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# **Missouri Campaign Finance Disclosure Law**

**ROY D. BLUNT**  
Secretary of State

August, 1990

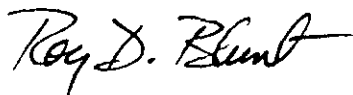
Fellow Missourians:

Missouri's Campaign Finance Disclosure Law (Chapter 130 RSMo) was first adopted by the 79th General Assembly in 1978 and was amended in 1979, 1982, 1985, 1988 and again in 1990. The revised law provides for pre-election disclosure of contributions and expenditures concerning campaign finance, establishes standards of accountability for campaign funds, enables greater efforts to enforce the law and provides various reporting exemptions for certain candidates.

Chapter 130 authorizes the secretary of state to make available the necessary instructional material about campaign finance disclosure to candidates, committees and the general public. We hope this publication of the statute itself will be a useful reference for those persons affected by, or interested in, Missouri's Campaign Finance Disclosure Law.

We look forward to the opportunity to serve those candidates, committees and other interested citizens who become a part of the election process in the State of Missouri.

Sincere regards,

A handwritten signature in black ink that reads "Roy D. Blunt". The signature is written in a cursive, flowing style.

Roy D. Blunt

# Missouri Campaign Finance Disclosure Law

**ROY D. BLUNT**  
Secretary of State

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## AUTHORITY FOR PUBLICATION

**130.056. Secretary of state to administer chapter, duties—other appropriate officers, duties.—1.** The secretary of state shall administer the provisions of this chapter and, in connection therewith, shall:

(1) Take such steps as are necessary to disseminate among the general public such information as may serve to guide all persons who are or may become subject to the provisions of this chapter for the purpose of facilitating voluntary compliance with the purposes and provisions of this chapter;

(2) Be responsible for expediting the filing of all reports, statements and other information required to be filed under the provisions of this chapter and, in connection therewith, be responsible for developing procedures whereby all candidates shall be informed of the provisions of section 130.016 so as to assure the timely filing of statements which some candidates are eligible to file as provided in section 130.016;

(3) Develop and publish forms and printed instructional material and furnish such forms and instructions to persons required to file reports and statements pursuant to the provisions of this chapter, together with a summary of the provisions of chapter 115, RSMo, which apply to candidates and committees covered by this chapter. . .

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Return to Resource Center  
International Foundation  
for Electoral Systems  
1620 I St. NW, Suite 611  
Washington, D.C. 20006



# Chapter 130

## CAMPAIGN FINANCE DISCLOSURE LAW

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**130.011. Definitions.**—As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

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

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval

or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) **“Candidate”**, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by his political party for election to public office, an individual standing for retention in an election to an office to which he was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time he meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a “write-in candidate” as defined in subdivision (23) of this section. A candidate shall be deemed to seek nomination or election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

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

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

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

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

(6) **“Closing date”**, the date through which a statement or report is required to be complete;

(7) **“Committee”**, a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or

defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee; except that, a person or combination of persons, as described in this subdivision, shall not be deemed to be a committee if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds one thousand dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions; nor shall an individual (other than a candidate) who accepts no contributions and who deals only with his own funds or property be deemed a committee; nor shall a corporation, cooperative association, partnership, proprietorship, or joint venture be deemed to be a committee for the purposes of making expenditures if it is not organized or operated for the primary or principal purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, accepts no contributions, and if the expenditures are made using its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (9) of this section; nor shall a labor organization be deemed to be a committee for the purposes of making expenditures if it is not organized or operated for the primary or principal purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, accepts no contributions, and if the expenditures are made using its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (9) of this section; nor shall a person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee be deemed a committee if such person renders to the committee treasurer an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all recordkeeping and reporting requirements of this chapter; nor shall any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in his official capacity, be deemed a committee. The term "committee" includes, but is not limited to, each of the following committees:

(a) "Campaign committee", a committee, other than a candidate committee, whose sole purpose is to support or oppose the nomination or election of one or more particular candidates or the qualification and passage of one or more particular ballot



measures or any combination of candidates and ballot measures in a single election or in the combination of a single primary election and the immediately succeeding general election;

(b) **“Candidate committee”**, a committee which is formed by a candidate to receive contributions or make expenditures in behalf of his candidacy or a committee which is controlled directly or indirectly by a candidate in making expenditures. As set forth in section 130.021, a candidate may elect to serve as his own “candidate committee”. The term “candidate committee” also means a committee organized for the purpose of supporting the candidacies of a specifically named group of two or more particular candidates seeking specifically named elective offices in the same political subdivision in a single election or in the combination of a single primary election and the immediately succeeding general election, provided that the committee has been formed by and is under the joint control and direction of such candidates. A committee is presumed to be under the control and direction of an individual candidate if the committee makes or intends to make more than seventy percent of its total expenditures to further the nomination or election of the candidate during the twelve-month period immediately preceding the election, unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on his part. A “candidate committee” may also include a committee with the primary or incidental purpose of defraying expenses arising from an individual’s holding public office or to defray expenses incidental to that individual’s seeking any office or position stemming from or in conjunction with the holding of the public office;

(c) **“Continuing committee”**, a committee of continuing existence whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. Included is any committee (sometimes referred to as a political action committee or PAC) organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and utilize contributions from the members, employees or stockholders of such entity to influence or attempt to influence the action of voters or to solicit, accept and utilize contributions from the members, employees, or stockholders of such entity to pay debts or obligations of any candidate or committee previously incurred or for the purpose of contributing funds to another committee. Not included is a candidate committee or incumbent committee;

(8) **“Connected organization”**, any organization such as a

corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to the committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization of an affiliated committee if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

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

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

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

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

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

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

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

(g) Facilities, office space or equipment supplied by any person

to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

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

(i) "Contribution" does not include:

