

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 587
100TH GENERAL ASSEMBLY

3638H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 2.020, 2.110, 8.010, 8.170, 8.172, 8.177, 8.178, 27.010, 30.260, 30.753, 30.758, 36.020, 44.080, 51.050, 55.060, 58.030, 60.010, 77.230, 79.080, 105.470, 105.485, 115.306, 115.357, 115.621, 115.631, 115.637, 116.030, 116.040, 116.050, 116.130, 116.160, 116.230, 116.270, 116.332, 116.334, 162.291, 190.050, 204.610, 247.060, 249.140, 321.130, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, 417.018, 483.010, 575.040, 575.050, 575.160, 575.270, 575.280, and 576.030, RSMo, and to enact in lieu thereof sixty-six new sections relating to elected officials, with penalty provisions and an emergency clause for a certain section.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 2.020, 2.110, 8.010, 8.170, 8.172, 8.177, 8.178, 27.010, 30.260, 2 30.753, 30.758, 36.020, 44.080, 51.050, 55.060, 58.030, 60.010, 77.230, 79.080, 105.470, 3 105.485, 115.306, 115.357, 115.621, 115.631, 115.637, 116.030, 116.040, 116.050, 116.130, 4 116.160, 116.230, 116.270, 116.332, 116.334, 162.291, 190.050, 204.610, 247.060, 249.140, 5 321.130, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, 417.018, 483.010, 575.040, 6 575.050, 575.160, 575.270, 575.280, and 576.030, RSMo, are repealed and sixty-six new 7 sections enacted in lieu thereof, to be known as sections 2.020, 2.110, 8.010, 8.111, 8.170, 8.172, 8 8.177, 8.178, 21.403, 21.405, 21.855, 21.925, 27.010, 30.260, 30.753, 30.758, 36.020, 44.080, 9 51.050, 55.060, 56.092, 58.030, 60.010, 67.5150, 77.230, 79.080, 105.035, 105.470, 105.485, 10 115.306, 115.357, 115.621, 115.631, 115.637, 116.030, 116.040, 116.045, 116.050, 116.130, 11 116.160, 116.230, 116.270, 116.332, 116.334, 162.291, 190.050, 204.610, 247.060, 249.140, 12 321.130, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, 417.018, 483.010, 575.040, 13 575.050, 575.160, 575.270, 575.280, 575.330, 576.030, and 590.119, to read as follows:

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.

2.020. As soon as practicable after the laws passed at any session of the general assembly
 2 are printed and delivered, the secretary of state shall ~~[cause the original rolls to be bound in a~~
 3 ~~strong and substantial manner and properly labeled, and shall make therein a typewritten index~~
 4 ~~referring to each act and the subject matter of the same and shall]~~ preserve **and make available**
 5 **to the public for inspection** the ~~[volumes thus bound]~~ **original rolls** safely in his or her office.

2.110. The secretary of state, as soon as practicable after ~~[the effective date of this~~
 2 ~~section and every four years thereafter if during any such period]~~ any amendments have been
 3 adopted, shall ~~[reprint, issue and distribute forty-five thousand]~~ **make available in print and**
 4 **online** copies of the Constitution of the state of Missouri in the form contained in "Report No.
 5 5" of the committee on legislative research, together with the amendments that have been
 6 adopted since the preceding publication.

8.010. 1. The governor, attorney general and lieutenant governor constitute the board
 2 of public buildings. The governor is chairman and the lieutenant governor, secretary. The
 3 speaker of the house of representatives and the president pro tempore of the senate shall serve
 4 as ex officio members of the board but shall not have the power to vote. The board shall
 5 constitute a body corporate and politic. Except as provided under ~~[section]~~ **sections 8.007 and**
 6 **8.111**, the board has general supervision and charge of the public property of the state at the seat
 7 of government, including the building located at 105 West Capitol Avenue in Jefferson City, and
 8 other duties imposed on it by law.

9 2. The commissioner of administration shall provide staff support to the board.

8.111. 1. There is hereby established the "Capitol Police Board", which shall be
 2 **composed of five members, as follows:**

- 3 (1) **The governor, or his or her designee;**
- 4 (2) **The speaker of the house of representatives, or his or her designee;**
- 5 (3) **The president pro tempore of the senate, or his or her designee;**
- 6 (4) **The chief justice of the Missouri supreme court, or his or her designee; and**
- 7 (5) **The chair of the state capitol commission.**

8
 9 **The lieutenant governor, the chief clerk of the house of representatives, and the secretary**
 10 **of the senate, or their designees, shall serve as ex officio members of the board but shall not**
 11 **have the power to vote. At the first meeting of the board and at yearly intervals thereafter,**
 12 **the members shall select from among themselves a chair, a vice chair, and a secretary.**

13 2. **The board shall be assigned to the house of representatives with supervision by**
 14 **the house of representatives only for budgeting and reporting. Such supervision shall not**
 15 **extend to matters relating to policies, regulatory functions, or appeals from activities of the**
 16 **board. No member or employee of the house of representatives shall participate in or**

17 interfere with the activities of the board in any manner not specifically provided by law,
18 or at the direction of the board, and no member or employee of the house of
19 representatives shall interfere in any manner with any budget request of or with respect
20 to the withholding of any moneys appropriated to the board by the general assembly.

21 3. The board shall provide for public safety at the seat of government and for the
22 safety and security of elected officials, government employees, and their guests as needed
23 outside the seat of government. The board shall hire police officers as described in section
24 8.177.

25 4. The board shall hire a chief of police who shall be certified under chapter 590
26 and serve subject to the supervision of and at the pleasure of the board. The chief of police
27 shall be responsible for the administrative operations of the capitol police and perform
28 such other duties as may be delegated or assigned to the chief by law or by the board. The
29 chief of police shall employ staff and retain such contract services as he or she deems
30 necessary, within the limits authorized by appropriations of the general assembly.

31 5. The board may promulgate all necessary rules and regulations for the
32 administration of sections 8.111 to 8.178. Any rule or portion of a rule, as that term is
33 defined in section 536.010, that is created under the authority delegated in this section shall
34 become effective only if it complies with and is subject to all of the provisions of chapter
35 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and
36 if any of the powers vested with the general assembly pursuant to chapter 536 to review,
37 to delay the effective date, or to disapprove and annul a rule are subsequently held
38 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
39 after August 28, 2020, shall be invalid and void.

8.170. The ~~[director]~~ **Missouri capitol police** shall prosecute, in the name of the state,
2 for all trespasses and injuries of every kind done to the public buildings and other property, and
3 shall attend to the suits relative to the same. The attorney general shall give counsel, or
4 prosecute suits, when required by the ~~[director]~~ **chief**.

8.172. The ~~[commissioner of administration]~~ **capitol police board** shall make rules and
2 regulations for the regulation of traffic and parking at all parking space upon the capitol grounds
3 and upon the grounds of other state buildings located within the capital city. The regulations
4 shall be enforced by the Missouri capitol police.

8.177. 1. The ~~[director of the department of public safety]~~ **capitol police board** shall
2 employ Missouri capitol police officers for public safety at the seat of state government. Each
3 Missouri capitol police officer, upon appointment, shall take and subscribe an oath of office to
4 support the constitution and laws of the United States and the state of Missouri and shall receive
5 a certificate of appointment, a copy of which shall be filed with the secretary of state, granting

6 such police officers all the same powers of arrest held by other police officers to maintain order
7 and preserve the peace in all state-owned or leased buildings, and the grounds thereof, at the seat
8 of government and such buildings and grounds within the county which contains the seat of
9 government.

10 2. The ~~director of the department of public safety~~ **capitol police board** shall appoint
11 a sufficient number of Missouri capitol police officers, with available appropriations, as
12 appropriated specifically for the purpose designated in this subsection, so that the capitol grounds
13 may be patrolled at all times, and that traffic and parking upon the capitol grounds and the
14 grounds of other state buildings owned or leased within the capital city and the county which
15 contains the seat of government may be properly controlled. Missouri capitol police officers may
16 make arrests for the violation of parking and traffic regulations promulgated by the ~~office of~~
17 ~~administration~~ **capitol police board**.

18 3. Missouri capitol police officers shall be authorized to arrest a person anywhere in the
19 county that contains the state seat of government, when there is probable cause to believe the
20 person committed a crime within capitol police jurisdiction or when a person commits a crime
21 in the presence of an on-duty capitol police officer.

2 8.178. Any person who violates sections 8.172 to 8.174, or section 8.177, or any of the
3 traffic or parking regulations of the ~~commissioner~~ **capitol police board** shall be punished as
4 follows:

4 (1) Fines for traffic violations shall not, except as provided by section 301.143, exceed
5 five dollars for overparking, fifteen dollars for double parking and fifty dollars for speeding[;]
6 ; and

7 (2) The circuit court of Cole County has authority to enforce ~~this law~~ **the traffic or**
8 **parking regulations of the capitol police board**.

21.403. 1. **If an individual who has been subpoenaed to testify or provide other
2 information at a proceeding before a body of the general assembly has refused to give or
3 provide such testimony or other information on the basis of his or her privilege against
4 self-incrimination, the president pro tempore or speaker of the originating body of the
5 general assembly may request the court to issue an order requiring such individual to
6 testify or provide other information, and if the court finds that such request has been
7 approved by an affirmative vote of a three-fifths majority of the members of such body of
8 the general assembly, the court shall issue an order requiring such individual to give such
9 testimony or provide other information requested or subpoenaed by such body of the
10 general assembly, which shall become effective as provided under this section.**

11 2. **After being provided written notice that an order has been issued under this
12 section, the witness shall not refuse to comply with the order on the basis of his or her**

13 **privilege against self-incrimination. However, no testimony or other information**
14 **compelled under such order, or any information directly or indirectly derived from such**
15 **testimony or other information, shall be used against the witness in any criminal**
16 **proceeding except for perjury, giving false statement, or otherwise failing to comply with**
17 **such order.**

21.405. 1. If a person is subpoenaed as a witness by a body of the general assembly
2 **to give testimony or to produce documents and he or she willfully:**

3 **(1) Fails to appear to testify;**

4 **(2) After having appeared, refuses to answer any question pertinent to the question**
5 **under inquiry; or**

6 **(3) Fails to produce required documents,**

7
8 **a statement of facts constituting such failure or refusal may be reported to and filed with**
9 **the president pro tempore or speaker of the originating body of the general assembly.**
10 **Upon receipt of such statement of facts, the president pro tempore or the speaker may**
11 **certify such statement of facts to the prosecuting attorney or such other attorney having**
12 **jurisdiction for prosecution under section 575.330. The state attorney general shall have**
13 **concurrent original jurisdiction to commence such criminal action throughout the state**
14 **where such violation has occurred.**

15 **2. Upon request by the president pro tempore or speaker of the originating body**
16 **of the general assembly who has certified a statement of facts under this section, the court**
17 **shall within fifteen days of the request appoint independent counsel, who shall have**
18 **jurisdiction to prosecute under section 575.330. In the event independent counsel is**
19 **appointed under this section, such independent counsel shall have sole jurisdiction to**
20 **prosecute under section 575.330.**

21.855. 1. There is hereby established a joint committee of the general assembly,
2 **which shall be known as the "Joint Committee on the COVID-19 Response". The**
3 **committee shall be composed of the following eighteen members:**

4 **(1) Three members of the house of representatives to be appointed by the speaker**
5 **of the house of representatives, with two members from the majority party and one**
6 **member from the minority party;**

7 **(2) Three members of the senate to be appointed by the president pro tempore of**
8 **the senate, with two members from the majority party and one member from the minority**
9 **party;**

10 **(3) The state budget director;**

11 (4) Two members to be appointed by the governor; provided that, such members
12 have been directly involved in the state's response to the COVID-19 pandemic;

13 (5) Three members representing county governments, with one such member to be
14 appointed by the governor, one such member to be appointed by the speaker of the house
15 of representatives, and one such member to be appointed by the president pro tempore of
16 the senate; provided that, such members provide representation from both urban and
17 rural areas of the state;

18 (6) Three members representing city governments, with one such member to be
19 appointed by the governor, one such member to be appointed by the speaker of the house
20 of representatives, and one such member to be appointed by the president pro tempore of
21 the senate; provided that, such members provide representation from both urban and
22 rural areas of the state; and

23 (7) Three members who are health care professionals, with one such member to be
24 appointed by the governor, one such member to be appointed by the speaker of the house
25 of representatives, and one such member to be appointed by the president pro tempore of
26 the senate; provided that, such members provide representation from both urban and
27 rural areas of the state.

28 2. The committee shall select a chair and vice-chair, one of whom shall be a member
29 of the house of representatives and one of whom shall be a member of the senate. A
30 majority of the members shall constitute a quorum. Meetings of the committee may be
31 called at such time and place as the chair designates.

