



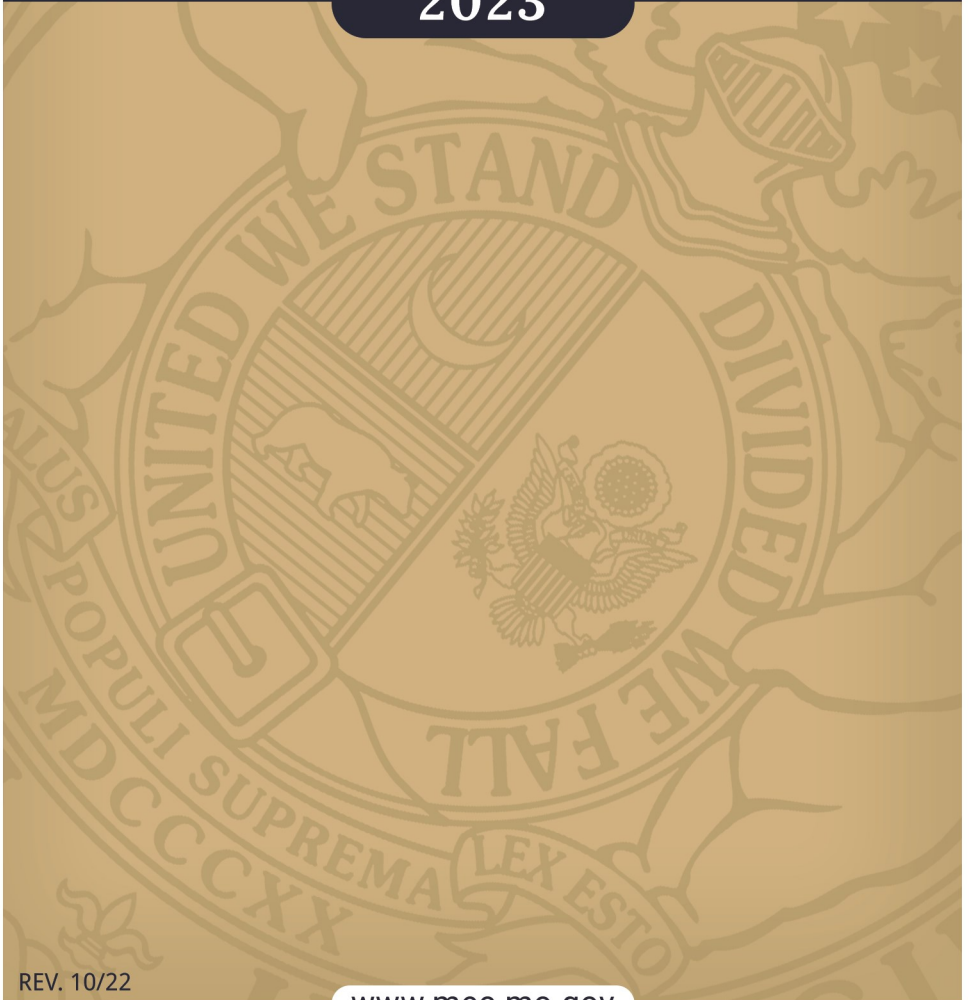
MEC

Missouri Ethics Commission

THE MEC GUIDE TO ETHICS LAWS

A PLAIN ENGLISH SUMMARY

2023



REV. 10/22

www.mec.mo.gov

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

§ 105.973, RSMo.

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

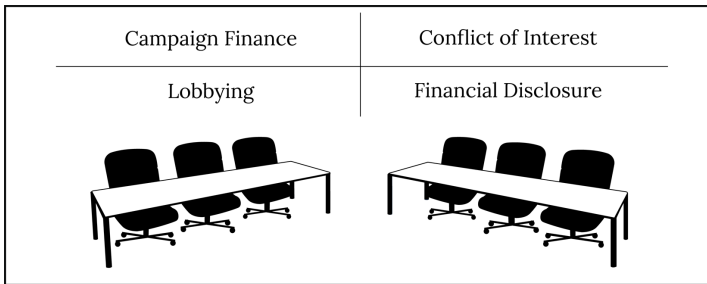
-About the Commission-

Missouri Ethics Commission

(§ 105.955, RSMo)

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

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 are selected from different congressional districts, with no more than three Commissioners from the same political party. However, once appointed, Commissioners serve in a non-partisan manner. A chair and vice-chair are elected every two years. The Commission employs an Executive Director to oversee the day-to-day operations of the agency's professional and non-partisan staff.



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

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. The Commission educates and assists the citizens of Missouri, public officials, lobbyists, and those participating in public elections, by increasing awareness and understanding of the law. The MEC investigates and enforces these laws consistently.

-About the Commission-

Advisory Opinions

An advisory opinion is issued by the Commission and provides its interpretation of a law. An advisory opinion may act as legal direction to the person requesting the opinion and the requesting person will not be liable for relying on the opinion. The opinion may act as a defense of justification against prosecution.

