

New Missouri Law Impacts Ethics, Lobbying and Campaign Finance

September 2010

Missouri recently passed a new law that, among other things, expands the power of the Missouri Ethics Commission, increases candidates' campaign reporting obligations and limits some contributions to political action committees. Governor Jay Nixon signed the bill, S.B. 844, into law on July 14, 2010, and the bill became effective on August 28, 2010. Highlights of the new law are below.

The bill establishes the penalty for a lobbyist knowingly omitting, concealing or falsifying information in regular lobbyist reports as a Class A misdemeanor. All committees filing campaign disclosure reports with the Ethics Commission must do so electronically beginning January 1, 2011.

State legislators and candidates for the state legislature must electronically report within 48 hours of receipt any campaign contribution over \$500 received while the state legislature is in regular session. Similarly, the Governor, Lieutenant Governor, Treasurer, Attorney General, Secretary of State, Auditor and candidates for those offices must electronically report within 48 hours of receipt any campaign contribution over \$500 received while the state legislature is in regular session or while regular session legislation awaits gubernatorial action.

The law renames "continuing committees" as "political action committees." These political action committees may only receive contributions from individuals, corporations, associations and partnerships formed under Missouri laws (interpreted by an Ethics Commission Advisory Opinion to include out-of-state corporations holding valid certificates of authority), unions and federal political

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action committees and are prohibited from receiving contributions from other political action committees, candidate committees, political party committees, campaign committees, exploratory committees or debt service committees. Transfers to political action committees from a political party's state House committee and state Senate committee are exempt from this prohibition.

Finally, the legislation enhances the Missouri Ethics Commission's power by allowing the Ethics Commission's Executive Director to conduct an investigation without receiving a complaint so long as the Ethics Commission unanimously votes to proceed with the investigation.