

✦ 2017 ✦

# THE MEC GUIDE TO ETHICS LAWS

A PLAIN ENGLISH SUMMARY



Missouri Ethics Commission



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This guide is intended to provide a plain English summary of the Missouri Ethics laws, including laws affecting the activity of individuals who are or may become candidates for elective office at the state, county, municipal or special district level in Missouri.

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# About the Commission

## Missouri Ethics Commission

The Missouri Ethics Commission (MEC) was created by the Missouri Ethics Law of 1991 (§105.955 RSMo).

The Commission consists of six members, each appointed by the Governor with the advice and consent of the senate for a four-year term. Commissioners serve in a non-partisan manner and not more than three can be of the same political party. Each member must be selected from a different congressional district. A chair and vice-chair are elected biennially. The Commission employs an Executive Director to oversee the day-to-day operations of the agency along with a 21-person, professional and non-partisan staff.

The Commission enforces the laws and retains information and reports related to conflict of interest; lobbyists; personal financial disclosure; and campaign finance disclosure.

The Commission issues advisory opinions regarding the laws it enforces. Advisory opinions can be found on the Commission's website at [www.mec.mo.gov](http://www.mec.mo.gov).

## Our Mission

The MEC serves the public interest by promoting and maintaining transparency, accountability, and compliance with campaign finance, lobbying, and conflict of interest laws. We educate and assist the citizens of Missouri, public officials, lobbyists, and those participating in public elections by increasing awareness and understanding of the law. We investigate and enforce these laws consistently.

# Things to know

## What are disclosures?

If you are a public or elected official, or a candidate running for office, the law requires you to file disclosures that are available to the public.

1. **Personal Financial Disclosure**—because of the position held by an individual (public/elected official or employee) or the office an individual is seeking in an election (candidate), that individual may be required to file a Personal Financial Disclosure (PFD) statement, disclosing the financial interests of themselves, their spouse and any dependent child(ren). The PFD statement is available to the public upon written request.

‣ See pages 6-10 for more detailed information.

2. **Campaign Finance Disclosure Reports**—if an individual or group of individuals, a candidate or a committee is accepting money (contributions) from others and/or spending money (expenditures) during a campaign and that activity exceeds certain dollar amounts, the individual(s), the candidate or committee may be required to form and register a campaign finance committee and, for the life of that committee, file reports disclosing the committee's activity. Disclosure reports are due at specific times depending on the committee's type. Campaign finance disclosure reports are available to the public on MEC's website.

‣ See pages 12-22 for more detailed information.



Information about the Ethics Commission and all forms and requirements can be found on the Commission's website at [www.mec.mo.gov](http://www.mec.mo.gov).



# Personal Financial Disclosure

## **Purpose**

Personal Financial Disclosure (PFD) is a statement, completed and filed, by a **public official, an employee or a candidate**, to provide to the public information about their financial interests. Historically used to disclose any potential conflicts of interest by a public official or employee. Also known as Financial Interest Statement. See §105.483—§105.492 RSMo for more information.

# Required PFD Filers

## Who must file a Personal Financial Disclosure (PFD)?

**Public officials and candidates** for the following positions are required to file PFD statements (including former officials/employees who served in the previous calendar year, even if only part of that year):

- Statewide office holders and designated staff
- Senators and Representatives
- New judicial candidates
- Incumbent Judges (except Municipal)
- Municipal Judges (if required by political subdivision)
- Certain state boards and commission members
- Certain employees of the state or political subdivisions of the state including those employees who are authorized to serve as the chief administrative officer, chief purchasing officer, general counsel, or promulgate or adopt rules and regulations
- Candidates and public officials in political subdivisions, where an ordinance has been adopted and filed with the Missouri Ethics Commission, that meet one or both of the following exceptions:
  - The candidate, official, or their relative (related within the first degree of blood or marriage) is doing business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500/transaction
  - The conflict of interest ordinance/resolution specifically requires the filing of a Personal Financial Disclosure statement

NOTE: Persons required to file or who are designated to file a PFD statement are either an “Annual Filer” or a “Candidate Filer”. If running for election or re-election, an “Annual Filer” may also be a “Candidate Filer”; and would be required to file his/her PFD by the earliest deadline applicable (ex: candidate deadline).



See [Guide to Personal Financial Disclosure](#) on our website.



# Annual Filers

## Annual Filers

An annual filer is an individual from a political subdivision (with an annual operating budget (AOB) over \$1 million dollars) that holds a certain position in the subdivision and is required by law to file a PFD statement because of the position held. A PFD must be filed, with MEC, after Jan 1, and no later than May 1 for each year (or portion of the year) the position is held; except if the filer is also running for election or re-election, then the filer must file PFD by candidate deadline. (Circuit and Associate Judges file their PFD with the Supreme Court).

