

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 925, Page 8, Section 115.1200, Line 10,
2 by inserting after all of said section and line the following:

3
4 "130.011. As used in this chapter, unless the context clearly indicates otherwise, the
5 following terms mean:

6 (1) "Appropriate officer" or "appropriate officers", the person or persons designated in
7 section 130.026 to receive certain required statements and reports;

8 (2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to
9 qualified voters for their approval or rejection, including any proposal submitted by initiative
10 petition, referendum petition, or by the general assembly or any local governmental body having
11 authority to refer proposals to the voter;

12 (3) "Candidate", an individual who seeks nomination or election to public office. The term
13 "candidate" includes an elected officeholder who is the subject of a recall election, an individual
14 who seeks nomination by the individual's political party for election to public office, an individual
15 standing for retention in an election to an office to which the individual was previously appointed,
16 an individual who seeks nomination or election whether or not the specific elective public office to
17 be sought has been finally determined by such individual at the time the individual meets the
18 conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in
19 candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek
20 nomination or election when the person first:

21 (a) Receives contributions or makes expenditures or reserves space or facilities with intent
22 to promote the person's candidacy for office; or

23 (b) Knows or has reason to know that contributions are being received or expenditures are
24 being made or space or facilities are being reserved with the intent to promote the person's
25 candidacy for office; except that, such individual shall not be deemed a candidate if the person files
26 a statement with the appropriate officer within five days after learning of the receipt of
27 contributions, the making of expenditures, or the reservation of space or facilities disavowing the
28 candidacy and stating that the person will not accept nomination or take office if elected; provided
29 that, if the election at which such individual is supported as a candidate is to take place within five
30 days after the person's learning of the above-specified activities, the individual shall file the
31 statement disavowing the candidacy within one day; or

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1 (c) Announces or files a declaration of candidacy for office;

2 (4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument
3 which can be transferred from one person to another person without the signature or endorsement of
4 the transferor;

5 (5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of
6 withdrawal account in a savings and loan association or a share draft account in a credit union;

7 (6) "Closing date", the date through which a statement or report is required to be complete;

8 (7) "Committee", a person or any combination of persons, who accepts contributions or
9 makes expenditures for the primary or incidental purpose of influencing or attempting to influence
10 the action of voters for or against the nomination or election to public office of one or more
11 candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying
12 a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a
13 committee or for the purpose of contributing funds to another committee:

14 (a) "Committee", does not include:

15 a. A person or combination of persons, if neither the aggregate of expenditures made nor the
16 aggregate of contributions received during a calendar year exceeds five hundred dollars and if no
17 single contributor has contributed more than two hundred fifty dollars of such aggregate
18 contributions;

19 b. An individual, other than a candidate, who accepts no contributions and who deals only
20 with the individual's own funds or property;

21 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
22 organized or operated for a primary or principal purpose other than that of influencing or attempting
23 to influence the action of voters for or against the nomination or election to public office of one or
24 more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no
25 contributions, and all expenditures it makes are from its own funds or property obtained in the usual
26 course of business or in any commercial or other transaction and which are not contributions as
27 defined by subdivision (12) of this section;

28 d. A labor organization organized or operated for a primary or principal purpose other than
29 that of influencing or attempting to influence the action of voters for or against the nomination or
30 election to public office of one or more candidates, or the qualification, passage, or defeat of any
31 ballot measure, and it accepts no contributions, and expenditures made by the organization are from
32 its own funds or property received from membership dues or membership fees which were given or
33 solicited for the purpose of supporting the normal and usual activities and functions of the
34 organization and which are not contributions as defined by subdivision (12) of this section;

35 e. A person who acts as an authorized agent for a committee in soliciting or receiving
36 contributions or in making expenditures or incurring indebtedness on behalf of the committee if
37 such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an
38 accurate account of each receipt or other transaction in the detail required by the treasurer to comply
39 with all record-keeping and reporting requirements of this chapter;

40 f. Any department, agency, board, institution or other entity of the state or any of its
41 subdivisions or any officer or employee thereof, acting in the person's official capacity;

1 (b) The term "committee" includes, but is not limited to, each of the following committees:
2 campaign committee, candidate committee, continuing committee and political party committee;

3 (8) "Campaign committee", a committee, other than a candidate committee, which shall be
4 formed by an individual or group of individuals to receive contributions or make expenditures and
5 whose sole purpose is to support or oppose the qualification and passage of one or more particular
6 ballot measures in an election or the retention of judges under the nonpartisan court plan, such
7 committee shall be formed no later than thirty days prior to the election for which the committee
8 receives contributions or makes expenditures, and which shall terminate the later of either thirty
9 days after the general election or upon the satisfaction of all committee debt after the general
10 election, except that no committee retiring debt shall engage in any other activities in support of a
11 measure for which the committee was formed;

12 (9) "Candidate committee", a committee which shall be formed by a candidate to receive
13 contributions or make expenditures in behalf of the person's candidacy and which shall continue in
14 existence for use by an elected candidate or which shall terminate the later of either thirty days after
15 the general election for a candidate who was not elected or upon the satisfaction of all committee
16 debt after the election, except that no committee retiring debt shall engage in any other activities in
17 support of the candidate for which the committee was formed. Any candidate for elective office
18 shall have only one candidate committee for the elective office sought, which is controlled directly
19 by the candidate for the purpose of making expenditures. A candidate committee is presumed to be
20 under the control and direction of the candidate unless the candidate files an affidavit with the
21 appropriate officer stating that the committee is acting without control or direction on the
22 candidate's part;

