

HB 1080 -- Ethics

Sponsor: Kander

This bill changes the laws regarding ethics, lobbying, and campaign finance. In its main provisions, the bill:

(1) Prohibits any statewide elected official or member of the General Assembly from soliciting any registered lobbyist for a position with a hiring date beginning after the person is no longer an elected official, whether compensated or not, while the person holds office (Section 105.456, RSMo);

(2) Prohibits any statewide elected official or member of the General Assembly from registering or acting as a lobbyist within the two-year period after leaving office (Section 105.456);

(3) Prohibits any member of the General Assembly from accepting any item, service, or thing of value from any lobbyist (Section 105.456);

(4) Prohibits a member of the General Assembly from accepting or receiving compensation of any kind as a paid political consultant, defined as a person who is paid to provide political consulting services to promote the election of a candidate or interest of an organization, for another individual holding a statewide elected office or a member of the General Assembly. A spouse, dependent child, or parent of a member of the General Assembly who acts as a paid political consultant is prohibited from accepting or receiving any compensation on behalf of an individual holding office as a state representative or senator (Section 105.456);

(5) Requires any person employed by the state, by any elected or appointed official of the state, or by any political subdivision or public school district who is compensated for political activities or for consulting on a full-time, part-time, or contract basis to file a financial interest statement with the Missouri Ethics Commission (Section 105.483);

(6) Requires the name and address of each corporation for which a person served as a trustee, partner, proprietor, representative, employee, or consultant to be included in his or her financial interest statement (Section 105.485);

(7) Requires the source, date, and amount made to a charitable organization in lieu of honoraria to be included when filing a financial interest statement (Section 105.485);

(8) Requires a description, the date, and category of value of

any purchase, sale, or exchange of more than \$1,000 in real property, stocks, bonds, commodities futures, or other forms of securities to be included when filing a financial interest statement. The identity and category of value of loans and liabilities of more than \$10,000 must also be reported with the exception of certain secured loans and home mortgages. Exemptions for certain transactions between spouses, parents, siblings, and children are included in the provisions of the bill (Section 105.485);

(9) Requires a description of the date, parties to, and terms of an agreement or arrangement related to future employment, leave of absence from government service, continuation of payments by a former employer, and continuing participation in an employee welfare or benefit plan by a former employer to be included when filing a financial interest statement (Section 105.485);

(10) Changes the required vote of the commission to initiate an independent investigation of a potential violation from unanimously with all six members voting to a majority of the commission members (Section 105.959);

(11) Allows the commission to impose a minimum fine of not less than the amount but not more than three times the amount of campaign funds transferred in violation of Section 130.031.15 if the funds are not returned within 10 days of notification by the commission for a first violation (Section 130.031);

(12) Changes the penalty for a second violation of failing to return campaign funds under Section 130.031.15 from a class C misdemeanor to a class D felony (Section 130.031);

(13) Prohibits a committee from transferring any funds to another committee if the same individual is the treasurer for both committees (Section 130.031);

(14) Prohibits a campaign committee from receiving a contribution from any organization exempt from taxation under 26 U.S.C. Section 501(c)(4) unless the organization discloses to the commission the name and address of each donor of the organization or provides a list of all donors to the general public on its website (Section 130.031);

(15) Specifies the amount of contributions made by or accepted from any person other than a candidate in any one election cannot exceed (Section 130.032);

(16) Specifies that any contribution from a person younger than 14 years of age will be considered made by his or her parents or guardian and will be attributed toward any specified contribution

limits (Section 130.032);

(17) Specifies that any committee that accepts or gives contributions other than those allowed in these provisions will be subject to a surcharge of \$1,000 plus an amount equal to the contribution to be paid to the commission which is to be transferred to the Director of the Department of Revenue upon notification of the nonallowable contribution by the commission and after the candidate has had 10 business days after receipt of the notice to return the contribution to the contributor. The candidate and the committee treasurer will be personally liable for the payment of the surcharge or may pay it from campaign funds existing on the date of the notice of the nonallowable contribution (Section 130.032);

(18) Changes the penalty for a person committing the crime of obstruction of an ethics investigation under Section 575.021 from a class A misdemeanor to a class D felony (Section 575.021); and

(19) Adds any public official, statewide elected official, or employee of the state and its agencies when the person is operating in his or her official capacities and using state-funded equipment for his or her official communications to the definition of a "public governmental body" as it applies to Chapter 610, the Open Meetings and Records Law commonly known as the Sunshine Law (Section 610.010).