

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 48

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

2340H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 2 of Article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to ethics.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2020, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article III of the Constitution of the state of Missouri:

Section A. Section 2, Article III, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as Section 2, to read as follows:

Section 2. (a) After December 6, 2018, no person serving as a member of or employed by the general assembly shall act or serve as a paid lobbyist, register as a paid lobbyist, or solicit prospective employers or clients to represent as a paid lobbyist during the time of such service until the expiration of two calendar years after the conclusion of the session of the general assembly in which the member or employee last served and where such service was after December 6, 2018.

(b) No person serving as a member of or employed by the general assembly shall accept directly or indirectly a gift of any tangible or intangible item, service, or thing of value from any paid lobbyist or lobbyist principal ~~[in excess of five dollars per occurrence]~~. This Article shall not prevent candidates for the general assembly, including candidates for reelection, or candidates for offices within the senate or house from accepting campaign contributions

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

12 consistent with this Article and applicable campaign finance law. Nothing in this section shall
13 prevent individuals from receiving gifts, family support or anything of value from those related
14 to them within the fourth degree by blood or marriage. ~~[The dollar limitations of this section
15 shall be increased or decreased each year by the percentage of increase or decrease from the end
16 of the previous calendar year of the Consumer Price Index, or successor index as published by
17 the U.S. Department of Labor, or its successor agency, and rounded to the nearest dollar
18 amount.]~~

19 (c) The general assembly shall make no law authorizing unlimited campaign
20 contributions to candidates for the general assembly, nor any law that circumvents the
21 contribution limits contained in this Constitution. In addition to other campaign contribution
22 limitations or restrictions provided for by law, the amount of contributions made to or accepted
23 by any candidate or candidate committee from any person other than the candidate in any one
24 election for the general assembly shall not exceed the following:

25 (1) To elect an individual to the office of state senator, two thousand ~~[five hundred]~~
26 dollars; and

27 (2) To elect an individual to the office of state representative, two thousand dollars.

28 The contribution limits and other restrictions of this section shall also apply to any person
29 exploring a candidacy for a public office listed in this subsection.

30 For purposes of this subsection, "base year amount" shall be the contribution limits
31 prescribed in this section. Contribution limits set forth herein shall be adjusted on the first day
32 of January in each even-numbered year hereafter by multiplying the base year amount by the
33 cumulative Consumer Price Index and rounded to the nearest dollar amount, for all years after
34 2018.

35 (d) No contribution to a candidate for legislative office shall be made or accepted,
36 directly or indirectly, in a fictitious name, in the name of another person, or by or through another
37 person in such a manner as to, or with the intent to, conceal the identity of the actual source of
38 the contribution. There shall be a rebuttable presumption that a contribution to a candidate for
39 public office is made or accepted with the intent to circumvent the limitations on contributions
40 imposed in this section when a contribution is received from a committee or organization that
41 is primarily funded by a single person, individual, or other committee that has already reached
42 its contribution limit under any law relating to contribution limitations. A committee or
43 organization shall be deemed to be primarily funded by a single person, individual, or other
44 committee when the committee or organization receives more than fifty percent of its annual
45 funding from that single person, individual, or other committee.

46 (e) In no circumstance shall a candidate be found to have violated limits on acceptance
47 of contributions if the Missouri ethics commission, its successor agency, or a court determines

48 that a candidate has taken no action to indicate acceptance of or acquiescence to the making of
49 an expenditure that is deemed a contribution pursuant to this section.

50 (f) No candidate shall accept contributions from any federal political action committee
51 unless the committee has filed the same financial disclosure reports that would be required of
52 a Missouri political action committee.

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