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

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

c. Interest earned on deposit of committee funds;

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

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

(11) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the secretary of state and filed at the times and places prescribed;

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

(13) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage

of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

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

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

(c) The transfer of funds by one committee to another committee, except funds which are transferred by a candidate committee to another candidate committee controlled by the same candidate, but such transfer shall be included in the disclosure reports;

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

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

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

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

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

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

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

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

(15) **"In-kind contribution"** or **"in-kind expenditure"**, a contribution or expenditure in a form other than money;

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

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

(18) **"Person"**, an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organi-

zation however constituted or any officer or employee of such entity acting in his official capacity;

(19) **“Political merchandise”**, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(20) **“Political party”**, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(21) **“Political party committee”**, a state, district, county or city committee of a political party;

(22) **“Public office”** or **“office”**, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(23) **“Write-in candidate”**, an individual whose name is not printed on the ballot but who otherwise meets the definition of “candidate” in subdivision (3) of this section.

*(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451, A.L. 1986 H.B. 1554 Revision, A.L. 1990 S.B. 631)*

**130.016. Certain candidates exempt from filing requirements—procedure for exemption—restrictions on subsequent contributions and expenditures—rejection of exemption.—1.** No candidate for statewide elected office, general assembly, judicial office other than municipal judge, county office or municipal office in a city with a population of more than ten thousand shall be required to comply with the requirements to file a statement of organization or disclosure reports of contributions and expenditures for any election in which neither the aggregate of contributions received nor the aggregate of expenditures made on behalf of such candidate exceeds one thousand dollars and no single contributor, other than the candidate, has contributed more than two hundred fifty dollars of the aggregate contributions received, provided that:

(1) The candidate files a sworn exemption statement with the appropriate officer that he does not intend to either receive contributions or make expenditures in the aggregate of more than one thousand dollars or receive contributions from any single contributor, other than himself, that aggregate more than two hundred fifty dollars and that the total of all contributions received or expenditures made by him and all committees or any other person with his knowledge and consent in support of his candidacy will not exceed one thousand dollars and that the aggregate of contributions received from any single contributor will not exceed two hundred fifty dollars. Such exemption statement shall be filed

no later than the date set forth in section 130.046 on which a disclosure report would otherwise be required if the candidate does not file the exemption statement. The exemption statement shall be filed on a form furnished to each appropriate officer by the secretary of state. Each appropriate officer shall make the exemption statement available to candidates and shall direct each candidate's attention to the exemption statement and explain its purpose to the candidate; and

(2) The sworn exemption statement includes a statement that the candidate understands that records of contributions and expenditures must be maintained from the time he first receives contributions or makes expenditures and that an exemption from filing a statement of organization or disclosure reports does not exempt him from other provisions of this chapter.

2. Any candidate who has filed an exemption statement as provided in subsection 1 of this section shall not accept any contribution or make any expenditure in support of his candidacy, either directly or indirectly or by or through any committee or any other person acting with his knowledge and consent, which would cause such contributions or expenditures to exceed the limits specified in subdivision (1) of subsection 1 of this section unless he later rejects the exemption pursuant to the provisions of subsection 3 of this section. Any contribution received in excess of such limits shall be returned to the donor or transmitted to the state treasurer to escheat to the state.

3. If, after filing the exemption statement provided for in this section, the candidate subsequently determines he wishes to exceed any of the limits in subdivision (1) of subsection 1 of this section, he shall file a notice of rejection of the exemption with the appropriate officer; however, such rejection shall not be filed later than the twelfth day before election. A notice of rejection of exemption shall be accompanied by a statement of organization as required by section 130.021 and any other statements and reports which would have been required if the candidate had not filed an exemption statement.

4. A primary election and the immediately succeeding general election are separate elections, and restrictions on contributions and expenditures set forth in subsection 2 of this section shall apply to each election; however, if a successful primary candidate has correctly filed an exemption statement prior to the primary election and has not filed a notice of rejection prior to the date on which the first disclosure report applicable to the succeeding general election is required to be filed, he shall not be required to file an exemption statement for that general election if the limitations set forth in subsection 1 of this section apply to the succeeding general election.

5. A candidate who has an existing candidate committee

formed for a prior election for which all statements and reports required by this chapter have been properly filed shall be eligible to file the exemption statement as provided in subsection 1 of this section and shall not be required to file the disclosure reports pertaining to the election for which he is eligible to file the exemption statement if the candidate and the treasurer of such existing candidate committee continue to comply with the requirements, limitations and restrictions set forth in subsections 1, 2, 3 and 4 of this section. The exemption permitted by this subsection does not exempt a candidate or the treasurer of his existing candidate committee from complying with the requirements of subsections 6 and 7 of section 130.046 applicable to a prior election.

6. No nonpartisan candidate for supreme court, circuit court, or associate circuit court, or candidate for political party office, or for municipal office in a city of ten thousand or less, or for any special purpose district office shall be required to file an exemption statement under this section in order to be exempted from forming a committee and filing disclosure reports required of committees under this chapter if the aggregate of contributions received or expenditures made by him and any other person with his knowledge and consent in support of his candidacy does not exceed one thousand dollars and the aggregate of contributions from any single contributor does not exceed two hundred fifty dollars. No candidate for any office listed in this subsection shall be excused from complying with the provisions of any section of this chapter, other than the filing of an exemption statement under the conditions specified in this subsection.

7. If any candidate for an office listed in subsection 6 of this section exceeds the limits specified therein, the candidate shall form a committee which shall comply with all provisions of this chapter for committees.

