

HB 1871 -- Redline

Truly Agreed and Finally Passed to Perfected -- Modifies provisions relating to elections

Deletions ~~struck~~ · Insertions underlined

SECOND REGULAR SESSION ~~[TRULY[PERFECTED] AGREED TO AND FINALLY PASSED]~~ SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO.

1871 103RD GENERAL ASSEMBLY ~~5033S.06T~~5033H.04P 2026 JOSEPH ENGLER, Chief Clerk AN ACT To repeal sections ~~105.465,~~ 108.240, 115.125, 115.127, ~~115.133,~~ 115.233, 115.277, 115.284, 115.306, 115.427, 115.430, 115.453, ~~115.637,~~ and 115.646, ~~130.031, and 130.034,~~ RSMo, and to enact in lieu thereof ~~seventeen~~seventeen~~twelve~~ new sections relating to elections, with penalty ~~provisions~~provisions. ~~and a severability clause.~~

Sections ~~105.465,~~ 108.240, 115.125, 115.127, ~~115.133,~~ 115.233, 115.277, 115.284, 115.306, 115.427, 115.430, 115.453, ~~115.637,~~ and 115.646, ~~130.031, and 130.034,~~ RSMo, are repealed and ~~seventeen~~seventeen~~twelve~~ new sections enacted in lieu thereof, to be known as sections 9.515, ~~105.465,~~ 108.240, 115.125, 115.127, ~~115.133,~~ 115.233, 115.277, 115.284, 115.306, 115.427, 115.430, 115.453, ~~115.637, 115.646, 130.031,~~ and 130.034, ~~115.646,~~ to read as follows:

~~105.465.~~

~~1-~~

~~Any person who registers as a lobbyist shall dissolve his or her candidate committee.~~

~~In the course of dissolving such committee, such person shall not disburse moneys from such committee, except for the purpose of:~~

~~EXPLANATION -- Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law.~~

~~Matter in bold-face type in the above bill is proposed language.~~

~~SS SCS HCS HB 1871 2 (1) Returning a contribution made to the candidate committee to the entity responsible for making the contribution to the committee;~~

~~(2) Donating moneys to a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended;~~

~~or (3) Transferring moneys to a political party committee.~~

~~2-~~

~~Notwithstanding subsection 1 of this section to the contrary, a person who registers as a lobbyist shall not be prohibited from maintaining a candidate committee designated to seek election to a county, municipal, or school board office, provided such person is not registered to lobby the county, municipality, or school district for which that person's candidate committee is designated to seek office.~~

~~Nothing in this subsection shall prohibit a person from changing the designated office sought by his or her candidate committee, provided such person is never simultaneously registered to lobby the public office for which such person's committee is designated to seek office.~~

~~A candidate committee maintained under this subsection shall make no expenditures or disbursements except to support the candidacy of the person maintaining the committee or for any purpose authorized by subdivisions (1) to (3) of subsection 1 of this section.~~

~~3-~~

~~For purposes of this section, the term "lobbyist" shall have the same meaning given to such term under section 105.470, and the terms "committee", "candidate committee", "contribution", "office", "public office", and "political party committee" shall have the same meanings given to such terms under section 130.011.~~

(1) If such bonds are in bearer form, such bonds shall first be presented to the state auditor, who, other provisions of law notwithstanding, shall certify by manual or facsimile endorsement of such bonds that all conditions of the laws have been complied with in its issue, if that be the case, and also that the conditions of the contract, under which they were ordered to be issued, have also been complied with and the evidence of that fact shall be filed EXPLANATION -- Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and preserved is by intended to be omitted from the auditor, law. Matter in bold-face type in the above bill is proposed language.

HCS HB 1871 2 and preserved by the auditor.

and (2) If such bonds are in registered form, the proceedings relating to the issuance of such registered bonds shall first be presented to the state auditor, who shall examine the same and shall issue a certificate that such proceedings comply with all conditions of the laws, if that be the case, and also that the conditions of the contract, under which they were ordered to ~~SS SCS HCS HB 1871 3~~ be issued, have also been complied with, and the evidence of these facts shall be filed and preserved by the auditor.