To request an advisory opinion, the requester must:

1. Submit a written request; and
2. Be directly affected by the application of the law to the facts presented.

§ 105.955.16(1), RSMo

The Commission may issue a written opinion regarding any issue that the Commission can receive a complaint on pursuant to § 105.957, RSMo (see pg. 37 for more information).

Advisory opinions specifically apply to the requester and facts presented, but can be used for guidance by others on how the Commission interprets the law. Searching existing advisory opinions may aid in answering questions regarding Missouri's governmental ethics laws.

Advisory opinions are compiled and published on our website:

1. **Go** to www.mec.mo.gov
2. **Select** Search Advisory Opinions from the Help Center box.
3. **Search** opinions by opinion number or phrase. Searches can be further refined to only include opinions on certain topics or referencing specific statutes or the Missouri Constitution.

Personal Financial Disclosure

1

What is a PFD?

(§§ 105.483—105.492, RSMo)

A Personal Financial Disclosure (PFD) is a financial interest statement used to provide the public with information about the financial interests of a public official, employee, or candidate. A PFD is used to disclose any potential financial conflicts of interest.

The filer must disclose their financial interests as well as the interests of their spouse and any dependent child(ren). State law allows the name and employment information of dependent children under the age of 21 to be redacted from a PFD upon written request.

What is a Political Subdivision?

(§ 105.450(9), RSMo)

Political subdivisions include (but are not limited to): a county, city, town, village, township, school district, library district, public water supply district, road district, fire protection district, ambulance district, hospital district, nursing home district, and other districts formed (pursuant to Missouri law) to provide limited, specific services.

In this Section:

- Required PFD Filers
- How to File
- PFD Annual Filers
- PFD Candidate Filers
- PFD Deadlines



See the [PFD Redaction Request Form](#) on our website.

-Filing a PFD-

Persons Required to File a PFD with the MEC

(§§ 105.483 and 105.489, RSMo)

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

- Statewide officeholders and designated staff
- Senators and Representatives
- Certain state board and commission members
- State judicial candidates who are not sitting judges
- Municipal judges (if required by a political subdivision)
- Certain employees of the state or political subdivisions, including those employees who are authorized to promulgate or adopt rules and regulations or who serve as the chief administrative officer, chief purchasing officer, or full-time general counsel
- Candidates and public officials in political subdivisions where an ordinance has been adopted and filed with the MEC 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
 - The conflict of interest ordinance specifically requires the filing of a PFD

Local Officeholders and Candidates:

Political subdivisions may adopt a conflict of interest ordinance identifying positions required to file a PFD (also known as a *Financial Disclosure Statement for Political Subdivisions* or “short form”). The ordinance must be readopted every two years by September 15 and a certified copy must be filed with the MEC within 10 days of adoption or reoption. *Check with your political subdivision for local PFD requirements.*

Judges Required to File a PFD with the Missouri Supreme Court

(§§ 105.483(1) and 105.489(2), RSMo)

- Missouri Supreme Court judges
- Appellate judges
- Circuit judges
- Associate circuit judges

Note: State judicial candidates who are not sitting judges file with the MEC.

-Filing a PFD-

PFD Filing Options

Electronically:

- Those electronically filing a PFD for the first time can request an MEC Filer ID on the MEC’s website:
 - From www.mec.mo.gov, select Login in the top right corner.
 - Select PFD E-Filer Account Request from the drop-down menu.
 - Complete and submit the requested information.
 - Upon processing the request, the MEC will email the requestor their MEC Filer ID and password.
- When e-filing subsequent PFDs, simply use the MEC Filer ID and password to access the e-filing system on the MEC’s website and complete the required information.

On Paper:

- Paper forms are available from the Personal Financial Disclosure tab on www.mec.mo.gov.
- Paper filings require an original signature.
- Submit paper forms via:
 - Mail: PO Box 1370, Jefferson City, MO 65102
 - Fax: (573) 526-4506
 - Hand-Delivery: 3411 Ste. A Knipp Drive, Jefferson City, MO 65109

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Important Note:

State law requires a written request to receive copies of PFDs filed with the Commission. Therefore, PFDs are not available for public viewing on www.mec.mo.gov.



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

-PFD Annual Filers-

§ 105.487(3), RSMo

An annual filer is an individual from the state or a political subdivision with an annual operating budget (AOB) over \$1 million that is required by law to disclose their financial interests by virtue of the position they hold.

An annual filer must file a PFD with the MEC no later than May 1, after each calendar year the position is held. If an annual filer is also a candidate, they must submit their PFD by their earliest filing deadline (whether annual or candidate, see pg. 10). Former public officials and employees who were designated PFD filers are required to file a PFD for the position they held in the previous calendar year.