The law allows political subdivisions to adopt their own conflict of interest ordinance or resolution identifying positions required to file a PFD. The ordinance must be adopted (or re-adopted), biennially (every 2 years) by Sept 15, and a certified copy must be filed with MEC within 10 days of the adoption (or re-adoption).

Each year, MEC requests a list of annual filers from all designating agencies and/or political subdivisions (with AOB over \$1 million dollars) with or without an adopted ordinance or resolution on file. Agencies and political subdivisions are required to notify MEC of all individuals required to file. Individuals should contact his/her agency or political subdivision with questions about being designated as a required filer.

### Annual filer notification:

MEC annually notifies, in January of the year the statement is due, individuals (including former officials/employees) who have been designated as required to file a PFD by their agency or political subdivision.

State law requires the agency or political subdivision designating the individual required to file a PFD to notify the individual, including former officials/employees.

### Reporting time period:

Include entire previous calendar year (Jan 1 to Dec 31); **unless** no longer in the position, then report from Jan 1 through the last day position was held.



See [Ordinance](#) on our website for more information and a sample.

# Candidate Filers

## Candidate Filers

A candidate filer is an individual running for public office that is required to file a PFD due to the office the candidate is seeking.

A candidate's PFD is due no later than 14 days after the closing date for filing for candidacy (see specific due dates on next page). If an individual becomes a candidate after the certification date, they must file a PFD within 14 days of nomination. This includes candidates in political subdivisions with an AOB over \$1 million (unless the subdivision has adopted an ordinance or resolution which specifically excludes the candidate from filing a PFD). Candidate filers must file their PFD with MEC and provide a copy to their political subdivision if it has an ordinance (judicial candidates see below).

### **Candidate filer notification:**

A candidate filer receives notification (ex: *Notice to Candidate form*) of their PFD filing requirement from their election authority when they file to run for office.

### **Reporting time period:**

Incumbent candidates (or candidates who are also annual filers) report information from Jan 1 of the previous calendar year to the closing date for candidacy (may be longer than a 12 month period).

New candidates report information for the 12 months prior to the closing date for candidacy.

## **Where do candidates for judicial office file?**

- New judicial candidates—*file with MEC*
- Municipal judge candidates (if required by subdivision)—*file with MEC*
- All incumbent judicial candidates (including judges standing for retention)—*file with Supreme Court only.*

# Candidate Filers

## Candidate Filing

Candidates required to file a PFD must file according to the following dates:

2017 Statutory Election Dates	Feb 7	Mar 7 (see charter)	Apr 4	Aug 8	Nov 7
<b>Closing date of filing for candidacy</b>	Nov 22	Dec 20	Jan 17	May 23	Aug 22 ***
<b>PFD Filing Deadline*</b> (14 days from the closing date of filing for candidacy)	Dec 6	Jan 3	Jan 31	June 6	Sept 5
<b>PFD Filing Deadline **</b> (21 days from the closing date of filing for candidacy)	Dec 13	Jan 10	Feb 7	June 13	Sept 12

\* **Failure to file by the 14 day deadline results in a minimum \$10 per day late fee.**

\*\* **Failure to file by 21 day deadline shall result in removal from the ballot.**

\*\*\* **Close of filing for jurisdictions authorized to elect directors in November, such as 911 & Emergency Services directors.**

If the subdivision has a conflict of interest ordinance on file with the MEC and filing deadlines are not met, penalties (if any) are assessed by the political subdivision according to its ordinance.

A candidate required to file a PFD because of their candidacy in a primary election is required to **amend** their PFD by the close of business on the Monday before the general election if they obtain any additional financial interests or have any change in their existing financial interests since the filing of their last PFD.

See [PFD FAQs](#) and/or §105.487(1) RSMo for more information.

# PFD - Other

## Newly Appointed or Employed Individuals

If an individual has been newly appointed or employed in a position that requires the filing of a PFD, that individual must:

- File PFD within 30 days from appointment date or hire date
- E-file (or file original paper form) with MEC
- Report for calendar year before the date of appointment (ex: if appointed in 2017, report for calendar year 2016)

## All filers

- Faxed or emailed filings ARE NOT accepted, paper filings require original signature
- Electronically filed or hand-delivered filings must be received by 5:00 pm **on** due date
- Mailed filings must be post-marked no later than midnight **the day before** the due date

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Log-in online at [mec.mo.gov](http://mec.mo.gov)

Use your PFD filer online ID (ex: F#####)



# Campaign Finance Disclosure

## **Purpose**

Campaign finance disclosure is required when individuals, groups, and entities receive money (contributions) and/or spend or incur money (expenditures) to support or oppose a candidate or ballot measure. The law requires record-keeping and, in most instances, reporting of this activity. The purpose for these disclosure requirements is to provide accountability, transparency and enforceability. See Chapter 130 RSMo for more information.