Thereby I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes

I declare under penalties of perjury that I am not aware of any ~~SS SCS HCS HB 1871 10~~ information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

~~SS SCS HCS HB 1871 11~~ (a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;

~~SS(i)The SCS HCS HB 1871 12 (i) The~~ document contains my name, in substantially the same form as the most recent signature on my voter registration record;

(1) (a) The voter returns to the polling place during the uniform polling hours established by section 115.407 or, if voting by absentee ballot in person, the voter returns to the election authority's office by ~~7:00~~ 7 p.m.

The report shall also include the number of persons ~~SS-SCS-HCS-HB-1871-14~~ requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

The following form shall be printed at the top of each page of the precinct register:

PRECINCT WARD OR TOWNSHIP _____ GENERAL (SPECIAL, PRIMARY) ELECTION HCS HB 1871 13 Held _____,
20____ Date I hereby certify that I am qualified to vote at this election by signing my name and
verifying my address by signing my initials next to my address.

(1) A voter claiming to be properly registered in the jurisdiction of the election authority and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately established upon examination of the precinct register, shall be entitled to vote a provisional ballot after providing a form of personal identification required pursuant to ~~SS SCS HCS HB 1871 15~~ section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central polling place as established in section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined.

If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of **HCS HB 1871 14** section 115.115.

(5) Prior to accepting any provisional ballot at the polling place, the election judges shall determine that the information provided on the provisional ballot envelope by the ~~SS SCS HCS HB 1871 16~~ provisional voter is consistent with the identification provided by such person under section 115.427.

All provisional ballots shall be marked with a HCS HB 1871 15 conspicuous stamp or other distinguishing mark that makes them readily distinguishable from the regular ballots.

STATE OF _____ COUNTY OF _____ Ido I do solemnly swear (or affirm) that my name is _____;
that the last four digits of my Social Security Number are _____;

~~I understand~~I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted.

____ (Signature of Voter) _____ (Current Address) Subscribed and affirmed before me this ____ day of _____, ~~20__20__~~ SS SCS HCS HB 1871 17 (Signature of Election Official)-~~84~~ The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

HCS HB 1871 16 (a) The voter cast such provisional ballot at a polling place established for the voter or the central polling place established by the election authority under subsection 5 of section 115.115;

~~SS SCS HCS HB 1871 18~~ (a) The name of the provisional voter;

(6) If the election authority determines that the provisional voter is not registered or eligible to vote in the election, the election authority shall provide documentation verifying HCS HB 1871 17 the voter's ineligibility.

The record shall include the number of ballots delivered to each team and shall include a signed receipt ~~SS SCS HCS HB 1871 19~~ from two judges, one from each major political party.

The members of the team HCS HB 1871 18 shall follow the procedures set forth in subsection 5 of this section for rejected provisional ballots.

and ~~SS SCS HCS HB 1871 20~~ (2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the ballot box.

Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free access system is established, such as a toll-free number or an internet website, that any HCS HB 1871 19 individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted.

The judges shall count votes marked ~~SS SCS HCS HB 1871 21~~ substantially in accordance with this section and section 115.456 when the intent of the voter seems clear.

on the second HCS HB 1871 20 Friday immediately preceding the election day.

Each declaration of ~~SS SCS HCS HB 1871 22~~ candidacy for the office of presidential elector shall be subscribed and sworn to by the candidate before the election official receiving the declaration of intent to be a write-in, notary public or other officer authorized by law to administer oaths.

