32 executive director or an investigator shall not investigate any complaint concerning
33 conduct which is not criminal in nature which occurred more than two years prior to
34 the date of the complaint. A complaint alleging misconduct on the part of a
35 candidate for public office, other than those alleging failure to file the appropriate
36 financial interest statements or campaign finance disclosure reports, shall not be
37 accepted by the commission within sixty days prior to the primary election at which
38 such candidate is running for office, and until after the general election.

39 4. If the commission finds that any complaint is frivolous in nature, the
40 commission shall dismiss the case. For purposes of this subsection, "frivolous" shall
41 mean a complaint clearly lacking any basis in fact or law. Any person who submits a

1 frivolous complaint shall be liable for actual and compensatory damages to the
2 alleged violator for holding the alleged violator before the public in a false light. If
3 the commission finds that a complaint is frivolous, the commission shall issue a
4 public report to the complainant and the alleged violator stating with particularity its
5 reasons for dismissal of the complaint. Upon such issuance, the complaint and all
6 materials relating to the complaint shall be a public record as defined in chapter 610.

7 5. Complaints which allege violations as described in this section which are filed
8 with the commission shall be handled as provided by section 105.961.]

9 105.957. 1. The commission shall receive any complaints alleging violation of the
10 provisions of:

11 (1) The requirements imposed on lobbyists by sections 105.470 to 105.478;

12 (2) The financial interest disclosure requirements contained in sections 105.483 to 105.492;

13 (3) The campaign finance disclosure requirements contained in chapter 130;

14 (4) Any code of conduct promulgated by any department, division or agency of state
15 government, or by state institutions of higher education, or by executive order;

16 (5) The conflict of interest laws contained in sections 105.450 to [105.468] 105.467 and
17 section 171.181; and

18 (6) The provisions of the constitution or state statute or order, ordinance or resolution of any
19 political subdivision relating to the official conduct of officials or employees of the state and
20 political subdivisions.

21 2. Complaints filed with the commission shall be in writing and filed only by a natural
22 person. The complaint shall contain all facts known by the complainant that have given rise to the
23 complaint and the complaint shall be sworn to, under penalty of perjury, by the complainant. No
24 complaint shall be investigated unless the complaint alleges facts which, if true, fall within the
25 jurisdiction of the commission. Within five days after receipt [of a complaint] by the commission of
26 a complaint that is properly signed and notarized, and that alleges facts that, if true, fall within the
27 jurisdiction of the commission, a copy of the complaint, including the name of the complainant,
28 shall be delivered to the alleged violator.

29 3. No complaint shall be investigated which concerns alleged criminal conduct which
30 allegedly occurred previous to the period of time allowed by law for criminal prosecution for such
31 conduct. The commission may refuse to investigate any conduct which is the subject of civil or
32 criminal litigation. The commission, its executive director or an investigator shall not investigate
33 any complaint concerning conduct which is not criminal in nature which occurred more than two
34 years prior to the date of the complaint. A complaint alleging misconduct on the part of a candidate
35 for public office, other than those alleging failure to file the appropriate financial interest statements
36 or campaign finance disclosure reports, shall not be accepted by the commission within sixty days
37 prior to the primary election at which such candidate is running for office, and until after the general
38 election.

39 4. If the commission finds that any complaint is frivolous in nature [or finds no probable
40 cause to believe that there has been a violation], the commission shall dismiss the case. For
41 purposes of this subsection, "frivolous" shall mean a complaint clearly lacking any basis in fact or

1 law. Any person who submits a frivolous complaint shall be liable for actual and compensatory
2 damages to the alleged violator for holding the alleged violator before the public in a false light. If
3 the commission finds that a complaint is frivolous [or that there is not probable cause to believe
4 there has been a violation], the commission shall issue a public report to the complainant and the
5 alleged violator stating with particularity its reasons for dismissal of the complaint. Upon such
6 issuance, the complaint and all materials relating to the complaint shall be a public record as defined
7 in chapter 610.

8 5. Complaints which allege violations as described in this section which are filed with the
9 commission shall be handled as provided by section 105.961.

10 6. (1) As used in this subsection, "original source of information" means information no
11 part of which has been previously disclosed to or known by the government or public.