32 3. The committee shall study the impact of the COVID-19 pandemic on this state,
33 including, but not limited to:

34 (1) The rate and spread of COVID-19 infections across the state;

35 (2) The impact of the COVID-19 pandemic in this state on individuals, business
36 organizations, health care facilities, schools, local governments, and the state government;

37 (3) The relief efforts that have been implemented in this state by local governments
38 and by the state government;

39 (4) Any further relief efforts that may be needed for individuals, business
40 organizations, health care facilities, schools, local governments, and other entities
41 throughout the state;

42 (5) The federal funds received by the state government to assist with COVID-19
43 relief efforts and any restrictions on the use of such funds;

44 (6) The ways in which the state and federal funds available for COVID-19 relief
45 efforts should be distributed in order to provide the maximum relief in an efficient
46 manner; and

- 47 **(7) The impact of the COVID-19 pandemic on the economy of the state.**
- 48 **4. The committee shall issue periodic reports to the members of the general**
49 **assembly and the governor at such times as the committee deems appropriate. The reports**
50 **shall include the findings of the committee under subsection 3 of this section and any other**
51 **information relating to the COVID-19 pandemic that the committee deems relevant.**
- 52 **5. A priority of the committee shall be to provide information and assistance to the**
53 **state government to ensure that funds provided to this state under the federal Coronavirus**
54 **Aid, Relief, and Economic Security (CARES) Act, Pub. L. 116-136, and any other federal**
55 **COVID-19 relief legislation are adequately distributed to local governments in this state.**
- 56 **6. The committee may employ such personnel as it deems necessary to carry out the**
57 **duties imposed by this section, within the limits of any appropriation for such purpose.**
- 58 **7. The members of the committee shall serve without compensation, but any actual**
59 **and necessary expenses incurred in the performance of the committee's official duties by**
60 **the joint committee, its members, and any staff assigned to the committee shall be paid**
61 **from the joint contingent fund.**
- 62 **8. This section shall expire on December 31, 2022.**
- 21.925. 1. There is hereby established a "Joint Committee on the Missouri**
2 **Constitutional Convention".**
- 3 **2. The purpose of the committee shall be to consider whether convening a**
4 **constitutional convention provided for under Article XII, Section 3(a) of the Constitution**
5 **of Missouri is in the best interest of the state.**
- 6 **3. The committee shall be composed of eight members, with four appointed by the**
7 **speaker of the house of representatives and four appointed by the president pro tempore**
8 **of the senate. Both the speaker of the house of representatives and the president pro**
9 **tempore of the senate shall appoint two members from the majority party and two**
10 **members from the minority party. The committee members shall select a chair and a vice**
11 **chair.**
- 12 **4. The committee may take official testimony as needed.**
- 13 **5. The committee shall meet at such times as the chair deems necessary, but shall**
14 **meet at least quarterly.**
- 15 **6. The committee shall be staffed by legislative personnel as is deemed necessary**
16 **to assist the committee in the performance of its duties.**
- 17 **7. The members of the committee shall serve without compensation but shall be**
18 **reimbursed for actual and necessary expenses incurred in the performance of official**
19 **duties.**

20 **8. The committee shall submit a report of its findings and recommendations on or**
21 **before December 31, 2021. The committee shall dissolve following the submission of its**
22 **report.**

27.010. The attorney general for the state of Missouri shall be elected at each general
2 election at which a governor and other state officers are elected, and his term shall begin at 12:00
3 noon on the second Monday in January next succeeding his election, and shall continue for four
4 years, or until his successor is elected and qualified. The attorney general shall ~~reside at the seat~~
5 ~~of government and~~ keep his office in the supreme court building[,] and receive an annual salary
6 of sixty-five thousand dollars plus any salary adjustment provided pursuant to section 105.005,
7 payable out of the state treasury. The salary shall constitute the total compensation for all duties
8 to be performed by him and there shall be no further payments made to or accepted by him for
9 the performance of any duty now required of him under any existing law. The attorney general
10 shall devote his full time to his office, and, except in the performance of his official duties, shall
11 not engage in the practice of law.

30.260. 1. The state treasurer shall prepare, maintain and adhere to a written investment
2 policy which shall include an asset allocation plan, which limits the total amount of state moneys
3 which may be invested in any particular investment authorized by Section 15, Article IV of the
4 Missouri Constitution. Such asset allocation plan shall also set diversification limits, as
5 applicable, which shall include a restriction limiting the total amount of time deposits of state
6 moneys, not including linked deposits, placed with any one single banking institution, to be no
7 greater than ~~ten~~ **fifteen** percent of all time deposits of state moneys **authorized under the asset**
8 **allocation plan.** The state treasurer shall present a copy of such policy to the governor,
9 commissioner of administration, state auditor and general assembly at the commencement of
10 each regular session of the general assembly or at any time the written investment policy is
11 amended.

12 2. The state treasurer shall determine by the exercise of the treasurer's best judgment the
13 amount of state moneys that are not needed for current operating expenses of the state
14 government and shall keep on demand deposit in banking institutions in this state selected by the
15 treasurer and approved by the governor and state auditor the amount of state moneys which the
16 treasurer has so determined are needed for current operating expenses of the state government
17 and disburse the same as authorized by law.

18 3. Within the parameters of the state treasurer's written investment policy, the state
19 treasurer shall place the state moneys which the treasurer has determined are not needed for
20 current operations of the state government on time deposit drawing interest in banking
21 institutions in this state selected by the treasurer and approved by the governor and the state
22 auditor, or place them outright or, if applicable, by repurchase agreement in obligations described

23 in Section 15, Article IV, Constitution of Missouri, as the treasurer in the exercise of the
24 treasurer's best judgment determines to be in the best overall interest of the people of the state
25 of Missouri, giving due consideration to:

26 (1) The preservation of such state moneys;

27 (2) The benefits to the economy and welfare of the people of Missouri when such state
28 money is invested in banking institutions in this state that, in turn, provide additional loans and
29 investments in the Missouri economy and generate state taxes from such initial investments and
30 the loans and investments created by the banking institutions, compared to the removal or
31 withholding from banking institutions in the state of all or some such state moneys and investing
32 same in obligations authorized in Section 15, Article IV of the Missouri Constitution;

33 (3) The liquidity needs of the state;

34 (4) The aggregate return in earnings and taxes on the deposits and the investment to be
35 derived therefrom; and

36 (5) All other factors which to the treasurer as a prudent state treasurer seem to be
37 relevant to the general public welfare in the light of the circumstances at the time prevailing. The
38 state treasurer may also place state moneys which are determined not needed for current
39 operations of the state government in linked deposits as provided in sections 30.750 to 30.765.

40 4. Except for state moneys deposited in linked deposits as provided in sections 30.750
41 to 30.860, the rate of interest payable by all banking institutions on time deposits of state moneys
42 shall be set under subdivisions (1) to (5) of this subsection and subsections 6 and 7 of this
43 section. The rate shall never exceed the maximum rate of interest which by federal law or
44 regulation a bank which is a member of the Federal Reserve System may from time to time pay
45 on a time deposit of the same size and maturity. The rate of interest payable by all banking
46 institutions on time deposits of state moneys is as follows:

47 (1) Beginning January 1, 2010, the rate of interest payable by a banking institution on
48 up to seven million dollars of time deposits of state moneys shall be the same as the average rate
49 paid during the week next preceding the week in which the deposit was made for United States
50 of America treasury securities maturing and becoming payable closest to the time of termination
51 of the deposit, as determined by the state treasurer, adjusted to the nearest one-tenth of a percent.
52 In the case of a banking institution that holds more than seven million dollars of time deposits
53 of state moneys, the rate of interest payable on deposits in excess of seven million dollars of time
54 deposits of state moneys shall be set at the market rate as determined in subsection 6 of this
55 section;

56 (2) Beginning January 1, 2011, the rate of interest payable by a banking institution on
57 up to five million dollars of time deposits of state moneys shall be the same as the average rate
58 paid during the week next preceding the week in which the deposit was made for United States

59 of America treasury securities maturing and becoming payable closest to the time of termination
60 of the deposit, as determined by the state treasurer, adjusted to the nearest one-tenth of a percent.
61 In the case of a banking institution that holds more than five million dollars of time deposits of
62 state moneys, the rate of interest payable on deposits in excess of five million dollars of time
63 deposits of state moneys shall be set at the market rate as determined in subsection 6 of this
64 section;

65 (3) Beginning January 1, 2012, the rate of interest payable by a banking institution on
66 up to three million dollars of time deposits of state moneys shall be the same as the average rate
67 paid during the week next preceding the week in which the deposit was made for United States
68 of America treasury securities maturing and becoming payable closest to the time of termination
69 of the deposit, as determined by the state treasurer, adjusted to the nearest one-tenth of a percent.
70 In the case of a banking institution that holds more than three million dollars of time deposits of
71 state moneys, the rate of interest payable on deposits in excess of three million dollars of time
72 deposits of state moneys shall be set at the market rate as determined in subsection 6 of this
73 section;

74 (4) Beginning January 1, 2013, the rate of interest payable by a banking institution on
75 up to one million dollars of time deposits of state moneys shall be the same as the average rate
76 paid during the week next preceding the week in which the deposit was made for United States
77 of America treasury securities maturing and becoming payable closest to the time of termination
78 of the deposit, as determined by the state treasurer, adjusted to the nearest one-tenth of a percent.
79 In the case of a banking institution that holds more than one million dollars of time deposits of
80 state moneys, the rate of interest payable on deposits in excess of one million dollars of time
81 deposits of state moneys shall be set at the market rate as determined in subsection 6 of this
82 section;

83 (5) Beginning January 1, 2014, the rate of interest payable by a banking institution on
84 all time deposits of state moneys shall be set at the market rate as determined in subsection 6 of
85 this section.

86 5. Notwithstanding subdivisions (1) to (5) of subsection 4 of this section, for any new
87 time deposits of state moneys placed after January 1, 2010, with a term longer than eighteen
88 months, the rate of interest payable by a banking institution shall be set at the market rate as
89 determined in subsection 6 of this section.

90 6. Market rate shall be determined no less frequently than once a month by the director
91 of investments in the office of state treasurer. The process for determining a market rate shall
92 include due consideration of prevailing rates offered for certificates of deposit by
93 well-capitalized Missouri financial institutions, the advance rate established by the Federal Home
94 Loan Bank of Des Moines for member institutions and the costs of collateralization, as well as

95 an evaluation of the credit risk associated with other authorized securities under Section 15,
96 Article IV, of the Missouri Constitution **or any other calculation determined by the state**
97 **treasurer based on current market investment indicators**. Banking institutions may also
98 offer a higher rate than the market rate for any time deposit placed with the state treasurer in
99 excess of the total amount of state moneys set at the United States of America treasury securities
100 maturing and becoming payable closest to the time of termination of the deposit indicated in
101 subdivisions (1) to (5) of subsection 4 of this section.

102 7. Within the parameters of the state treasurer's written investment policy, the state
103 treasurer may subscribe for or purchase outright or by repurchase agreement investments of the
104 character described in subsection 3 of this section which the treasurer, in the exercise of the
105 treasurer's best judgment, believes to be the best for investment of state moneys at the time and
106 in payment therefor may withdraw moneys from any bank account, demand or time, maintained
107 by the treasurer without having any supporting warrant of the commissioner of administration.
108 The state treasurer may bid on subscriptions for such obligations in accordance with the
109 treasurer's best judgment. The state treasurer shall provide for the safekeeping of all such
110 obligations so acquired in the same manner that securities pledged to secure the repayment of
111 state moneys deposited in banking institutions are kept by the treasurer pursuant to law. The
112 state treasurer may hold any such obligation so acquired by the treasurer until its maturity or
113 prior thereto may sell the same outright or by reverse repurchase agreement provided the state's
114 security interest in the underlying security is perfected or temporarily exchange such obligation
115 for cash or other authorized securities of at least equal market value with no maturity more than
116 one year beyond the maturity of any of the traded obligations, for a negotiated fee as the
117 treasurer, in the exercise of the treasurer's best judgment, deems necessary or advisable for the
118 best interest of the people of the state of Missouri in the light of the circumstances at the time
119 prevailing. The state treasurer may pay all costs and expenses reasonably incurred by the
120 treasurer in connection with the subscription, purchase, sale, collection, safekeeping or delivery
121 of all such obligations at any time acquired by the treasurer.

122 8. As used in this chapter, except as more particularly specified in section 30.270,
123 obligations of the United States shall include securities of the United States Treasury, and United
124 States agencies or instrumentalities as described in Section 15, Article IV, Constitution of
125 Missouri. The word "temporarily" as used in this section shall mean no more than six months.

30.753. 1. The state treasurer may invest in linked deposits; however, the total amount
2 so deposited at any one time shall not exceed, in the aggregate, [~~seven~~] **eight** hundred [~~twenty~~]
3 million dollars. No more than three hundred thirty million dollars of the aggregate deposit shall
4 be used for linked deposits to eligible farming operations, eligible locally owned businesses,
5 eligible agribusinesses, eligible beginning farmers, eligible livestock operations, and eligible

6 facility borrowers[;] ; no more than one hundred ~~ten~~ **ninety** million of the aggregate deposit
7 shall be used for linked deposits to small businesses[;] ; no more than twenty million dollars
8 shall be used for linked deposits to eligible multitenant development enterprises~~[-and]~~ ; no more
9 than twenty million dollars of the aggregate deposit shall be used for linked deposits to eligible
10 residential property developers and eligible residential property owners[;] ; no more than two
11 hundred twenty million dollars of the aggregate deposit shall be used for linked deposits to
12 eligible job enhancement businesses; and no more than twenty million dollars of the aggregate
13 deposit shall be used for linked deposit loans to eligible water systems. Linked deposit loans
14 may be made to eligible student borrowers, eligible alternative energy operations, eligible
15 alternative energy consumers, and eligible governmental entities from the aggregate deposit. If
16 demand for a particular type of linked deposit exceeds the initial allocation, and funds initially
17 allocated to another type are available and not in demand, the state treasurer may commingle
18 allocations among the types of linked deposits.

19 2. The minimum deposit to be made by the state treasurer to an eligible lending
20 institution for eligible job enhancement business loans shall be ninety thousand dollars. Linked
21 deposit loans for eligible job enhancement businesses may be made for the purposes of assisting
22 with relocation expenses, working capital, interim construction, inventory, site development,
23 machinery and equipment, or other expenses necessary to create or retain jobs in the recipient
24 firm.

30.758. 1. The state treasurer may accept or reject a linked deposit loan package or any
2 portion thereof.

3 2. The state treasurer shall make a good faith effort to ensure that the linked deposits are
4 placed with eligible lending institutions to make linked deposit loans to minority- or female-
5 owned eligible multitenant enterprises, eligible farming operations, eligible alternative energy
6 operations, eligible alternative energy consumers, eligible locally owned businesses, eligible
7 small businesses, eligible job enhancement businesses, eligible marketing enterprises, eligible
8 residential property developers, eligible residential property owners, eligible governmental
9 entities, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, eligible
10 student borrowers, eligible facility borrowers, or eligible water supply systems. Results of such
11 effort shall be included in the linked deposit review committee's annual report to the governor.

12 3. Upon acceptance of the linked deposit loan package or any portion thereof, the state
13 treasurer may place linked deposits with the eligible lending institution as follows: when market
14 rates are five percent or above, the state treasurer shall reduce the market rate by up to three
15 percentage points to obtain the linked deposit rate; when market rates are less than five percent,
16 the state treasurer shall reduce the market rate by up to sixty percent to obtain the linked deposit
17 rate. All linked deposit rates are determined and calculated by the state treasurer. When

18 necessary, the treasurer may place linked deposits prior to acceptance of a linked deposit loan
19 package.