23 (10) "Continuing committee", a committee of continuing existence which is not formed,
24 controlled or directed by a candidate, and is a committee other than a candidate committee or
25 campaign committee, whose primary or incidental purpose is to receive contributions or make
26 expenditures to influence or attempt to influence the action of voters whether or not a particular
27 candidate or candidates or a particular ballot measure or measures to be supported or opposed has
28 been determined at the time the committee is required to file any statement or report pursuant to the
29 provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee
30 organized or sponsored by a business entity, a labor organization, a professional association, a trade
31 or business association, a club or other organization and whose primary purpose is to solicit, accept
32 and use contributions from the members, employees or stockholders of such entity and any
33 individual or group of individuals who accept and use contributions to influence or attempt to
34 influence the action of voters. Such committee shall be formed no later than sixty days prior to the
35 election for which the committee receives contributions or makes expenditures;

36 (11) "Connected organization", any organization such as a corporation, a labor organization,
37 a membership organization, a cooperative, or trade or professional association which expends funds
38 or provides services or facilities to establish, administer or maintain a committee or to solicit
39 contributions to a committee from its members, officers, directors, employees or security holders.
40 An organization shall be deemed to be the connected organization if more than fifty percent of the
41 persons making contributions to the committee during the current calendar year are members,

1 officers, directors, employees or security holders of such organization or their spouses;

2 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
3 anything of value for the purpose of supporting or opposing the nomination or election of any
4 candidate for public office or the qualification, passage or defeat of any ballot measure, or for the
5 support of any committee supporting or opposing candidates or ballot measures or for paying debts
6 or obligations of any candidate or committee previously incurred for the above purposes. A
7 contribution of anything of value shall be deemed to have a money value equivalent to the fair
8 market value. "Contribution" includes, but is not limited to:

9 (a) A candidate's own money or property used in support of the person's candidacy other
10 than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing
11 for public office;

12 (b) Payment by any person, other than a candidate or committee, to compensate another
13 person for services rendered to that candidate or committee;

14 (c) Receipts from the sale of goods and services, including the sale of advertising space in a
15 brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or
16 political merchandise;

17 (d) Receipts from fund-raising events including testimonial affairs;

18 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other
19 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the
20 loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an
21 election campaign or used or intended for the payment of such debts or obligations of a candidate or
22 committee previously incurred, or which was made or received by a committee;

23 (f) Funds received by a committee which are transferred to such committee from another
24 committee or other source, except funds received by a candidate committee as a transfer of funds
25 from another candidate committee controlled by the same candidate but such transfer shall be
26 included in the disclosure reports;

27 (g) Facilities, office space or equipment supplied by any person to a candidate or committee
28 without charge or at reduced charges, except gratuitous space for meeting purposes which is made
29 available regularly to the public, including other candidates or committees, on an equal basis for
30 similar purposes on the same conditions;

31 (h) The direct or indirect payment by any person, other than a connected organization, of the
32 costs of establishing, administering, or maintaining a committee, including legal, accounting and
33 computer services, fund raising and solicitation of contributions for a committee;

34 (i) "Contribution" does not include:

35 a. Ordinary home hospitality or services provided without compensation by individuals
36 volunteering their time in support of or in opposition to a candidate, committee or ballot measure,
37 nor the necessary and ordinary personal expenses of such volunteers incidental to the performance
38 of voluntary activities, so long as no compensation is directly or indirectly asked or given;

39 b. An offer or tender of a contribution which is expressly and unconditionally rejected and
40 returned to the donor within ten business days after receipt or transmitted to the state treasurer;

41 c. Interest earned on deposit of committee funds;

1 d. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5)
2 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for
3 the solicitation of contributions to a committee which solicitation is solely directed or related to the
4 members, officers, directors, employees or security holders of the connected organization;

5 (13) "County", any one of the several counties of this state or the city of St. Louis;

6 (14) "Disclosure report", an itemized report of receipts, expenditures and incurred
7 indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at
8 the times and places prescribed;

9 (15) "Election", any primary, general or special election held to nominate or elect an
10 individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to
11 the voters, and any caucus or other meeting of a political party or a political party committee at
12 which that party's candidate or candidates for public office are officially selected. A primary
13 election and the succeeding general election shall be considered separate elections;

14 (16) "Electronic means", any instrument, device, or service that facilitates an electronic
15 withdrawal of funds from a bank account including, but not limited to, credit cards, debit cards, and
16 the presentation of a credit or debit card account number;

17 (17) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of
18 money or anything of value for the purpose of supporting or opposing the nomination or election of
19 any candidate for public office or the qualification or passage of any ballot measure or for the
20 support of any committee which in turn supports or opposes any candidate or ballot measure or for
21 the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts
22 or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of
23 value, including a candidate's own money or property, for the purchase of goods, services, property,
24 facilities or anything of value for the purpose of supporting or opposing the nomination or election
25 of any candidate for public office or the qualification or passage of any ballot measure or for the
26 support of any committee which in turn supports or opposes any candidate or ballot measure or for
27 the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts
28 or obligations of a committee. An expenditure of anything of value shall be deemed to have a
29 money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