*(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451, A.L. 1990 S.B. 631)*

**130.021. Treasurer for candidates and committees, when required—duties—official depository account to be established—statement of organization for committees, contents, when filed—**

1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state, to serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform his duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement



of organization and disclosure reports under subsection 6 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of his candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the treasurer of his candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself as a committee of one and serving as his own treasurer, maintaining his own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting his candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under his control and direction as required by subsection 3 of section 130.041.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer or deputy treasurer. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of his own funds to his candidate committee shall be deposited to an official depository account of his candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until he appoints a new treasurer.

(2) A committee treasurer may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state,

and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit, without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment, such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

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

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (8) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;

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

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

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

(5) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository;

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

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

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

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

6. A committee may omit the information required in subdivisions (8) and (9) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose.

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

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

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

10. Notwithstanding the provisions of any other subsections of this section, a committee domiciled outside this state shall not

be required to file a statement of organization nor appoint a treasurer residing in this state nor open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state does not exceed twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state does not exceed five thousand dollars in the current calendar year.

*(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451, A.L. 1990 S.B. 631)*

**130.026. Election authority defined—appropriate officer designated for filing of reports.**—1. For the purpose of this section, the term “election authority” or “local election authority” means the county clerk, except that in a city or county having a board of election commissioners the board of election commissioners shall be the election authority. For any political subdivision or other district which is situated within the jurisdiction of more than one election authority, as defined herein, the election authority is the one in whose jurisdiction the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most populous portion of the political subdivision or district for which an election is held is situated, except that a county clerk or a county board of election commissioners shall be the election authority for all candidates for elective county offices other than county clerk and for any countywide ballot measures.

2. The appropriate officer or officers for candidates and ballot measures shall be as follows:

(1) In the case of candidates for the offices of governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, judges of the supreme court and appellate court judges, the appropriate officer shall be the secretary of state;

(2) Notwithstanding the provisions of subsection 1 of this section, in the case of candidates for the offices of state senator, state representative, county clerk, and associate circuit court judges and circuit court judges, the appropriate officers shall be the secretary of state and the election authority for the place of residence of the candidate;

(3) In the case of candidates for elective municipal offices in municipalities of more than one hundred thousand inhabitants and elective county offices in counties of more than one hundred thousand inhabitants, the appropriate officers shall be the secretary of state and the election authority of the municipality or county in which the candidate seeks office;

(4) In the case of all other offices, the appropriate officer shall

be the election authority of the district or political subdivision for which the candidate seeks office;

(5) In the case of ballot measures, the appropriate officer or officers shall be:

(a) The secretary of state for a statewide measure;

(b) The local election authority for any political subdivision or district as determined by the provisions of subsection 1 of this section for any measure, other than a statewide measure, to be voted on in that political subdivision or district.

3. The appropriate officer or officers for candidate committees and campaign committees shall be the same as designated in subsection 2 of this section for the candidates or ballot measures supported or opposed as indicated in the statement of organization required to be filed by any such committee.

4. The appropriate officer for political party committees shall be as follows:

(1) In the case of state party committees, the appropriate officer shall be the secretary of state;

(2) In the case of any district, county or city political party committee, the appropriate officer shall be the secretary of state and the election authority for that district, county or city.

5. The appropriate officers for a continuing committee and for any other committee not named in subsections 3, 4 and 5 of this section shall be as follows:

(1) The secretary of state and the election authority for the county in which the committee is domiciled; and

(2) If the committee makes or anticipates making expenditures other than direct contributions which aggregate more than five hundred dollars to support or oppose one or more candidates or ballot measures in the same political subdivision or district for which the appropriate officer is an election authority other than the one for the county in which the committee is domiciled, the appropriate officers for that committee shall include such other election authority or authorities, except that committees covered by this subsection need not file statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section 130.046 with any appropriate officer other than those set forth in subdivision (1) of this subsection.

6. The term "domicile" or "domiciled" means the address of the committee listed on the statement of organization required to be filed by that committee in accordance with the provisions of section 130.021.

*(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451, A.L. 1990 S.B. 631)*

**130.028. Prohibitions against certain discrimination or intimidation relating to elections.**—1. Every person, labor organization, or corporation organized or existing by virtue of the laws of this state, or doing business in this state who shall:

(1) Discriminate or threaten to discriminate against any member in this state with respect to his membership, or discharge or discriminate or threaten to discriminate against any employee in this state, with respect to his compensation, terms, conditions or privileges of employment by reason of his political beliefs or opinions; or

(2) Coerce or attempt to coerce, intimidate or bribe any member or employee to vote or refrain from voting for any candidate at any election in this state; or

(3) Coerce or attempt to coerce, intimidate or bribe any member or employee to vote or refrain from voting for any issue at any election in this state; or

(4) Make any member or employee as a condition of membership or employment, contribute to any candidate, political committee or separate political fund; or

(5) Discriminate or threaten to discriminate against any member or employee in this state for contributing or refusing to contribute to any candidate, political committee or separate political fund with respect to the privileges of membership or with respect to his employment and the compensation, terms, conditions or privileges related thereto shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not more than five thousand dollars and confinement for not more than six months, or both provided, after January 1, 1979, the violation of this section shall be a class D felony.

2. Any person aggrieved by any act prohibited by this section shall, in addition to any other remedy provided by law, be entitled to maintain within one year from the date of the prohibited act, a civil action in the courts of this state, and if successful, he shall be awarded civil damages of not less than one hundred dollars and not more than one thousand dollars, together with his costs, including reasonable attorneys fees. Each violation shall be a separate cause of action.

(L. 1978 S.B. 839)

**130.029. Corporations and labor organizations may make contributions or expenditures.**—1. Nothing herein contained shall be construed to prohibit any corporation organized under any general or special law of this state, or any other state or by an act of the Congress of the United States or any labor organization, cooperative association or mutual association from making any contributions or expenditures, provided:

(1) That the board of directors of any corporations by resolution has authorized contributions or expenditures, or by resolution has authorized a designated officer to make such contributions or expenditures; or

(2) That the members of any labor organization, cooperative association or mutual association have authorized contributions or expenditures by a majority vote of the members present at a duly called meeting of any such labor organization, cooperative association or mutual association or by such vote has authorized a designated officer to make such contributions or expenditures.