Annual filer notification

In January of each year, the MEC notifies individuals that they have been designated as a required PFD filer. State agencies and political subdivisions with an AOB over \$1 million are required to provide the MEC with a list of individuals, including former public officials and employees, required to file a PFD. State law requires the state agency or political subdivision to notify all individuals that have been designated as required filers.

Reporting time period

PFDs filed by the May 1, 2023, deadline cover January 1 through December 31, 2022. If an individual no longer holds the position, the PFD covers the period through the last day the position was held.

Former employees and officials:

To ensure receipt of the annual PFD filing reminder, ensure the state agency or political subdivision has up-to-date contact information.

Examples for annual PFD filers

- A fire district board member serving through 2022 must file a PFD by May 1, 2023. This PFD will disclose the financial interests of the board member, their spouse, and dependent children for the 2022 calendar year.
- A former city council member served in a city with an ordinance that requires them to file a PFD. Their last day of service was October 5, 2022. This PFD will disclose the financial interests of the former city council member, their spouse, and dependent children from January 1, 2022, through October 5, 2022, and is due by May 1, 2023.

-PFD Candidate Filers-

§ 105.487(1), RSMo

A candidate filer is an individual running for public office who is required to file a PFD by virtue of the office the candidate is seeking.

A candidate's PFD is due no later than 14 days after the closing date of filing for candidacy (see specific deadlines on the next page).* This deadline applies to candidates in political subdivisions with an AOB over \$1 million (unless the subdivision has adopted an ordinance or resolution which excludes the candidate from filing a PFD). Candidate filers must file their PFD with the MEC and provide a copy to their political subdivision if it has an ordinance.

Candidate filer notification

A candidate receives notification of their PFD filing requirement and deadline on the *Notice to Candidate* form when they file a *Declaration of Candidacy* with their election authority.

Reporting time period

New candidates report information for the 12 months prior to the closing date for candidacy. Incumbent candidates (or candidates who are also annual filers) report information from January 1 of the previous calendar year to the closing date for candidacy. This period may be longer than 12 months. April incumbent candidates should meet both their annual and candidate filer requirements on the same statement.

A candidate required to file a PFD because of their candidacy in a primary election must **amend** their PFD by 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.

Incumbent candidate example

An incumbent city councilman is running for mayor. Rather than filing their annual PFD by May 1, they file a candidate PFD no later than 14 days after the closing date for filing for candidacy.

**If an individual is nominated as a candidate after the certification date, they must file a PFD within 14 days of nomination*

-PFD Deadlines-

2023 Candidate PFD Filer Deadlines					
2023 Election Dates	Feb. 7	March 7 See local charter	April 4 Municipal Election	Aug. 8	Nov. 7
PFD Filing Deadline* <small>(14 days from the closing date of filing for candidacy)</small>	Nov. 15, 2022	Dec. 13, 2022	Jan. 10	May 16	Aug. 15
PFD Filing Deadline** <small>(21 days from the closing date of filing for candidacy)</small>	Nov. 22, 2022	Dec. 20, 2022	Jan. 17	May 23	Aug. 22
Penalties for candidate filers: <i>*Failure to file by the 14-day deadline results in a minimum \$10/day late fee.</i> <i>**Failure to file by the 21-day deadline results in removal from the ballot.</i>					

2023 Annual PFD Filer Deadlines	
Current and former public officials/employees who are required to file a PFD	May 1, 2023
Any newly appointed or employed public officials who are required to file a PFD	30 days from appointment or hire date (report for the calendar year prior to the date of appointment or hire)
Annual filers who are running for office must submit their PFD by the earliest filing deadline (whether annual or candidate).	
Penalties for annual filers: \$10/day late fees	

- E-filed, faxed, or hand-delivered filings must be received **no later than** the due date.
- Mailed filings must be postmarked no later than midnight **the day before** the due date.
- If the PFD due date falls on a weekend or an official holiday, the deadline is extended to the next business day.

Note: *If the political 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.*

Campaign Finance Disclosure

2

What is campaign finance disclosure?

(Chapter 130, RSMo)

Campaign finance disclosure is required when individuals, groups, and entities receive contributions (monetary or in-kind) and/or make expenditures (paid or incurred) to support or oppose candidates or ballot measures. The law requires record-keeping and reporting of these activities. These disclosure requirements create transparency and accountability.

Contribution—§ 130.011(12), RSMo

A donation of money (also known as a **monetary contribution**) or anything of value (also known as an **in-kind contribution**) given to support or oppose a candidate or ballot measure. Contributions include gifts, loans, and a candidate’s own money used in support of their candidacy (with specific exceptions noted in the law).

Expenditure—§ 130.011(16), RSMo

A payment made to support or oppose a candidate or ballot measure. Expenditures must be recorded and reported at the time they are made or incurred. **Incurred expenditures** are expenses that a candidate or committee promises to pay in one reporting period but actually pays in another.