30 (a) Payment by anyone other than a committee for services of another person rendered to
31 such committee;

32 (b) The purchase of tickets, goods, services or political merchandise in connection with any
33 testimonial affair or fund-raising event of or for candidates or committees, or the purchase of
34 advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

35 (c) The transfer of funds by one committee to another committee;

36 (d) The direct or indirect payment by any person, other than a connected organization for a
37 committee, of the costs of establishing, administering or maintaining a committee, including legal,
38 accounting and computer services, fund raising and solicitation of contributions for a committee; but

39 (e) "Expenditure" does not include:

40 a. Any news story, commentary or editorial which is broadcast or published by any
41 broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to

1 any person supporting or opposing a candidate or ballot measure;

2 b. The internal dissemination by any membership organization, proprietorship, labor
3 organization, corporation, association or other entity of information advocating the election or defeat
4 of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors,
5 officers, members, employees or security holders, provided that the cost incurred is reported
6 pursuant to subsection 2 of section 130.051;

7 c. Repayment of a loan, but such repayment shall be indicated in required reports;

8 d. The rendering of voluntary personal services by an individual of the sort commonly
9 performed by volunteer campaign workers and the payment by such individual of the individual's
10 necessary and ordinary personal expenses incidental to such volunteer activity, provided no
11 compensation is, directly or indirectly, asked or given;

12 e. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5)
13 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for
14 the solicitation of contributions to a committee which solicitation is solely directed or related to the
15 members, officers, directors, employees or security holders of the connected organization;

16 f. The use of a candidate's own money or property for expense of the candidate's personal
17 food, lodging, travel, and payment of any fee necessary to the filing for public office, if such
18 expense is not reimbursed to the candidate from any source;

19 [(17)] (18) "Exploratory committees", a committee which shall be formed by an individual
20 to receive contributions and make expenditures on behalf of this individual in determining whether
21 or not the individual seeks elective office. Such committee shall terminate no later than December
22 thirty-first of the year prior to the general election for the possible office;

23 [(18)] (19) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee,
24 testimonial, rally, auction or similar affair through which contributions are solicited or received by
25 such means as the purchase of tickets, payment of attendance fees, donations for prizes or through
26 the purchase of goods, services or political merchandise;

27 [(19)] (20) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in
28 a form other than money;

29 [(20)] (21) "Labor organization", any organization of any kind, or any agency or employee
30 representation committee or plan, in which employees participate and which exists for the purpose,
31 in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of
32 pay, hours of employment, or conditions of work;

33 [(21)] (22) "Loan", a transfer of money, property or anything of ascertainable monetary
34 value in exchange for an obligation, conditional or not, to repay in whole or in part and which was
35 contracted, used, or intended for use in an election campaign, or which was made or received by a
36 committee or which was contracted, used, or intended to pay previously incurred campaign debts or
37 obligations of a candidate or the debts or obligations of a committee;

38 [(22)] (23) "Person", an individual, group of individuals, corporation, partnership,
39 committee, proprietorship, joint venture, any department, agency, board, institution or other entity of
40 the state or any of its political subdivisions, union, labor organization, trade or professional or
41 business association, association, political party or any executive committee thereof, or any other

1 club or organization however constituted or any officer or employee of such entity acting in the
2 person's official capacity;

3 [(23)] (24) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
4 literature, or other items sold or distributed at a fund-raising event or to the general public for
5 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for
6 nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot
7 measure;

8 [(24)] (25) "Political party", a political party which has the right under law to have the
9 names of its candidates listed on the ballot in a general election;

10 [(25)] (26) "Political party committee", a state, district, county, city, or area committee of a
11 political party, as defined in section 115.603, which may be organized as a not-for-profit corporation
12 under Missouri law, and which committee is of continuing existence, and has the primary or
13 incidental purpose of receiving contributions and making expenditures to influence or attempt to
14 influence the action of voters on behalf of the political party;

15 [(26)] (27) "Public office" or "office", any state, judicial, county, municipal, school or other
16 district, ward, township, or other political subdivision office or any political party office which is
17 filled by a vote of registered voters;

18 [(27)] (28) "Regular session", includes that period beginning on the first Wednesday after
19 the first Monday in January and ending following the first Friday after the second Monday in May;

20 [(28)] (29) "Write-in candidate", an individual whose name is not printed on the ballot but
21 who otherwise meets the definition of candidate in subdivision (3) of this section.

22 130.021. 1. Every committee shall have a treasurer who, except as provided in subsection
23 10 of this section, shall be a resident of this state and reside in the district or county in which the
24 committee sits. A committee may also have a deputy treasurer who, except as provided in
25 subsection 10 of this section, shall be a resident of this state and reside in the district or county in
26 which the committee sits, to serve in the capacity of committee treasurer in the event the committee
27 treasurer is unable for any reason to perform the treasurer's duties.

28 2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a
29 statement of exemption pursuant to that subsection and every candidate for offices listed in
30 subsection 6 of section 130.016 who is not excluded from filing a statement of organization and
31 disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee and
32 appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by
33 such candidate and any of the candidate's own funds to be used in support of the person's candidacy
34 shall be deposited in a candidate committee depository account established pursuant to the
35 provisions of subsection 4 of this section, and all expenditures shall be made through the candidate,
36 treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall
37 prevent a candidate from appointing himself or herself as a committee of one and serving as the
38 person's own treasurer, maintaining the candidate's own records and filing all the reports and
39 statements required to be filed by the treasurer of a candidate committee.