20 4. The eligible lending institution shall enter into a deposit agreement with the state
21 treasurer, which shall include requirements necessary to carry out the purposes of sections 30.750
22 to 30.765. The deposit agreement shall specify the length of time for which the lending
23 institution will lend funds upon receiving a linked deposit, and the original deposit plus renewals
24 shall not exceed five years, except as otherwise provided in this chapter. The agreement shall
25 also include provisions for the linked deposit of a linked deposit for an eligible facility borrower,
26 eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation,
27 eligible alternative energy consumer, eligible locally owned business, eligible small business,
28 eligible marketing enterprise, eligible residential property developer, eligible residential property
29 owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible
30 livestock operation, eligible student borrower or job enhancement business. Interest shall be paid
31 at the times determined by the state treasurer.

32 5. The period of time for which such linked deposit is placed with an eligible lending
33 institution shall be neither longer nor shorter than the period of time for which the linked deposit
34 is used to provide loans at reduced interest rates. The agreement shall further provide that the
35 state shall receive market interest rates on any linked deposit or any portion thereof for any
36 period of time for which there is no corresponding linked deposit loan outstanding to an eligible
37 multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible
38 alternative energy consumer, eligible locally owned business, eligible small business, eligible
39 job enhancement business, eligible marketing enterprise, eligible residential property developer,
40 eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible
41 beginning farmer, eligible livestock operation, eligible student borrower, eligible facility
42 borrower, or eligible water supply system, except as otherwise provided in this subsection.
43 Within thirty days after the annual anniversary date of the linked deposit, the eligible lending
44 institution shall repay the state treasurer any linked deposit principal received from borrowers
45 in the previous yearly period and thereafter repay such principal within thirty days of the yearly
46 anniversary date calculated separately for each linked deposit loan, and repaid at the linked
47 deposit rate. Such principal payment shall be accelerated when more than thirty percent of the
48 linked deposit loan is repaid within a single monthly period. Any principal received and not
49 repaid, up to the point of the thirty percent or more payment, shall be repaid within thirty days
50 of that payment at the linked deposit rate. Finally, when the linked deposit is tied to a revolving
51 line of credit agreement between the banking institution and its borrower, the full amount of the
52 line of credit shall be excluded from the repayment provisions of this subsection.

53 **6. The state treasurer shall give priority to maintaining linked deposit agreement**
54 **renewals over funding new linked deposit applications.**

36.020. Unless the context clearly requires otherwise, the following terms mean:

- 2 (1) "Agency", "state agency" or "agency of the state", each department, board,
3 commission or office of the state except for offices of the elected officials, the general assembly,
4 the judiciary and academic institutions;
- 5 (2) "Appointing authority", an officer or agency subject to this chapter having power to
6 make appointments;
- 7 (3) "Board", the personnel advisory board as established by section 36.050;
- 8 (4) "Broad classification band", a grouping of positions with similar levels of
9 responsibility or expertise;
- 10 (5) "Class", "class of positions", or "job class", a group of positions subject to this
11 chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications
12 and the same schedule of pay to all positions in the group;
- 13 (6) "Director", the director of the division of personnel of the office of administration;
- 14 (7) "Disabled veteran", a veteran who has served on active duty in the Armed Forces at
15 any time who receives compensation as a result of a service-connected disability claim allowed
16 by the federal agency responsible for the administration of veteran's affairs, or who receives
17 disability retirement or disability pension benefits from a federal agency as a result of such a
18 disability or a National Guard veteran who was permanently disabled as a result of active service
19 to the state at the call of the governor;
- 20 (8) "Division of service" or "division", a state department or any division or branch of
21 the state, or any agency of the state government, all the positions and employees in which are
22 under the same appointing authority;
- 23 (9) "Eleemosynary or penal institutions", an institution within state government holding,
24 housing, or caring for inmates, patients, veterans, juveniles, or other individuals entrusted to or
25 assigned to the state where it is anticipated that such individuals will be in residence for longer
26 than one day. Eleemosynary or penal institutions shall not include elementary, secondary, or
27 higher education institutions operated separately or independently from the foregoing
28 institutions;
- 29 (10) "Eligible", a person whose name is on a register or who has been determined to
30 meet the qualifications for a class or position;
- 31 (11) "Employee", shall include only those persons employed in excess of thirty-two
32 hours per calendar week, for a duration that could exceed six months, by a state agency and shall
33 not include patients, inmates, or residents in state eleemosynary or penal institutions who work
34 for the state agency operating an eleemosynary or penal institutions;

35 (12) "Examination" or "competitive examination", a means of determining eligibility or
36 fitness for a class or position;

37 (13) "Open competitive examination", a selection process for positions in a particular
38 class, admission to which is not limited to persons employed in positions subject to this chapter
39 pursuant to subsection 1 of section 36.030;

40 (14) "Promotional examination", a selection process for positions in a particular class,
41 admission to which is limited to employees with regular status in positions subject to this chapter
42 pursuant to subsection 1 of section 36.030;

43 (15) "Register of eligibles", a list, which may be restricted by locality, of persons who
44 have been found qualified for appointment to a position subject to this chapter pursuant to
45 subsection 1 of section 36.030;

46 (16) "Regular employee", a person employed in a position described under subdivision
47 (2) of subsection 1 of section 36.030 who has successfully completed a probationary period as
48 provided in section 36.250;

49 (17) "State equal employment opportunity officer", the individual designated by the
50 governor or the commissioner of administration as having responsibility for monitoring the
51 compliance of the state as an employer with applicable equal employment opportunity law and
52 regulation and for leadership in efforts to establish a state workforce which reflects the diversity
53 of Missouri citizens at all levels of employment;

54 (18) "Surviving spouse", the unmarried surviving spouse of a deceased disabled veteran
55 or the unmarried ~~survivor's~~ **surviving** spouse of any person who was killed while on active
56 duty in the Armed Forces of the United States or ~~an~~ **the** unmarried surviving spouse of a
57 National Guard veteran who was killed as a result of active service to the state at the call of the
58 governor;

59 (19) "Veteran", any person who is a citizen of this state who has been separated under
60 honorable conditions from the Armed Forces of the United States who served on active duty
61 during peacetime or wartime for at least six consecutive months, unless released early as a result
62 of a service-connected disability or a reduction in force at the convenience of the government,
63 or any member of a reserve or National Guard component who has satisfactorily completed at
64 least six years of service or who was called or ordered to active duty by the President and
65 participated in any campaign or expedition for which a campaign badge or service medal has
66 been authorized.

44.080. 1. Each political subdivision of this state shall establish a local organization for
2 disaster planning in accordance with the state emergency operations plan and program. The
3 executive officer of the political subdivision shall appoint a coordinator who shall have direct
4 responsibility for the organization, administration and operation of the local emergency

5 management operations, subject to the direction and control of the executive officer or governing
6 body. Each local organization for emergency management shall be responsible for the
7 performance of emergency management functions within the territorial limits of its political
8 subdivision, and may conduct these functions outside of the territorial limits as may be required
9 pursuant to the provisions of this law.

10 2. In carrying out the provisions of this law, each political subdivision may:

11 (1) Appropriate and expend funds, make contracts, obtain and distribute equipment,
12 materials, and supplies for emergency management purposes; provide for the health and safety
13 of persons; the safety of property; and direct and coordinate the development of disaster plans
14 and programs in accordance with the policies and plans of the federal and state governments; and

15 (2) Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and
16 other emergency operations teams, units or personnel who may serve without compensation.

17 **3. No state of emergency declared by a county executive shall be imposed or**
18 **continue for more than fifteen days without a sixty percent majority vote of the county**
19 **governing body approving and setting the number of days beyond the fifteen days.**

51.050. No person shall be elected or appointed clerk of the county commission unless
2 such person be a citizen of the United States, [~~over the age of twenty-one years~~] **twenty-one**
3 **years of age or older**, and shall have resided within the state one whole year, and within the
4 county for which the person is elected one year just prior to such person's election; and every
5 clerk shall after the election continue to reside within the county for which such person is clerk.

55.060. No person shall be elected or appointed county auditor of a county of the first
2 class not having a charter form of government or of a county of the second class unless he **or she**
3 is a citizen of the United States [~~above the age of twenty-one years~~] , **twenty-one years of age**
4 **or older**, and has resided within the state for one whole year and within the county for which he
5 **or she** is elected or appointed for three months immediately preceding the election or his **or her**
6 appointment. He **or she** shall also be a person familiar with the theory and practice of
7 accounting by education, training, and experience and able to perform the duties imposed upon
8 the county auditor by the provisions of this chapter. The county auditor shall, after his **or her**
9 appointment or election, reside in the county for which he **or she** is auditor.

56.092. A prosecuting or circuit attorney who is conducting an investigation
2 **relating to an offense of theft or fraud by a public servant or an offense of official**
3 **misconduct within the prosecuting or circuit attorney's jurisdiction may request the state**
4 **auditor or his or her designee to audit all or part of the jurisdiction in which the**
5 **prosecuting or circuit attorney represents regarding the receipt and expenditure of public**
6 **funds. The state auditor shall report any finding to the prosecuting or circuit attorney.**

58.030. No person shall be elected or appointed to the office of coroner unless he **or she** be a citizen of the United States, [~~over the age of twenty-one years~~] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the county for which he **or she** is elected, six months next preceding the election.

60.010. 1. At the regular general election in the year 1948, and every four years thereafter, the voters of each county of this state in counties of the second, third, and fourth classification shall elect a registered land surveyor as county surveyor, who shall hold office for four years and until a successor is duly elected, commissioned and qualified. The person elected shall be commissioned by the governor.

2. No person shall be elected or appointed surveyor unless such person is a citizen of the United States, [~~over the age of twenty-one years~~] **twenty-one years of age or older**, a registered land surveyor, and shall have resided within the state one whole year. An elected surveyor shall have resided within the county for which the person is elected six months immediately prior to election and shall after election continue to reside within the county for which the person is surveyor. An appointed surveyor need not reside within the county for which the person is surveyor.

3. Notwithstanding the provisions of subsection 1 of this section, or any other law to the contrary, the county commission of any county of the third or fourth classification may appoint a surveyor following the deadline for filing for the office of surveyor, if no qualified candidate files for the office in the general election in which the office would have been on the ballot, provided that the notice required by section 115.345 has been published in at least one newspaper of general circulation in the county. The appointed surveyor shall serve at the pleasure of the county commission, however, an appointed surveyor shall forfeit said office once a qualified individual, who has been duly elected at a regularly scheduled general election where the office of surveyor is on the ballot and who has been commissioned by the governor, takes office. The county commission shall fix appropriate compensation, which need not be equal to that of an elected surveyor.

67.5150. If:

- (1) A prosecuting or circuit attorney;**
- (2) A law enforcement agency;**
- (3) A sheriff of a county;**
- (4) The police commissioner of a city not within a county; or**
- (5) The chief of police of a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants or of a county with a charter form of government and with more than nine hundred fifty thousand inhabitants**

10

11 **is conducting an investigation relating to an offense of theft or fraud by a public servant**
12 **or an offense of official misconduct within the jurisdiction of the prosecuting or circuit**
13 **attorney, the law enforcement agency, the police commissioner of a city not within a**
14 **county, or the chief of police of a county with a charter form of government and with more**
15 **than three hundred thousand but fewer than four hundred fifty thousand inhabitants or**
16 **of a county with a charter form of government and with more than nine hundred fifty**
17 **thousand inhabitants, the governing body of the county, with a majority vote, may request**
18 **the state auditor or his or her designee to audit all or part of the jurisdiction within that**
19 **county in which the prosecuting or circuit attorney, the law enforcement agency, the police**
20 **commissioner of a city not within a county, or the chief of police of a county with a charter**
21 **form of government and with more than three hundred thousand but fewer than four**
22 **hundred fifty thousand inhabitants or of a county with a charter form of government and**
23 **with more than nine hundred fifty thousand inhabitants represents or serves regarding the**
24 **receipt and expenditures of public funds. The state auditor shall report any findings to the**
25 **governing body of the county.**

77.230. No person shall be mayor unless he be at least ~~[thirty]~~ **twenty-one** years of age,
2 a citizen of the United States and a resident of such city at the time of and for two years next
3 preceding his election. When two or more persons shall have an equal number of votes for the
4 office of mayor, the matter shall be determined by the council.

79.080. No person shall be mayor unless he be at least ~~[twenty-five]~~ **twenty-one** years
2 of age, a citizen of the United States and a resident of the city at the time of and for at least one
3 year next preceding his election.

105.035. No person shall be appointed to an elected public office in the state of
2 **Missouri who is delinquent in the payment of state income tax, personal property tax,**
3 **municipal tax, or real property tax on the person's place of residence. A candidate for such**
4 **appointed public office shall provide the appointing authority thereof with a signed and**
5 **notarized affidavit stating that all state income taxes and property taxes, both personal**
6 **property and real property, have been paid or the fact that no taxes were owed for the two**
7 **fiscal years immediately prior to the filing deadline for the requisite elective public office.**

105.470. As used in section 105.473, unless the context requires otherwise, the following
2 words and terms mean:

3 (1) "Elected local government official lobbyist", any natural person employed
4 specifically for the purpose of attempting to influence any action by a local government official
5 elected in a county, city, town, or village with an annual operating budget of over ten million
6 dollars;

7 (2) "Executive lobbyist", any natural person who acts for the purpose of attempting to
8 influence any action by the executive branch of government or by any elected or appointed
9 official, employee, department, division, agency or board or commission thereof and in
10 connection with such activity, meets the requirements of any one or more of the following:

11 (a) Is acting in the ordinary course of employment on behalf of or for the benefit of such
12 person's employer; or

13 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
14 such activity; or

15 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
16 religious organization, nonprofit corporation, association or other entity; or

17 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
18 beginning January first and ending December thirty-first for the benefit of one or more public
19 officials or one or more employees of the executive branch of state government in connection
20 with such activity.