2. No provision of this section shall be construed to authorize contributions or expenditures otherwise prohibited by, or to change any necessary percentage of vote otherwise required by, the articles of incorporation or association or bylaws of such labor organization, corporation, cooperative or mutual association.

3. Authority to make contributions or expenditures as authorized by this section shall be adopted by general or specific resolution. This resolution shall state the total amount of contributions or expenditures authorized, the purposes of such contributions or expenditures and the time period within which such authority shall exist.

(L. 1978 S.B. 839)

**130.031. Restrictions and limitations on contributions—records required—anonymous contributions, how handled—campaign materials, sponsor to be identified.—**1. No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election.

2. Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained in accordance with the recordkeeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash fund.

3. No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of

the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer his own name and address and the name and address of the actual source of each contribution he has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer his own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures he has made for that committee.

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

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

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

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

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

(3) The person responsible for conducting the activity or event does not knowingly accept payment from any single person of more than twenty-five dollars unless the name and address of the person



making such payment is obtained and recorded pursuant to the recordkeeping requirements of section 130.036;

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

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

(b) The date on which the event occurred;

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

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

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

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

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

7. No candidate or committee in this state shall accept contributions from any out-of-state committee unless the out-of-state committee from whom the contributions are received has filed a statement of organization under the provisions of section 130.021 or has filed the reports required by section 130.051, whichever is applicable to that committee.

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

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

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

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

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

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

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

by federal law.

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

11. It shall be a violation of this chapter for any person required to be identified as paying for printed matter under subsection 8 of this section or paying for broadcast matter under subsection 9 of this section to refuse to provide the information required or to purposely provide false, misleading, or incomplete information.

*(L. 1978 S.B. 839, A.L. 1982 S.B. 526, A.L. 1985 H.B. 150, 163 & 451, A.L. 1990 S.B. 631)*

**130.036. Treasurer to maintain records, contents.—**1. The treasurer of a committee, who may be a candidate who has elected to serve as his own candidate committee and committee treasurer, shall maintain accurate records and accounts on a current basis. The records and accounts shall be maintained in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts, deposit records, canceled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed pursuant to this chapter. Every person who acts as an agent for a committee in receiving contributions, making expenditures or incurring indebtedness for the committee shall, on request of that committee's treasurer, but in any event within five days after any such action, render to the committee treasurer a detailed account thereof, including names, addresses, dates, exact amounts and any other details required by the treasurer to comply with this chapter. Notwithstanding the provisions of subsection 4 of section 130.021 prohibiting commingling of funds, an individual, trade or professional association, business entity, or labor organization which acts as an agent for a committee in receiving contributions may deposit contributions received on behalf of the committee to the agent's account within a financial institution within this state, for purposes of facilitating transmittal of the contributions to the committee treasurer. Such contributions shall not be held in the agent's account for more than five days after the date the contribution was received by the agent, and shall not be transferred to the account of any other agent or person, other than the committee treasurer.

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

3. Notwithstanding the provisions of section 130.041 that only

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

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

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

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

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

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

*(L. 1978 S.B. 839, A.L. 1985 H.B. 150, 163 & 451)*

**130.041. Disclosure reports—who files—when required—contents.—**1. Except as provided in subsection 5 of section 130.016, the treasurer of every committee, excluding candidate committees when the candidate supported by the committee is not up for election and contributions made by the committee aggregate one thousand dollars or less per election, which is required to file a statement of organization, including a candidate who has elected to serve as his own candidate committee, shall file a legibly printed or typed disclosure report of receipts and expenditures for any election for which the committee makes expenditures or contributions or for which the committee receives contributions with the intent to make expenditures or contributions. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in section 130.051, each report shall set forth:

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

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

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor;

(b) Total amount of all anonymous contributions accepted;

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

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

(e) A separate listing by name and address of each person from whom the committee received one or more contributions,

in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

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

(4) Expenditures for the period, including:

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

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

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

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

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

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

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

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

ballot measures; however, all such expenditures shall be listed in accordance with subdivision (4) of subsection 1 of this section;

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

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

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

2. For the purpose of this section and any other section in this chapter except section 130.051 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end on the closing date of the reporting period for the report or statement required;

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

(3) In the case of a political party committee, a continuing committee or an incumbent committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. In the case of a candidate who has more than one candidate

committee under his control and direction, the report of the candidate committee designated in subsection 3 of section 130.021 shall contain a listing by name and address of each person contributing an aggregate of more than one hundred dollars to all of the candidate committees under the control and direction of such candidate.

4. The disclosure report shall be signed and attested by the committee treasurer and by the candidate in case of a candidate committee.

*(L. 1978 S.B. 839, A.L. 1985 H.B. 150, 163 & 451, A.L. 1990 S.B. 631)*

**130.046. Times for filing of disclosure—periods covered by reports—certain disclosure reports not required—supplemental reports, when.**—1. The disclosure reports required by section 130.041, for committees other than continuing committees, shall be filed at the following times and for the following periods:

(1) Not later than the fortieth day before an election for the period closing on the forty-fifth day before election; and

(2) Not later than the seventh day before an election for the period closing on the twelfth day before election; and

(3) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election; except that, a successful candidate who takes office prior to the twenty-fifth day after election shall have complied with the reporting requirement of this subdivision if a disclosure report is filed by him and any candidate committee under his control before he takes office, and such report shall be for the period closing on the day before taking office.