40 3. A candidate who has more than one candidate committee supporting the person's
41 candidacy shall designate one of those candidate committees as the committee responsible for

1 consolidating the aggregate contributions to all such committees under the candidate's control and
2 direction as required by section 130.041.

3 4. (1) Every committee shall have a single official fund depository within this state which
4 shall be a federally or state-chartered bank, a federally or state-chartered savings and loan
5 association, or a federally or state-chartered credit union in which the committee shall open and
6 thereafter maintain at least one official depository account in its own name. An "official depository
7 account" shall be a checking account or some type of negotiable draft or negotiable order of
8 withdrawal account, and the official fund depository shall, regarding an official depository account,
9 be a type of financial institution which provides a record of deposits, cancelled checks or other
10 cancelled instruments of withdrawal evidencing each transaction by maintaining copies within this
11 state of such instruments and other transactions. All contributions which the committee receives in
12 money, checks and other negotiable instruments shall be deposited in a committee's official
13 depository account. Contributions shall not be accepted and expenditures shall not be made by a
14 committee except by or through an official depository account and the committee treasurer, deputy
15 treasurer, or candidate; however, a committee may utilize a credit card or debit card in the name of
16 the committee when authorized by the treasurer, deputy treasurer, or candidate provided that, all
17 expenditures made by the committee through a credit card are paid through the official depository
18 account. Contributions received by a committee shall not be commingled with any funds of an
19 agent of the committee, a candidate or any other person, except that contributions from a candidate
20 of the candidate's own funds to the person's candidate committee shall be deposited to an official
21 depository account of the person's candidate committee. No expenditure shall be made by a
22 committee when the office of committee treasurer is vacant except that when the office of a
23 candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate
24 appoints a new treasurer.

25 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
26 committee's official depository account and deposit such funds in one or more savings accounts in
27 the committee's name in any bank, savings and loan association or credit union within this state, and
28 may also withdraw funds from an official depository account for investment in the committee's
29 name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a
30 savings account or other investment or proceeds from withdrawals from a savings account or from
31 the sale of an investment shall not be expended or reinvested, except in the case of renewals of
32 certificates of deposit, without first redepositing such proceeds in an official depository account.
33 Investments, other than savings accounts, held outside the committee's official depository account at
34 any time during a reporting period shall be disclosed by description, amount, any identifying
35 numbers and the name and address of any institution or person in which or through which it is held
36 in an attachment to disclosure reports the committee is required to file. Proceeds from an
37 investment such as interest or dividends or proceeds from its sale, shall be reported by date and
38 amount. In the case of the sale of an investment, the names and addresses of the persons involved in
39 the transaction shall also be stated. Funds held in savings accounts and investments, including
40 interest earned, shall be included in the report of money on hand as required by section 130.041.

41 (3) Notwithstanding any other provision of law to the contrary, funds held in candidate

1 committees, campaign committees, debt service committees, and exploratory committees shall be
2 liquid such that these funds shall be readily available for the specific and limited purposes allowed
3 by law. These funds may be invested only in short-term treasury instruments or short-term bank
4 certificates with durations of one year or less, or that allow the removal of funds at any time without
5 any additional financial penalty other than the loss of interest income. Continuing committees,
6 political party committees, and other committees such as out-of-state committees not formed for the
7 benefit of any single candidate or ballot issue shall not be subject to the provisions of this
8 subdivision. This subdivision shall not be interpreted to restrict the placement of funds in an
9 interest-bearing checking account.

10 5. The treasurer or deputy treasurer acting on behalf of any person or organization or group
11 of persons which is a committee by virtue of the definitions of committee in section 130.011 and
12 any candidate who is not excluded from forming a committee in accordance with the provisions of
13 section 130.016 shall file a statement of organization with the appropriate officer within twenty days
14 after the person or organization becomes a committee but no later than the date for filing the first
15 report required pursuant to the provisions of section 130.046. The statement of organization shall
16 contain the following information:

17 (1) The name, mailing address and telephone number, if any, of the committee filing the
18 statement of organization. If the committee is deemed to be affiliated with a connected organization
19 as provided in subdivision (11) of section 130.011, the name of the connected organization, or a
20 legally registered fictitious name which reasonably identifies the connected organization, shall
21 appear in the name of the committee. If the committee is a candidate committee, the name of the
22 candidate shall be a part of the committee's name;

23 (2) The name, mailing address and telephone number of the candidate;

24 (3) The name, mailing address and telephone number of the committee treasurer, and the
25 name, mailing address and telephone number of its deputy treasurer if the committee has named a
26 deputy treasurer;

27 (4) The names, mailing addresses and titles of its officers, if any;

28 (5) The name and mailing address of any connected organizations with which the committee
29 is affiliated;

30 (6) The name and mailing address of its depository, [and] the name and account number of
31 each account the committee has in the depository, and the account number and issuer of any credit
32 card in the committee's name. The account number of each account shall be redacted prior to
33 disclosing the statement to the public;

34 (7) Identification of the major nature of the committee such as a candidate committee,
35 campaign committee, continuing committee, political party committee, incumbent committee, or
36 any other committee according to the definition of committee in section 130.011;

37 (8) In the case of the candidate committee designated in subsection 3 of this section, the full
38 name and address of each other candidate committee which is under the control and direction of the
39 same candidate, together with the name, address and telephone number of the treasurer of each such
40 other committee;

41 (9) The name and office sought of each candidate supported or opposed by the committee;

1 (10) The ballot measure concerned, if any, and whether the committee is in favor of or
2 opposed to such measure.