# Campaign Finance Committees

## What is a Committee?

A campaign finance committee is a person\* or group of persons who accepts money from others (contributions received) or spends or incurs money (expenditures made) to influence the action of voters for or against candidates and/or ballot measures or to pay a campaign debt.

Once the money spent or received exceeds certain dollar amounts a campaign finance committee must be formed and registered.

*\*See §130.011 RSMo for full definitions of “committee” and “person”.*

## What is a Non-Committee?

Individuals, businesses, groups and others that do not meet the definition of committee, that are not accepting money from others but are spending (or incurring) money to support or oppose a candidate or ballot measure are considered a non-committee.

If a non-committee makes expenditures totaling \$500 or more in support of or in opposition to one or more candidates or ballot measures, a *Non-Committee Expenditure Report* disclosing the details of the expenditures must be filed.

*See also §130.047.1 RSMo and/or the Non-Committee Expenditure Report form on our website.*

## When does a candidate have to form a committee?

The type of office a candidate is running for, the amount of money accepted (contributions received) and the amount of money spent or incurred (expenditures made) by the candidate determines his/her level of reporting and whether or not the candidate has to form and register a campaign finance committee.

Review the chart on the next page to determine what reporting requirement applies to your candidacy: ➡



See the [When to Form & Register a Committee](#) brochure on our website.

# Campaign Finance Committees

## When does a candidate form a committee?

1. Choose Candidate Type (What office are you running for?)	2. Determine Activity Thresholds (How much money have you spent or received?)	3. View Reporting Requirement (Follow arrow to view requirements)
<ul style="list-style-type: none"> <li>Statewide Office</li> <li>State Representative or State Senator</li> <li>Municipal Office (in a municipality with a population greater than 100,000)</li> </ul>	<ul style="list-style-type: none"> <li>Total contributions received are \$500 or less; <b>and</b></li> <li>Total expenditures made on behalf of the candidate are \$500 or less; <b>and</b></li> <li>No single contributor (other than the candidate) contributed more than \$325</li> </ul> <hr/> <p><b>OR</b> Candidate exceeds any of the thresholds above</p>	<p>Must register as an exempt candidate (file <i>Statement of Exemption*</i>)</p> <hr/> <p>Must form &amp; register a committee (file <i>Statement of Committee Organization*</i>)</p>
<ul style="list-style-type: none"> <li>All other candidates (ex: Judge, county office, city office in a municipality with a population of 100,000 or less; school board, fire board, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>Total activity is \$1,000 or less; (includes contributions received + expenditures made by the candidate or any other person with the candidate's knowledge); <b>and</b></li> <li>No single contributor contributed more than \$325</li> </ul> <hr/> <p><b>OR</b> Candidate exceeds any of the thresholds above</p>	<p>Not required to form and register a committee</p> <hr/> <p>Must form &amp; register a committee (file <i>Statement of Committee Organization*</i>)</p>

\* Plus subsequent campaign finance disclosure reports for each reporting period as required.

NOTE: See chart on page 16 (Step 4) for **Where to File...**

# Campaign Finance Committees

## I'm required to form a committee, now what? (Steps for Compliance)

1. Identify committee type
2. Form the committee
3. Register the committee
4. Identify where to file...
5. File campaign finance reports
6. Amend committee information or reports (if needed)
7. Distribute any remaining funds & dissolve any debt
8. Terminate or update the committee

### Step 1: Identify Committee Type

Below are the different committee types along with their specific deadlines for forming:

<b>Committee Type</b>	<b>Deadline for Forming</b>
<b>Campaign Committee</b> Formed to support or oppose ballot measure(s) in a specific election or for the retention of judges.	At least 30 days prior to election date
<b>Candidate Committee</b> Formed by a single candidate for office in a specific election.	At least 30 days prior to election date
<b>Continuing Committee (Political Action/PAC)</b> Formed to remain in existence beyond any one election/ballot issue, directed by someone other than a candidate.	At least 60 days prior to election date
<b>Debt Service Committee</b> Candidate committee converted to retire committee debt.	With 30 Day After Election Report showing outstanding debt
<b>Exploratory Committee</b> Formed to receive/spend money to determine whether an individual will seek public office.	See §130.011 RSMo
<b>Political Party Committee</b> Formed as a committee of a political party	See §130.011 & §115.603 RSMo



