

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1386, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "105.455. 1. No person elected or appointed to the ~~[state senate, to the state house of~~
5 ~~representatives, or to the]~~ office of governor, lieutenant governor, attorney general, secretary of
6 state, state treasurer, or state auditor who vacates the office, whether by resignation, expulsion, ~~[term~~
7 ~~limitation under Article III, Section 8 of the Constitution of Missouri,]~~ or otherwise, shall act, serve,
8 or register as a lobbyist until ~~[six months]~~ two calendar years after the expiration of any term of
9 office for which such person was elected or appointed.

10 2. No person holding an office that required appointment by the governor and confirmation
11 by the senate who vacates the office, whether by resignation, expulsion, or otherwise, shall act,
12 serve, or register as a lobbyist until six months after the vacation of such office.

13 3. No person elected or appointed to be a member of the governing body of a political
14 subdivision shall act, serve, or register as a lobbyist or solicit prospective employers or clients to
15 represent as a lobbyist during the time of such service until the expiration of two calendar years after
16 vacation of the office or position, whether by resignation, expulsion, or otherwise, if such service
17 was after August 28, 2020.

18 4. For purposes of this section, the prohibition contained herein shall apply only to lobbyists
19 employed by a lobbyist principal for pay or other compensation in excess of reimbursement for
20 expenses incurred.

21 ~~[4.]~~ 5. The provisions of subsections 1 to 3 of this section shall not apply to any person who
22 acts, serves, or registers as a lobbyist for a state department or agency.

23 ~~[5.]~~ 6. For purposes of this section, the terms "lobbyist" and "lobbyist principal" shall have
24 the same meanings given to such terms under section 105.470.

25 105.458. 1. No member of any legislative or governing body of any political subdivision of
26 the state shall:

27 (1) Perform any service for such political subdivision or any agency of the political
28 subdivision for any consideration other than the compensation provided for the performance of his
29 or her official duties, except as otherwise provided in this section; or

30 (2) Sell, rent or lease any property to the political subdivision or any agency of the political
31 subdivision for consideration in excess of five hundred dollars per transaction or five thousand
32 dollars per annum, or in the case of a school board five thousand dollars per annum, unless the
33 transaction is made pursuant to an award on a contract let or a sale made after public notice and in
34 the case of property other than real property, competitive bidding, provided that the bid or offer
35 accepted is the lowest received; or

36 (3) Attempt, for any compensation other than the compensation provided for the

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1 performance of his or her official duties, to influence the decision of any agency of the political
 2 subdivision on any matter; except that, this provision shall not be construed to prohibit such person
 3 from participating for compensation in any adversary proceeding or in the preparation or filing of
 4 any public document or conference thereon.

5 2. No sole proprietorship, partnership, joint venture, or corporation in which any member of
 6 any legislative body of any political subdivision is the sole proprietor, a partner having more than a
 7 ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the
 8 outstanding shares of any class of stock, shall:

9 (1) Perform any service for the political subdivision or any agency of the political
 10 subdivision for any consideration in excess of five hundred dollars per transaction or five thousand
 11 dollars per annum, or in the case of a school board five thousand dollars per annum, unless the
 12 transaction is made pursuant to an award on a contract let after public notice and competitive
 13 bidding, provided that the bid or offer accepted is the lowest received;

14 (2) Sell, rent or lease any property to the political subdivision or any agency of the political
 15 subdivision where the consideration is in excess of five hundred dollars per transaction or five
 16 thousand dollars per annum, or in the case of a school board five thousand dollars per annum, unless
 17 the transaction is made pursuant to an award on a contract let or a sale made after public notice and
 18 in the case of property other than real property, competitive bidding, provided that the bid or offer
 19 accepted is the lowest received.

20 3. (1) For purposes of this subsection, the terms "lobbyist" and "lobbyist principal" shall
 21 have the same meanings given to the terms in section 105.470.

22 (2) No member of the governing body of a political subdivision or any person employed by
 23 the governing body of a political subdivision shall accept, directly or indirectly, a gift of any
 24 tangible or intangible item, service, or thing of value from any paid lobbyist or lobbyist principal in
 25 excess of five dollars per lobbyist per day.

26 (3) Nothing in this subsection shall prevent candidates for the governing body of a political
 27 subdivision, including candidates for reelection, from accepting campaign contributions consistent
 28 with the provisions of chapter 130 and the Constitution of Missouri.