21

22 An "executive lobbyist" shall not include a member of the general assembly, an elected state
23 official, or any other person solely due to such person's participation in any of the following
24 activities:

25 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
26 proceeding, or contested case before a state board, commission, department, division or agency
27 of the executive branch of government or any elected or appointed officer or employee thereof;

28 b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any
29 public document, permit or contract, any application for any permit or license or certificate, or
30 any document required or requested to be filed with the state or a political subdivision;

31 c. Selling of goods or services to be paid for by public funds, provided that such person
32 is attempting to influence only the person authorized to authorize or enter into a contract to
33 purchase the goods or services being offered for sale;

34 d. Participating in public hearings or public proceedings on rules, grants, or other
35 matters;

36 e. Responding to any request for information made by any public official or employee
37 of the executive branch of government;

38 f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
39 television broadcast, or similar news medium, whether print or electronic;

40 g. Acting within the scope of employment by the general assembly, or acting within the
41 scope of employment by the executive branch of government when acting with respect to the
42 department, division, board, commission, agency or elected state officer by which such person

43 is employed, or with respect to any duty or authority imposed by law to perform any action in
44 conjunction with any other public official or state employee; or

45 h. Testifying as a witness before a state board, commission or agency of the executive
46 branch;

47 (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any
48 gift, honorarium or item of value bestowed including any food or beverage; any price, charge or
49 fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is
50 cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible
51 cost or fair market value from one person to another or provision of any service or granting of
52 any opportunity for which a charge is customarily made, without charge or for a reduced charge;
53 except that the term "expenditure" shall not include the following:

54 (a) Any item, service or thing of value transferred to any person within the third degree
55 of consanguinity of the transferor which is unrelated to any activity of the transferor as a
56 lobbyist;

57 (b) Informational material such as books, reports, pamphlets, calendars or periodicals
58 informing a public official regarding such person's official duties, or souvenirs or mementos
59 valued at less than ten dollars;

60 (c) Contributions to the public official's campaign committee or candidate committee
61 which are reported pursuant to the provisions of chapter 130;

62 (d) Any loan made or other credit accommodations granted or other payments made by
63 any person or entity which extends credit or makes loan accommodations or such payments in
64 the regular ordinary scope and course of business, provided that such are extended, made or
65 granted in the ordinary course of such person's or entity's business to persons who are not public
66 officials;

67 (e) Any item, service or thing of de minimis value offered to the general public, whether
68 or not the recipient is a public official or a staff member, employee, spouse or dependent child
69 of a public official, and only if the grant of the item, service or thing of de minimis value is not
70 motivated in any way by the recipient's status as a public official or staff member, employee,
71 spouse or dependent child of a public official;

72 (f) The transfer of any item, provision of any service or granting of any opportunity with
73 a reasonably discernible cost or fair market value when such item, service or opportunity is
74 necessary for a public official or employee to perform his or her duty in his or her official
75 capacity, including but not limited to entrance fees to any sporting event, museum, or other
76 venue when the official or employee is participating in a ceremony, public presentation or
77 official meeting therein;

78 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is
79 bestowed upon or given to any public official or a staff member, employee, spouse or dependent
80 child of a public official when it is compensation for employment or given as an employment
81 benefit and when such employment is in addition to their employment as a public official;

82 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
83 influence any purchasing decision by the judicial branch of government or by any elected or
84 appointed official or any employee thereof and in connection with such activity, meets the
85 requirements of any one or more of the following:

86 (a) Is acting in the ordinary course of employment which primary purpose is to influence
87 the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such
88 person's employer, except that this shall not apply to any person who engages in lobbying on an
89 occasional basis only and not as a regular pattern of conduct; or

90 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
91 such activity; or

92 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
93 religious organization, nonprofit corporation or association; or

94 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
95 beginning January first and ending December thirty-first for the benefit of one or more public
96 officials or one or more employees of the judicial branch of state government in connection with
97 attempting to influence such purchasing decisions by the judiciary.

98

99 A "judicial lobbyist" shall not include a member of the general assembly, an elected state official,
100 or any other person solely due to such person's participation in any of the following activities:

101 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
102 proceeding, or contested case before a state court;

103 b. Participating in public hearings or public proceedings on rules, grants, or other
104 matters;

105 c. Responding to any request for information made by any judge or employee of the
106 judicial branch of government;

107 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,
108 magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

109 e. Acting within the scope of employment by the general assembly, or acting within the
110 scope of employment by the executive branch of government when acting with respect to the
111 department, division, board, commission, agency or elected state officer by which such person
112 is employed, or with respect to any duty or authority imposed by law to perform any action in
113 conjunction with any other public official or state employee;

114 (5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to
115 influence the taking, passage, amendment, delay or defeat of any official action on any bill,
116 resolution, amendment, nomination, appointment, report or any other action or any other matter
117 pending or proposed in a legislative committee in either house of the general assembly, or in any
118 matter which may be the subject of action by the general assembly and in connection with such
119 activity, meets the requirements of any one or more of the following:

120 (a) Is acting in the ordinary course of employment, which primary purpose is to influence
121 legislation on a regular basis, on behalf of or for the benefit of such person's employer, except
122 that this shall not apply to any person who engages in lobbying on an occasional basis only and
123 not as a regular pattern of conduct; or

124 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
125 such activity; or

126 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
127 religious organization, nonprofit corporation, association or other entity; or

128 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
129 beginning January first and ending December thirty-first for the benefit of one or more public
130 officials or one or more employees of the legislative branch of state government in connection
131 with such activity.

132

133 A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any
134 person unless excluded by any of the following exceptions. **A "legislative lobbyist" shall not
135 include any legislative liaison. For purposes of this subdivision, "legislative liaison" means
136 any state employee hired to communicate with members of the general assembly on behalf
137 of any elected official of the state; the judicial branch of state government; or any
138 department, agency, board, or commission of the state, provided such entity is a part of the
139 executive branch of state government. Any state employee employed as a legislative liaison
140 who performs lobbying services for any other entity shall register as a lobbyist with respect
141 to such lobbying services.** A "legislative lobbyist" shall **also** not include any member of the
142 general assembly, an elected state official, or any other person solely due to such person's
143 participation in any of the following activities:

144 a. Responding to any request for information made by any public official or employee
145 of the legislative branch of government;

146 b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
147 television broadcast, or similar news medium, whether print or electronic;

148 c. Acting within the scope of employment of the legislative branch of government when
149 acting with respect to the general assembly or any member thereof;

- 150 d. Testifying as a witness before the general assembly or any committee thereof;
- 151 (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist,
- 152 elected local government official lobbyist, or a legislative lobbyist;
- 153 (7) "Lobbyist principal", any person, business entity, governmental entity, religious
- 154 organization, nonprofit corporation or association who employs, contracts for pay or otherwise
- 155 compensates a lobbyist;
- 156 (8) "Public official", any member or member-elect of the general assembly, judge or
- 157 judicial officer, or any other person holding an elective office of state government or any agency
- 158 head, department director or division director of state government or any member of any state
- 159 board or commission and any designated decision-making public servant designated by persons
- 160 described in this subdivision.

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492

2 shall be on a form prescribed by the commission and shall be signed and verified by a written

3 declaration that it is made under penalties of perjury; provided, however, the form shall not seek

4 information which is not specifically required by sections 105.483 to 105.492.

5 2. Each person required to file a financial interest statement pursuant to subdivisions (1)

6 to (12) of section 105.483 shall file the following information for himself **or herself**, his **or her**

7 spouse and dependent children at any time during the period covered by the statement, whether

8 singularly or collectively; provided, however, that said person, if he **or she** does not know and

9 his **or her** spouse will not divulge any information required to be reported by this section

10 concerning the financial interest of his **or her** spouse, shall state on his **or her** financial interest

11 statement that he **or she** has disclosed that information known to him **or her** and that his **or her**

12 spouse has refused or failed to provide other information upon his **or her** bona fide request, and

13 such statement shall be deemed to satisfy the requirements of this section for such financial

14 interest of his **or her** spouse; and provided further if the spouse of any person required to file a

15 financial interest statement is also required by section 105.483 to file a financial interest

16 statement, the financial interest statement filed by each need not disclose the financial interest

17 of the other, provided that each financial interest statement shall state that the spouse of the

18 person has filed a separate financial interest statement and the name under which the statement

19 was filed:

20 (1) The name and address of each of the employers of such person from whom income

21 of one thousand dollars or more was received during the year covered by the statement;

22 (2) The name and address of each sole proprietorship which he **or she** owned; the name,

23 address and the general nature of the business conducted of each general partnership and joint

24 venture in which he **or she** was a partner or participant; the name and address of each partner or

25 coparticipant for each partnership or joint venture unless such names and addresses are filed by

26 the partnership or joint venture with the secretary of state; the name, address and general nature
27 of the business conducted of any closely held corporation or limited partnership in which the
28 person owned ten percent or more of any class of the outstanding stock or limited partners' units;
29 and the name of any publicly traded corporation or limited partnership which is listed on a
30 regulated stock exchange or automated quotation system in which the person owned two percent
31 or more of any class of outstanding stock, limited partnership units or other equity interests;

32 (3) The name and address of any other source not reported pursuant to subdivisions (1)
33 and (2) and subdivisions (4) to (9) of this subsection from which such person received one
34 thousand dollars or more of income during the year covered by the statement, including, but not
35 limited to, any income otherwise required to be reported on any tax return such person is required
36 by law to file; except that only the name of any publicly traded corporation or limited partnership
37 which is listed on a regulated stock exchange or automated quotation system need be reported
38 pursuant to this subdivision;

39 (4) The location by county, the subclassification for property tax assessment purposes,
40 the approximate size and a description of the major improvements and use for each parcel of real
41 property in the state, other than the individual's personal residence, having a fair market value
42 of ten thousand dollars or more in which such person held a vested interest including a leasehold
43 for a term of ten years or longer, and, if the property was transferred during the year covered by
44 the statement, the name and address of the persons furnishing or receiving consideration for such
45 transfer;

46 (5) The name and address of each entity in which such person owned stock, bonds or
47 other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a
48 corporation listed on a regulated stock exchange, only the name of the corporation need be listed;
49 and provided that any member of any board or commission of the state or any political
50 subdivision who does not receive any compensation for his **or her** services to the state or
51 political subdivision other than reimbursement for his **or her** actual expenses or a per diem
52 allowance as prescribed by law for each day of such service need not report interests in publicly
53 traded corporations or limited partnerships which are listed on a regulated stock exchange or
54 automated quotation system pursuant to this subdivision; and provided further that the provisions
55 of this subdivision shall not require reporting of any interest in any qualified plan or annuity
56 pursuant to the Employees' Retirement Income Security Act;

57 (6) The name and address of each corporation for which such person served in the
58 capacity of a director, officer or receiver;

59 (7) The name and address of each not-for-profit corporation and each association,
60 organization, or union, whether incorporated or not, except not-for-profit corporations formed
61 to provide church services, fraternal organizations or service clubs from which the officer or

62 employee draws no remuneration, in which such person was an officer, director, employee or
63 trustee at any time during the year covered by the statement, and for each such organization, a
64 general description of the nature and purpose of the organization;

65 (8) The name and address of each source from which such person received a gift or gifts,
66 or honorarium or honoraria in excess of two hundred dollars in value per source during the year
67 covered by the statement other than gifts from persons within the third degree of consanguinity
68 or affinity of the person filing the financial interest statement. For the purposes of this section,
69 a "gift" shall not be construed to mean political contributions otherwise required to be reported
70 by law or hospitality such as food, beverages or admissions to social, art, or sporting events or
71 the like, or informational material. For the purposes of this section, a "gift" shall include gifts
72 to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving
73 the indebtedness of the individual to that creditor;

74 (9) The lodging and travel expenses provided by any third person for expenses incurred
75 outside the state of Missouri whether by gift or in relation to the duties of office of such official,
76 except that such statement shall not include travel or lodging expenses:

77 (a) Paid in the ordinary course of business for businesses described in subdivisions (1),
78 (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

79 (b) For which the official may be reimbursed as provided by law; or

80 (c) Paid by persons related by the third degree of consanguinity or affinity to the person
81 filing the statement; or

82 (d) Expenses which are reported by the campaign committee or candidate committee of
83 the person filing the statement pursuant to the provisions of chapter 130; or

84 (e) Paid for purely personal purposes which are not related to the person's official duties
85 by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of
86 a member, of any association or entity which employs a lobbyist. The statement shall include
87 the name and address of such person who paid the expenses, the date such expenses were
88 incurred, the amount incurred, the location of the travel and lodging, and the nature of the
89 services rendered or reason for the expenses;

90 (10) The assets in any revocable trust of which the individual is the settlor if such assets
91 would otherwise be required to be reported under this section;

92 (11) The name, position and relationship of any relative within the first degree of
93 consanguinity or affinity to any other person who:

94 (a) Is employed by the state of Missouri, by a political subdivision of the state or special
95 district, as defined in section 115.013, of the state of Missouri;

96 (b) Is a lobbyist; or

97 (c) Is a fee agent of the department of revenue;

98 (12) The name and address of each campaign committee, political committee, candidate
99 committee, or continuing committee for which such person or any corporation listed on such
100 person's financial interest statement received payment; and

101 (13) For members of the general assembly or any statewide elected public official, their
102 spouses, and their dependent children, whether any state tax credits were claimed on the
103 member's, spouse's, or dependent child's most recent state income tax return.

104 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an
105 individual shall be deemed to have received a salary from his **or her** employer or income from
106 any source at the time when he **or she** shall receive a negotiable instrument whether or not
107 payable at a later date and at the time when under the practice of his **or her** employer or the
108 terms of an agreement he **or she** has earned or is entitled to anything of actual value whether or
109 not delivery of the value is deferred or right to it has vested. The term income as used in this
110 section shall have the same meaning as provided in the Internal Revenue Code of 1986, and
111 amendments thereto, as the same may be or becomes effective, at any time or from time to time
112 for the taxable year, provided that income shall not be considered received or earned for purposes
113 of this section from a partnership or sole proprietorship until such income is converted from
114 business to personal use.