2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition or referendum petition, or a recall petition seeking to remove an incumbent from office, disclosure reports relating to the time for filing such petitions shall be made as follows:

(1) In addition to the disclosure reports required to be filed before and after elections in accordance with subdivisions (1), (2) and (3) of subsection 1 of this section, the treasurer of a committee, other than a continuing committee, supporting or opposing a petition effort to qualify a measure to appear on the ballot or to remove an incumbent from office shall file a disclosure report no later than the fifteenth day after the deadline date for submitting such petitions. The period covered in the report shall begin on the day the committee first accepted contributions or made expenditures to support or oppose the petition effort for qualification of the measure and shall close on the tenth day after the deadline date for submitting the petitions for such measure;

(2) If the measure has qualified to be on the ballot in an



election, and if a committee subject to the requirements of subdivision (1) of this subsection is also required to file a preelection disclosure report for that election any time within thirty days after the date on which disclosure reports are required to be filed in accordance with subdivision (1) of this subsection, the treasurer of such committee shall not be required to file the report required by subdivision (1) of this subsection, but shall include in the committee's preelection report all information which would otherwise have been required by subdivision (1) of this subsection.

3. The treasurer of a continuing committee shall file quarterly disclosure reports pursuant to this subsection, except for any calendar quarter in which the contributions received by the continuing committee or the expenditures or contributions made by the continuing committee do not exceed one thousand dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September. Each report by such continuing committees shall be cumulative from the date of the last report. In the case of the continuing committee's first report, the report shall be cumulative from the date of the continuing committee's organization.

4. The reports required to be filed not later than the seventh day before an election and not later than the thirtieth day after an election and any subsequently required reports shall be cumulative so as to reflect the total receipts and disbursements of the reporting committee for the entire election campaign in question. The period covered by each disclosure report shall begin on the day after the closing date of the most recent disclosure report filed and end on the closing date for the period covered. If the committee has not previously filed a disclosure report, the period covered begins on the date the committee was formed, except that in the case of a candidate committee, the period covered begins on the date the candidate became a candidate according to the definition of the term "candidate" in section 130.011.

5. Other provisions of this chapter to the contrary notwithstanding:

(1) Certain disclosure reports pertaining to any candidate who receives nomination in a primary election and thereby seeks election in the immediately succeeding general election shall not be required in the following cases:

(a) If there are less than fifty days between a primary election and the immediately succeeding general election, the disclosure report required to be filed not later than the fortieth day before the general election need not be filed, provided that any other report required to be filed prior to the primary election and all other reports required to be filed not later than the seventh day

before the general election are filed no later than the final dates for filing such reports;

(b) If there are less than eighty-five days between a primary election and the immediately succeeding general election, the disclosure report required to be filed not later than the thirtieth day after the primary election need not be filed, provided that any report required to be filed prior to the primary election and any other report required to be filed prior to the general election are filed no later than the final dates for filing such reports; and

(2) No disclosure report need be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than one thousand dollars nor made expenditures aggregating more than one thousand dollars and has not received contributions aggregating more than two hundred fifty dollars from any single contributor and if the committee's treasurer files under oath a statement with the appropriate officer that neither the aggregate of contributions received by the committee during that reporting period nor the aggregate expenditures made by the committee during that reporting period exceeded one thousand dollars and the committee did not receive contributions from any one person aggregating more than two hundred fifty dollars during that reporting period. Any contributions received or expenditures made which are not reported because this statement is filed in lieu of a disclosure report must be included in the next disclosure report filed by the committee. This statement shall not be filed in lieu of two or more consecutive disclosure reports if either the contributions received or expenditures made in the aggregate during those reporting periods exceed one thousand dollars and shall not be filed in lieu of the report required to be filed not later than the thirtieth day after an election if that report would show a deficit of more than one thousand dollars.

6. (1) If the disclosure report required to be filed by a committee not later than the thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with the appropriate officer for each succeeding semiannual period until the deficit is reported in a disclosure report as being reduced to five thousand dollars or less, except that a supplemental semiannual report shall not be required for any semiannual period which includes the closing date for the reporting period covered in any regular disclosure report which the committee is required to file in connection with an election. The reporting dates and periods covered for semiannual reports shall be not later than the fifteenth day of January and July for periods closing on the thirty-first day of December and the thirtieth day of June.

(2) Committees required to file reports under subsection 2 or 3 of this section, which are not otherwise required to file disclosure

reports for an election, shall file semiannual reports as required by this subsection if their last required disclosure report shows a total of unpaid loans and other outstanding obligations in excess of five thousand dollars.

7. (1) If, after filing the disclosure report or the statement in lieu of a disclosure report as required in subdivision (2) of subsection 5 of this section, required to be filed not later than the thirtieth day after election, a committee, during a calendar year, receives additional contributions or makes additional expenditures aggregating more than one thousand dollars or receives an aggregate of more than two hundred fifty dollars from any one person, a supplemental disclosure report shall be filed not later than the fifteenth day of January for the period closing on the preceding thirty-first day of December, except that such additional disclosure report shall not be required if, within sixty days prior to or following the thirty-first day of December, the committee is required to file any other disclosure report.

(2) Committees required to file reports under subsection 2 of this section, which are not otherwise required to file reports for an election, shall file annual supplemental reports if, after filing the report required by subsection 2, the committee has additional financial activities during a calendar year in excess of the dollar amounts established by this subsection.

8. In the case of a committee which disbands and is required to file a termination statement under the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the committee treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

9. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the day designated for the filing of the report, and a report postmarked not later than midnight of the day previous to the day designated for filing the report shall be deemed to have been filed in a timely manner.