# Campaign Finance Committees

## **Step 2: Form the Committee**

Now that you've met the thresholds requiring you to form a committee you open a committee bank account, appoint a treasurer and/or deputy treasurer, select committee name, establish committee record-keeping, etc. (See Candidate/Committee Checklist on page 22)

### *Treasurer/Deputy Treasurer Requirements:*

- Must be a resident of Missouri
- Must reside in candidate's district or any county which contains a portion of that district (Adv. Opinion 2008-10.CF.009)
- If candidate committee, must be appointed by the candidate (candidate can appoint self as own treasurer)



See the [Treasurer's Guide for Campaign Finance](http://www.mec.mo.gov/EthicsWeb/CampaignFinance/CF_Brochures.aspx) brochure on our website. ([www.mec.mo.gov/EthicsWeb/CampaignFinance/CF\\_Brochures.aspx](http://www.mec.mo.gov/EthicsWeb/CampaignFinance/CF_Brochures.aspx))

## **Step 3: Complete Committee Registration Packet**

Candidates/committees register their committees by filing a *Statement of Committee Organization* (or *Amended* if changing information) within 20 days of becoming a committee (or of change) and no later than the deadline for the filing of the first disclosure report.

**NOTE:** MEC filers will file their disclosure reports electronically with the MEC and establish their e-filing account when registering the committee.

Local campaign committee filers that choose to e-file (thereby fulfilling their local reporting requirement) establish their e-filing account with MEC by filing a *Statement of Committee Organization* and an *Electronic Filing Agreement* with MEC and from that point on must file their disclosure reports electronically. See [Committee Registration Packet](#)).

See next page for “**Where to file...**” ➡



See different search options available for campaign finance at [Campaign Finance Searches](#) on our website.

# Campaign Finance Committees

## Step 4: Identify “Where to file...”

Type of filer	Where to register committee	Where to file disclosure reports
<p><b>MEC filers</b></p> <ul style="list-style-type: none"> <li>• Candidates for Statewide Office</li> <li>• Statewide ballot measure (campaign committee)</li> <li>• Continuing Committee (political action/PAC)</li> <li>• State Political Party committees (State and local)</li> <li>• Local political party committee</li> <li>• Candidates for:               <ul style="list-style-type: none"> <li>▪ State Senator</li> <li>▪ State Representative</li> <li>▪ County Office</li> <li>▪ Partisan Circuit Court Judge</li> <li>▪ Partisan Associate Circuit Court Judge</li> <li>▪ City Office</li> <li>▪ School, fire, ambulance, or any other special purpose district</li> </ul> </li> </ul>	<p><b>MEC</b> (Missouri Ethics Commission)</p>	<p><b>E-file</b> using MEC’s e-filing system</p>
<p><b>Local Filers:</b></p> <ul style="list-style-type: none"> <li>• Local ballot measure committee (campaign committee)</li> </ul>	<p><b>Local Election Authority</b> (County Clerk or Board of Election Commissioners)</p>	<p><b>Paper file</b> With local election authority <i>or</i> <b>E-file</b> using MEC’s e-filing system</p>

NOTE: If receive contribution or loan, including a loan from yourself, over \$5,000 must register with MEC and establish an e-filing account, within 48 hours, in order to file *48 Hour Report of Contribution over \$5,000*.

# Campaign Finance Committees

## **Step 5: File Campaign Finance Reports**

All candidates/committees required to form a campaign finance committee must disclose campaign finance activity by timely filing a disclosure report for each reporting period for the life of that committee. A disclosure report is filed as *either* a:

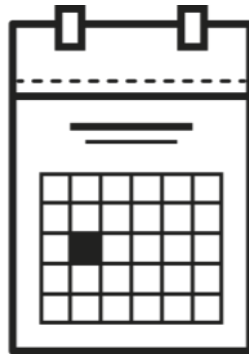
- Full Disclosure Report; or
- [Statement of Limited Activity Report](#)

### *Electronic Filing*

- All campaign finance reports filed with the MEC must be filed electronically.

### *Due Dates & Deadlines for Filing*

- Reports electronically filed must be filed by 5:00 pm on the due date
- If the due date for filing a report falls on a Saturday, Sunday, or an official holiday, the due date is extended to 5:00 pm on the next business day (this does not apply to the *48 Hour Report of Contribution over \$5,000* report or reports required to be filed after the 8 Day Before Election Report (ex: *Late Contribution Report, Late Expenditure Report*).



