

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Bill No. 23, Page 26, Section 105.470, Line 58, by inserting after the
2 phrase "of consanguinity" the phrase "or affinity"; and

3
4 Further amend said bill and section, Page 26, Line 75 to Page 27, Line 80, by deleting all of said
5 lines and inserting in lieu thereof the following:

6
7 "~~[(f) The transfer of any item, provision of any service or granting of any opportunity with a~~
8 ~~reasonably discernible cost or fair market value when such item, service or opportunity is necessary~~
9 ~~for a public official or employee to perform his or her duty in his or her official capacity, including~~
10 ~~but not limited to entrance fees to any sporting event, museum, or other venue when the official or~~
11 ~~employee is participating in a ceremony, public presentation or official meeting therein;]~~"; and

12
13 Further amend said bill and section by renumbering subdivisions accordingly; and

14
15 Further amend said bill, Pages 32-35, Section 105.473 by removing all of said section from the bill
16 and inserting in lieu thereof the following:

17
18 "105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after
19 beginning any activities as a lobbyist, file standardized registration forms, verified by a written
20 declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with
21 the commission. The forms shall include the lobbyist's name and business address, the name and
22 address of all persons such lobbyist employs for lobbying purposes, the name and address of each
23 lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or
24 works; and, for elected local government official lobbyists, the local government official to be
25 lobbied. The commission shall maintain files on all lobbyists' filings, which shall be open to the
26 public. Each lobbyist shall file an updating statement under oath within one week of any addition,
27 deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited
28 to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another
29 person for lobbying purposes may notify the commission that a judicial, executive or legislative
30 lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed
31 from the commission's files.

32 2. Each person shall, before giving testimony before any committee of the general assembly,
33 give to the secretary of such committee such person's name and address and the identity of any

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1 lobbyist or organization, if any, on whose behalf such person appears. A person who is not a
 2 lobbyist as defined in section 105.470 shall not be required to give such person's address if the
 3 committee determines that the giving of such address would endanger the person's physical health.

4 3. (1) During any period of time in which a lobbyist continues to act as an executive
 5 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the
 6 lobbyist shall file with the commission on standardized forms prescribed by the commission
 7 monthly reports which shall be due at the close of business on the tenth day of the following month;

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

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

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

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

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

28 ~~—— a. All members of the senate;~~

29 ~~—— b. All members of the house of representatives;~~

30 ~~—— c. All members of a joint committee of the general assembly or a standing committee of~~
 31 ~~either the house of representatives or senate; or~~

32 ~~—— d. All members of a caucus of the majority party of the house of representatives, minority~~
 33 ~~party of the house of representatives, majority party of the senate, or minority party of the senate;~~

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

40 [(f)] (e) A statement detailing any direct business relationship or association or partnership
 41 the lobbyist has with any public official or elected local government official. The reports required

1 by this subdivision shall cover the time periods since the filing of the last report or since the
2 lobbyist's employment or representation began, whichever is most recent.

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

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

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

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

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

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

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

37 11. The commission shall provide a report listing the total spent by a lobbyist for the month
38 and year to any ~~[member or member-elect of the general assembly, judge or judicial officer, or any~~
39 ~~other person holding an elective office of state government]~~ public official or any elected local
40 government official on or before the twentieth day of each month. For the purpose of providing
41 accurate information to the public, the commission shall not publish information in either written or

1 electronic form for ten working days after providing the report pursuant to this subsection. The
2 commission shall not release any portion of the lobbyist report if the accuracy of the report has been
3 questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under
4 Review".

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

10 13. No lobbyist shall make any contribution to, or expenditure on behalf of, any candidate
11 committee formed by a candidate for statewide office, state representative, or state senator or any
12 general assembly member's candidate committee for the purpose of providing any food,
13 entertainment, lodging, or travel, and such candidate committees shall be barred from receiving
14 such items. For purposes of this subsection, the term "expenditure" shall have the same meaning
15 given to the term in section 105.470, and the terms "candidate", "candidate committee", and
16 "contribution" shall have the same meanings given to the terms under section 130.011.

17 14. No lobbyist shall deliver any tangible or intangible item, service, or thing of value to
18 any statewide elected official or member of the general assembly, or such person's staff, employees,
19 spouse, or dependent children.

20 15. No lobbyist shall knowingly accept funds from any candidate committee, as defined
21 under section 130.011, as reimbursement for delivering any tangible or intangible item, service, or
22 thing of value to any statewide elected official or member of the general assembly, or such person's
23 staff, employees, spouse, or dependent children.

24 16. No member of the general assembly or the governor, lieutenant governor, attorney
25 general, secretary of state, state treasurer, or state auditor, or such person's staff, employees, spouse,
26 or dependent children, shall:

27 (1) Accept any tangible or intangible item, service, or thing of value from any lobbyist; or

28 (2) Use funds from any candidate committee, as defined under section 130.011, to
29 reimburse a lobbyist for delivering any tangible or intangible item, service, or thing of value to the
30 person.

31 17. The provisions of this section shall supersede any contradicting ordinances or charter
32 provisions."; and

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34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.
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