In this Section

- Establishing a Committee
- Reporting Requirements & Filing Deadlines
- “Paid for by” Disclosure
- Contribution Limits & Prohibitions
- Post-Election Guidelines
- Committee Checklist



See **Campaign Finance** publications on our website.

-Campaign Finance Committees-

What is a committee?

(See § 130.011, RSMo, for full definitions of “committee” and “person”)

A committee is a person or group of people who accepts contributions (monetary or in-kind) or makes expenditures (paid or incurred) to influence the action of voters by supporting or opposing candidates and/or ballot measures or to pay a previous campaign debt.

Once the money spent or received exceeds the monetary thresholds (pg. 13-14) a committee must be formed and registered with the MEC.

Reporting Non-Committee Expenditures

(§ 130.047, RSMo)

Individuals, businesses, groups, and others that do not meet the definition of a committee, that are not accepting contributions from others, but spend \$500 or more in support of or in opposition to candidates or ballot measures in an election, must file a *Non-Committee Expenditure Report*.

This report is due no later than 14 days after total expenditures exceed \$500. If additional expenditures are made after filing the initial report, a further report should be filed within 14 days; except if any such expenditure is made within 14 days before an election, the report must be filed within 48 hours.

See also [*Advisory Opinion No. 2018.05.CF.004*](#) regarding when non-profit corporations may be committees.

Out-of-State Committees and Federal PACs

(§ 130.021.10, RSMo, Mo. Const. Article III, § 2(f))

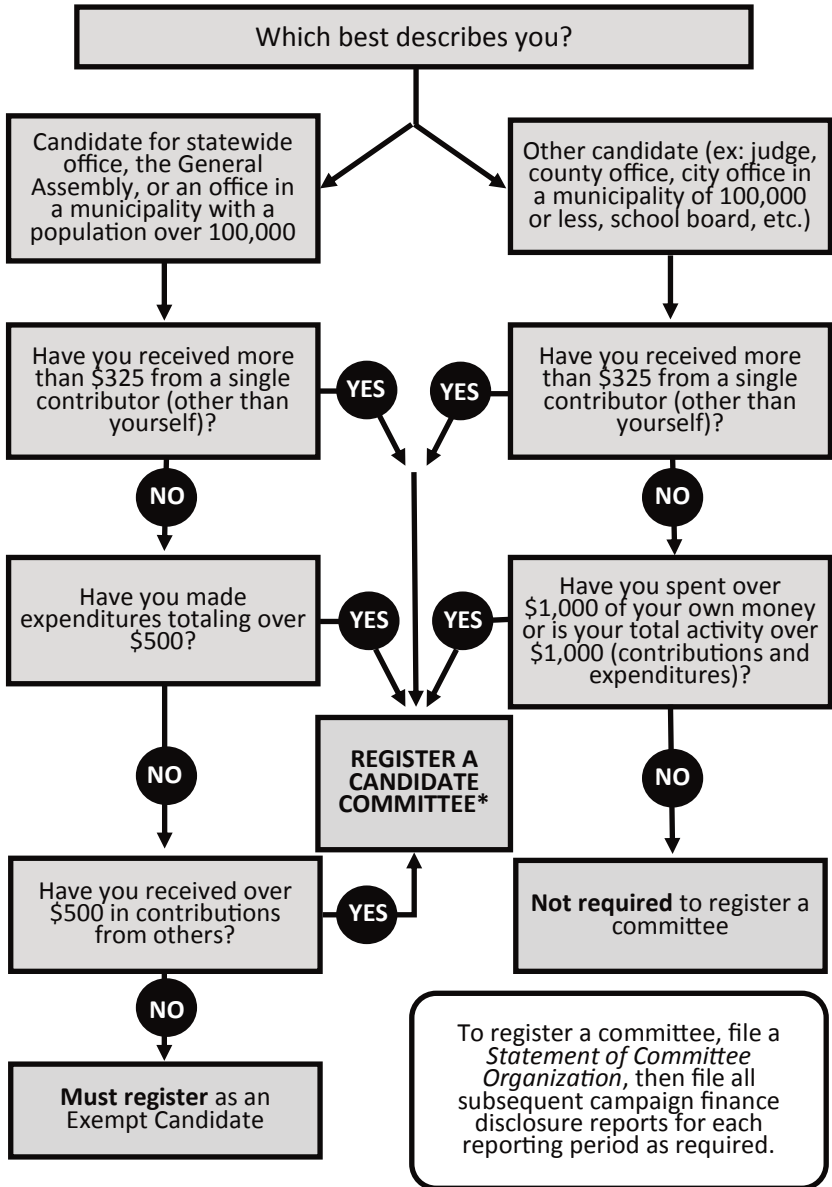
Missouri law defines certain federal political action committees (PACs) (registered with the Federal Election Commission (FEC)) and out-of-state committees (committees registered in other states). Federal PACs and out-of-state committees are required to register a Missouri committee and file reports if:

- The aggregate of all contributions received from persons domiciled in Missouri exceeds 20% in total dollar amount of all funds received by the committee in the preceding 12 months; or
- The aggregate of all contributions and expenditures made by the committee or PAC to support or oppose candidates and ballot measures in Missouri exceeds \$1,500 in the current calendar year; or
- The federal PAC makes a contribution to a candidate for the Missouri General Assembly.