### *Late Fees*

*If report(s) to be filed with the MEC are not received by the due date a minimum \$10 per day late fee may be assessed. For the 8 Day Before Report (See page 19), a \$100 per day late fee may be assessed for the first 8 days and \$10 per day thereafter (candidates only).*

# Campaign Finance Committees

## **Step 6: Amend committee information and/or disclosure reports, if needed**

File an *Amended Statement of Committee Organization* within 20 days after a change occurs, but no later than the due date of the next required report. Include a brief description of what changed and why.

### ***After Election:***

Unsuccessful Candidates:

- If more money on hand than debt, terminate committee within 30 days
- If more debt than money on hand, can amend to a Debt Service Committee
- Unsuccessful Incumbent Candidates: Contact the MEC

Successful Candidates:

- Update election information to continue to receive contributions; or
- Use committee funds for necessary and ordinary expenses in connection with duties of office; or
- Terminate the committee

NOTE: Successful candidates must file *30 Day After Election Report*, if have expenditures or contributions made, BEFORE being sworn-in. Time period is from day after last report closed through the day before the swearing-in.

## **Step 7: Distribute any remaining funds and dissolve any debt** (See §130.034 for allowable uses of contributions)

## **Step 8: Terminate the Committee**

File *Committee Termination Statement* & last Full Disclosure Report

- Within 10 days of committee's dissolution
- Time period is through the committee's dissolution date
- Include disposition of funds (surplus/debt)
- Include current contact info
- Must preserve committee's records & reports for 3 years.



See [After Election Requirements & Debt Service Committees](#) and/or [Terminating a Committee](#) on our website.

# Campaign Finance Committees

## 2017 Filing Requirements and Dates

**Reporting Period:** If filing a *Full Disclosure Report*, the time period covered begins the day after the last filed *Full Disclosure Report* (not *Statement of Limited Activity Report*) closed. If filing a *Statement of Limited Activity Report*, the time period covered begins the day after the last filed report closed.

2017 Election Dates	Feb 7	Mar 7	Apr 4	Aug 8	Nov 7
Committee Organization Deadline (except continuing committees/PACS)	Jan 8	Feb 5	Mar 5	Jul 9	Oct 8
Continuing Committee/PAC Organization Deadline	Dec 9	Jan 6	Feb 3	Jun 9	Sep 8
<b>40 Day Before Report*</b> (§130.046.1(3) RSMo.)					
Closing Date (date reported thru)	Dec 24	Jan 21	Feb 18	N/A	N/A
Due Date	Dec 29	Jan 26	Feb 23	N/A	N/A
<b>8 Day Before Report**</b> (§130.046.1(1) RSMo.)					
Closing Date (date reported thru)	Jan 26	Feb 23	Mar 23	Jul 27	Oct 26
Due Date	Jan 30	Feb 27	Mar 27	Jul 31	Oct 30
<b>30 Day After Report***</b> (§130.046.1(2) RSMo.)					
Closing Date (date reported thru)	Mar 4	Apr 1	Apr 29	Sept 2	Dec 2
Due Date	Mar 9	Apr 6	May 4	Sept 7	Dec 7
<b>Quarterly Reports</b> (§130.046.1(3), 3 RSMo.)					
<b>All committees</b> must file quarterly reports no later than the 15 <sup>th</sup> day following the close of each calendar quarter. These quarterly reports are due until the committee terminates. Closing and due dates are below.					
Closing Date (Date reported through)	<u>Jan</u> N/A	<u>Apr</u> Mar 31	<u>Jul</u> Jun 30	<u>Oct</u> Sept 30	
Due Date	N/A	Apr 17	Jul 17	Oct 16	

\***40 Day Before** only required if accepted contributions or spent money (made contributions or expenditures (paid or incurred) for that election.

\*\***8 Day Before** only required if spent money (made contributions or expenditures (paid or incurred)) for that election.

\*\*\***30 Day After** only required if: 1) spent money (made contributions or expenditures (paid or incurred)) for that election; or, 2) if debt is more than \$1,000; and, if required, must be filed before taking office.

Cont. 

**Campaign Committees:** For ballot measures to be qualified on the ballot by petition, see also §130.046.2 RSMo.

# Campaign Finance Committees

## Filing Requirements and Dates (cont.)

### **48 Hour Report of Contribution over \$5,000** (§130.044.1 RSMo.)

Any individual or committee that receives a single contribution (including a loan, see §130.011 RSMo. for full definition of contribution) from a contributor in an amount over \$5,000 must electronically report the contribution to the Missouri Ethics Commission within 48 hours of its receipt (must also report this contribution in the committee's next filed report).