3 6. A committee may omit the information required in subdivisions (9) and (10) of
4 subsection 5 of this section if, on the date on which it is required to file a statement of organization,
5 the committee has not yet determined the particular candidates or particular ballot measures it will
6 support or oppose.

7 7. A committee which has filed a statement of organization and has not terminated shall not
8 be required to file another statement of organization, except that when there is a change in any of the
9 information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section
10 an amended statement of organization shall be filed within twenty days after the change occurs, but
11 no later than the date of the filing of the next report required to be filed by that committee by section
12 130.046.

13 8. Upon termination of a committee, a termination statement indicating dissolution shall be
14 filed not later than ten days after the date of dissolution with the appropriate officer or officers with
15 whom the committee's statement of organization was filed. The termination statement shall include:
16 the distribution made of any remaining surplus funds and the disposition of any deficits; and the
17 name, mailing address and telephone number of the individual responsible for preserving the
18 committee's records and accounts as required in section 130.036.

19 9. Any statement required by this section shall be signed and attested by the committee
20 treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

21 10. A committee domiciled outside this state shall be required to file a statement of
22 organization and appoint a treasurer residing in this state and open an account in a depository within
23 this state; provided that either of the following conditions prevails:

24 (1) The aggregate of all contributions received from persons domiciled in this state exceeds
25 twenty percent in total dollar amount of all funds received by the committee in the preceding twelve
26 months; or

27 (2) The aggregate of all contributions and expenditures made to support or oppose
28 candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current
29 calendar year.

30 11. If a committee domiciled in this state receives a contribution of one thousand five
31 hundred dollars or more from any committee domiciled outside of this state, the committee
32 domiciled in this state shall file a disclosure report with the commission. The report shall disclose
33 the full name, mailing address, telephone numbers and domicile of the contributing committee and
34 the date and amount of the contribution. The report shall be filed within forty-eight hours of the
35 receipt of such contribution if the contribution is received after the last reporting date before the
36 election.

37 12. Each legislative and senatorial district committee shall retain only one address in the
38 district it sits for the purpose of receiving contributions.

39 130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall be
40 made by or accepted from any single contributor for any election by a continuing committee, a
41 campaign committee, a political party committee, an exploratory committee or a candidate

1 committee.

2 2. [Except for expenditures from a petty cash fund which is established and maintained by
3 withdrawals of funds from the committee's depository account and with records maintained pursuant
4 to the record-keeping requirements of section 130.036 to account for expenditures made from petty
5 cash,] Each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by
6 check signed by the committee treasurer, deputy treasurer, or candidate or by other electronic means
7 authorized by the treasurer, deputy treasurer, or candidate and drawn on the committee's depository
8 [and signed by the committee treasurer, deputy treasurer or candidate] or credit card in the name of
9 the committee and authorized by the treasurer, deputy treasurer, or candidate. A single expenditure
10 [from a petty] of cash [fund] shall not exceed fifty dollars, and the aggregate of all expenditures
11 [from a petty] of cash [fund] during a calendar year shall not exceed the lesser of five thousand
12 dollars or ten percent of all expenditures made by the committee during that calendar year. [A check
13 made payable to "cash" shall not be made except to replenish a petty cash fund.]

14 3. No contribution shall be made or accepted and no expenditure shall be made or incurred,
15 directly or indirectly, in a fictitious name, in the name of another person, or by or through another
16 person in such a manner as to conceal the identity of the actual source of the contribution or the
17 actual recipient and purpose of the expenditure. Any person who receives contributions for a
18 committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's
19 own name and address and the name and address of the actual source of each contribution such
20 person has received for that committee. Any person who makes expenditures for a committee shall
21 disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and
22 address, the name and address of each person to whom an expenditure has been made and the
23 amount and purpose of the expenditures the person has made for that committee.

24 4. No anonymous contribution of more than twenty-five dollars shall be made by any
25 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any
26 candidate or committee. If any anonymous contribution of more than twenty-five dollars is
27 received, it shall be returned immediately to the contributor, if the contributor's identity can be
28 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee
29 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which
30 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

31 5. The maximum aggregate amount of anonymous contributions which shall be accepted in
32 any calendar year by any committee shall be the greater of five hundred dollars or one percent of the
33 aggregate amount of all contributions received by that committee in the same calendar year. If any
34 anonymous contribution is received which causes the aggregate total of anonymous contributions to
35 exceed the foregoing limitation, it shall be returned immediately to the contributor, if the
36 contributor's identity can be ascertained, and, if the contributor's identity cannot be ascertained, the
37 committee treasurer, deputy treasurer or candidate shall immediately transmit the anonymous
38 contribution to the state treasurer to escheat to the state.