12 (2) If any person is the original source of information used by the ethics commission in an
13 investigation concluding that a violation of any provision of law under the ethics commission's
14 jurisdiction has occurred for which a fine, fee, or penalty is imposed, excluding the clear proceeds
15 of any penalty, forfeiture, and fine collected for any breach of the penal laws of the state that are
16 distributed as provided in article IX, section 7 of the Constitution of Missouri, such person may be
17 reimbursed for such information under this subsection as determined by the ethics commission. No
18 amount reimbursed to any person under this subsection shall exceed ten percent of the amount of
19 such fines, fees, or penalties resulting from such investigation. Any amount reimbursed under this
20 subsection shall be reimbursed solely from funds in the Missouri ethics commission enforcement
21 fund created in section 105.955.

22 (3) If the ethics commission finds that the person who was the original source of the
23 information for such investigation planned, initiated, or participated in the conduct investigated by
24 the ethics commission, such person shall not be entitled to any amount under this subsection.

25 [105.963. 1. The executive director shall assess every committee, as defined in
26 section 130.011, failing to file with a filing officer other than a local election
27 authority as provided by section 130.026 a campaign disclosure report as required by
28 chapter 130, other than the report required pursuant to subdivision (1) of subsection 1
29 of section 130.046, a late filing fee of ten dollars for each day after such report is due
30 to the commission. The executive director shall mail a notice, by registered mail, to
31 any candidate and the treasurer of any committee who fails to file such report
32 informing such person of such failure and the fees provided by this section. If the
33 candidate or treasurer of any committee persists in such failure for a period in excess
34 of thirty days beyond receipt of such notice, the amount of the late filing fee shall
35 increase to one hundred dollars for each day that the report is not filed, provided that
36 the total amount of such fees assessed pursuant to this subsection per report shall not
37 exceed three thousand dollars.

38 2. (1) Any candidate for state or local office who fails to file a campaign disclosure
39 report required pursuant to subdivision (1) of subsection 1 of section 130.046, other
40 than a report required to be filed with a local election authority as provided by
41 section 130.026, shall be assessed by the executive director a late filing fee of one

1 hundred dollars for each day that the report is not filed, until the first day after the
2 date of the election. After such election date, the amount of such late filing fee shall
3 accrue at the rate of ten dollars per day that such report remains unfiled, except as
4 provided in subdivision (2) of this subsection.

5 (2) The executive director shall mail a notice, by certified mail or other means to
6 give actual notice, to any candidate who fails to file the report described in
7 subdivision (1) of this subsection informing such person of such failure and the fees
8 provided by this section. If the candidate persists in such failure for a period in
9 excess of thirty days beyond receipt of such notice, the amount of the late filing fee
10 shall increase to one hundred dollars for each day that the report is not filed,
11 provided that the total amount of such fees assessed pursuant to this subsection per
12 report shall not exceed six thousand dollars.

13 3. The executive director shall assess every person required to file a financial
14 interest statement pursuant to sections 105.483 to 105.492 failing to file such a
15 financial interest statement with the commission a late filing fee of ten dollars for
16 each day after such statement is due to the commission.

17 The executive director shall mail a notice, by certified mail, to any person who fails
18 to file such statement informing the individual required to file of such failure and the
19 fees provided by this section. If the person persists in such failure for a period in
20 excess of thirty days beyond receipt of such notice, the amount of the late filing fee
21 shall increase to one hundred dollars for each day thereafter that the statement is late,
22 provided that the total amount of such fees assessed pursuant to this subsection per
23 statement shall not exceed six thousand dollars.

24 4. Any person assessed a late filing fee may seek review of such assessment or the
25 amount of late filing fees assessed, at the person's option, by filing a petition within
26 fourteen days after receiving actual notice of assessment with the administrative
27 hearing commission, or without exhausting the person's administrative remedies may
28 seek review of such issues with the circuit court of Cole County.

29 5. The executive director of the Missouri ethics commission shall collect such late
30 filing fees as are provided for in this section. Unpaid late filing fees shall be
31 collected by action filed by the commission. The commission shall contract with the
32 appropriate entity to collect such late filing fees after a thirty-day delinquency. If not
33 collected within one hundred twenty days, the Missouri ethics commission shall file a
34 petition in Cole County circuit court to seek a judgment on said fees. All late filing
35 fees collected pursuant to this section shall be transmitted to the state treasurer and
36 deposited to the general revenue fund.

37 6. The late filing fees provided by this section shall be in addition to any
38 penalty provided by law for violations of sections 105.483 to 105.492 or chapter 130.