115 4. Each official, officer or employee or candidate of any political subdivision described
116 in subdivision (11) of section 105.483 shall be required to file a financial interest statement as
117 required by subsection 2 of this section, unless the political subdivision biennially adopts an
118 ordinance, order or resolution at an open meeting by September fifteenth of the preceding year,
119 which establishes and makes public its own method of disclosing potential conflicts of interest
120 and substantial interests and therefore excludes the political subdivision or district and its
121 officers and employees from the requirements of subsection 2 of this section. A certified copy
122 of the ordinance, order or resolution shall be sent to the commission within ten days of its
123 adoption. The commission shall assist any political subdivision in developing forms to complete
124 the requirements of this subsection. The ordinance, order or resolution shall contain, at a
125 minimum, the following requirements with respect to disclosure of substantial interests:

126 (1) Disclosure in writing of the following described transactions, if any such transactions
127 were engaged in during the calendar year:

128 (a) For such person, and all persons within the first degree of consanguinity or affinity
129 of such person, the date and the identities of the parties to each transaction with a total value in
130 excess of five hundred dollars, if any, that such person had with the political subdivision, other
131 than compensation received as an employee or payment of any tax, fee or penalty due to the
132 political subdivision, and other than transfers for no consideration to the political subdivision;

133 (b) The date and the identities of the parties to each transaction known to the person with
134 a total value in excess of five hundred dollars, if any, that any business entity in which such
135 person had a substantial interest, had with the political subdivision, other than payment of any
136 tax, fee or penalty due to the political subdivision or transactions involving payment for
137 providing utility service to the political subdivision, and other than transfers for no consideration
138 to the political subdivision;

139 (2) The chief administrative officer and chief purchasing officer of such political
140 subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6)
141 of subsection 2 of this section;

142 (3) Disclosure of such other financial interests applicable to officials, officers and
143 employees of the political subdivision, as may be required by the ordinance or resolution;

144 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
145 commission and the governing body of the political subdivision. The clerk of such governing
146 body shall maintain such disclosure reports available for public inspection and copying during
147 normal business hours.

148 **5. The name and employer of dependent children under twenty-one years of age**
149 **of each person required to file a financial interest form under this section shall be redacted**
150 **and not made publicly available, upon the written request of such person to the**
151 **commission.**

152 **6. Nothing in subsection 5 of this section shall be construed to abate the**
153 **responsibility of reporting the names and employers of dependent children of each person**
154 **required to file a financial interest form.**

115.306. 1. No person shall qualify as a candidate for elective public office in the state
2 of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the
3 United States of America or to a felony under the laws of this state or an offense committed in
4 another state that would be considered a felony in this state.

5 2. (1) Any person who files as a candidate for election to a public office shall be
6 disqualified from participation in the election for which the candidate has filed if such person
7 is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes,
8 real property taxes on the place of residence, as stated on the declaration of candidacy, or if the
9 person is a past or present corporate officer of any fee office that owes any taxes to the state.

10 (2) Each potential candidate for election to a public office, except candidates for a county
11 or city committee of a political party, shall file an affidavit with the department of revenue and
12 include a copy of the affidavit with the declaration of candidacy required under section 115.349.
13 Such affidavit shall be in substantially the following form:

14 **AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:**

15 I hereby declare under penalties of perjury that I am not currently aware of any
16 delinquency in the filing or payment of any state income taxes, personal property taxes,
17 municipal taxes, real property taxes on the place of residence, as stated on the declaration of
18 candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes
19 to the state, other than those taxes which may be in dispute. I declare under penalties of perjury
20 that I am not aware of any information that would prohibit me from fulfilling any bonding
21 requirements for the office for which I am filing.

22 Candidate's Signature

23 Printed Name of Candidate

24 (3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or
25 payment of any state income taxes, personal property taxes, municipal taxes, real property taxes
26 on the place of residence, as stated on the declaration of candidacy, or if the person is a past or
27 present corporate officer of any fee office that owes any taxes to the state, the department of
28 revenue shall investigate such potential candidate to verify the claim contained in the complaint.
29 If the department of revenue finds a positive affirmation to be false, the department shall contact
30 the secretary of state, or the election official who accepted such candidate's declaration of
31 candidacy, and the potential candidate. The department shall notify the candidate of the
32 outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed
33 which are not the subject of dispute between the department and the candidate. If the candidate
34 fails to remit such amounts in full within thirty days, the candidate shall be disqualified from
35 participating in the current election and barred from refiling for an entire election cycle even if
36 the individual pays all of the outstanding taxes that were the subject of the complaint.

37 **(4) Any person who files as a candidate for election to a public office that performs**
38 **county functions in a city not within a county shall provide appropriate copies of paid tax**
39 **receipts or no tax due statements for each tax listed in subdivision (1) of this subsection**
40 **that indicates the person has paid all taxes due and is not delinquent in any tax. If**
41 **available, the election authority shall utilize online databases to verify the candidate's taxes**
42 **instead of the paper copies provided by the candidate. The election authority shall review**
43 **such documentation and the affirmation of tax payments required under subdivision (2)**
44 **of this subsection. The election authority may file a complaint with the department of**
45 **revenue if there appears to be any delinquency. In addition to the above review, the**
46 **election authority shall verify there is no ethics complaint filed under section 105.472 with**
47 **the Missouri ethics commission for this person. If such a complaint has been filed against**
48 **such a person, the election authority shall not allow the person's name to be placed on a**
49 **ballot until the ethics complaint has been resolved. This subdivision shall only apply to a**
50 **city not within a county's offices that perform county functions.**

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state or county office shall, before filing his **or her** declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket he **or she** seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, two hundred dollars if he or she is a candidate for statewide office or for United States senator, one hundred dollars if he or she is a candidate for representative in Congress, circuit judge or state senator, and fifty dollars if he or she is a candidate for state representative;

(2) To the treasurer of the county central committee, fifty dollars if he or she is a candidate for county office.

2. The required sum may be submitted by the candidate to the official accepting his **or her** declaration of candidacy. All sums so submitted shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

3. Any person who cannot pay the fee required to file as a candidate may have the fee waived by filing a declaration of inability to pay and a petition with his **or her** declaration of candidacy. Each such declaration shall be in substantially the following form:

DECLARATION OF INABILITY TO PAY FILING FEE

I, _____, do hereby swear that I am financially unable to pay the fee of _____ (amount of fee) to file as a candidate for nomination to the office of _____ at the primary election to be held on the _____ day of _____, 20_____.

Signature of candidate

Subscribed and sworn
to before me this
_____ day of
_____, 20_____.

Residence address

Signature of election
official or officer
authorized to
administer oaths

If the candidate's declaration of candidacy is to be filed in person, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the election official who witnesses the candidate's declaration of candidacy. If his **or her** declaration of candidacy is to be filed by

37 certified mail pursuant to subsection 2 of section 115.355, the declaration of inability to pay shall
38 be subscribed and sworn to by the candidate before the notary or other officer who witnesses the
39 candidate's declaration of candidacy. With his **or her** declaration of inability to pay, the
40 candidate shall submit a petition endorsing his **or her** candidacy. Except for the number of
41 signatures required, each such petition shall, insofar as practicable, be in the form provided in
42 sections 115.321 and 115.325. If the person filing declaration of indigence is to be a candidate
43 for statewide office, his **or her** petition shall be signed by the number of registered voters in the
44 state equal to at least one-half of one percent of the total number of votes cast in the state for the
45 office at the last election in which a candidate ran for the office. If the person filing a declaration
46 of indigence is to be a candidate for any other office, the petition shall be signed by the number
47 of registered voters in the district or political subdivision which is equal to at least one percent
48 of the total number of votes cast for the office at the last election in which a candidate ran for the
49 office. The candidate's declaration of inability to pay and the petition shall be filed at the same
50 time and in the same manner as his **or her** declaration of candidacy is filed. The petition shall
51 be checked and its sufficiency determined in the same manner as new party and independent
52 candidate petitions.

53 4. No filing fee shall be required of any person who proposes to be an independent
54 candidate, the candidate of a new party or a candidate for presidential elector.

55 5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall
56 be printed on any official ballot until the required fee has been paid.

115.621. 1. Notwithstanding any other provision of this section to the contrary, any
2 legislative, senatorial, or judicial district committee that is wholly contained within a county or
3 a city not within a county may choose to meet on the same day as the respective county or city
4 committee. All other committees shall meet as otherwise prescribed in this section.

5 2. The members of each county committee shall meet at the county seat not earlier than
6 two weeks after each primary election but in no event later than the third Saturday after each
7 primary election, at the discretion of the chairman at the committee. In each city not within a
8 county, the city committee shall meet on the same day at the city hall. In all counties of the first,
9 second, and third classification, the county courthouse shall be made available for such meetings
10 and any other county political party meeting at no charge to the party committees. In all cities
11 not within a county, the city hall shall be made available for such meetings and any other city
12 political party meeting at no charge to the party committees. At the meeting, each committee
13 shall organize by electing two of its members, a man and a woman, as chair and vice chair, and
14 a man and a woman who may or may not be members of the committee as secretary and
15 treasurer.

16 3. The members of each congressional district committee shall meet at some place and
17 time within the district, to be designated by the current chair of the committee, not earlier than
18 five weeks after each primary election but in no event later than the sixth Saturday after each
19 primary election. The county courthouse in counties of the first, second and third classification
20 in which the meeting is to take place, as designated by the chair, shall be made available for such
21 meeting and any other congressional district political party committee meeting at no charge to
22 the committee. At the meeting, the committee shall organize by electing one of its members as
23 chair and one of its members as vice chair, one of whom shall be a woman and one of whom
24 shall be a man, and a secretary and a treasurer, one of whom shall be a woman and one of whom
25 shall be a man, who may or may not be members of the committee.

26 4. The members of each legislative district committee shall meet at some place and date
27 within the legislative district or within one of the counties in which the legislative district exists,
28 to be designated by the current chair of the committee, not earlier than three weeks after each
29 primary election but in no event later than the fourth Saturday after each primary election. The
30 county courthouse in counties of the first, second and third classification in which the meeting
31 is to take place, as designated by the chair, shall be made available for such meeting and any
32 other legislative district political party committee meeting at no charge to the committee. At the
33 meeting, the committee shall organize by electing two of its members, a man and a woman, as
34 chair and vice chair, and a man and a woman who may or may not be members of the committee
35 as secretary and treasurer.

36 5. The members of each senatorial district committee shall meet at some place and date
37 within the district, to be designated by the current chair of the committee, if there is one, and if
38 not, by the chair of the congressional district in which the senatorial district is principally
39 located, not earlier than four weeks after each primary election but in no event later than the fifth
40 Saturday after each primary election. The county courthouse in counties of the first, second and
41 third classification in which the meeting is to take place, as so designated pursuant to this
42 subsection, shall be made available for such meeting and any other senatorial district political
43 party committee meeting at no charge to the committee. At the meeting, the committee shall
44 organize by electing one of its members as chair and one of its members as vice chair, one of
45 whom shall be a woman and one of whom shall be a man, and a secretary and a treasurer, one
46 of whom shall be a woman and one of whom shall be a man, who may or may not be members
47 of the committee.

48 6. The members of each senatorial district shall also meet at some place within the
49 district, to be designated by the current chair of the committee, if there is one, and if not, by the
50 chair of the congressional district in which the senatorial district is principally located, on the
51 Saturday after each general election **or concurrently with the election of senatorial officers,**

52 **if designated by the chair of the congressional district where the senatorial district is**
53 **principally located.** At the meeting, the committee shall proceed to elect two registered voters
54 of the district, one man and one woman, as members of the party's state committee.

55 7. The members of each judicial district may meet at some place and date within the
56 judicial district or within one of the counties in which the judicial district exists, to be designated
57 by the current chair of the committee or the chair of the congressional district committee, not
58 earlier than six weeks after each primary election but in no event later than the seventh Saturday
59 after each primary election. The county courthouse in counties of the first, second and third
60 classification in which the meeting is to take place, as so designated pursuant to this subsection,
61 shall be made available for such meeting and any other judicial district political party committee
62 meeting at no charge to the committee. At the meeting, the committee shall organize by electing
63 two of its members, a man and a woman, as chair and vice chair, and a man and a woman who
64 may or may not be members of the committee as secretary and treasurer.

115.631. The following offenses, and any others specifically so described by law, shall
2 be class one election offenses and are deemed felonies connected with the exercise of the right
3 of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more
4 than five years or by fine of not less than two thousand five hundred dollars but not more than
5 ten thousand dollars or by both such imprisonment and fine:

6 (1) Willfully and falsely making any certificate, affidavit, or statement required to be
7 made pursuant to any provision of this chapter, including but not limited to statements
8 specifically required to be made "under penalty of perjury"; or in any other manner knowingly
9 furnishing false information to an election authority or election official engaged in any lawful
10 duty or action in such a way as to hinder or mislead the authority or official in the performance
11 of official duties. If an individual willfully and falsely makes any certificate, affidavit, or
12 statement required to be made under section 115.155, including but not limited to statements
13 specifically required to be made "under penalty of perjury", such individual shall be guilty of a
14 class D felony;

15 (2) Voting more than once or voting at any election knowing that the person is not
16 entitled to vote or that the person has already voted on the same day at another location inside
17 or outside the state of Missouri;

18 (3) Procuring any person to vote knowing the person is not lawfully entitled to vote or
19 knowingly procuring an illegal vote to be cast at any election;

20 (4) Applying for a ballot in the name of any other person, whether the name be that of
21 a person living or dead or of a fictitious person, or applying for a ballot in his or her own or any
22 other name after having once voted at the election inside or outside the state of Missouri;

23 (5) Aiding, abetting or advising another person to vote knowing the person is not legally
24 entitled to vote or knowingly aiding, abetting or advising another person to cast an illegal vote;

25 (6) An election judge knowingly causing or permitting any ballot to be in the ballot box
26 at the opening of the polls and before the voting commences;

27 (7) Knowingly furnishing any voter with a false or fraudulent or bogus ballot, or
28 knowingly practicing any fraud upon a voter to induce him or her to cast a vote which will be
29 rejected, or otherwise defrauding him or her of his or her vote;

30 (8) An election judge knowingly placing or attempting to place or permitting any ballot,
31 or paper having the semblance of a ballot, to be placed in a ballot box at any election unless the
32 ballot is offered by a qualified voter as provided by law;

33 (9) Knowingly placing or attempting to place or causing to be placed any false or
34 fraudulent or bogus ballot in a ballot box at any election;

35 (10) Knowingly removing any legal ballot from a ballot box for the purpose of changing
36 the true and lawful count of any election or in any other manner knowingly changing the true and
37 lawful count of any election;

38 (11) Knowingly altering, defacing, damaging, destroying or concealing any ballot after
39 it has been voted for the purpose of changing the lawful count of any election;

40 (12) Knowingly altering, defacing, damaging, destroying or concealing any poll list,
41 report, affidavit, return or certificate for the purpose of changing the lawful count of any election;

42 (13) On the part of any person authorized to receive, tally or count a poll list, tally sheet
43 or election return, receiving, tallying or counting a poll list, tally sheet or election return the
44 person knows is fraudulent, forged or counterfeit, or knowingly making an incorrect account of
45 any election;