39 6. Notwithstanding the provisions of subsection 5 of this section, contributions from
40 individuals whose names and addresses cannot be ascertained which are received from a fund-
41 raising activity or event, such as defined in section 130.011, shall not be deemed anonymous

1 contributions, provided the following conditions are met:

2 (1) There are twenty-five or more contributing participants in the activity or event;

3 (2) The candidate, committee treasurer, deputy treasurer or the person responsible for
4 conducting the activity or event makes an announcement that it is illegal for anyone to make or
5 receive a contribution in excess of one hundred dollars unless the contribution is accompanied by
6 the name and address of the contributor;

7 (3) The person responsible for conducting the activity or event does not knowingly accept
8 payment from any single person of more than one hundred dollars unless the name and address of
9 the person making such payment is obtained and recorded pursuant to the record-keeping
10 requirements of section 130.036;

11 (4) A statement describing the event shall be prepared by the candidate or the treasurer of
12 the committee for whom the funds were raised or by the person responsible for conducting the
13 activity or event and attached to the disclosure report of contributions and expenditures required by
14 section 130.041. The following information to be listed in the statement is in addition to, not in lieu
15 of, the requirements elsewhere in this chapter relating to the recording and reporting of contributions
16 and expenditures:

17 (a) The name and mailing address of the person or persons responsible for conducting the
18 event or activity and the name and address of the candidate or committee for whom the funds were
19 raised;

20 (b) The date on which the event occurred;

21 (c) The name and address of the location where the event occurred and the approximate
22 number of participants in the event;

23 (d) A brief description of the type of event and the fund-raising methods used;

24 (e) The gross receipts from the event and a listing of the expenditures incident to the event;

25 (f) The total dollar amount of contributions received from the event from participants whose
26 names and addresses were not obtained with such contributions and an explanation of why it was
27 not possible to obtain the names and addresses of such participants;

28 (g) The total dollar amount of contributions received from contributing participants in the
29 event who are identified by name and address in the records required to be maintained pursuant to
30 section 130.036.

31 7. No candidate or committee in this state shall accept contributions from any out-of-state
32 committee unless the out-of-state committee from whom the contributions are received has filed a
33 statement of organization pursuant to section 130.021 or has filed the reports required by sections
34 130.049 and 130.050, whichever is applicable to that committee.

35 8. Any person publishing, circulating, or distributing any printed matter relative to any
36 candidate for public office or any ballot measure shall on the face of the printed matter identify in a
37 clear and conspicuous manner the person who paid for the printed matter with the words "Paid for
38 by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of
39 this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, sample
40 ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including
41 signs for display on motor vehicles, or other imprinted or lettered material; but "printed matter" is

1 defined to exclude materials printed and purchased prior to May 20, 1982, if the candidate or
2 committee can document that delivery took place prior to May 20, 1982; any sign personally printed
3 and constructed by an individual without compensation from any other person and displayed at that
4 individual's place of residence or on that individual's personal motor vehicle; any items of personal
5 use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign
6 jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate or
7 supports or opposes a ballot measure and which is obvious in its identification with a specific
8 candidate or committee and is reported as required by this chapter; and any news story, commentary,
9 or editorial printed by a regularly published newspaper or other periodical without charge to a
10 candidate, committee or any other person.

11 (1) In regard to any printed matter paid for by a candidate from the candidate's personal
12 funds, it shall be sufficient identification to print the first and last name by which the candidate is
13 known.

14 (2) In regard to any printed matter paid for by a committee, it shall be sufficient
15 identification to print the name of the committee as required to be registered by subsection 5 of
16 section 130.021 and the name and title of the committee treasurer who was serving when the printed
17 matter was paid for.

18 (3) In regard to any printed matter paid for by a corporation or other business entity, labor
19 organization, or any other organization not defined to be a committee by subdivision (7) of section
20 130.011 and not organized especially for influencing one or more elections, it shall be sufficient
21 identification to print the name of the entity, the name of the principal officer of the entity, by
22 whatever title known, and the mailing address of the entity, or if the entity has no mailing address,
23 the mailing address of the principal officer.

24 (4) In regard to any printed matter paid for by an individual or individuals, it shall be
25 sufficient identification to print the name of the individual or individuals and the respective mailing
26 address or addresses, except that if more than five individuals join in paying for printed matter it
27 shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by
28 the name and address of one such individual responsible for causing the matter to be printed, and the
29 individual identified shall maintain a record of the names and amounts paid by other individuals and
30 shall make such record available for review upon the request of any person. No person shall accept
31 for publication or printing nor shall such work be completed until the printed matter is properly
32 identified as required by this subsection.

33 9. Any broadcast station transmitting any matter relative to any candidate for public office
34 or ballot measure as defined by this chapter shall identify the sponsor of such matter as required by
35 federal law.

36 10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for
37 elective federal office, provided that persons causing matter to be printed or broadcast concerning
38 such candidacies shall comply with the requirements of federal law for identification of the sponsor
39 or sponsors.

40 11. It shall be a violation of this chapter for any person required to be identified as paying
41 for printed matter pursuant to subsection 8 of this section or paying for broadcast matter pursuant to

1 subsection 9 of this section to refuse to provide the information required or to purposely provide
2 false, misleading, or incomplete information.

3 12. It shall be a violation of this chapter for any committee to offer chances to win prizes or
4 money to persons to encourage such persons to endorse, send election material by mail, deliver
5 election material in person or contact persons at their homes; except that, the provisions of this
6 subsection shall not be construed to prohibit hiring and paying a campaign staff.