39 7. If any candidate fails to file a campaign disclosure report in a timely manner and
40 that candidate is assessed a late filing fee, the candidate, candidate committee
41 treasurer or assistant treasurer may file an appeal of the assessment of the late filing

1 fee with the commission. The commission may forgive the assessment of the late
2 filing fee upon a showing of good cause. Such appeal shall be filed within ten days
3 of the receipt of notice of the assessment of the late filing fee.]

4 105.963. 1. The executive director shall assess every committee, as defined in section
5 130.011, failing to file with a filing officer other than a local election authority as provided by
6 section 130.026 a campaign disclosure report or statement of limited activity as required by chapter
7 130, other than the report required pursuant to subdivision (1) of subsection 1 of section 130.046, a
8 late filing fee of fifty dollars for each day after such report is due to the commission[, provided that
9 the total amount of such fees assessed under this subsection per report shall not exceed three
10 thousand dollars]. The executive director shall send a notice to any candidate and the treasurer of
11 any committee who fails to file such report within seven business days of such failure to file
12 informing such person of such failure and the fees provided by this section.

13 2. Any committee that fails to file a campaign disclosure report required pursuant to
14 subdivision (1) of subsection 1 of section 130.046, other than a report required to be filed with a
15 local election authority as provided by section 130.026, shall be assessed by the executive director a
16 late filing fee of one hundred dollars for each day that the report is not filed[, provided that the total
17 amount of such fees assessed under this subsection per report shall not exceed three thousand
18 dollars]. The executive director shall send a notice to any candidate and the treasurer of any
19 committee who fails to file the report described in this subsection within seven business days of
20 such failure to file informing such person of such failure and the fees provided by this section.

21 3. The executive director shall assess every person required to file a financial interest
22 statement pursuant to sections 105.483 to 105.492 failing to file such a financial interest statement
23 with the commission a late filing fee of ten dollars for each day after such statement is due to the
24 commission. The executive director shall send a notice to any person who fails to file such
25 statement informing the individual required to file of such failure and the fees provided by this
26 section. If the person persists in such failure for a period in excess of thirty days beyond receipt of
27 such notice, the amount of the late filing fee shall increase to one hundred dollars for each day
28 thereafter that the statement is late[, provided that the total amount of such fees assessed pursuant to
29 this subsection per statement shall not exceed six thousand dollars].

30 4. Any person assessed a late filing fee may seek review of such assessment or the amount
31 of late filing fees assessed, at the person's option, by filing a petition within fourteen days after
32 receiving notice of assessment with the circuit court of Cole County.

33 5. The executive director of the Missouri ethics commission shall collect such late filing
34 fees as are provided for in this section. Unpaid late filing fees shall be collected by action filed by
35 the commission. The commission shall contract with the appropriate entity to collect such late
36 filing fees after a thirty-day delinquency. If not collected within one hundred twenty days, the
37 Missouri ethics commission shall file a petition in Cole County circuit court to seek a judgment on
38 said fees. After obtaining a judgment for the unpaid late filing fees, the commission or any entity
39 contracted by the commission may proceed to collect the judgment in any manner authorized by
40 law, including but not limited to garnishment of and execution against the committee's official
41 depository account as set forth in subsection 4 of section 130.021 after a thirty-day delinquency. All

1 late filing fees collected pursuant to this section shall be transmitted to the state treasurer and
2 deposited to the general revenue fund.

3 6. The late filing fees provided by this section shall be in addition to any penalty provided
4 by law for violations of sections 105.483 to 105.492 or chapter 130.

5 7. If any lobbyist fails to file a lobbyist report in a timely manner and that lobbyist is
6 assessed a late fee, or if any individual who is required to file a personal financial disclosure
7 statement fails to file such disclosure statement in a timely manner and is assessed a late fee, or if
8 any candidate or the treasurer of any committee fails to file a campaign disclosure report or a
9 statement of limited activity in a timely manner and that candidate or treasurer of any committee
10 who fails to file a disclosure statement in a timely manner and is assessed a late filing fee, the
11 lobbyist, individual, candidate, or the treasurer of any committee may file an appeal of the
12 assessment of the late filing fee with the commission. The commission may forgive the assessment
13 of the late filing fee upon a showing of good cause. Such appeal shall be filed within ten days of
14 the receipt of notice of the assessment of the late filing fee.

