

Missouri Ethics Commission

Guide To Personal Financial Disclosure



www.mec.mo.gov

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Personal Financial Disclosure

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**Information about the Ethics Commission
and all forms and requirements can be found
on the Commission's website at
www.mec.mo.gov**

This booklet is intended only as a guide to aid understanding of the
Personal Financial Disclosure Requirements.

For the law's complete requirements, consult the law itself codified
in Chapter 105, specifically §105.483 - §105.492,
of the Revised Statutes of Missouri.

About Personal Financial Disclosure

What is Personal Financial Disclosure (PFD)?

- ✓ The purpose of filing a Personal Financial Disclosure statement is to provide to the public information about a public official's, employee's or candidate's financial interests.
- ✓ Historically, the Personal Financial Disclosure statement has been used to disclose any potential conflicts of interest by a public official or employee.

What statutes govern PFD requirements?

Section 105.483 through 105.492, RSMo.

What is a Political Subdivision?

(§105.450 RSMo.)

- ✓ A political subdivision is a special district or sub district of the state with the authority to assess a property tax.
- ✓ Examples include: ambulance districts, cities, counties, fire districts, hospital districts, library districts, nursing home districts, public water supply districts, road districts, schools, and villages.

Who must file?

(§105.483 RSMo.)

Public officials and candidates for the following positions are required to file personal financial disclosure statements:

- ✓ Statewide office and designated staff
- ✓ Senators and Representatives
- ✓ New judicial candidates- *file with MEC*
- ✓ Incumbent Judges (except Municipal)- *file with Supreme Court*
- ✓ Municipal Judges- *file with MEC, if required by political subdivision*
- ✓ Certain state boards and commission members



About Personal Financial Disclosure

Who must file? (continued) **(§105.483 RSMo.)**

- ✓ 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:
 - ◆ 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

An individual required to file a PFD because of his/her candidacy for office in a primary election, must amend the PFD, if there are any changes in financial interests, no later than the close of business on the Monday before the general election. (§105.487(1) RSMo.)



About Personal Financial Disclosure

What information must I include?

(§105.485 RSMo.)

- ✓ Include information for filer, filer's spouse and any dependent children
- ✓ If spouse is also a required filer, must disclose spouse's name
- ✓ Do not include account numbers

For the law's complete requirements, consult §105.483-105.492 RSMo. If you are unsure if something should be disclosed, there is no penalty for over disclosure.

How do I file my PFD?

- ✓ File electronically:
 - ◆ Log-in to Personal Financial (PFD) E-filing system
 - ◆ Must be received by 5:00 pm **on** due date
- ✓ Submit by mail to:
 - ◆ Missouri Ethics Commission, PO Box 1370, Jefferson City MO 65102
 - ◆ Must be post-marked no later than midnight the day **before** the due date
- ✓ Deliver in person to:
 - ◆ Missouri Ethics Commission, 3411 A Knipp Dr., Jefferson City MO
 - ◆ Must be received by 5:00 p.m. **on** the due date
- ✓ **Fax filings ARE NOT accepted, paper forms require original signatures**

If a due date falls on a weekend or holiday,
it extends to the next business day

File only once per calendar year by earliest deadline applicable

About Personal Financial Disclosure

What form should I use?

- ✓ Personal Financial Disclosure Statement (long form) - generally filed unless specifically stated otherwise by political subdivision's ordinance
- ✓ Financial Disclosure Statement for Political Subdivision (short form) - filed by individuals designated by political subdivision with an adopted ordinance or resolution

What are the penalties for late filing?

(§105.492 RSMo.)

- ✓ Late fees
- ✓ Candidate disqualification/removal from ballot
- ✓ Withholding of compensation until PFD is filed
- ✓ Suspension from office with continued failure to file 30 or more days after receiving notice from the Missouri Ethics Commission (If an elected official or judge, subject to removal from office)

Can I amend a report?

(§105.485 RSMo.)

- ✓ Yes, file an amended PFD if something was omitted from a previously filed statement.

Are PFD statements public records?

- ✓ Yes, the Missouri Ethics Commission provides copies of PFD statements upon written request. A copying fee is charged.

What if I have multiple positions that require the filing of a PFD?

(§105.487 RSMo.)

- ✓ If you hold more than one position that requires you to file a PFD, file only one for that calendar year, include all positions held and file by the earliest filing deadline applicable.

