

HB 1395 -- LOBBYING

SPONSOR: McCreery

This bill modifies lobbying regulations and repeals unconstitutional enacted statutes and makes other technical changes to the statutes.

Section 105.450, RSMo

The bill defines a "paid political consultant," as an individual who is paid or accepts anything of value to support or oppose the passage or defeat of a ballot measure or to promote the election of any candidate or the interest of an organization or committee, as specified in the bill.

Section 105.453

A member of the General Assembly may not be compensated, act as, serve, or be paid as a:

- (1) Paid political consultant until one year after his or her term expires,
- (2) Lobbyist until three years after his or her term expires; or
- (3) Local government official lobbyist while serving his or her term.

A member of the General Assembly is allowed to act as a lobbyist, without compensation, for religious and charitable associations organized under Chapter 352 immediately upon the expiration of his or her term.

Section 105.456

A member of the General Assembly and any other statewide elected official may not solicit a registered lobbyist for a position while he or she holds office.

This bill prohibits any member of the General Assembly from accepting or receiving compensation of any kind as a paid political consultant for another individual holding an elected office, as specified in the bill, or for any committee, as defined in Chapter 130. Specified family members of the elected official may not accept or receive compensation of any kind on the member's behalf.

An individual or business entity may not solicit a member of the General Assembly to become employed by the individual or business

entity as a legislative lobbyist or as a paid political consultant, while the member is holding office. A member of the General Assembly must not solicit clients to represent as a legislative lobbyist.

The bill prohibits the Governor and any individual acting on behalf of the Governor from making any offer or promise an appointment to any board, commission, committee, council, county office, department directorship, fee office under Section 136.055, judgeship, or any other position, to any member of the General Assembly in exchange for the member's official vote on any public matter. An individual making any offer or promise is guilty of bribery of a public servant. Any member of the General Assembly who accepts or agrees to accept an offer or promise of an appointment from the Governor or any individual acting on behalf of the Governor in exchange for the member's official vote on any public matter, is guilty of acceding to corruption.

The Governor, Lieutenant governor, Attorney General, Secretary of State, State Treasurer, State Auditor, any member of the General Assembly, and any of the elected official's staff, employees, spouse, or dependent children is prohibited from accepting any tangible or intangible item, service, or thing of value from any lobbyist;

The Governor is required to deliver to the President Pro Tem of the Senate a list of any political contributions and expenditures, made by the appointee in the previous four years, within 10 days of submission of an appointment letter to the Secretary of State.

Section 105.465

An individual shall not offer any money, object, or favor in exchange for a vote and in like manner, a person in a position to cast a vote shall not accept any money, object, or favor in exchange for a vote, to benefit, delay, or hinder any state or local legislation or regulation, as specified in the bill. A violation of this section is a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017.

Section 105.473

A lobbyist or lobbyist principal is required to maintain accurate records and accounts of lobbyist expenditures as required under Chapter 105. All records and accounts of receipts and expenditures for elected officials must be kept for at least three years after the date of the expenditure and all records must be available for inspection by the Ethics Commission.

A lobbyist is prohibited from giving any tangible or intangible item, service, or thing of value to any statewide elected official, any member of the General Assembly, or to any of the elected official's staff, employee, spouse, or dependent children.

Section 105.478

Creates a crime for improperly acting as a lobbyist without registering. An individual who engages in lobbyist activities and who knowingly fails to register as a lobbyist is guilty of a class B misdemeanor for the first violation and a class E felony for any subsequent violation.

Section 105.479

Regulates the practice of being a paid political consultant. A political consultant must file standardized registration forms by January 5 of each year or five days after beginning any activities as a paid political consultant. Each registration must contain specified information and a \$10 filing fee that is to be deposited into the General Revenue Fund. The commission must maintain files on all consultant filings and the files must be open to the public. An updated statement must be filed within one week of any addition, deletion, or change in a political employment or representation.

The bill has an effective date of January 1, 2017.

This bill is similar to HB 327 (2015).