See [*1 CSR 50-5.010*](#) and [*1 CSR 50-5.020*](#) for more information.

-Establishing a Candidate Committee-

§§ 130.016, and 130.021, RSMo

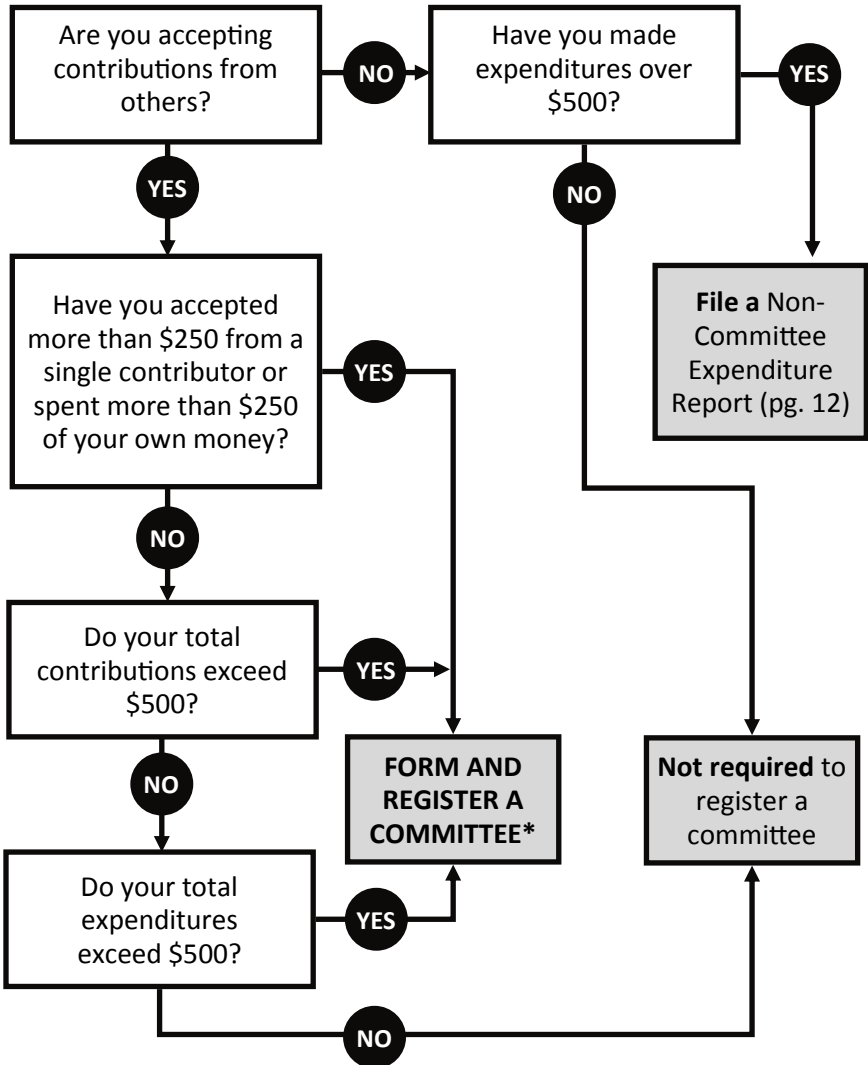


For more information, consult our [When to Form and Register a Committee brochure](#) and [Chapter 130, RSMo](#).

-Establishing a Committee-

§ 130.011, RSMo

Anyone other than a candidate may use this flowchart to determine whether they have met the monetary thresholds that would require them to establish a committee and file reports with the MEC.



**To register a committee, file a Statement of Committee Organization, then file all subsequent campaign finance disclosure reports for each reporting period as required.*

-Establishing a Committee -

Follow these steps:

1. Identify the type of committee.
2. Form the committee.
3. Register the committee with the MEC to file regular campaign finance disclosure reports.