~~115.637.~~

~~The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage.~~

~~Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine:~~

~~(1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots that may be furnished by an organization or individual at or near any voting place on election day, except that this subdivision shall not be construed so as to interfere with the right of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting the name of the person for whom he or she intends to vote;~~

~~or to dispose of the received sample ballot;~~

~~(2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;~~

~~(3) Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;~~

~~(4) On the part of any candidate for election to any office of honor, trust, or profit, offering or promising to discharge the duties of such office for a less sum than the salary, fees, or emoluments as fixed by law or promising to pay back or donate to any public or private interest any portion of such salary, fees, or emolument as an inducement to voters;~~

~~(5) On the part of any canvasser appointed to canvass any registration list, willfully failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his duties in making such canvass or willfully neglecting any duties lawfully assigned to him or her;~~

~~(6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule, or regulation or adopting any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination to, election to, or the holding of, political office, holding a position as a member of a political committee, soliciting or receiving funds for political purpose, acting as chairman or participating in a political convention, assuming the conduct of any political campaign, signing, or subscribing his or her name to any initiative, referendum, or recall petition, or any other petition circulated pursuant to law;~~

~~(7) On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any~~

~~person other than the official under whose direction the ballots are SS SCS HCS HB 1871 23 being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;~~

~~(8) On the part of any election authority or official charged by law with the duty of distributing the printed ballots, or any person acting on his or her behalf, knowingly distributing or causing to be distributed any ballot in any manner other than that prescribed by law;~~

~~(9) Any person having in his or her possession any official ballot, except in the performance of his or her duty as an election authority or official, or in the act of exercising his or her individual voting privilege;~~

~~(10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;~~

~~(11) On the part of any election judge, being willfully absent from the polls on election day without good cause or willfully detaining any election material or equipment and not causing it to be produced at the voting place at the opening of the polls or within fifteen minutes thereafter;~~

~~(12) On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him or her by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;~~

~~(13) On the part of any election judge, or party watcher or challenger, furnishing any information tending in any way to show the state of the count to any other person prior to the closing of the polls;~~

~~(14) On the part of any voter, except as otherwise provided by law, allowing his or her ballot to be seen by any person with the intent of letting it be known how he or she is about to vote or has voted, or knowingly making a false statement as to his or her inability to mark a ballot;~~

~~(15) On the part of any election judge, disclosing to any person the name of any candidate for whom a voter has voted;~~

~~(16) Interfering, or attempting to interfere, with any voter inside a polling place;~~

~~(17) On the part of any person at any registration site, polling place, counting location or verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or threats of violence whereby such registration, election, count or verification is impeded or interfered with;~~

~~(18) Exit polling, surveying, sampling, electioneering, distributing election literature, posting signs, petitioning, or placing vehicles bearing signs with respect to any candidate or question to be voted on at [an] a current or future election on election day or during the absentee voting period inside the building in which a polling place is located or within SS SCS HCS HB 1871 24 twenty five feet of the building's outer door closest to the polling place, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by such person, any such election sign or literature located within such distance on such day after request for removal by any person.~~

~~Notwithstanding the preceding sentence, an election authority may, upon notice publicly posted at the office of the election authority not later than six weeks prior to the election, provide that exit polling, surveying, sampling, electioneering, distributing election literature, petitioning, or placing vehicles bearing signs with respect to any candidate or question to be voted on at a current or future election on election day or during the absentee voting period inside the building in which a polling place is located may not take place within fifty feet of the building's outer door closest to the polling place, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by such person, any such election sign or literature located within such distance on such day after request for removal by any person;~~

~~provided that a candidate who is not seeking to vote shall be allowed to be up to twenty five feet from the building's outer door closest to the polling place and may distribute election literature;~~

~~and provided further that campaign signs shall be permitted to be placed up to twenty five feet from the building's outer door closest to the polling place;~~

~~(10) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on private property, except that this subdivision shall not be construed to interfere with the right of any private property owner to take any action with regard to campaign yard signs on the owner's property and this subdivision shall not be construed to interfere with the right of any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from the owner's private property after the election day.~~

~~This section shall not be construed to prohibit any public official of a political subdivision, [including including school districts and charter schools, schools, special district, or charter school from making public appearances or from issuing press releases concerning any such HCS HB 1871 21 ballot measure.~~

~~130.031-~~

~~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 by a continuing SS SCS HCS HB 1871 25 committee, a campaign~~

~~committee, a political party committee, an exploratory committee or a candidate committee.~~