See our FAQs on our website at www.mec.mo.gov

Annual Required Filers

Annual filers **(§105.487 RSMo.)**

- ✓ Certain positions, designated by political subdivisions with an annual operating budget over \$1 million dollars, are required to file a PFD statement.
- ✓ Annual filers should check with their political subdivision for their filing requirements.
- ✓ The political subdivision may adopt a conflict of interest ordinance or resolution and file the ordinance with the Missouri Ethics Commission. The ordinance would identify positions required to file.
- ✓ Required to file after January 1st, and no later than May 1st.
- ✓ List of required filers:
 - ◆ Each year, the Missouri Ethics Commission requests a list of required filers from all designating agencies and/or political subdivisions with an annual operating budget over \$1 million dollars or with an adopted ordinance or resolution.
 - ◆ Upon request, agencies are required to notify the Missouri Ethics Commission of individuals required to file.
 - ◆ An individual should contact his agency or political subdivision with questions about being designated by the agency.
- ✓ Annual filer notification:
 - ◆ The Ethics Commission annually notifies, in January of the year the statement is due, individuals who have been designated as required to file by their agency or political subdivision. (State law also requires the agency, designating the individual as required to file, to notify the individual.)
- ✓ Reporting time period (§105.487(3) RSMo.)
 - ◆ Include entire previous calendar year (January 1 to December 31)
 - ◆ If not in the position for the entire calendar year, report for the time period the position was held.

Appointed/Employed Required Filers

Newly Appointed or Employed ***(§105.487 RSMo.)***

Appointment

- ✓ Individuals appointed to a position required to file a PFD must:
 - ◆ File within 30 days from appointment date
 - ◆ File with the Missouri Ethics Commission
 - ◆ Include spouse/dependent children info (unless also a required filer)
 - ◆ Disclose the previous calendar year information
 - ◆ Include original signature (no faxes or copies)
 - ◆ File only once for a calendar year
 - ◆ Do not include account numbers

New Employee

- ✓ Must file a PFD if the position specifically requires it:
 - ◆ Within 30 days from hire date
 - ◆ With the Missouri Ethics Commission
 - ◆ Report for calendar year before the date of employment (ex: if newly employed in 2012, report for calendar year 2011)



Candidate Required Filers

Candidates for elective office

(§105.487 & 105.489 RSMo.)

- ✓ Must file a PFD with Missouri Ethics Commission
- ✓ No later than 14 days after the closing date for filing for candidacy
- ✓ If become a candidate after the certification date, must file PFD within 14 days of nomination
- ✓ Includes candidates for political subdivision with an annual operating budget over \$1 million dollars (unless the political subdivision has adopted an ordinance or resolution which excludes the candidate from filing a PFD)

Candidates for judicial office

(§105.489(2) RSMo.)

- ✓ New judicial candidates- *file with MEC*
- ✓ Incumbent Judges (except Municipal)- *file with Supreme Court*
- ✓ Municipal Judges- *file with MEC, if required by political subdivision*

Candidate notification

(§105.487(1) RSMo.)

- ✓ Candidates for public office receive notification of the filing requirement from their election authority when they file for office

Candidate reporting time period

(§105.487(1) RSMo.)

- ✓ Incumbent—Report information from January 1 of the previous calendar year to the closing date for candidacy (may be longer than a 12 month period)
- ✓ New Candidate—Report information for 12 months before the closing date for candidacy

Candidate Required Filers

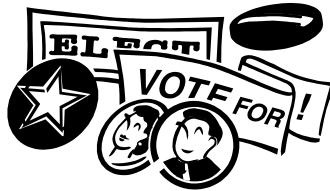
Candidate Filing

(§105.487 RSMo.)

Candidates required to file a PFD must file in accordance with statutory election dates.

- ✓ Reporting Dates
 - ◆ For exact due dates view the **Personal Financial Disclosure Reporting Dates** calendar available on our website
- ✓ The calendar states **by election date**, the:
 - ◆ Closing date for filing for candidacy
 - ◆ 14-day PFD filing deadline
 - ◆ 21-day PFD filing deadline
- ✓ Penalties
 - ◆ Failure to file by the **14 day** deadline results in a minimum \$10 per day late fee
 - ◆ Failure to file by the **21 day** deadline results in candidate disqualification and removal from ballot (both the candidate and the official with whom the candidate filed are notified.)
 - ◆ A political subdivision with an ordinance on file is responsible for enforcement of its provisions

An individual required to file a PFD because of his/her candidacy for office in a primary election, must amend the PFD, if there are any changes in financial interests, no later than the close of business on the Monday before the general election. (§105.487(1) RSMo.)