Step 1: Identify Committee Type

Committee Type
Campaign Committee Formed to support or oppose ballot measures or judicial retention
Candidate Committee Formed by a single candidate for office in a specific election <ul style="list-style-type: none">• Exploratory committee: formed to receive/spend money to determine whether an individual will seek public office• Debt service committee: a candidate committee converted to retire committee debt.
Continuing Committee (also known as a Political Action Committee or PAC) Formed to remain in existence beyond any one election/ballot issue, directed by someone other than a candidate
Political Party Committee Formed as a committee of a political party



Refer to our **[When to Form and Register a Committee](#)** brochure for more information

-Establishing a Committee -

Step 2: Form the Committee

Upon deciding to form a committee or upon meeting the monetary thresholds for forming a committee, one must:

- Select a committee name incorporating the name of the candidate (if applicable).
- Appoint a treasurer (required) and consider appointing a deputy treasurer (optional).
- Open a committee bank account.
- Establish committee record-keeping practices.
- Develop a procedure to ensure timely filing of all reports.
- Become familiar with all campaign finance requirements.

Treasurer/Deputy Treasurer Requirements:

(§ 130.021.1, RSMo)

- Must be a resident of Missouri
- Must reside in the district or any county in which the committee sits ([Advisory Opinion 2008.10.CF.009](#))
- If a candidate committee:
 - Must reside in candidate's district or any county which contains a portion of the district
 - Must be appointed by the candidate (candidate can appoint self as treasurer)



See the [Treasurer's Guide to Campaign Finance](#) brochure on our website.

Bank Account Requirements:

(§ 130.021.4, RSMo)

Every committee must have an official bank account which is:

- Held in the committee's name, as it will be registered;
- At one federal or state chartered bank, savings and loan association, or credit union in Missouri;
- A negotiable draft type of account;
- Able to provide records of deposits, canceled checks, and any other account of activity; and
- Not commingled with any other funds or bank account that has non-committee funds.

-Establishing a Committee-

Step 3: Register the Committee

(§ 130.021.5, RSMo)

All committees (except local campaign committees) must register with the MEC by filing a *Statement of Committee Organization* within 20 days of becoming a committee, but no later than the deadline for the filing of the first disclosure report.

Local campaign committees must register with their local election authority. If they would like to electronically file reports with the MEC in lieu of paper reports with their local election authority, they must file a *Statement of Committee Organization* with the MEC. Those committees must continue to file reports with the MEC.

Important Note:

All committees, including local campaign committees, must register with the MEC within 48 hours of receiving a contribution or loan over \$5,000.

Contributions include money given or loaned to one's own committee and must be reported as required.

Upon registering, a candidate committee's first report includes all campaign finance activity since the individual became a candidate (see § 130.011(4), RSMo, for definition of "candidate"). For all other committees, the first report will disclose campaign finance activity since the day the committee was formed. Committees must disclose campaign finance activity by timely filing campaign finance disclosure reports throughout the life of the committee.

Amending Committee Information

(§ 130.021.7, RSMo)

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.

-Committee Reporting Requirements-

Quarterly Reports (*§ 130.046.1(3), RSMo*)

All committees must file quarterly disclosure reports no later than the 15th day following the close of each calendar quarter. These quarterly reports are due until the committee terminates.

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

Any individual or committee that receives a single contribution (including a loan)* from a contributor in an amount over \$5,000 must electronically report the contribution to the MEC within 48 hours of receipt. This contribution must also be included in the committee's next filed report.

24 Hour Notice of Late Contribution Received (*§ 130.050.3, RSMo*)

Any receipt of a contribution (including a loan)* in an amount over \$250 that is received less than 12 days before an election, must be reported within 24 hours of its receipt. This contribution must also be included in the committee's next filed report.

24 Hour Late Expenditure Report (*§ 130.046.3(2), RSMo*)

Each time a **continuing committee (PAC)** aggregates more than \$250 in expenditures made or incurred (not including contributions made to candidates or other committees) less than 12 days before an election, a full disclosure report must be filed within 24 hours. If not filed timely, late fees of \$10 per day are assessed.

40 Day Before Election Report (*§ 130.046.1, RSMo*)

Only required if the committee accepted contributions or spent money (made contributions or expenditures (paid or incurred)) for the election.

8 Day Before Election Report (*§ 130.046.1(1), RSMo*)

Only required if the committee spent money (made contributions or expenditures (paid or incurred)) for the election.

30 Day After Election Report (*§§ 130.046.1(2) and 130.046.5(2), RSMo*)

Only required if the committee spent money (made contributions or expenditures (paid or incurred)) for the election; and, if required, must be filed before taking office. If debt exceeds \$1,000, the committee may not file a *Statement of Limited Activity* for this report.

* See 130.011(12), RSMo for full definition of contribution.

-Campaign Finance Committees-

Time Period Covered

(§§ 130.046.5(2) and 130.046.4, RSMo)

If filing a *Full Disclosure Report*, the time period covered begins the day after the closing date for the last filed *Full Disclosure Report* (not *Statement of Limited Activity*). If filing a *Statement of Limited Activity*, the time period covered begins the day after the last filed full disclosure report closed.

Example: If you filed a *Statement of Limited Activity*, for the *January Quarterly Report*, and you have since received contributions or made expenditures over \$500, you will file a *Full Disclosure Report*, which includes all activity from October 1 through March 31 on the *April Quarterly Report*.