~~2-~~

~~Each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check signed by the committee treasurer, deputy treasurer, or candidate or by other electronic means authorized by the treasurer, deputy treasurer, or candidate and drawn on the committee's depository or credit card in the name of the committee and authorized by the treasurer, deputy treasurer, or candidate.~~

~~A single expenditure of cash shall not exceed fifty dollars, and the aggregate of all expenditures of cash 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.~~

~~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, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has received for that committee.~~

~~Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's 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 the person 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 the contributor's identity can be ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee treasurer or deputy 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 the contributor's identity can be ascertained, and, if the contributor's identity cannot be ascertained, the committee treasurer, deputy treasurer or SS SCS HCS HB 1871 26 candidate 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, deputy 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 one hundred 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 one hundred dollars unless the name and address of the person making such payment is obtained and recorded pursuant to the record-keeping 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 pursuant to section 130.036. SS SCS HCS HB 1871 27 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 pursuant to section 130.021 or has filed the reports required by sections 130.049 and 130.050, 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 pursuant to 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 the candidate's 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 who was serving when the printed matter was paid for.~~

~~(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 SS SCS HCS HB 1871 28 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 subsection 8 or 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 shall 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 pursuant to subsection 8 of this section or paying for broadcast matter pursuant to subsection 9 of this section to refuse to provide the information required or to purposely provide false, misleading, or incomplete information.~~

~~12.~~

~~It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes;~~

~~except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff.~~

~~13.~~

~~All solicitations, except those from a connected organization of a continuing committee, shall state, in a clear and conspicuous manner, the continuing committee, campaign committee, political party committee, exploratory committee, or candidate committee that will benefit from any funds received as a result of the solicitation.~~

~~The solicitation shall also indicate what percentage of the donation will be received by the committee and any business, corporation, or other entity that will receive any part of the contribution.~~

~~14.~~

~~(1) A committee soliciting a recurring contribution for an expenditure or printed or broadcast matter may accept the recurring contribution only if the contributor gives affirmative consent for the recurring contribution.~~

~~The passive action of a contributor, including but not limited to failing to uncheck a prechecked box authorizing a recurring contribution, shall not constitute affirmative consent.~~

~~SS SCS HCS HB 1871 29 (2) If a contributor affirmatively consents to making a recurring contribution, the committee soliciting the recurring contribution shall:~~

~~(a) Provide a receipt to the contributor for each contribution that clearly and conspicuously discloses:~~

~~a.~~

~~The frequency of the recurring contributions;~~

~~b.~~

~~The duration of the recurring contributions;~~

~~and c.~~

~~All information needed to cancel recurring contributions;~~

~~and (b) At the request of the contributor, terminate any future scheduled deductions prior to the next scheduled deduction date.~~

~~(3) A committee that solicits and receives a contribution in violation of this section shall return the contribution to the contributor immediately after receiving the contribution.~~

~~The amount of any contribution received in violation of this section is an outstanding obligation of the committee that solicited and received the contribution until the contribution is repaid to the contributor.~~

~~(4) The Missouri ethics commission may impose a civil penalty on committees violating this subsection of up to one hundred times the amount of the contribution received in violation of this subsection.~~

~~(5) Recurring contributions made under this subsection to support or oppose a candidate or ballot measure shall automatically end after the election at which the candidate or measure appeared on the ballot, except that recurring contributions made to any candidate who wins a primary election may continue until the general election.~~

~~130.034.~~

~~1.~~

~~Contributions as defined in section 130.011, received by any committee shall not be converted to any personal use.~~

~~2.~~

~~Contributions may be used for any purpose allowed by law including, but not limited to:~~

~~(1) Any ordinary expenses incurred relating to a campaign;~~

~~(2) Any ordinary and necessary expenses incurred in connection with the duties of a holder of elective office;~~

~~(3) Any childcare expenses that result directly from campaigning for office or in connection with the duties of public office that would not have been otherwise incurred but for those activities.~~

~~Eligible childcare expenses include any expenses that provide for the well-being and protection of the child, provided that no expenditure shall be made to a member of the candidate's or office holder's household;~~