### **Late Contribution Report** (§130.050.3 RSMo.)

Any receipt of a contribution (including a loan, see §130.011 RSMo. for full definition of contribution) in an amount over \$250 that is received between the 11<sup>th</sup> day before the election through the day before the election, must be reported within 24 hours of its receipt (must also report this contribution in the committee's next filed report). The disclosure may be made electronically or by any written means of communication.

### **Late Expenditure Report** (§130.046.3(2) RSMo.)

Each time a **continuing committee** (political action/PAC) spends or incurs more than \$250, whether in a single expenditure or in combined expenditures, after the 12<sup>th</sup> day before an election, a full disclosure report must be filed within 24 hours. This does not include contributions made to another committee.



Visit our website at [www.mec.mo.gov](http://www.mec.mo.gov) for *Upcoming Filing Deadlines & Reminders* specific to your election!

# Campaign Materials Identification Requirements (Paid-for-by)


**Who must comply?** Any person publishing, circulating, or distributing campaign material relative to any candidate for public office or any ballot measure within Missouri (See §130.011(22) RSMo for definition of “person”).

**What is Campaign Material?** Pamphlets, circulars, handbills, sample ballots, advertisements, signs (including those for display on vehicles), or other imprinted or lettered materials. **Excluded:** items for personal use given away or sold (ex: campaign buttons, pencils, or clothing) which are paid for by a candidate or committee. See §130.031 RSMo for more information.

Who paid for the printed material	Required sponsor information (must follow the words “Paid for by”)
Candidate from personal funds (only if no candidate committee exists)	First name & Last name by which candidate is known. <i>Ex: Paid for by (First Name) (Last Name)</i>
Committee	Committee name as required to be registered by Missouri campaign finance law, along with the committee treasurer’s name and title (serving when the material was paid for). <i>Ex: Paid for by (Committee Name), (Treasurer Name), Treasurer)</i>
Corporation, Business Entity, Labor Org., Other Org. (not a committee or organized for influencing election(s))	Name of the entity, entity’s principal officer’s name, known title, and mailing address of entity or principal officer (if entity has no mailing address)
Individual(s)	Individual(s) name, & mailing address(es). If more than 5 may print “for a list of sponsors contact (name & address of one individual responsible for having material printed)”. This individual must keep the names and amounts paid by all other individuals.
<b>Must use full name of person &amp;/or entity. Can not use abbreviations or acronyms.</b>	

## Federal Laws Govern:

**TV & Radio:** If you are a broadcast station transmitting matter about a candidate or measure, you must provide sponsor identification in accordance with federal laws. **Federal Candidates:** If you are a person causing matter to be printed or broadcasted about federal candidates, you must provide sponsor identification in accordance with federal laws.

 For more info, see FAQs, brochure & tutorial on our website!

## Candidate/Committee Checklist

Once you have decided to form a committee or have met the dollar thresholds requiring you to form a committee, follow the steps below. See the brochure, *When to Form & Register a Committee*. (Candidates refer to questions 1 & 2.) Also refer to our booklet, *Campaign Finance Q&A*, as a general guide.

- Select Committee name. Last name of candidate must be included in committee name.
- Select a Treasurer. The treasurer must be a resident of the district or county in which the committee sits. Committee may also have a deputy treasurer. Candidate can serve as treasurer.
- Open a bank account in the committee's name. Committee name and bank account name must match.
- Complete the Statement of Committee Organization form in the Committee Registration Packet and mail to the Missouri Ethics Commission. File the Electronic Filing Agreement found in the Packet.  
**NOTE:** If a local campaign committee for ballot measure, mail to your local election authority.
- MEC Filers: **Read emails sent to you from the MEC!**; they contain reminders of reporting deadlines and other important information.
- Research and establish a plan for proper record-keeping.
- View MEC tutorials & brochures, register for training.
- Review Reporting Calendars. Print a copy of the Deadlines & Reminders for your specific election from MEC website.
- File required reports by due dates. (Avoid late fees!)
- After Election:
  - Unsuccessful candidate:**
    - If more money on hand than debt, terminate committee within 30 days
    - If more debt than money on hand, can amend to a Debt Service Committee
    - If unsuccessful incumbent, contact the MEC
  - Successful candidate:**
    - File 30 Day After Election Report before being sworn-in;
    - Keep committee open, update to new election date on the Statement of Committee Organization form to continue receiving contributions; and
    - May use committee funds for necessary and ordinary expenses in connection with duties of office; or
    - Terminate the committee





**Complaints &  
Investigations**

**Conflict of  
Interest**

**Lobbying**

**Higher  
Education**

**Training &  
Resources**

# Complaints & Investigations

## Filing a Complaint

Any individual may file a complaint with MEC if that individual believes any candidate or other individual has violated campaign finance disclosure laws, personal financial disclosure laws, conflict of interest laws, lobbying laws, or any order, ordinance or resolution dealing with the official conduct of officials or employees.