(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451, A.L. 1986 H.B. 1471, et al., A.L. 1990 S.B. 631)

**130.051. Expenditures reported, when—contents of report—exceptions—internal dissemination, when reported—reports of out-of-state committees—other committee disclosure reports.—1.** Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of or opposition to one or more candidates or in support of or in opposition to the qualification or passage of one or more ballot measures, other than a contribution made

directly to a candidate or committee, shall file a report signed by the person making the expenditure, or that person's authorized agent, disclosing the name and address of the person making the expenditure, the date and amount of the expenditure or expenditures, the name and address of the payee, and a description of the nature and purpose of each expenditure. Such report shall be filed with the appropriate officer for the candidate or ballot measure in question as set forth in section 130.026 within fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more. If, after filing such report, additional expenditures are made, a further report shall be filed at the date set forth in section 130.046 for any reporting period in which the additional expenditures are made; except that, if any such expenditure amounting to five hundred dollars or more is made within fourteen days prior to an election, the report shall be filed within forty-eight hours after the date of such expenditure. The provisions of this subsection shall not apply to a person who uses only its funds or resources to make an expenditure or expenditures in support of or in coordination or consultation with a candidate or committee, provided that any such expenditure is recorded as a contribution to that candidate or committee and so reported by the candidate or committee being supported by the expenditure or expenditures.

2. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity, except a committee as defined in section 130.011, of information advocating the election or defeat of a candidate or the passage or defeat of a ballot measure to its members, employees or shareholders, the cost of which is more than two thousand dollars in support of or in opposition to one or more candidates or in support of or in opposition to the qualification or passage of one or more ballot measures in a calendar year, other than a contribution made directly to a candidate or committee, shall be reported in a report signed by the person responsible for making the expenditure, or that person's authorized agent, disclosing the name and address of the person making the expenditure, the date and amount of the expenditure or expenditures, the name and address of the payee, and a description of the nature and purpose of the dissemination of information. Such report shall be filed with the appropriate officer for the candidate or ballot measure in question as set forth in section 130.026 within fourteen days after the date of making an expenditure. If, after filing such report, additional expenditures are made, a further report shall be filed at the date set forth in section 130.046 for any reporting period in which the additional expenditures are made; except that, if any such expenditure amounting to five hundred dollars or more is made within fourteen days prior to an election, the report shall be filed within forty-eight hours after the date of such expenditure.

3. An out-of-state committee which, according to the provisions of subsection 10 of section 130.021, is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the secretary of state according to the provisions of this subsection if the committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed on or within fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state, and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046. Each report shall contain:

(1) The full name and address of the committee making the report and the name, residential and business addresses and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization, or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion, or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission, and a listing of agencies in other states with whom the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution.

4. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election covered by this chapter any individual who seeks such nomination and who is a candidate according to the definition of the term "candidate" in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of

this subsection, the reporting dates and reporting periods in section 130.046 shall not strictly apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as the term “candidate” is defined in section 130.011, and closing on the tenth day after the date the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

5. If a candidate committee under the control or direction of an incumbent officeholder collects receipts or makes disbursements to defray expenses incidental to that individual's seeking any office or position arising out of or in conjunction with the holding of the public office, including a post selected by the members of a legislative body, the committee shall in addition to other reports required by this chapter file a report containing information as required by section 130.041 by the seventh day prior to the caucus or meeting at which such an office or position is filled, complete through the twelfth day prior to such meeting.

6. The receipt of any late contribution or loan of more than one thousand dollars by a candidate committee supporting a candidate for statewide office or more than five hundred dollars by any other committee shall be reported to the appropriate officer within forty-eight hours after receipt. For the purpose of this subsection the term “late contribution or loan” means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this subsection.

*(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451, A.L. 1990 S.B. 631)*

**130.056. Secretary of state to administer chapter, duties—other appropriate officers, duties.—**1. The secretary of state shall administer the provisions of this chapter and, in connection therewith, shall:

(1) Take such steps as are necessary to disseminate among the general public such information as may serve to guide all persons who are or may become subject to the provisions of this chapter for the purpose of facilitating voluntary compliance with the purposes and provisions of this chapter.

(2) Be responsible for expediting the filing of all reports, statements and other information required to be filed under the provisions of this chapter and, in connection therewith, be responsible for developing procedures whereby all candidates shall be informed of the provisions of section 130.016 so as to assure the timely filing of statements which some candidates are eligible to file as provided in section 130.016;

(3) Develop and publish forms and printed instructional material and furnish such forms and instructions to persons required to file reports and statements pursuant to the provisions of this chapter, together with a summary of the provisions of chapter 115, RSMo, which apply to candidates and committees covered by this chapter. All forms furnished under this chapter shall clearly state in readable type on the face of the form the date on which the form became effective. The forms published by the secretary of state shall provide for compliance with reporting and other provisions of this chapter. Any report form published by the secretary of state for purposes of compliance with section 130.041 shall provide for reporting contributions from individuals, corporations, labor organizations and fictitious entities and contributions from committees on the same form. Contributions from committees shall be listed first on each report form. All expenditures shall also be reported on a single report form;

(4) Develop a filing, coding and cross-indexing system for reports and statements required to be filed with his office, and preserve such reports and statements for a period of not less than five years from date of receipt;

(5) Make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(6) Examine each report and statement filed with his office under the requirements of this chapter to determine if the statements are properly completed and filed within the time required by this chapter;

(7) Notify a person required to file a report or statement under this chapter with the secretary of state immediately if, upon examination of the official ballot or other circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law. Upon notification of such person of his apparent failure to report, the secretary of state shall immediately report the name of that person to the campaign finance review board with any available information relevant to the apparent

nonreporting;

(8) From reports filed with him, prepare and publish an annual report including compilations of amounts contributed and expended for the influencing of nominations and elections;

(9) Prepare and publish such other reports as he deems appropriate;

(10) Disseminate statistics, summaries, and reports prepared under this chapter.