46 (14) On the part of any person whose duty it is to grant certificates of election, or in any
47 manner declare the result of an election, granting a certificate to a person the person knows is not
48 entitled to receive the certificate, or declaring any election result the person knows is based upon
49 fraudulent, fictitious or illegal votes or returns;

50 (15) Willfully destroying or damaging any official ballots, whether marked or unmarked,
51 after the ballots have been prepared for use at an election and during the time they are required
52 by law to be preserved in the custody of the election judges or the election authority;

53 (16) Willfully tampering with, disarranging, altering the information on, defacing,
54 impairing or destroying any voting machine or marking device after the machine or marking
55 device has been prepared for use at an election and during the time it is required by law to remain
56 locked and sealed with intent to impair the functioning of the machine or marking device at an
57 election, mislead any voter at the election, or to destroy or change the count or record of votes
58 on such machine;

59 (17) Registering to vote knowing the person is not legally entitled to register or
60 registering in the name of another person, whether the name be that of a person living or dead
61 or of a fictitious person;

62 (18) Procuring any other person to register knowing the person is not legally entitled to
63 register, or aiding, abetting or advising another person to register knowing the person is not
64 legally entitled to register;

65 (19) Knowingly preparing, altering or substituting any computer program or other
66 counting equipment to give an untrue or unlawful result of an election;

67 (20) On the part of any person assisting a blind or disabled person to vote, knowingly
68 failing to cast such person's vote as such person directs;

69 (21) On the part of any registration or election official, permitting any person to register
70 to vote or to vote when such official knows the person is not legally entitled to register or not
71 legally entitled to vote;

72 (22) On the part of a notary public acting in his or her official capacity, knowingly
73 violating any of the provisions of this chapter or any provision of law pertaining to elections;

74 (23) Violation of any of the provisions of sections 115.275 to 115.303, or of any
75 provision of law pertaining to absentee voting;

76 (24) Assisting a person to vote knowing such person is not legally entitled to such
77 assistance, or while assisting a person to vote who is legally entitled to such assistance, in any
78 manner coercing, requesting or suggesting that the voter vote for or against, or refrain from
79 voting on any question, ticket or candidate;

80 (25) Engaging in any act of violence, destruction of property having a value of five
81 hundred dollars or more, or threatening an act of violence with the intent of denying a person's
82 lawful right to vote or to participate in the election process; ~~and~~

83 (26) Knowingly providing false information about election procedures for the purpose
84 of preventing any person from going to the polls; **and**

85 **(27) Coercing, intimidating, or pressuring a voter to vote in a certain manner and**
86 **attempting to verify the result of such acts by obtaining photographic evidence of such**
87 **voter's ballot.**

115.637. The following offenses, and any others specifically so described by law, shall
2 be class four election offenses and are deemed misdemeanors not connected with the exercise
3 of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment
4 of not more than one year or by a fine of not more than two thousand five hundred dollars or by
5 both such imprisonment and fine:

6 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample
7 ballots that may be furnished by an organization or individual at or near any voting place on

8 election day, except that this subdivision shall not be construed so as to interfere with the right
9 of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate
10 and substituting the name of the person for whom he or she intends to vote; or to dispose of the
11 received sample ballot;

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

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

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

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

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

31 (7) On the part of any person authorized or employed to print official ballots, or any
32 person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any
33 ballot to or by any person other than the official under whose direction the ballots are being
34 printed, any ballot in any form other than that prescribed by law, or with unauthorized names,
35 with names misspelled, or with the names of candidates arranged in any way other than that
36 authorized by law;

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

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

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

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

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

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

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

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

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

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

65 (18) Exit polling, surveying, sampling, electioneering, distributing election literature,
66 posting signs or placing vehicles bearing signs with respect to any candidate or question to be
67 voted on at an election on election day inside the building in which a polling place is located or
68 within twenty-five feet of the building's outer door closest to the polling place, or, on the part of
69 any person, refusing to remove or permit removal from property owned or controlled by such
70 person, any such election sign or literature located within such distance on such day after request
71 for removal by any person;

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

116.030. The following shall be substantially the form of each page of referendum
2 petitions on any law passed by the general assembly of the state of Missouri:

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

County _____
Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **558.002**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

PETITION FOR REFERENDUM

To the Honorable _____, Secretary of State for the state of Missouri:
We, the undersigned, registered voters of the state of Missouri and _____ County (or City of St. Louis), respectfully order that the Senate (or House) Bill No. _____ entitled (title of law), passed by the _____ general assembly of the state of Missouri, at the _____ regular (or special) session of the _____ general assembly, shall be referred to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the _____ day of _____, _____, unless the general assembly shall designate another date, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or City of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot title) _____

CIRCULATOR'S AFFIDAVIT

State Of Missouri,
County Of _____

I, _____, being first duly sworn, say (print or type names of signers)

NAME	DATE SIGNED	REGISTERED VOTING ADDRESS	ZIP CODE	CONGR. DIST.	NAME
(Signature)		(Street) (City, Town or Village)			(Printed or Typed)

(Here follow numbered lines for signers)
signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a

36 registered voter of the state of Missouri and _____ County. FURTHERMORE,
 37 I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT
 38 ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT
 39 I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED
 40 GUILTY TO ANY OFFENSE INVOLVING FORGERY.

41 I am at least 18 years of age. I do _____ do not _____ (check one) expect to be
 42 paid for circulating this petition. If paid, list the payer _____

43
 44
 45
 46
 47
 48
 49
 50

 Signature of Affiant
 (Person obtaining signatures)

 (Printed Name of Affiant)

 Address of Affiant

51 Subscribed and sworn to before me this _____ day of _____, A.D. _____

52
 53
 54
 55

 Signature of Notary
 Address of Notary

56 Notary Public (Seal)
 57 My commission expires _____

58

59 If this form is followed substantially and the requirements of ~~[section]~~ **sections 116.045**, 116.050,
 60 and ~~[section]~~ 116.080 are met, it shall be sufficient, disregarding clerical and merely technical
 61 errors.

116.040. The following shall be substantially the form of each page of each petition for
 2 any law or amendment to the Constitution of the state of Missouri proposed by the initiative:

3 County _____
 4 Page No. _____

5 It is a class A misdemeanor punishable, notwithstanding the provisions of section
 6 ~~[560.021]~~ **558.002**, RSMo, to the contrary, for a term of imprisonment not to
 7 exceed one year in the county jail or a fine not to exceed ten thousand dollars or
 8 both, for anyone to sign any initiative petition with any name other than his or her
 9 own, or knowingly to sign his or her name more than once for the same measure

10 for the same election, or to sign a petition when such person knows he or she is
11 not a registered voter.

12 INITIATIVE PETITION

13 To the Honorable _____, Secretary of State for the state of Missouri:

14 We, the undersigned, registered voters of the state of Missouri and _____ County
15 (or City of St. Louis), respectfully order that the following proposed law (or
16 amendment to the constitution) shall be submitted to the voters of the state of
17 Missouri, for their approval or rejection, at the general election to be held on the
18 _____ day of _____, _____, and each for himself or herself says: I have
19 personally signed this petition; I am a registered voter of the state of Missouri and
20 _____ County (or City of St. Louis); my registered voting address and the name
21 of the city, town or village in which I live are correctly written after my name.

22 (Official Ballot title) _____

23 CIRCULATOR'S AFFIDAVIT

24 State Of Missouri,

25 County Of _____

26 I, _____, being first duly sworn, say (print or type names of signers)

27	NAME	DATE	REGISTERED	ZIP CODE	CONGR.	NAME
		SIGNED	VOTING		DIST.	
			ADDRESS			
28	(Signature)		(Street) (City,			(Printed or
			Town or			Typed)
			Village)			

29 (Here follow numbered lines for signers)

30 signed this page of the foregoing petition, and each of them signed his or her name
31 thereto in my presence; I believe that each has stated his or her name, registered
32 voting address and city, town or village correctly, and that each signer is a
33 registered voter of the state of Missouri and _____ County.

34 FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF
35 PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND
36 CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND
37 GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING
38 FORGERY.

39 I am at least 18 years of age. I do _____ do not _____ (check one) expect to be
40 paid for circulating this petition. If paid, list the payer _____

41 _____

42
43
44
45
46
47
48
49
50
51
52
53
54
55

Signature of Affiant
(Person obtaining signatures)

(Printed Name of Affiant)

Address of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. _____

Signature of Notary

Address of Notary

Notary Public (Seal)

My commission expires _____

56 If this form is followed substantially and the requirements of ~~[section]~~ sections 116.045, 116.050,
57 and ~~[section]~~ 116.080 are met, it shall be sufficient, disregarding clerical and merely technical
58 errors.

**116.045. Initiative and referendum petition signature pages shall be printed on a
2 form prescribed by the secretary of state, which shall include all of the information and
3 statements set forth in section 116.030 or 116.040, as applicable, and comply with section
4 116.050. The form shall be made available in electronic format for printing and circulating
5 petitions.**

116.050. 1. Initiative and referendum petitions filed under the provisions of this chapter
2 shall consist of pages of a uniform size. Each page, excluding the text of the measure, shall be
3 no larger than eight and one-half by fourteen inches. **The text of the proposed measure shall
4 be in a font that is not smaller than twelve-point Times New Roman and have top, bottom,
5 left, and right margins of no less than one inch. Page numbers may appear in the bottom
6 margin.** Each page of an initiative petition shall be attached to or shall contain a full and correct
7 text of the proposed measure. Each page of a referendum petition shall be attached to or shall
8 contain a full and correct text of the measure on which the referendum is sought.

9 **2. The secretary of state shall collect an initiative and referendum petition filing fee
10 of five hundred dollars for each petition sample sheet filed. An additional filing fee of
11 twenty-five dollars shall be collected for each page of text of the measure in excess of two
12 pages. The filing fee shall be deposited in the state treasury and credited to the secretary
13 of state's petition publication fund established under section 116.270. The filing fee shall
14 be refunded from the fund to the person designated as the recipient of notices under section**

15 **116.332 if the initiative or referendum petition is certified under section 116.150. The**
16 **secretary of state shall reject any petition sample sheet that is not accompanied by the**
17 **required fee.**

18 **3. The full and correct text of all initiative and referendum petition measures shall:**

19 (1) Contain all matter which is to be deleted included in its proper place enclosed in
20 brackets and all new matter shown underlined;

21 (2) Include all sections of existing law or of the constitution which would be repealed by
22 the measure; and

23 (3) Otherwise conform to the provisions of Article III, ~~[Section]~~ **Sections 28, [and Article**
24 **III, Section] 49, 50, 51, and 52(a)** of the Constitution of Missouri and those of this chapter.

25 **4. The full and correct text of all initiative petition measures shall not purport to:**

26 **(1) Declare any federal statute, regulation, executive order, or court decision to be**
27 **void or in violation of the Constitution of the United States;**

28 **(2) Amend any federal law or the Constitution of the United States; or**

29 **(3) Accomplish an act that the Constitution of the United States requires to be**
30 **accomplished by the general assembly.**

116.130. 1. The secretary of state may send copies of petition pages to election
2 authorities to verify that the persons whose names are listed as signers to the petition are
3 registered voters. Such verification may either be of each signature or by random sampling as
4 provided in section 116.120, as the secretary shall direct. If copies of the petition pages are sent
5 to an election authority for verification, such copies shall be sent pursuant to the following
6 schedule:

7 (1) Copies of all pages from not less than one petition shall be received in the office of
8 the election authority not later than two weeks after the petition is filed in the office of secretary
9 of state;

10 (2) Copies of all pages of a total of three petitions shall be received in the office of the
11 election authority not later than three weeks after the petition is filed in the office of the secretary
12 of state;

13 (3) If more than three petitions are filed, all copies of petition pages, including those
14 petitions selected for verification by random sample pursuant to section 116.120, shall be received
15 in the office of the election authority not later than the fourth week after the petition is filed in the
16 office of the secretary of state. Each election authority shall check the signatures against voter
17 registration records in the election authority's jurisdiction, but the election authority shall count
18 as valid only the signatures of persons registered as voters in the county named in the circulator's
19 affidavit. Signatures shall not be counted as valid if they have been struck through or crossed out.

20 **Signatures not in black or blue ink shall be counted as invalid without verification.**

21 2. If the election authority is requested to verify the petition by random sampling, such
22 verification shall be completed and certified not later than thirty days from the date that the
23 election authority receives the petition from the secretary of state. If the election authority is to
24 verify each signature, such verification [~~must~~] **shall** be completed, certified and delivered to the
25 secretary of state by 5:00 p.m. on the last Tuesday in July prior to the election, or in the event of
26 complete verification of signatures after a failed random sample, full verification shall be
27 completed, certified and delivered to the secretary of state by 5:00 p.m. on the last Tuesday in
28 July or by 5:00 p.m. on the Friday of the fifth week after receipt of the signatures by the local
29 election authority, whichever is later.

30 3. If the election authority or the secretary of state determines that the congressional
31 district number written after the signature of any voter is not the congressional district of which
32 the voter is a resident, the election authority or the secretary of state shall correct the
33 congressional district number on the petition page. Failure of a voter to give the voter's correct
34 congressional district number shall not by itself be grounds for not counting the voter's signature.

35 4. The election authority shall return the copies of the petition pages to the secretary of
36 state with annotations regarding any invalid or questionable signatures which the election
37 authority has been asked to check by the secretary of state. The election authority shall verify the
38 number of pages received for that county, and also certify the total number of valid signatures of
39 voters from each congressional district which the election authority has been asked to check by
40 the secretary of state.

41 5. The secretary of state is authorized to adopt rules to ensure uniform, complete, and
42 accurate checking of petition signatures either by actual count or random sampling. No rule or
43 portion of a rule promulgated pursuant to this section shall become effective unless it has been
44 promulgated pursuant to the provisions of chapter 536.

45 6. After a period of three years from the time of submission of the petitions to the
46 secretary of state, the secretary of state, if the secretary determines that retention of such petitions
47 is no longer necessary, may destroy such petitions.