7 130.036. 1. The candidate, treasurer or deputy treasurer of a committee shall maintain
8 accurate records and accounts on a current basis. The records and accounts shall be maintained in
9 accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts,
10 deposit records, cancelled checks, credit card statements and records, and other detailed information
11 necessary to prepare and substantiate any statement or report required to be filed pursuant to this
12 chapter. Every person who acts as an agent for a committee in receiving contributions, making
13 expenditures or incurring indebtedness for the committee shall, on request of that committee's
14 treasurer, deputy treasurer or candidate, but in any event within five days after any such action,
15 render to the candidate, committee treasurer or deputy treasurer a detailed account thereof, including
16 names, addresses, dates, exact amounts and any other details required by the candidate, treasurer or
17 deputy treasurer to comply with this chapter. Notwithstanding the provisions of subsection 4 of
18 section 130.021 prohibiting commingling of funds, an individual, trade or professional association,
19 business entity, or labor organization which acts as an agent for a committee in receiving
20 contributions may deposit contributions received on behalf of the committee to the agent's account
21 within a financial institution within this state, for purposes of facilitating transmittal of the
22 contributions to the candidate, committee treasurer or deputy treasurer. Such contributions shall not
23 be held in the agent's account for more than five days after the date the contribution was received by
24 the agent, and shall not be transferred to the account of any other agent or person, other than the
25 committee treasurer.

26 2. Unless a contribution is rejected by the candidate or committee and returned to the donor
27 or transmitted to the state treasurer within ten business days after its receipt, it shall be considered
28 received and accepted on the date received, notwithstanding the fact that it was not deposited by the
29 closing date of a reporting period.

30 3. Notwithstanding the provisions of section 130.041 that only contributors of more than
31 one hundred dollars shall be reported by name and address for all committees, the committee's
32 records shall contain a listing of each contribution received by the committee, including those
33 accepted and those which are rejected and either returned to the donor or transmitted to the state
34 treasurer. Each contribution, regardless of the amount, shall be recorded by date received, name and
35 address of the contributor and the amount of the contribution, except that any contributions from
36 unidentifiable persons which are received through fund-raising activities and events as permitted in
37 subsection 6 of section 130.031 shall be recorded to show the dates and amounts of all such
38 contributions received together with information contained in statements required by subsection 6 of
39 section 130.031. The procedure for recording contributions shall be of a type which enables the
40 candidate, committee treasurer or deputy treasurer to maintain a continuing total of all contributions
41 received from any one contributor.

1 4. [Notwithstanding the provisions of section 130.041 that certain expenditures need not be
2 identified in reports by name and address of the payee,] The committee's records shall include a
3 listing of each expenditure made and each contract, promise or agreement to make an expenditure,
4 showing the date and amount of each transaction, the name and address of the person to whom the
5 expenditure was made or promised, and the purpose of each expenditure made or promised.

6 5. In the case of a committee which makes expenditures for both the support or opposition
7 of any candidate and the passage or defeat of a ballot measure, the committee treasurer shall
8 maintain records segregated according to each candidate or measure for which the expenditures
9 were made.

10 6. Records shall indicate which transactions, either contributions received or expenditures
11 made, were cash transactions or in-kind transactions.

12 7. Any candidate who, pursuant to section 130.016, is exempt from the requirements to form
13 a committee shall maintain records of each contribution received or expenditure made in support of
14 his candidacy. Any other person or combination of persons who, although not deemed to be a
15 committee according to the definition of the term "committee" in section 130.011, accepts
16 contributions or makes expenditures, other than direct contributions from the person's own funds,
17 for the purpose of supporting or opposing the election or defeat of any candidate or for the purpose
18 of supporting or opposing the qualifications, passage or defeat of any ballot measure shall maintain
19 records of each contribution received or expenditure made. The records shall include name, address
20 and amount pertaining to each contribution received or expenditure made and any bills, receipts,
21 cancelled checks or other documents relating to each transaction.

22 8. All records and accounts of receipts and expenditures shall be preserved for at least three
23 years after the date of the election to which the records pertain. Records and accounts regarding
24 supplemental disclosure reports or reports not required pursuant to an election shall be preserved for
25 at least three years after the date of the report to which the records pertain. Such records shall be
26 available for inspection by the [campaign finance review board] Missouri ethics commission and its
27 duly authorized representatives.

28 130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if
29 applicable, treasurer or deputy treasurer of every committee which is required to file a statement of
30 organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The
31 reports shall be filed with the appropriate officer designated in section 130.026 at the times and for
32 the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050,
33 each report shall set forth:

34 (1) The full name, as required in the statement of organization pursuant to subsection 5 of
35 section 130.021, and mailing address of the committee filing the report and the full name, mailing
36 address and telephone number of the committee's treasurer and deputy treasurer if the committee has
37 named a deputy treasurer;

38 (2) The amount of money, including cash on hand at the beginning of the reporting period;

39 (3) Receipts for the period, including:

40 (a) Total amount of all monetary contributions received which can be identified in the
41 committee's records by name and address of each contributor. In addition, the candidate committee

1 shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or
2 notation of retirement, of each person from whom the committee received one or more contributions
3 which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to
4 obtain and report a description of any contractual relationship over five hundred dollars between the
5 contributor and the state if the candidate is seeking election to a state office or between the
6 contributor and any political subdivision of the state if the candidate is seeking election to another
7 political subdivision of the state;

8 (b) Total amount of all anonymous contributions accepted;