15 [105.966. 1. The ethics commission shall complete and make determinations
16 pursuant to subsection 1 of section 105.961 on all complaint investigations within
17 ninety days of initiation.

18 2. Any complaint investigation not completed and decided upon by the ethics
19 commission within the time allowed by this section shall be deemed to not have been
20 a violation.]

21 105.966. 1. [Except as provided in subsection 2 of this section,] The ethics commission
22 shall complete and make determinations pursuant to subsection 1 of section 105.961 on all
23 complaint investigations[, except those complaint investigations assigned to a retired judge,] within
24 ninety days of initiation.

25 2. The commission may file a petition in the Cole County circuit court to request an
26 additional ninety days for investigation upon proving by a preponderance of the evidence that
27 additional time is needed. Upon filing the petition, the ninety-day period shall be tolled until the
28 court determines whether additional time is needed.

29 3. The hearing shall be held in camera before the Cole County circuit court and all records
30 of the proceedings shall be closed.

31 4. [The provisions of this section shall apply to all ongoing complaint investigations on July
32 13, 1999.

33 5.] Any complaint investigation not completed and decided upon by the ethics commission
34 within the time allowed by this section shall be deemed to not have been a violation.

35 115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 or sections
36 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless the
37 candidate has filed a written declaration of candidacy in the office of the appropriate election
38 official by 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

39 2. No declaration of candidacy for nomination in a primary election shall be accepted for
40 filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the primary
41 election.

1 3. Each declaration of candidacy for nomination in a primary election shall state the
2 candidate's full name, residence address, office for which such candidate proposes to be a candidate,
3 the party ticket on which he or she wishes to be a candidate and that if nominated and elected he or
4 she will qualify. The declaration shall be in substantially the following form: I,, a
5 resident and registered voter of the county of and the state of Missouri, residing at, do
6 announce myself a candidate for the office of on the party ticket, to be voted for at the
7 primary election to be held on the day of, ..., and I further declare that if nominated and
8 elected to such office I will qualify.

9
10 I further declare that I am not a feigned candidate in order to conceal the candidacy of another or to
11 divide the opposition. I acknowledge that my signature hereon may subject me to criminal
12 prosecution and disciplinary action under the laws of this state if it is found by the ethics
13 commission that I am a feigned candidate.

14
15 Subscribed and sworn to
16 Signature of candidate before me this day
17 of,
18
19 Residence address..... Signature of election
20 official or other officer
21 authorized to administer oaths
22
23 Mailing address (if different)
24
25 Telephone Number (Optional)

26
27 If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate before
28 an official authorized to accept his or her declaration of candidacy. If the declaration is to be filed
29 by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall be subscribed
30 and sworn to by the candidate before a notary public or other officer authorized by law to
31 administer oaths.

32 115.635. The following offenses, and any others specifically so described by law, shall be
33 class three election offenses and are deemed misdemeanors connected with the exercise of the right
34 of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more
35 than one year or by fine of not more than two thousand five hundred dollars, or by both such
36 imprisonment and fine:

37 (1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to
38 procure, any money or valuable consideration, office, or place of employment, to or for any voter,
39 to or for any person on behalf of any voter, or to or for any person, in order to induce any voter to
40 vote or refrain from voting or corruptly doing any such act on account of such voter having already
41 voted or refrained from voting at any election;

1 (2) Making use of, or threatening to make use of, any force, violence, or restraint, or
2 inflicting or threatening to inflict any injury, damage, harm or loss upon or against any person, in
3 order to induce or compel such person to vote or refrain from voting at any election;

4 (3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress or any
5 fraudulent device or contrivance, the free exercise of the franchise of any voter or, by abduction,
6 duress, or any fraudulent device, compelling, inducing, or prevailing upon any voter to vote or
7 refrain from voting at any election;

8 (4) Giving, or making an agreement to give, any money, property, right in action, or other
9 gratuity or reward, in consideration of any grant or deputation of office;

10 (5) Bringing into this state any nonresident person with intent that such person shall vote at
11 an election without possessing the requisite qualifications;

12 (6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or other
13 device or agreeing or contracting for any money, gift, office, employment, or other reward, for
14 giving, or refraining from giving, his or her vote in any election;

15 (7) Removing, destroying or altering any supplies or information placed in or near a voting
16 booth for the purpose of enabling a voter to prepare his or her ballot;

17 (8) Entering a voting booth or compartment except as specifically authorized by law;