Weekend and Holiday Extensions

(§ 105.964, RSMo)

If the due date for filing a report falls on a Saturday, Sunday, or an official holiday, the due date is extended to the next business day. However, this extension does not apply to any reports or notices due less than eight days before an election, in which case there are no extensions.

Late Fees

(§ 105.963, RSMo)

If reports required to be filed with the MEC are not received by the due date, committees are assessed a minimum \$10/day late fee. If the report is not filed within 30 days, a \$100/day late fee is assessed, not to exceed \$3,000. For the *8 Day Before Election Report*, late fees are \$100/day for candidates.

Quarterly Report Deadlines (<i>§ 130.046.1(3), RSMo</i>)				
All committees must file quarterly reports no later than the 15th day following the close of each calendar quarter. These quarterly reports are due throughout the life of the committee. Closing and due dates are listed below.				
Closing Date (date reported through)	Jan.* Dec. 31, 2022	April March 31	July June 30	Oct. Sept. 30
Due Date	Jan. 17	April 17	July 17	Oct. 16

*The 2023 January Quarterly Report is optional.



See [Searches](#) on our website to view campaign finance disclosure reports.

-Deadlines for 2023 Elections-

February 7, 2023 Election

Report Title	Closing Date	Due Date
40 Day Before Election Report	Dec. 24, 2022	Dec. 29, 2022
8 Day Before Election Report	Jan. 26, 2023	Jan. 30, 2023
30 Day After Election Report	Mar. 4, 2023	Mar. 9, 2023

March 7, 2023 Election

Report Title	Closing Date	Due Date
40 Day Before Election Report	Jan. 21, 2023	Jan. 26, 2023
8 Day Before Election Report	Feb. 23, 2023	Feb. 27, 2023
30 Day After Election Report	Apr. 1, 2023	Apr. 6, 2023

April 4, 2023 Election

Report Title	Closing Date	Due Date
40 Day Before Election Report	Feb. 18, 2023	Feb. 23, 2023
8 Day Before Election Report	Mar. 23, 2023	Mar. 27, 2023
30 Day After Election Report	Apr. 29, 2023	May 4, 2023

August 8, 2023 Election

Report Title	Closing Date	Due Date
8 Day Before Election Report	Jul. 27, 2023	Jul. 31, 2023
30 Day After Election Report	Sep. 2, 2023	Sep. 7, 2023

November 7, 2023 Election

Report Title	Closing Date	Due Date
8 Day Before Election Report	Oct. 26, 2023	Oct. 30, 2023
30 Day After Election Report	Dec. 2, 2023	Dec. 7, 2023

-Paid for by-

Campaign Materials

What are campaign materials?

(§ 130.031.8, RSMo)

All of the following printed matter are considered campaign materials and must display the proper “paid for by” statement:

- Pamphlets
- Flyers
- Door hangers
- Business cards
- Sample ballots
- Advertisements
- Signs (including those for display on vehicles)
- Other imprinted or lettered materials

The MEC does not regulate sign placement. Review local ordinances and MODOT policies for guidance on unauthorized signs.

What is excluded from “Paid for by” requirements?

Items of personal use, given away or sold, that are:

- Paid for by a candidate or committee supporting or opposing candidates or ballot measures, and are
- Obvious in their identification with a specific candidate or committee, and
- The cost of which is reported on campaign finance reports as required 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 must comply with material identification requirements.

See § 130.011(22), RSMo, for definition of “person.”

See § 115.646, RSMo, for prohibitions on use of public funds by political subdivisions to advocate, support, or oppose candidates or ballot measures.

TV, Radio, and Federal Candidates

Those who are transmitting information about candidates or ballot measures through TV or radio must provide sponsor identification in accordance with federal laws. Federal law also provides sponsor identification guidance for those who are printing material or broadcasting about federal candidates.



For more information, see the **Paid for By** brochure on our website.

-Paid for by- Campaign Materials

Who paid for the printed material?	Required information (<i>following the words "Paid for by"</i>)
Candidate from personal funds (only if no candidate committee exists) § 130.031.8(1), RSMo	First and last name by which candidate is known (NOT "Paid for by candidate") <i>Example: Paid for by Jane Doe.</i>
Committee § 130.031.8(2), RSMo	Name of the committee as required to be registered and the name and title of the committee treasurer who was serving when the printed matter was paid for <i>Example: Paid for by Committee to Elect Jane Doe, John Smith, Treasurer</i>
Corporation, Business Entity, Labor Organization, Other Organization (not a committee and not organized for influencing election(s)), and Political Subdivisions § 130.031.8(3), RSMo	Name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer <i>Example: Paid for by Rock Corporation, John Doe, Chief Financial Officer, 888 Main Street, Jefferson City, MO 65109</i>
Individual(s) § 130.031.8(4), RSMo	Name of the individual or individuals and the respective mailing address or addresses <i>Example: Paid for by Jane Smith, 200 Market Street, Jefferson City, MO 65109</i> If more than five individuals pay for printed matter, print the words "For a list of other sponsors contact:" followed by the name and address of one individual responsible for causing the matter to be printed and who will maintain a record of the names and amounts paid by other individuals. <i>Example: Paid for by: For a list of other sponsors, contact: John Doe, 8525 Sappington Rd, Jefferson City, MO 65101</i>

"Paid for by" statement must use the full name of the person and/or entity. Use of abbreviations or acronyms, including for committee names, is prohibited.