9 (c) Total amount of all monetary contributions received through fund-raising events or
10 activities from participants whose names and addresses were not obtained with such contributions,
11 with an attached statement or copy of the statement describing each fund-raising event as required in
12 subsection 6 of section 130.031;

13 (d) Total dollar value of all in-kind contributions received;

14 (e) A separate listing by name and address and employer, or occupation if self-employed or
15 notation of retirement, of each person from whom the committee received contributions, in money
16 or any other thing of value, aggregating more than one hundred dollars, together with the date and
17 amount of each such contribution;

18 (f) A listing of each loan received by name and address of the lender and date and amount of
19 the loan. For each loan of more than one hundred dollars, a separate statement shall be attached
20 setting forth the name and address of the lender and each person liable directly, indirectly or
21 contingently, and the date, amount and terms of the loan;

22 (4) Expenditures for the period, including:

23 (a) The total dollar amount of expenditures made by check drawn on the committee's
24 depository;

25 (b) The total dollar amount of expenditures made in cash;

26 (c) The total dollar value of all in-kind expenditures made;

27 (d) The total dollar amount of expenditures made via electronic means;

28 (e) The full name and mailing address of each person to whom an expenditure of money or
29 any other thing of value in the amount of more than one hundred dollars has been made, contracted
30 for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of
31 one hundred dollars or less may be grouped and listed by categories of expenditure showing the total
32 dollar amount of expenditures in each category, except that the report shall contain an itemized
33 listing of each payment made to campaign workers by name, address, date, amount and purpose of
34 each payment and the aggregate amount paid to each such worker; and

35 [(e)] (f) A list of each loan made, by name and mailing address of the person receiving the
36 loan, together with the amount, terms and date;

37 (5) The total amount of cash on hand as of the closing date of the reporting period covered,
38 including amounts in depository accounts and in petty cash fund;

39 (6) The total amount of outstanding indebtedness as of the closing date of the reporting
40 period covered;

41 (7) The amount of expenditures for or against a candidate or ballot measure during the

1 period covered and the cumulative amount of expenditures for or against that candidate or ballot
2 measure, with each candidate being listed by name, mailing address and office sought. For the
3 purpose of disclosure reports, expenditures made in support of more than one candidate or ballot
4 measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In
5 apportioning expenditures to each candidate or ballot measure, political party committees and
6 continuing committees need not include expenditures for maintaining a permanent office, such as
7 expenditures for salaries of regular staff, office facilities and equipment or other expenditures not
8 designed to support or oppose any particular candidates or ballot measures; however, all such
9 expenditures shall be listed pursuant to subdivision (4) of this subsection;

10 (8) A separate listing by full name and address of any committee including a candidate
11 committee controlled by the same candidate for which a transfer of funds or a contribution in any
12 amount has been made during the reporting period, together with the date and amount of each such
13 transfer or contribution;

14 (9) A separate listing by full name and address of any committee, including a candidate
15 committee controlled by the same candidate from which a transfer of funds or a contribution in any
16 amount has been received during the reporting period, together with the date and amount of each
17 such transfer or contribution;

18 (10) Each committee that receives a contribution which is restricted or designated in whole
19 or in part by the contributor for transfer to a particular candidate, committee or other person shall
20 include a statement of the name and address of that contributor in the next disclosure report required
21 to be filed after receipt of such contribution, together with the date and amount of any such
22 contribution which was so restricted or designated by that contributor, together with the name of the
23 particular candidate or committee to whom such contribution was so designated or restricted by that
24 contributor and the date and amount of such contribution.

25 2. For the purpose of this section and any other section in this chapter except sections
26 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified
27 amount, the aggregate amount shall be computed by adding all contributions received from any one
28 person during the following periods:

29 (1) In the case of a candidate committee, the period shall begin on the date on which the
30 candidate became a candidate according to the definition of the term "candidate" in section 130.011
31 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at
32 11:59 p.m. on the day of the general election. If the candidate has a general election held after a
33 primary election, the next aggregating period shall begin at 12:00 midnight on the day after the
34 primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for
35 contributions received during the thirty-day period immediately following a primary election, the
36 candidate shall designate whether such contribution is received as a primary election contribution or
37 a general election contribution;

38 (2) In the case of a campaign committee, the period shall begin on the date the committee
39 received its first contribution and end on the closing date for the period for which the report or
40 statement is required;

41 (3) In the case of a political party committee or a continuing committee, the period shall

1 begin on the first day of January of the year in which the report or statement is being filed and end
2 on the closing date for the period for which the report or statement is required; except, if the report
3 or statement is required to be filed prior to the first day of July in any given year, the period shall
4 begin on the first day of July of the preceding year.

5 3. The disclosure report shall be signed and attested by the committee treasurer or deputy
6 treasurer and by the candidate in case of a candidate committee.

7 4. The words "consulting or consulting services, fees, or expenses", or similar words, shall
8 not be used to describe the purpose of a payment as required in this section. The reporting of any
9 payment to such an independent contractor shall be on a form supplied by the appropriate officer,
10 established by the ethics commission and shall include identification of the specific service or
11 services provided including, but not limited to, public opinion polling, research on issues or
12 opposition background, print or broadcast media production, print or broadcast media purchase,
13 computer programming or data entry, direct mail production, postage, rent, utilities, phone
14 solicitation, or fund raising, and the dollar amount prorated for each service."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.