116.160. 1. If the general assembly adopts a joint resolution proposing a constitutional
2 amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people,
3 after receipt of such resolution or bill the secretary of state shall promptly forward the resolution
4 or bill to the state auditor. If the general assembly adopts a joint resolution proposing a
5 constitutional amendment or a bill without an official summary statement, which is to be referred
6 to a vote of the people, within twenty days after receipt of the resolution or bill, the secretary of
7 state shall prepare and transmit to the attorney general a summary statement of the measure as the
8 proposed summary statement. The secretary of state may seek the advice of the legislator who
9 introduced the constitutional amendment or bill and the speaker of the house or the president pro

10 tem of the legislative chamber that originated the measure. The summary statement may be
 11 distinct from the legislative title of the proposed constitutional amendment or bill. The attorney
 12 general shall within ten days approve the legal content and form of the proposed statement.

13 2. The official summary statement shall contain no more than **one hundred** fifty words[
 14 ~~excluding articles~~]. The title shall be a true and impartial statement of the purposes of the
 15 proposed measure in language neither intentionally argumentative nor likely to create prejudice
 16 either for or against the proposed measure.

116.230. 1. The secretary of state shall prepare sample ballots in the following form.

2 2. The top of the ballot shall read:

3 "OFFICIAL BALLOT STATE OF MISSOURI"

4 3. When constitutional amendments are submitted, the first heading shall read:

5 "CONSTITUTIONAL AMENDMENTS"

6 There shall follow the numbers assigned under section 116.210 the official ballot titles prepared
 7 under section 116.160 or 116.334, and the fiscal note summaries prepared under section 116.170.
 8 Constitutional amendments proposed by the general assembly shall be designated as "Proposed
 9 by the general assembly". Constitutional amendments proposed by initiative petition shall be
 10 designated "Proposed by initiative petition". Constitutional amendments proposed by
 11 constitutional convention shall be designated as "Proposed by constitutional convention".

12 4. When statutory measures are submitted, the next heading shall read:

13 "STATUTORY MEASURES"

14 There shall follow the letters assigned under section 116.220, the official ballot titles prepared
 15 under section 116.160 or 116.334, and the fiscal note summaries prepared under section 116.170.
 16 Statutory initiative measures shall be designated "Proposed by initiative petition". Referendum
 17 measures shall be designated "Referendum ordered by petition".

18 **5. Immediately following the official ballot title, words "Shall the measure**
 19 **summarized be approved?" shall appear with the options to vote "yes" or "no".**

116.270. 1. There is hereby created a "**Secretary of State's Petition** Publications Fund",
 2 which shall [~~be used only to pay printing, publication, and other expenses incurred in submitting~~
 3 ~~statewide ballot measures to the voters.~~

4 ~~2. The secretary of state shall certify to the commissioner of administration all valid~~
 5 ~~claims for payment from the publications fund. On receiving the certified claims, the~~
 6 ~~commissioner of administration shall issue warrants on the state treasurer payable to each~~
 7 ~~individual out of the publications fund.] **consist of moneys collected under section 116.150.**~~

8 **The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and**
 9 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund,**
 10 **and moneys in the fund shall be used solely by the secretary of state for the purpose of**

11 **making refunds as set forth in section 116.150 and to pay publication expenses incurred in**
12 **submitting statewide ballot measures to the voters. Any balance in the fund shall be used**
13 **for the purposes set forth herein before using an appropriation from the general revenue**
14 **for the same purpose.**

15 **2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
16 **remaining in the fund at the end of the biennium shall not revert to the credit of the general**
17 **revenue fund.**

18 **3. The state treasurer shall invest moneys in the fund in the same manner as other**
19 **funds are invested. Any interest and moneys earned on such investments shall be credited**
20 **to the fund.**

116.332. 1. Before a constitutional amendment petition, a statutory initiative petition,
2 or a referendum petition may be circulated for signatures, a sample sheet ~~[must]~~ **shall** be
3 submitted to the secretary of state in the form in which it will be circulated. **Sample initiative**
4 **petition sheets shall be filed no earlier than twelve weeks following a general election.** When
5 a person submits a sample sheet of a petition he or she shall designate to the secretary of state the
6 name and address of the person to whom any notices shall be sent pursuant to sections 116.140
7 and 116.180 and, if a committee or person, except the individual submitting the sample sheet, is
8 funding any portion of the drafting or submitting of the sample sheet, the person submitting the
9 sample sheet shall submit a copy of the filed statement of committee organization required under
10 subsection 5 of section 130.021 showing the date the statement was filed. The secretary of state
11 shall refer a copy of the petition sheet to the attorney general for his approval and to the state
12 auditor for purposes of preparing a fiscal note and fiscal note summary. The secretary of state and
13 attorney general ~~[must]~~ **shall** each review the petition for ~~[sufficiency as to form]~~ **compliance**
14 **with section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the Constitution**
15 **of Missouri** and approve or reject ~~[the form of]~~ the petition, stating the reasons for rejection, if
16 any.

17 2. Within two business days of receipt of any such sample sheet, the office of the
18 secretary of state shall conspicuously post on its website the text of the proposed measure, a
19 disclaimer stating that such text may not constitute the full and correct text as required under
20 section 116.050, and the name of the person or organization submitting the sample sheet. The
21 secretary of state's failure to comply with such posting shall be considered a violation of chapter
22 610 and subject to the penalties provided under subsection 3 of section 610.027. The posting
23 shall be removed within three days of either the withdrawal of the petition under section 116.115
24 or the rejection for any reason of the petition.

25 3. Upon receipt of a petition from the office of the secretary of state, the attorney general
26 shall examine the petition ~~[as to form]~~ **and determine whether it complies with section 116.050**

27 **and Article III, Sections 28, 49, 50, 51, and 52(a) of the Constitution of Missouri.** If the
28 petition is rejected [~~as to form~~], the attorney general shall forward his or her comments to the
29 secretary of state within ten days after receipt of the petition by the attorney general. If the
30 petition is approved [~~as to form~~], the attorney general shall forward his or her approval [~~as to~~
31 ~~form~~] to the secretary of state within ten days after receipt of the petition by the attorney general.

32 4. The secretary of state shall review the comments and statements of the attorney general
33 [~~as to form~~] and make a final decision as to the approval or rejection [~~of the form~~] of the petition.
34 The secretary of state shall send written notice to the person who submitted the petition sheet of
35 the approval within fifteen days after submission of the petition sheet. The secretary of state shall
36 send written notice if the petition has been rejected, together with reasons for rejection, within
37 fifteen days after submission of the petition sheet.

116.334. 1. If the petition [~~form~~] is approved **under section 116.332**, the secretary of
2 state shall make a copy of the sample petition available on the secretary of state's website. For
3 a period of fifteen days after the petition is approved [~~as to form~~] **under section 116.332**, the
4 secretary of state shall accept public comments regarding the proposed measure and provide
5 copies of such comments upon request. Within twenty-three days of receipt of such approval, the
6 secretary of state shall prepare and transmit to the attorney general a summary statement of the
7 measure which shall be a concise statement not exceeding one hundred **fifty** words. This
8 statement shall [~~be in the form of a question using~~] **use** language neither intentionally
9 argumentative nor likely to create prejudice either for or against the proposed measure. The
10 attorney general shall within ten days approve the legal content and form of the proposed
11 statement.

12 2. Signatures obtained prior to the date the official ballot title is certified by the secretary
13 of state shall not be counted. **If a court orders a change that substantially alters the content**
14 **of the official ballot title under subsection 4 of section 116.190, then all signatures gathered**
15 **before such change occurred shall be invalidated, regardless of whether those signatures**
16 **were gathered on petition pages that displayed what was previously the official ballot title**
17 **as certified by the secretary of state.**

18 3. Signatures for statutory initiative petitions shall be filed not later than six months prior
19 to the general election during which the petition's ballot measure is submitted for a vote, and shall
20 also be collected not earlier than the day after the day upon which the previous general election
21 was held.

162.291. The voters of each seven-director district other than urban districts shall, at
2 municipal elections, elect two directors who are citizens of the United States and resident
3 taxpayers of the district, who have resided in this state for one year next preceding their election
4 or appointment, and who are [~~at least twenty-four years of age~~] **twenty-one years of age or older.**

190.050. 1. After the ambulance district has been declared organized, the declaring
2 county commission, except in counties of the second class having more than one hundred five
3 thousand inhabitants located adjacent to a county of the first class having a charter form of
4 government which has a population of over nine hundred thousand inhabitants, shall divide the
5 district into six election districts as equal in population as possible, and shall by lot number the
6 districts from one to six inclusive. The county commission shall cause an election to be held in
7 the ambulance district within ninety days after the order establishing the ambulance district to
8 elect ambulance district directors. Each voter shall vote for one director from the ambulance
9 election district in which the voter resides. The directors elected from districts one and four shall
10 serve for a term of one year, the directors elected from districts two and five shall serve for a term
11 of two years, and the directors from districts three and six shall serve for a term of three years;
12 thereafter, the terms of all directors shall be three years. All directors shall serve the term to
13 which they were elected or appointed, and until their successors are elected and qualified, except
14 in cases of resignation or disqualification. The county commission shall reapportion the
15 ambulance districts within sixty days after the population of the county is reported to the governor
16 for each decennial census of the United States. Notwithstanding any other provision of law, if
17 the number of candidates for the office of director is no greater than the number of directors to
18 be elected, no election shall be held, and the candidates shall assume the responsibilities of their
19 offices at the same time and in the same manner as if they have been elected.

20 2. In all counties of the second class having more than one hundred five thousand
21 inhabitants located adjacent to a county of the first class having a charter form of government
22 which has a population of over nine hundred thousand inhabitants, the voters shall vote for six
23 directors elected at large from within the district for a term of three years. Those directors
24 holding office in any district in such a county on August 13, 1976, shall continue to hold office
25 until the expiration of their terms, and their successors shall be elected from the district at large
26 for a term of three years. In any district formed in such counties after August 13, 1976, the
27 governing body of the county shall cause an election to be held in that district within ninety days
28 after the order establishing the ambulance district to elect ambulance district directors. Each voter
29 shall vote for six directors. The two candidates receiving the highest number of votes at such
30 election shall be elected for a term of three years, the two candidates receiving the third and fourth
31 highest number of votes shall be elected for a term of two years, the two candidates receiving the
32 fifth and sixth highest number of votes shall be elected for a term of one year; thereafter, the term
33 of all directors shall be three years.

34 3. A candidate for director of the ambulance district shall, at the time of filing, be a
35 citizen of the United States, a qualified voter of the election district as provided in subsection 1
36 of this section, a resident of the district for two years next preceding the election, and shall be [at

37 ~~least twenty-four years of age]~~ **twenty-one years of age or older.** In an established district which
38 is located within the jurisdiction of more than one election authority, the candidate shall file his
39 or her declaration of candidacy with the secretary of the board. In all other districts, a candidate
40 shall file a declaration of candidacy with the county clerk of the county in which he or she resides.
41 A candidate shall file a statement under oath that he or she possesses the required qualifications.
42 No candidate's name shall be printed on any official ballot unless the candidate has filed a written
43 declaration of candidacy pursuant to subsection 5 of section 115.127. If the time between the
44 county commission's call for a special election and the date of the election is not sufficient to
45 allow compliance with subsection 5 of section 115.127, the county commission shall, at the time
46 it calls the special election, set the closing date for filing declarations of candidacy.

204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit
2 court decree or amended decree of incorporation for a reorganized common sewer district, who
3 shall reside within the boundaries of the district. Each trustee shall be a voter of the district and
4 shall have resided in said district for twelve months immediately prior to the trustee's election or
5 appointment. A trustee shall be ~~[at least twenty-five years of age]~~ **twenty-one years of age or**
6 **older** and shall not be delinquent in the payment of taxes at the time of the trustee's election or
7 appointment. Regardless of whether or not the trustees are elected or appointed, in the event the
8 district extends into any county bordering the county in which the greater portion of the district
9 lies, the presiding commissioner or other chief executive officer of the adjoining county shall be
10 an additional member of the board of trustees, or the governing body of such bordering county
11 may appoint a citizen from such county to serve as an additional member of the board of trustees.
12 Said additional trustee shall meet the qualifications set forth in this section for a trustee.

13 2. The trustees shall receive no compensation for their services but may be compensated
14 for reasonable expenses normally incurred in the performance of their duties. The board of
15 trustees may employ and fix the compensation of such staff as may be necessary to discharge the
16 business and purposes of the district, including clerks, attorneys, administrative assistants, and
17 any other necessary personnel. The board of trustees may employ and fix the duties and
18 compensation of an administrator for the district. The administrator shall be the chief executive
19 officer of the district subject to the supervision and direction of the board of trustees. The
20 administrator of the district may, with the approval of the board of trustees, retain consulting
21 engineers for the district under such terms and conditions as may be necessary to discharge the
22 business and purposes of the district.

23 3. Except as provided in subsection 1 of this section, the term of office of a trustee shall
24 be five years. The remaining trustees shall appoint a person qualified under this section to fill any
25 vacancy on the board. The initial trustees appointed by the circuit court shall serve until the first
26 Tuesday after the first Monday in June or until the first Tuesday after the first Monday in April,

27 depending upon the resolution of the trustees. In the event that the trustees are elected, said
28 elections shall be conducted by the appropriate election authority under chapter 115. Otherwise,
29 trustees shall be appointed by the county commission in accordance with the qualifications set
30 forth in subsection 1 of this section.

31 4. Notwithstanding any other provision of law, if there is only one candidate for the post
32 of trustee, then no election shall be held, and the candidate shall assume the responsibilities of
33 office at the same time and in the same manner as if elected. If there is no candidate for the post
34 of trustee, then no election shall be held for that post and it shall be considered vacant, to be filled
35 under the provisions of subsection 3 of this section.

247.060. 1. The management of the business and affairs of the district is hereby vested
2 in a board of directors, who shall have all the powers conferred upon the district except as herein
3 otherwise provided. It shall be composed of five members, each of whom shall be a voter of the
4 district and shall have resided in said district one whole year immediately prior to his or her
5 election. A member shall be ~~[at least twenty-five years of age]~~ **twenty-one years of age or older**
6 and shall not be delinquent in the payment of taxes at the time of his **or her** election. Except as
7 provided in subsection 2 of this section, the term of office of a member of the board shall be three
8 years. The remaining members of the board shall appoint a qualified person to fill any vacancy
9 on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is
10 willing to serve on the board, the board may appoint an otherwise qualified person who lives in
11 the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

12 2. After notification by certified mail that he or she has two consecutive unexcused
13 absences, any member of the board failing to attend the meetings of the board for three
14 consecutive regular meetings, unless excused by the board for reasons satisfactory to the board,
15 shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to
16 the board. The vacancy shall be filled as other vacancies occurring in the board.