2. Each appropriate officer other than the secretary of state shall:

(1) Assist the secretary of state in furnishing forms and printed instructional material to persons required to file reports and statements under the provisions of this chapter;

(2) Accept reports and statements required to be filed with his office;

(3) Develop for his constituency a filing, coding, and cross-indexing system consonant with the purposes of this chapter;

(4) Make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(5) Preserve such reports and statements for a period of not less than five years from the date of receipt;

(6) Examine each report and statement filed with his office under the requirements of this chapter to determine if the reports and statements appear to be complete and filed within the required time;

(7) Notify a person required to file a report or statement under this chapter immediately if, upon examination of the circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;

(8) Notify the campaign finance review board if he has reasonable cause to believe that a violation of this chapter has occurred.

3. Any person receiving from an appropriate officer a copy of, or who is permitted to inspect or make a copy of, any report or statement filed under the requirements of this chapter shall sign a statement that he will not utilize the reports or statements or any information thereon for any commercial use except for public news reporting, whatsoever and will not transfer the information



obtained to any other persons for such purposes. It shall be the responsibility of each appropriate officer to instruct any person making a request to inspect, copy or receive a copy of any report or statement or any portion of a report or statement filed under this chapter that the utilization of any information obtained from such reports for any commercial purpose is a violation of this chapter.

*(L. 1978 S.B. 839, A.L. 1979 S.B. 129, A.L. 1985 H.B. 150, 163 & 451)*

**130.061. Campaign finance review board—appointment—composition—term—certain acts prohibited—organization—compensation.—1.** There is hereby created the “Campaign Finance Review Board”. The board shall be composed of six members to be appointed by the governor in the following manner: One member shall be appointed from a list of two nominees submitted to the governor by the chairman of the central committee of the state political party receiving the highest number of votes for governor at the last preceding general election at which a governor was elected; one member shall be appointed from a list of two nominees submitted to the governor by the chairman of the central committee of the state political party receiving the second highest number of votes for governor at the last preceding general election at which a governor was elected; one member shall be appointed from a list of two nominees submitted to the governor by the president pro tem of the state senate; one member shall be appointed from a list of two nominees submitted to the governor by the speaker of the house of representatives; and the remaining two members shall be appointed by the governor from the citizenry of the state at large. No more than three of the members of the board shall be members of the same political party. Members shall serve for a term of three years; except that the members serving on January 1, 1986, shall serve until the expiration of the term for which they were appointed. No person shall serve for more than two full terms on the board. The governor shall make all appointments to the board within twenty days after receiving the list of nominees for the position involved. Any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. Individuals chosen to fill a vacancy and individuals chosen to succeed a member whose term has expired shall be nominated and appointed in the same manner as the member whom he is replacing. Notification of a vacancy or the expiration of a term shall be given by the governor within ten days after the vacancy occurs or within sixty days prior to the expiration of the term. If the governor fails or refuses to make an appointment within twenty days after receiving the list of nominees, the person authorized to prepare the list of nominees for the position to be filled shall make the appointment. If any person authorized to prepare a list of nominees fails to submit a list to the governor within sixty days after notification, the governor shall make the appointment.

2. No member of the board during his tenure and no employee of the board shall hold or seek election to any public office, serve as an officer of any political party or partisan organization, contribute to or participate in any election campaign covered by this chapter other than to cast his vote, or act as a lobbyist before or to any elected officials or body of elected officials; however, appearance before members of the general assembly to explain the operation and activities of the board shall not be deemed lobbying. Members of the board may be removed by the governor, with concurrence of the senate, for neglect of duty, misconduct in office, inability to discharge the duties of office, failure to attend three meetings of the board in succession without good cause shown, or for violation of this subsection, after written notice and opportunity for a public hearing before a committee of the senate before the matter is referred to the full senate for concurrence or nonconcurrence.

3. The board shall annually elect one member to serve as chairman of the board and one member to serve as vice chairman. The vice chairman shall act as chairman in the absence or disability of the chairman or in the event of a vacancy in that office, and a majority of the members of the board appointed and serving shall constitute a quorum. The board shall adopt its own rules of procedure.

4. Each member of the board shall receive, as full compensation for his services, the sum of fifty dollars per day for each full day actually spent on the work of the board, and his actual and necessary expenses incurred in the performance of duty pertaining to his office, and no board member shall receive any compensation, either directly or indirectly, for his services except as herein provided.

5. All members, officers, agents, attorneys and employees of the board shall be subject to the provisions set forth in chapter 36, RSMo, prohibiting political activity of state employees.

6. The board shall be assigned to the office of the secretary of state. Supervision by the secretary of state shall be limited to budgeting and, except for the duties assigned to the secretary of state in section 130.056, shall not extend to substantive matters relating to policies or enforcement functions.

7. Notwithstanding any other provision of law to the contrary, the state auditor and his duly authorized employees who have taken the oath of confidentiality required by section 29.070, RSMo, shall audit the board and in connection therewith shall have the right to inspect materials relating to the functions of the board. Such audit shall include a determination of whether appropriations were spent within the intent of the general assembly, but the identity of any candidate or committee which is or was the subject of an investigation by the review board and whose identity is not public information under the law shall not be disclosed by the state auditor

or any of his employees.