See our FAQs on our website at www.mec.mo.gov

Political Subdivision Requirements

Political subdivision requirements

Must report to Missouri Ethics Commission, annually:

- ✓ If annual operating budget is over \$1 million (if \$1 million or less, no further action, after notification, is required)
- ✓ If an ordinance or resolution has been adopted about filing requirements
- ✓ List of designated required filers

Required filers within a political subdivision

(§105.485.4 RSMo.)

- ✓ If political subdivision's AOB is over \$1 million:
 - ◆ Elected officials
 - ◆ Candidates for elected office
 - ◆ Chief administrative officer
 - ◆ Chief purchasing officer
 - ◆ General counsel (if employed full-time)
 - ◆ Any official or employee authorized by the political subdivision's governing body to promulgate rules and regulations or vote on the adoption of rules and regulations.
- ✓ If political subdivision adopts an ordinance or resolution:
 - ◆ Chief administrative officer
 - ◆ Chief purchasing officer
 - ◆ A candidate, public official, or their relative (within the 1st degree by blood or marriage) who has conducted business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500 per transaction

Ordinance requirements (§105.485.4 RSMo.)

- ✓ Must be adopted biennially, at an open meeting, by September 15 of the preceding year
- ✓ Must file a copy, certified by political subdivision, with the Missouri Ethics Commission, within 10 days of its adoption

See sample ordinance on our website at www.mec.mo.gov

Reporting Questions?

Time Period Covered

Status	Time Period	Due Date
Annual Filer	January 1 to December 31	May 1st
Newly Appointed or Employed	Calendar year before the date of appointment/employment	Within 30 days of appointment/employment
Incumbent Candidate	January 1 of previous calendar year to closing date for candidacy (may be longer than a 12 month period)	Within 14 days of closing date for candidacy
New Candidate	12 months before the closing date for candidacy	Within 14 days of closing date for candidacy

Dependent Children Name(s)

- ✓ List the names of your dependent children, include any dependent children under the age of 18.

Spouse's Name

- ✓ List the name of your spouse. You do not need to include their additional information if they are also a required filer. A spouse would only be required to file if they are in a position that requires a filing.

Political Subdivision

- ✓ List the name of the entity you are associated with (i.e. school district, county, city, ambulance district, state agency, college/university, etc.). If filer belongs to a board or commission, list the associated agency.

Reporting Questions?

Title

- ✓ List your position(s), and/or, if a candidate, the office seeking (i.e. school board member, county commissioner, city mayor, state agency director, etc.).

Employment

- ✓ List the name and address of each employer from whom you, your spouse, or dependent child(ren), received income of \$1,000 or more during the time period covered on this statement.

Stocks, Bonds or Other Holdings

- ✓ List company or broker name only. Do not need to list each individual stock held. For certificates of deposit, list name of bank only. (You should report if the value exceeds \$10,000.00 any time during the time period covered.)

Miscellaneous Income

- ✓ List the name and address of any source from which you, your spouse, or dependent child(ren) received \$1,000 or more of income during this reporting period where the income has not been reported elsewhere (i.e. rental income, government assistance, inheritance, dividends, etc.)

Trust Assets

- ✓ List assets in any revocable trust which would have been reported elsewhere if they had not been in the trust.



Reporting Questions?

Relatives

- ✓ List spouse, parents and children who are employed by the State of Missouri, a political subdivision (city, county, school, etc.) or a special district, are lobbyists, or who are fee agents of the Department of Revenue. This includes relatives within the first degree of consanguinity (blood) or affinity (marriage).

Committees

- ✓ List the name and address of each campaign committee, political party committee, candidate committee or political action committee for which any person or any corporation listed on this statement received payment.

Attest, Signatures

- ✓ Check applicable certification box(es).
- ✓ Complete date and signature portion of e-file system.
- ✓ A paper form can not be accepted without the filer's original signature.



PFD forms can be downloaded from
our website at www.mec.mo.gov

Missouri Ethics Commission

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