See §105.957 & §130.054 RSMo for more information.

- Unless a complaint alleges that a candidate has failed to file the appropriate PFD or campaign finance disclosure reports, the Commission shall not accept any other complaint filed against that candidate within sixty (60) days before the primary election until after the date of the general election.
- No complaint can be accepted by MEC against a candidate within fifteen (15) days prior to the primary or general election in which the candidate is running for office
- All complaints must be in writing and must be sworn to under penalty of perjury by the complainant
- A copy of the complaint will be provided to the individual it is filed against within five (5) days of receipt
- A copy of the complaint form may be downloaded from the MEC's website at [www.mec.mo.gov](http://www.mec.mo.gov)

## Commission Investigations

- Investigations are confidential
- Final actions are public



Search [Commission Cases - Final Actions](#) on our website.

# Conflict of Interest

## Conflicts of Interest

General provisions of the law (see §105.450-§105.467 RSMo for more information) apply to elected and appointed officials and some employees of the state and political subdivisions of the state. These laws provide that these officials and employees cannot:

- Use their office for financial gain for him/herself, spouse or dependent child(ren) or certain businesses
- Perform a service for the political subdivision for pay of more than \$500 per transaction or \$5,000 per year unless the service is competitively bid and the official, company, or partnership is the lowest bidder (if the official has more than a ten percent (10%) interest in the company or partnership). This also applies to the sale, rent, or lease of property to the political subdivision
- Vote for or against any measure if they have received or have been promised any gift or payment of any item or value on condition of the vote
- Receive anything of value to influence the action of the political subdivision
- No statewide elected official or member of the general assembly shall receive compensation as a paid political consultant from a campaign committee, a continuing committee, or a candidate or candidate committee for statewide office or general assembly.
- **Nepotism:** Name or appoint to public office or employment (includes voting) any person related to the official within the fourth degree by blood or marriage (great grandparent to first cousin).



See [Relationship Chart](#) on our website.

## Use of Public Funds (See §115.646 RSMo)

No contribution or expenditure of public funds can be made by an officer, employee, or agent of a political subdivision to advocate, support, or oppose any ballot measure or candidate for public office.

This does not prohibit the public official of a political subdivision from making public appearances or issuing press releases about a ballot measure.

See also page 21 in this Guide for 'paid for by' requirements.



See [Conflict of Interest Guide](#) on our website.

# Lobbying

## Definition and Requirements

A lobbyist is a person who attempts to influence the action of government (see §105.470-105.478 RSMo for more information). There are four types of lobbyists:

- Legislative lobbyist
- Executive lobbyist
- Judicial lobbyist
- Elected local government official lobbyist

A lobbyist may register to lobby any or all of these government branches. Each lobbyist must do the following:

- Annually register with the Missouri Ethics Commission
- Pay a \$10 annual registration fee
- File monthly reports disclosing any monies spent on elected officials, their family, and/or staff and disclosing business relationships with public officials, or a No-Expenditure Report.

Failure to file the monthly statement results in a \$10 per day late fee. A lobbyist may amend or terminate their status at any time.

A lobbyist or lobbyist principal must file *List of Principals and Legislative Action* report with MEC by March 15 and May 30 of each year.

## Reported Lobbyist Expenses

Lobbyists report monies spent by the lobbyist principal and/or the lobbyist. They report monies spent on behalf of public officials, their staff and employees, spouses, and dependent child(ren). Reported lobbyist monies spent include:

- Printing & Publication
- Media & Other Advertising
- Travel
- Entertainment
- Honorariums/Gifts
- Meals/Food/Beverages
- Other



See [Lobbyist Tutorials & FAQs](#) on our website.

# Lobbying: New Requirements

## Section [105.455](#), RSMo

Any person that is a member of the general assembly or holds a statewide office of governor, lieutenant governor, secretary of state, auditor, treasurer, or attorney general shall not act, serve, or register as a lobbyist until six months after their term of office expires.

Any person that holds an office requiring appointment by the governor and confirmation by the senate, shall not serve, act, or register as a lobbyist until six months after they leave such office.

These provisions apply only to lobbyists employed by a lobbyist principal for pay or other compensation in excess of reimbursement for expenses incurred.

These provisions do not apply to a person acting, serving, or registering as a lobbyist for a state department or agency, even if paid.

## Sections [105.465](#) and [130.097](#), RSMo

Any person who registers as a lobbyist and also has a candidate committee must dissolve the candidate committee and disburse all money of the committee by:

- Returning a contribution to the person or entity making the contribution,
- Donating to a 501(c)(3) nonprofit entity, or
- Transferring funds to a political party committee.