(L. 1978 S.B. 839, A.L. 1985 H.B. 150, 163 & 451)

**130.066. Duties of campaign finance review board—powers of attorney general.**—The board shall have the following functions:

(1) Appoint an administrator who shall serve at the pleasure of the board. The administrator shall be responsible for the administrative operations of the board and shall perform such other duties as are assigned by the board. The board shall fix the compensation of the administrator and other employees within the limits of appropriations to the board;

(2) Review reports and statements filed with the appropriate officers, and upon review, if there are reasonable grounds to believe that a violation has occurred, conduct an audit of such reports and statements. Any audit or investigation of a candidate's or his committee's reports and statements shall include an audit of the reports and statements of his opponent or opponents as well. All investigations by the board prior to an election of an apparent violation pertaining to that election shall be strictly confidential with the exception of notification of the complainant or the person under investigation; except that, the person under investigation may request in writing that the investigation not be confidential and the board shall comply with such request. Revealing any confidential investigation information prior to such an election is a violation of this chapter and shall be cause for removal or dismissal of a board member or board employee;

(3) Upon findings of the secretary of state or any other appropriate officer which are reported to the board in accordance with the provisions of section 130.056, audit disclosure reports, statements and records pertaining to such findings within a reasonable time after receipt of the reports from the secretary of state or any other appropriate officer;

(4) Upon sworn written complaint of any citizen, audit and investigate apparent violations of this chapter. Within sixty days after receipt of a sworn written complaint alleging violation of any provision of this chapter, the campaign finance review board shall notify the complainant in writing of the action, if any, the campaign finance review board has taken or plans to take on the complaint. If an investigation conducted pursuant to a sworn written complaint fails to establish probable cause for belief that a violation has occurred, the campaign finance review board shall terminate the investigation and so notify the complainant and the person who had been under investigation and shall state the reasons for the disposition of the complaint;

(5) Make such public or private investigations and inspections within or without this state as are necessary to determine compliance

with the provisions of this chapter and to enforce the requirements of this chapter;

(6) If, after completion of an audit or investigation, the board determines that there is probable cause for belief that a person is in violation of this chapter, it shall provide a detailed report of such violation within fifteen days to the appropriate prosecuting attorney together with a copy of the board's audit and the details of the board's investigation.

*(L. 1978 S.B. 839, A.L. 1985 H.B. 150, 163 & 451)*

**130.067. Violations, prosecution—time limitation—board's authority to furnish evidence.**—After receipt of a report of an alleged violation filed pursuant to subdivision (6) of section 130.066, the prosecutor shall institute prosecution within sixty days if he determines the evidence supports the allegation, if the prosecuting attorney determines that insufficient evidence exists for prosecution, he shall inform the board within sixty days. If after receiving notice from a prosecuting attorney that insufficient evidence exists to support a prosecution, the board may within thirty days furnish the prosecuting attorney with any additional evidence available to it.

*(L. 1985 H.B. 150, 163 & 451)*

**130.068. Investigation and audit—statement on, contents—open for public inspection.**—Upon final termination of an audit or investigation by the campaign finance review board, a statement of the final action and its disposition including a statement of whether or not the matter was referred to a prosecuting attorney shall be prepared by the board and maintained in the files of the board for public inspection during normal business hours. The provisions of subsection 3 of section 130.056 and subdivision (2) of section 130.066 shall apply to such reports.

*(L. 1985 H.B. 150, 163 & 451)*

**130.071. Candidate not to take office or file for subsequent elections until disclosure reports are filed.**—1. If a successful candidate, or the treasurer of his candidate committee fails to file the disclosure reports which are required by this chapter, the candidate shall not take office until such reports are filed.

2. In addition to any other penalties provided by law, no person may file for any office in a subsequent election until he or the treasurer of his existing candidate committee has filed all required campaign disclosure reports for all prior elections.

*(L. 1978 S.B. 839, A.L. 1988 H.B., et al)*

**130.072. Fines for violations—limitation.**—Any person who knowingly accepts or makes a contribution or makes an expenditure in violation of any provision of this chapter or who knowingly conceals a contribution or expenditure by filing a false or incomplete

report or by not filing a required report, in addition to or in the alternative to any other penalty imposed by this chapter, may be held liable to the state in civil penalties in twice the amount of any such contribution or expenditure, not to exceed a total amount of five thousand dollars.

*(L. 1985 H.B. 150, 163 & 451)*

**130.081. Violation, class A misdemeanor.**—1. Any person who purposely violates the provisions of this chapter is guilty of a class A misdemeanor.

2. Any person who fails to file any report or statement required by this chapter within the time periods specified in sections 130.011 to 130.051 is guilty of an infraction.

3. Notwithstanding any other provision of law which bars prosecutions for any offenses other than a felony unless commenced within one year after the commission of the offense, any offense under the provisions of this chapter may be prosecuted if the indictment be found or prosecution be instituted within three years after the commission of the alleged offense.

4. Any prohibition to the contrary notwithstanding, no person shall be deprived of the rights, guarantees, protections or privileges accorded sections 130.011 to 130.026, 130.031 to 130.068, 130.072, and 130.081 by any person, corporation, entity or political subdivision.

*(L. 1978 S.B. 839, A.L. 1985 H.B. 150, 163 & 451)*

**130.086. Federal candidates exempt if in compliance with federal election laws—certain filings required.**—Notwithstanding any of the other provisions of this chapter, national political party committees, candidates for elective federal offices and any committee formed for the sole purpose of supporting a candidate or candidates for elective federal office shall be deemed to have fully complied with the provisions of this chapter if they have complied with all the reporting requirements of the federal election laws, and if copies of all election reports which are required by federal law to be filed with appropriate federal officials are filed with the secretary of state at the same time that they are filed with federal officials, and if all books and records relating thereto are kept in accordance with federal law.

*(L. 1978 S.B. 839)*

**130.091. When chapter applicable to elections and contributions or expenditures.**—All sections contained in chapter 130, RSMo, shall apply only to those elections held on or after August 13, 1978, and to contributions received and expenditures made after August 13, 1978.

*(L. 1978 S.B. 839)*

**130.096. Severability.**—If any provision of this chapter or

the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared severable.

*(L. 1978 S.B. 839)*

# INDEX

## CHAPTER 130 RSMo

### MISSOURI CAMPAIGN FINANCE DISCLOSURE LAW OF 1990

**Caveat:** This index provides easy reference by commonly used terms to many provisions of Chapter 130. It is not a comprehensive listing of all requirements of Chapter 130.

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