

## **Review of Lobbyist Reporting**

The MEC has received a number of questions regarding Amendment 1's impact on lobbyist reporting.

It is important to distinguish the question of receipt by a member or employee of the General Assembly from lobbyist reporting.

The following is a summary of the issues:

### **Amendment 1 did NOT change the way in which lobbyist expenditures are reported.**

Amendment 1 makes no changes in lobbyist reporting of expenditures under Missouri statutes.

Amendment 1 states that members and employees of the General Assembly may receive "gifts of tangible and intangible items, services or things of value" up to \$5 per occurrence by a paid lobbyist or principal.

Section 105.470 (3), RSMo defines "expenditures" for reporting purposes and Section 105.473, RSMo states how to report expenditures.

### **What must be reported individually to the member or employees?**

Section 105.473 (2), RSMo requires lobbyists to report the following expenditures regardless of the amount or fair market value. For example:

Entertainment (including the time, venue and nature of the entertainment)

Gifts

Honoraria

Meals, food and beverage

Media and other advertising expenses

Printing and publication expenses

Travel

### **What is not required to be reported?**

Section 105.470 (3), RSMo states that the following items are not "expenditures" and do not have to be reported by lobbyists:

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

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

Souvenirs or mementos valued at less than \$10. **NOTE:** This dollar limit does not apply to food or beverages;

Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person's official duties;

Any item, service or thing of value transferred to any person within the 3rd degree of consanguinity (blood relation) of the transferor which is unrelated to any activity of the transferor as a lobbyist;

Contributions to the public official's candidate committee that are reported under Chapter 130, the campaign finance disclosure law.

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

Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person's or entity's business to persons who are not public officials.

### **What qualifies for group reporting?**

Section 105.473.3(2)(d), RSMo states that lobbyists may report the following expenditures to a qualified group of the General Assembly, rather than an individual member, if the following conditions are met:

Reporting is for an occasion; and,  
the group is invited in writing.

The qualified groups are as follows:

All members of the Senate;

All members of the House of Representatives;

All members of a joint committee of the General Assembly or a standing committee of either the House of Representatives or Senate;

All members of a caucus of the majority party of the House of Representatives, minority party of the House of Representatives, majority party of the Senate, or minority party of the Senate;

**NOTE:** Because the reporting is for an occasion, this type of reporting does not apply to items, souvenirs, mementos etc. delivered to members which may not otherwise meet the expenditure exception.