29 (4) Nothing in this subsection shall prevent a member of the governing body of a political
 30 subdivision or a person employed by the governing body of a political subdivision from receiving
 31 gifts, family support, or anything of value from persons related to him or her within the fourth
 32 degree of consanguinity or affinity."; and

33
 34 Further amend said bill and page, Section 105.470, Lines 1-6, by deleting all of said lines and
 35 inserting in lieu thereof the following:

36 "105.470. As used in section 105.473, unless the context requires otherwise, the following
 37 words and terms mean:

38 (1) "Elected local government official lobbyist", any natural person ~~[employed specifically~~
 39 ~~for the purpose of attempting]~~ who, as a part of his or her regular employment duties, attempts to
 40 influence any action by:

41 (a) A local government official elected in a county, city, town, or village [with an annual
 42 operating budget of over ten million dollars];

43 (b) A superintendent or school board member of a school district; or

44 (c) A member of the governing body of a charter school

45
 46 and is not employed as an employee of the local government, school district, or charter school;"; and

47
 48 Further amend said bill and section, Page 5, Line 157, by inserting after said section and line the
 49 following:

1
2 "105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after
3 beginning any activities as a lobbyist, file standardized registration forms, verified by a written
4 declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with
5 the commission. The forms shall include the lobbyist's name and business address, the name and
6 address of all persons such lobbyist employs for lobbying purposes, the name and address of each
7 lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or
8 works and, for elected local government official lobbyists, the local government entity to be lobbied.
9 The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each
10 lobbyist shall file an updating statement under oath within one week of any addition, deletion, or
11 change in the lobbyist's employment or representation. The filing fee shall be deposited to the
12 general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for
13 lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no
14 longer authorized to lobby for the principal or the lobbyist and should be removed from the
15 commission's files.

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

21 3. (1) During any period of time in which a lobbyist continues to act as an executive
22 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the
23 lobbyist shall file with the commission on standardized forms prescribed by the commission
24 monthly reports which shall be due at the close of business on the tenth day of the following month;

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

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

33 (b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on
34 behalf of ~~[all] elected local government officials[, their staffs and employees, and their spouses and~~
35 ~~children]~~ at any event described under subsection 14 of this section and a description of the event.
36 Such expenditures shall be separated into at least the following categories: printing and publication
37 expenses; media and other advertising expenses; travel; the time, venue, and nature of any
38 entertainment; honoraria; meals; food and beverages; and gifts;

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

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

- 46 a. All members of the senate;
47 b. All members of the house of representatives;
48 c. All members of a joint committee of the general assembly or a standing committee of
49 either the house of representatives or senate; or

1 d. All members of a caucus of the majority party of the house of representatives, minority
2 party of the house of representatives, majority party of the senate, or minority party of the senate;

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

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

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

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

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

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

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

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

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

47 11. The commission shall provide a report listing the total spent by a lobbyist for the month
48 and year to any member or member-elect of the general assembly, judge or judicial officer, or any
49 other person holding an elective office of state government or any elected local government official

1 on or before the twentieth day of each month. For the purpose of providing accurate information to
2 the public, the commission shall not publish information in either written or electronic form for ten
3 working days after providing the report pursuant to this subsection. The commission shall not
4 release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant
5 to subsection 10 of this section unless it is conspicuously marked "Under Review".

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

11 13. Notwithstanding any other provision of law, elected local government official lobbyists
12 may invite all members of the general assembly to an event. Elected local government official
13 lobbyists may make expenditures for each such event so long as they deliver any item, service, or
14 thing of value to all members of the general assembly who appear at the event and so long as the
15 expenditures are less than five dollars per public official, staff, employee, spouse, or dependent child
16 present at the event.

17 14. Notwithstanding any other provision of law, lobbyists may invite all elected or
18 appointed officials of a particular political subdivision to an event. Lobbyists may make
19 expenditures for each such event so long as they deliver any item, service, or thing of value to all
20 elected or appointed officials of a particular political subdivision who appear at the event and so
21 long as the expenditures are less than five dollars per public official, staff, employee, spouse, or
22 dependent child present at the event.

23 15. The provisions of this section shall supersede any contradicting ordinances or charter
24 provisions.

25 130.082. 1. The amount of contributions made by or accepted from any person other than
26 the candidate in any one election to elect an individual to any municipal, political subdivision, or
27 special district office in this state shall not exceed two thousand dollars.

28 2. The ethics commission established in section 105.955 shall have jurisdiction over and
29 enforce the provisions of this section in accordance with sections 105.955 to 105.981.

30 3. This section is subject to the provisions of section 130.081."; and
31

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