~~(4) Any expenses associated with the personal security of the holder of elective office;~~
~~SS-SCS-HCS HB 1871 30 (5) Any expenses associated with the duties of candidacy or of elective office~~
~~pertaining to the entertaining of or providing social courtesies to constituents, professional~~
~~associations, or other holders of elective office;~~
~~[(4)] (6) The return of any contribution to the person who made the contribution to the candidate or~~
~~holder of elective office;~~
~~[(5)] (7) To contribute to a political organization [or candidate committee] as allowed by law;~~
~~[(6)] (8) To establish a new committee as defined by this chapter;~~
~~[(7)] (9) To make an unconditional gift which is fully vested to any charitable, fraternal or civic~~
~~organizations or other associations formed to provide for some good in the order of benevolence, if such~~
~~candidate, former candidate or holder of elective office or such person's immediate family gain no~~
~~direct financial benefit from the unconditional gift;~~
~~[(8)] (10) Except when such candidate, former candidate or holder of elective office dies while the~~
~~committee remains in existence, the committee may make an unconditional gift to a fund established for~~
~~the benefit of the spouse and children of the candidate, former candidate or holder of elective office.~~
~~The provisions of this subdivision shall expire October 1, 1997.~~

~~3-~~

~~Upon the death of the candidate, former candidate or holder of elective office who received such~~
~~contributions, all contributions shall be disposed of according to this section and any funds remaining~~
~~after final settlement of the candidate's decedent's estate, or if no estate is opened, then twelve~~
~~months after the candidate's death, will escheat to the state of Missouri to be deposited in the general~~
~~revenue fund.~~

~~4-~~

~~No contributions, as defined in section 130.011, received by a candidate, former candidate or holder of~~
~~elective office shall be used to make restitution payments ordered of such individual by a court of law~~
~~or for the payment of any fine resulting from conviction of a violation of any local, state or federal~~
~~law.~~

~~5-~~

~~Committees described in subdivision (18) of section 130.011 shall make expenditures only for the purpose~~
~~of determining whether an individual will be a candidate.~~
~~Such expenditures include polling information, mailings, personal appearances, telephone expenses,~~
~~office and travel expenses but may not include contributions to other candidate committees.~~

~~6-~~

~~Any moneys in the exploratory committee fund may be transferred to the candidate committee upon~~
~~declaration of candidacy for the position being explored.~~
~~Such funds shall be included for the purposes of reporting and limitation.~~
~~In the event that candidacy is not declared for the position being explored, the remaining exploratory~~
~~committee funds shall be returned to the contributors on a pro rata basis.~~
~~In no event shall the amount returned exceed the amount given by each contributor nor be less than ten~~
~~dollars.~~

~~SS-SCS-HCS HB 1871 31 7-~~

~~Funds held in candidate committees, campaign committees, debt service committees, and exploratory~~
~~committees shall be liquid such that these funds shall be readily available for the specific and limited~~
~~purposes allowed by law.~~

~~These funds may be invested only in short term treasury instruments or short term bank certificates with~~
~~durations of one year or less, or that allow the removal of funds at any time without any additional~~
~~financial penalty other than the loss of interest income.~~

~~Continuing committees, political party committees, and other committees such as out-of-state committees~~
~~not formed for the benefit of any single candidate or ballot issue shall not be subject to the~~
~~provisions of this subsection.~~

~~This subsection shall not be interpreted to restrict the placement of funds in an interest-bearing~~
~~checking account.~~

~~Section B-~~

~~In the event that any section, provision, clause, phrase, or word of this act or the application thereof~~
~~is declared invalid under the Constitution of the United States or the Constitution of the State of~~
~~Missouri, whether on procedural or substantive grounds, it is the intent of the general assembly that~~
~~the remaining sections of this act remain in force and effect as far as they are capable of being~~
~~carried into execution as intended by the general assembly.~~

~~The general assembly hereby declares that it would have passed each section, provision, clause, phrase,~~
~~or word thereof, irrespective of the fact that any one or more sections, provisions, clauses, phrases,~~

~~or words of this act or the application of this act would be declared unenforceable, unconstitutional, or invalid.~~

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