18 (9) On the part of any election official, challenger, watcher or person assisting a person to
19 vote, revealing or disclosing any information as to how any voter may have voted, indicated that the
20 person had voted except as authorized by this chapter, indicated an intent to vote or offered to vote,
21 except to a grand jury or pursuant to a lawful subpoena in a court proceeding relating to an election
22 offense;

23 (10) On the part of any registration or election official, refusing to permit any person to
24 register to vote or to vote when such official knows the person is legally entitled to register or
25 legally entitled to vote;

26 (11) Attempting to commit or participating in an attempt to commit any class one or class
27 two election offense;

28 (12) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to
29 procure any money or valuable consideration with the intent of inducing any person to run for any
30 such office in this state if the person has a name that is identical or similar to another candidate for
31 the same elective public office and would not otherwise run for elective public office but for the
32 inducement. Campaign donations made in accordance with the laws of this state shall not be
33 construed to be an inducement to run for elective public office under this subdivision.

34 575.021. 1. A person commits the [crime] offense of obstruction of an ethics investigation
35 if such person, for the purpose of obstructing or preventing an ethics investigation, knowingly
36 commits any of the following acts:

37 (1) Confers or agrees to confer anything of pecuniary benefit to any person in direct
38 exchange for that person's concealing or withholding any information concerning any violation of
39 sections 105.450 to 105.496 and chapter 130;

40 (2) Accepting or agreeing to accept anything of pecuniary benefit in direct exchange for
41 concealing or withholding any information concerning any violation of sections 105.450 to 105.496

1 or chapter 130;

2 (3) Utters or submits a false statement that the person does not believe to be true to any
3 member or employee of the Missouri ethics commission or to any official investigating any
4 violation of sections 105.450 to 105.496 or chapter 130; or

5 (4) Submits any writing or other documentation that is inaccurate and that the person does
6 not believe to be true to any member or employee of the Missouri ethics commission or to any
7 official investigating any violation of sections 105.450 to 105.496 or chapter 130.

8 2. It is a defense to a prosecution under subdivisions (3) and (4) of subsection 1 of this
9 section that the person retracted the false statement, writing, or other documentation, but this
10 defense shall not apply if the retraction was made after:

11 (1) The falsity of the statement, writing, or other documentation was exposed; or

12 (2) Any member or employee of the Missouri ethics commission or any official
13 investigating any violation of sections 105.450 to 105.496 or chapter 130 took substantial action in
14 reliance on the statement, writing, or other documentation.

15 3. The defendant shall have the burden of injecting the issue of retraction under this section.

16 4. Obstruction of an ethics investigation under this section is a class [A misdemeanor] D
17 felony until December 31, 2016, and a class E felony beginning January 1, 2017.

18 610.010. As used in this chapter, unless the context otherwise indicates, the following terms
19 mean:

20 (1) "Closed meeting", "closed record", or "closed vote", any meeting, record or vote closed
21 to the public;

22 (2) "Copying", if requested by a member of the public, copies provided as detailed in
23 section 610.026, if duplication equipment is available;

24 (3) "Public business", all matters which relate in any way to the performance of the public
25 governmental body's functions or the conduct of its business;

26 (4) "Public governmental body", any legislative, administrative or governmental entity
27 created by the constitution or statutes of this state, by order or ordinance of any political subdivision
28 or district, judicial entities when operating in an administrative capacity, or by executive order,
29 including:

30 (a) Any body, agency, board, bureau, council, commission, committee, board of regents or
31 board of curators or any other governing body of any institution of higher education, including a
32 community college, which is supported in whole or in part from state funds, including but not
33 limited to the administrative entity known as "The Curators of the University of Missouri" as
34 established by section 172.020;

35 (b) Any advisory committee or commission appointed by the governor by executive order;

36 (c) Any department or division of the state, of any political subdivision of the state, of any
37 county or of any municipal government, school district or special purpose district including but not
38 limited to sewer districts, water districts, and other subdistricts of any political subdivision;

39 (d) Any other legislative or administrative governmental deliberative body under the
40 direction of three or more elected or appointed members having rulemaking or quasi-judicial power;

41 (e) Any committee appointed by or at the direction of any of the entities and which is