17 3. The initial members of the board shall be appointed by the circuit court and one shall
18 serve until the immediately following first Tuesday after the first Monday in April, two shall
19 serve until the first Tuesday after the first Monday in April on the second year following their
20 appointment and the remaining appointees shall serve until the first Tuesday after the first
21 Monday in April on the third year following their appointment. On the expiration of such terms
22 and on the expiration of any subsequent term, elections shall be held as otherwise provided by
23 law, and such elections shall be held in April pursuant to section 247.180.

24 4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first
25 Tuesday after the first Monday in June until the first Tuesday in April of the third year following
26 the year of their election. All directors elected thereafter shall serve from the first Tuesday in
27 April until the first Tuesday in April of the third year following the year of their election.

28 5. Each member of the board may receive an attendance fee not to exceed one hundred
29 dollars for attending each regularly called board meeting, or special meeting, but shall not be paid
30 for attending more than two meetings in any calendar month, except that in a county of the first
31 classification, a member shall not be paid for attending more than four meetings in any calendar
32 month. However, no board member shall be paid more than one attendance fee if such member
33 attends more than one board meeting in a calendar week. In addition, the president of the board
34 of directors may receive fifty dollars for attending each regularly or specially called board
35 meeting, but shall not be paid the additional fee for attending more than two meetings in any
36 calendar month. Each member of the board shall be reimbursed for his or her actual expenditures
37 in the performance of his or her duties on behalf of the district.

38 6. In no event, however, shall a board member receive any attendance fees or additional
39 compensation authorized in subsection 5 of this section until after such board member has
40 completed a minimum of six hours training regarding the responsibilities of the board and its
41 members concerning the basics of water treatment and distribution, budgeting and rates, water
42 utility planning, the funding of capital improvements, the understanding of water utility financial
43 statements, the Missouri sunshine law, and this chapter.

44 7. The circuit court of the county having jurisdiction over the district shall have
45 jurisdiction over the members of the board of directors to suspend any member from exercising
46 his or her office, whensoever it appears that he or she has abused his or her trust or become
47 disqualified; to remove any member upon proof or conviction of gross misconduct or
48 disqualification for his or her office; or to restrain and prevent any alienation of property of the
49 district by members, in cases where it is threatened, or there is good reason to apprehend that it
50 is intended to be made in fraud of the rights and interests of the district.

51 8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon
52 petition, filed by or at the instance of any member of the board, or at the instance of any ten voters
53 residing in the district who join in the petition, verified by the affidavit of at least one of them.
54 The petition shall be heard in a summary manner after ten days' notice in writing to the member
55 or officer complained of. An appeal shall lie from the judgment of the circuit court as in other
56 causes, and shall be speedily determined; but an appeal does not operate under any condition as
57 a supersedeas of a judgment of suspension or removal from office.

249.140. 1. Any candidate for the office of trustee in the district shall be an American
2 citizen [~~over the age of twenty-five years~~] **twenty-one years of age or older** and shall have been
3 a resident within the county within which the district is situated for more than four whole years
4 next before the date of the election at which he is a candidate and shall be a voter of the district.
5 Any person desiring to become a candidate for the office of trustee at the election held on the
6 original incorporation of the district, as provided in section 249.070, shall file with the county

7 commission or with the election commissioners a statement, under oath, that he possesses the
8 qualifications required by sections 249.010 to 249.420 for trustee and shall pay a filing fee of five
9 dollars, whereupon his **or her** name shall be placed on the ballot as candidate for trustee. Any
10 person desiring to become a candidate for the office of trustee in any subsequent election shall
11 file such statement, under oath, with and pay such filing fee to the secretary of the board of
12 trustees, whereupon his **or her** name shall be placed on the ballot as candidate for the office of
13 trustee.

14 2. At such initial election the candidate who receives the highest number of votes shall
15 be elected for a six-year term as trustee; the candidate who receives the second highest number
16 of votes shall be elected for a four-year term as trustee; the candidate who receives the third
17 highest number of votes shall be elected for a two-year term as trustee.

18 3. After his **or her** election each trustee shall take and subscribe [~~his~~] **an** oath or
19 affirmation before the clerk of the circuit court to the effect that he **or she** is qualified to act as
20 trustee under the provisions of sections 249.010 to 249.420 and that he **or she** will perform his
21 **or her** duties as such trustee to the best of his **or her** ability and impartially in the interest of the
22 whole district.

321.130. A person, to be qualified to serve as a director, shall be a resident and voter of
2 the district for at least one year before the election or appointment and [~~be over the age of~~
3 ~~twenty-four years~~] **shall be twenty-one years of age or older**. In the event the person is no
4 longer a resident of the district, the person's office shall be vacated, and the vacancy shall be
5 filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed
6 at the headquarters of the fire protection district by paying a filing fee equal to the amount of a
7 candidate for county office as set forth under section 115.357, and filing a statement under oath
8 that such person possesses the required qualifications. Thereafter, such candidate shall have the
9 candidate's name placed on the ballot as a candidate for director.

347.740. The secretary of state may collect an additional fee of five dollars on each and
2 every fee required in this chapter. All fees collected as provided in this section shall be deposited
3 in the state treasury and credited to the secretary of state's technology trust fund account. The
4 provisions of this section shall expire on December 31, [~~2021~~] **2026**.

351.127. The secretary of state may collect an additional fee of five dollars on each and
2 every fee required in this chapter, provided that the secretary of state may collect an additional
3 fee of ten dollars on each corporate registration report fee filed under section 351.122. All fees
4 collected as provided in this section shall be deposited in the state treasury and credited to the
5 secretary of state's technology trust fund account. The provisions of this section shall expire on
6 December 31, [~~2021~~] **2026**.

355.023. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, ~~[2021]~~ **2026**.

356.233. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, ~~[2021]~~ **2026**.

359.653. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, ~~[2021]~~ **2026**.

400.9-528. The secretary of state may collect an additional fee of five dollars on each and every fee paid to the secretary of state as required in chapter 400.9. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, ~~[2021]~~ **2026**.

417.018. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, ~~[2021]~~ **2026**.

483.010. No person shall be appointed or elected clerk of any court, unless he ~~[be]~~ **or she** is a citizen of the United States, ~~[above the age of twenty-one years]~~ **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the geographical area over which the court has jurisdiction or, in the case of circuit clerks, within the county from which elected, three months before the appointment or election; and every clerk shall, after his **or her** appointment or election, reside in the geographical area over which the court he **or she** serves has jurisdiction or, in the case of circuit clerks, in the county for which he **or she** is clerk.

575.040. 1. A person commits the offense of perjury if, with the purpose to deceive, he or she knowingly testifies falsely to any material fact upon oath or affirmation legally administered, in any official proceeding before any court, public body, notary public or other officer authorized to administer oaths.

2. A fact is material, regardless of its admissibility under rules of evidence, if it could substantially affect, or did substantially affect, the course or outcome of the cause, matter or proceeding.

8 3. Knowledge of the materiality of the statement is not an element of this crime, and it
9 is no defense that:

10 (1) The person mistakenly believed the fact to be immaterial; or

11 (2) The person was not competent, for reasons other than mental disability or immaturity,
12 to make the statement.

13 4. It is a defense to a prosecution under subsection 1 of this section that the person
14 retracted the false statement in the course of the official proceeding in which it was made
15 provided he or she did so before the falsity of the statement was exposed. Statements made in
16 separate hearings at separate stages of the same proceeding, including but not limited to
17 statements made before a grand jury, at a preliminary hearing, at a deposition or at previous trial,
18 are made in the course of the same proceeding.

19 5. The defendant shall have the burden of injecting the issue of retraction under
20 subsection 4 of this section.

21 6. The offense of perjury committed in any proceeding not involving a felony charge is
22 a class E felony.

23 7. The offense of perjury committed in any proceeding involving a felony charge is a class
24 D felony unless:

25 (1) It is committed during a criminal trial for the purpose of securing the conviction of
26 an accused for any felony except murder, in which case it is a class B felony; or

27 (2) It is committed during a criminal trial for the purpose of securing the conviction of
28 an accused for murder, in which case it is a class A felony.

29 **8. The offense of perjury committed in any proceeding before a body of the general**
30 **assembly is a class D felony.**

 575.050. 1. A person commits the offense of making a false affidavit if, with purpose to
2 mislead any person, he or she, in any affidavit, swears falsely to a fact which is material to the
3 purpose for which said affidavit is made.

4 2. The provisions of subsections 2 and 3 of section 575.040 shall apply to prosecutions
5 under subsection 1 of this section.

6 3. It is a defense to a prosecution under subsection 1 of this section that the person
7 retracted the false statement by affidavit or testimony but this defense shall not apply if the
8 retraction was made after:

9 (1) The falsity of the statement was exposed; or

10 (2) Any person took substantial action in reliance on the statement.

11 4. The defendant shall have the burden of injecting the issue of retraction under
12 subsection 3 of this section.

13 5. The offense of making a false affidavit is a class C misdemeanor, unless done for the
14 purpose of misleading a public servant in the performance of his or her duty, in which case it is
15 a class A misdemeanor.

16 **6. The offense of making a false affidavit when done in any proceeding before a**
17 **body of the general assembly is a class A misdemeanor.**

 575.160. 1. A person commits the offense of interference with legal process if, knowing
2 another person is authorized by law to serve process, he or she interferes with or obstructs such
3 person for the purpose of preventing such person from effecting the service of any process.

4 2. "Process" includes any writ, summons, subpoena, warrant other than an arrest warrant,
5 or other process or order of a court **or body of the general assembly.**

6 3. The offense of interference with legal process is a class B misdemeanor.

 575.270. 1. A person commits the offense of tampering with a witness or victim if:

2 (1) With the purpose to induce a witness or a prospective witness to disobey a subpoena
3 or other legal process, absent himself or herself, avoid subpoena or other legal process, withhold
4 evidence, information, or documents, or testify falsely, he or she:

5 (a) Threatens or causes harm to any person or property; or

6 (b) Uses force, threats or deception; or

7 (c) Offers, confers or agrees to confer any benefit, direct or indirect, upon such witness;

8 or

9 (d) Conveys any of the foregoing to another in furtherance of a conspiracy; or

10 (2) He or she purposely prevents or dissuades or attempts to prevent or dissuade any
11 person who has been a victim of any crime or a person who is acting on behalf of any such victim
12 from:

13 (a) Making any report of such victimization to any peace officer, state, local or federal
14 law enforcement officer, prosecuting agency, or judge;

15 (b) Causing a complaint, indictment or information to be sought and prosecuted or
16 assisting in the prosecution thereof;

17 (c) Arresting or causing or seeking the arrest of any person in connection with such
18 victimization.

19 2. The offense of tampering with a witness or victim is a class A misdemeanor, unless
20 the original charge is a felony, in which case tampering with a witness or victim is a class D
21 felony. Persons convicted under this section shall not be eligible for parole.

22 **3. The offense of tampering with a witness subpoenaed in a proceeding before a**
23 **body of the general assembly is a class E felony.**

 575.280. 1. A person commits the offense of acceding to corruption if he or she:

2 (1) Is a judge, juror, special master, referee or arbitrator and knowingly solicits, accepts,
3 or agrees to accept any benefit, direct or indirect, on the representation or understanding that it
4 will influence his or her official action in a judicial proceeding pending in any court or before
5 such official or juror;

6 (2) Is a witness or prospective witness in any official proceeding and knowingly solicits,
7 accepts, or agrees to accept any benefit, direct or indirect, on the representation or understanding
8 that he or she will disobey a subpoena or other legal process, absent himself or herself, avoid
9 subpoena or other legal process, withhold evidence, information or documents, or testify falsely.

10 2. The offense of acceding to corruption under subdivision (1) of subsection 1 of this
11 section is a class C felony. The offense of acceding to corruption under subdivision (2) of
12 subsection 1 of this section in a felony prosecution [Ø] , on the representation or understanding
13 of testifying falsely, **or in a proceeding before a body of the general assembly** is a class D
14 felony. Otherwise acceding to corruption is a class A misdemeanor.

**575.330. 1. A person commits the offense of contempt of a body of the general
2 assembly if he or she was subpoenaed as a witness by a body of the general assembly to give
3 testimony or to produce documents or provide other information upon any matter under
4 inquiry before the body of the general assembly and he or she willfully:**

5 **(1) Fails to appear to testify;**

6 **(2) After having appeared, refuses to answer any question pertinent to the question
7 under inquiry; or**

8 **(3) Fails to produce required documents.**

9 **2. The offense of contempt of a body of the general assembly is a class A
10 misdemeanor.**

11 **3. The offense of contempt of a body of the general assembly after an order has been
12 issued under section 21.403 is a class E felony.**

576.030. 1. A person commits the offense of obstructing government operations if he or
2 she purposely obstructs, impairs, hinders or perverts the performance of a governmental function
3 by the use or threat of **harm, intimidation, coercion**, violence, force, or other physical
4 interference or obstacle.

5 2. The offense of obstructing government operations is a class [B] A misdemeanor,
6 **unless committed against a body of the general assembly, in which case it is a class E felony.**

**590.119. A law enforcement agency, a sheriff of a county, the police commissioner
2 of a city not within a county, or the chief of police of a county with a charter form of
3 government and with more than three hundred thousand but fewer than four hundred fifty
4 thousand inhabitants or of a county with a charter form of government and with more than
5 nine hundred fifty thousand inhabitants that is conducting an investigation relating to an**

6 **offense of theft or fraud by a public servant or an offense of official misconduct within the**
7 **law enforcement agency's, sheriff's, police commissioner's, or chief of police's jurisdiction**
8 **may request the state auditor or his or her designee to audit all or part of the jurisdiction**
9 **in which the law enforcement agency, sheriff, police commissioner, or chief of police serves**
10 **regarding the receipt and expenditure of public funds. The state auditor shall report any**
11 **finding to the law enforcement agency.**

Section B. Because immediate action is necessary to protect the safety of the community
2 and to reduce the loss of lives in an emergency situation, the repeal and reenactment of section
3 44.080 of this act is deemed necessary for the immediate preservation of the public health,
4 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of
5 the constitution, and the repeal and reenactment of section 44.080 of this act shall be in full force
6 and effect upon its passage and approval.

✓