No person who registers as a lobbyist can transfer funds from any committee such person controls to another committee controlled by a candidate or public official. (Also see MEC advisory opinions)



See [Lobbyist Tutorials & FAQs](#) on our website.

# Higher Education: New Requirement

## HIGHER EDUCATION EMPLOYEE SPOUSE TRAVEL EXPENSES (SB 997, Sec. 1)

Full-time employees of a public institution of higher education must file an out-of-state travel report with the MEC if their spouse had out-of-state travel expenses paid for by the institution. These travel expenses include, but are not limited to:

- Transportation
- Lodging
- Meals



Reports must be filed electronically and quarterly. The first report covers August 28, 2016 through September 30, 2016. Thereafter, reports follow the standard quarterly timeframes.



In addition to quarterly reporting, a one time report covering August 28, 2015 through August 27, 2016, must be filed no later than February 28, 2017, if applicable.



Employees required to file a travel report must obtain an ID and password from the MEC.

# Training & Resources

Visit the [Educational Resources](#) page on our website to view the training & webinar schedule, web tutorials, and more!!

## Flyers/Brochures

- Conflict of Interest Guide
- Conflict of Interest Relationship Chart
- Guide to Personal Financial Disclosure
- Year at a Glance (Political Subdivision Calendar)
- Campaign Finance—Candidates/Committees
  - After Election Requirements & Debt Service Committees
  - Campaign Committees
  - Campaign Materials Identification Requirements (Paid-for-by)
  - Exempt Candidates
  - Fund-Raising Activity
  - Guide to Continuing Committees (PACS)
  - Guide to Record-Keeping
  - Hot Topics in Campaign Finance
  - Statement of Limited Activity Requirements
  - Terminating a Committee
  - Treasurer’s Guide for Campaign Finance
  - When to Form & Register a Committee
  - Upcoming Deadlines & Reminders (by election)

## Web Tutorials

- Lobbyist (series of 4)
- Ethics Overview (series of 4)
- Campaign Finance—Candidates/Committees
  - Campaign Materials Identification Requirements (Paid-for-by)
  - Candidate Reporting Requirements
  - Forming a Campaign Finance Committee
  - Supplemental Forms—paper filers
  - Following Campaign Money
- Campaign Finance e-filing
  - Reporting for e-filers (series of 4)
  - Import Function Tutorial
  - Overview & Navigational Tutorial
  - Section Wizard Tutorial
- Political Subdivision—Duties and Responsibilities with MEC



**Watch our website for new resources!**

## Connect

The MEC has several options to keep you informed throughout the year. Stay connected to timely reminders, important updates, and helpful tips.



Visit our **Website** at [www.mec.mo.gov](http://www.mec.mo.gov)



Follow us on **Twitter** @[MOEthics](https://twitter.com/MOEthics)



Subscribe to the **MEC Quarterly e-Newsletter** by sending your name and email address to [news@mec.mo.gov](mailto:news@mec.mo.gov)

## Notes

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Icon credits: "Report Document" by Alfredo Hernandez, "Column" by Intro Mike, "Laptop" & "Newsletter" by Rutmer Zijlstra, "Login" by Brennan Novak, "Calendar" by Lil Squid, "Deadline" by Stephen JB Tomas, "Court" by Aldric Rodriguez Iborra, "Document" & "Documents" by Abhishek Rana, "Suitcase" by Alexandr Razdolyanskiy, "Website" by Max Miner, and "Email" by Martha Ormiston. All works listed are from the Noun Project.



# Notes

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## **Commissioners**

### **Nancy Hagan Chair**

Democrat  
7<sup>th</sup> Congressional District  
Term expires March 15, 2018

### **Bill Deeken Vice Chair**

Republican  
3<sup>rd</sup> Congressional District  
Term expires March 15, 2018

### **Eric L. Dirks**

Democrat  
5<sup>th</sup> Congressional District  
Term expires March 15, 2018

### **Kim Benjamin**

Democrat  
4<sup>th</sup> Congressional District  
Term expires March 15, 2020

### **George Ratermann**

Republican  
2<sup>nd</sup> Congressional District  
Term expires March 15, 2020

### **Don Summers**

Republican  
6<sup>th</sup> Congressional District  
Term expires March 15, 2020



## Contact Information

### Staff Contacts

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Stacey Heislen	Assistant Director
Betsy Byers	Director of Business Services Campaign Finance
Elizabeth (Liz) Ziegler	General Counsel

### Missouri Ethics Commission

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