1 authorized to report to any of the above-named entities, any advisory committee appointed by or at
2 the direction of any of the named entities for the specific purpose of recommending, directly to the
3 public governmental body's governing board or its chief administrative officer, policy or policy
4 revisions or expenditures of public funds including, but not limited to, entities created to advise bi-
5 state taxing districts regarding the expenditure of public funds, or any policy advisory body, policy
6 advisory committee or policy advisory group appointed by a president, chancellor or chief executive
7 officer of any college or university system or individual institution at the direction of the governing
8 body of such institution which is supported in whole or in part with state funds for the specific
9 purpose of recommending directly to the public governmental body's governing board or the
10 president, chancellor or chief executive officer policy, policy revisions or expenditures of public
11 funds provided, however, the staff of the college or university president, chancellor or chief
12 executive officer shall not constitute such a policy advisory committee. The custodian of the
13 records of any public governmental body shall maintain a list of the policy advisory committees
14 described in this subdivision;

15 (f) Any quasi-public governmental body. The term "quasi-public governmental body"
16 means any person, corporation or partnership organized or authorized to do business in this state
17 pursuant to the provisions of chapter 352, 353, or 355, or unincorporated association which either:

18 a. Has as its primary purpose to enter into contracts with public governmental bodies, or to
19 engage primarily in activities carried out pursuant to an agreement or agreements with public
20 governmental bodies; or

21 b. Performs a public function as evidenced by a statutorily based capacity to confer or
22 otherwise advance, through approval, recommendation or other means, the allocation or issuance of
23 tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the
24 contracting of leaseback agreements on structures whose annualized payments commit public tax
25 revenues; or any association that directly accepts the appropriation of money from a public
26 governmental body, but only to the extent that a meeting, record, or vote relates to such
27 appropriation; and

28 (g) Any bi-state development agency established pursuant to section 70.370;

29 (h) Any public official, statewide elected official, or employee of the state and its agencies
30 when such persons are operating in their official capacities and using state-funded equipment for
31 their official communications. This paragraph shall be construed to apply to individual members of
32 the general assembly and the staff or employees of such members;

33 (5) "Public meeting", any meeting of a public governmental body subject to sections
34 610.010 to 610.030 at which any public business is discussed, decided, or public policy formulated,
35 whether such meeting is conducted in person or by means of communication equipment, including,
36 but not limited to, conference call, video conference, internet chat, or internet message board. The
37 term "public meeting" shall not include an informal gathering of members of a public governmental
38 body for ministerial or social purposes when there is no intent to avoid the purposes of this chapter,
39 but the term shall include a public vote of all or a majority of the members of a public governmental
40 body, by electronic communication or any other means, conducted in lieu of holding a public
41 meeting with the members of the public governmental body gathered at one location in order to

1 conduct public business;

2 (6) "Public record", any record, whether written or electronically stored, retained by or of
3 any public governmental body including any report, survey, memorandum, or other document or
4 study prepared for the public governmental body by a consultant or other professional service paid
5 for in whole or in part by public funds, including records created or maintained by private
6 contractors under an agreement with a public governmental body or on behalf of a public
7 governmental body; provided, however, that personally identifiable student records maintained by
8 public educational institutions shall be open for inspection by the parents, guardian or other
9 custodian of students under the age of eighteen years and by the parents, guardian or other custodian
10 and the student if the student is over the age of eighteen years. The term "public record" shall not
11 include any internal memorandum or letter received or prepared by or on behalf of a member of a
12 public governmental body consisting of advice, opinions and recommendations in connection with
13 the deliberative decision-making process of said body, unless such records are retained by the public
14 governmental body or presented at a public meeting. Any document or study prepared for a public
15 governmental body by a consultant or other professional service as described in this subdivision
16 shall be retained by the public governmental body in the same manner as any other public record;

17 (7) "Public vote", any vote, whether conducted in person, by telephone, or by any other
18 electronic means, cast at any public meeting of any public governmental body."; and

19
20 Further amend said bill, Page 5, Section 610.200, Line 17, by inserting after all of said section and
21 line the following:

22
23 "Section B. The repeal and reenactment of sections 105.483, 105.487, 105.955, 115.349,
24 115.635, 575.021, and 610.010, sections 105.957 and 105.963 as enacted by house bill no. 1900,
25 ninety-third general assembly, second regular session, section 105.485 as enacted by house bill no.
26 2058, ninety-fourth general assembly, second regular session, and section 105.966 as enacted by
27 senate bills nos. 31 & 285, ninetieth general assembly, first regular session, of section A of this act
28 shall become effective on January 1, 2017."; and

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.