-Contribution Limits & Prohibitions-

The Missouri Constitution contains provisions that impose campaign contribution limits on candidates for state office. The Constitution provides additional provisions relating to contributions from corporations and labor organizations, contributions received by and made by campaign finance committees, and criminal penalties for violations of these provisions. Chapter 130, RSMo, contains campaign finance laws enacted by the General Assembly.

Office Sought	Contribution Limit from a Single Donor or Committee* Effective January 1, 2023
State Office (Governor, Lt. Governor, Secretary of State, State Treasurer, State Auditor, Attorney General)	\$2,825**
State Judicial Office	\$2,825**
State Senator	\$2,400**
State Representative	\$2,000**
Local Office	No Limit***
<p>*A primary election and the succeeding general election are considered two separate elections. Contributions for the general election cannot be received until after the primary election (Advisory Opinion 2017.04.CF.012).</p> <p><i>**Check the MEC's website for the most up-to-date contribution limits.</i></p> <p><i>***Check with your political subdivision for local contribution limits.</i></p>	

While the state contribution limits do not apply to local candidates, there are provisions that apply to all candidate committees, including local candidates.

Candidate Committees CANNOT	Candidate Committees CAN
<ul style="list-style-type: none"> • Receive contributions from or make contributions to another candidate committee, including federal candidate committees • Make contributions to continuing committees (PACs) • Receive contributions from corporations (with some exceptions) and labor organizations directly 	<p>Subject to any applicable contribution limits:</p> <ul style="list-style-type: none"> • Receive contributions from continuing committees (PACs) • Receive contributions from and make contributions to campaign committees • Receive contributions from and make contributions to political party committees

-Contribution Limits & Prohibitions-

Committee type:	PROHIBITED from accepting contributions from the following:
Candidate Committees (including Exploratory and Debt Service Committees)	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Corporations or labor organizations (see pg. 25-26) • Other candidate committees • Any federal or out-of-state PAC that is making a contribution in excess of \$1,500 and has not registered with the MEC (General Assembly candidates are prohibited from taking any contributions from federal PACs that are not registered)*
Political Party Committees	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Corporations or labor organizations (see pg. 25-26) • Any federal or out-of-state PAC that is making a contribution over \$1,500 and has not registered with the MEC*
Campaign Committees	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Any corporations that do not have authority to transact business in the State of Missouri
Continuing Committees (PACs)**	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Political party committees • Candidate committees (including exploratory committees and debt service committees) • Campaign committees • Any corporations, associations, or partnerships that do not have authority to transact business in Missouri • Any federal or out-of-state PAC that is making a contribution in excess of \$1,500 and has not registered with the MEC*

* See pg. 12 for additional information pertaining to contributions from federal or out-of-state PACs.

**See exceptions for a State Senate and/or House Committee designated by the party leader (Article VIII, § 23.3(13)).

Penalties

Mo. Const. Art. VIII, § 23 provides criminal penalties for violations of specific provisions. These penalties can be found in Article VIII, § 23.5 and 6. In addition, Article VIII, § 23.4 allows an individual to file a complaint with the MEC regarding a candidate alleged to be in violation of Article VIII, § 23.3, within 60 days prior to the primary election through the general election.

-Contribution Limits & Prohibitions-

Contributions from Limited Liability Companies and Corporations

(Mo. Const. Art. VIII, § 23.3(16) and § 130.029.4, RSMo)

Limited liability companies (LLCs) and corporations must abide by the following rules when making contributions:

LLCs **without** corporate tax status may contribute to any Missouri campaign finance committee, if the following conditions are met:

- The LLC has existed for at least one year;
- The LLC has registered with the Missouri Secretary of State;
- The LLC is a legitimate business with a legitimate business interest and is not created solely to make campaign contributions; and
- The LLC has registered with the MEC using the LLC e-filing system. After creating an account, users can register existing LLCs with the MEC. Only a member or manager of an LLC (or equivalent for foreign LLCs), may attest that the LLC meets all the above conditions.

Corporations and LLCs **with** corporate tax status have no requirement to register with the MEC, and do not need to exist for any length of time prior to making a contribution. However, keep the following restrictions in mind:

- Candidate committees may not receive contributions from corporations or LLCs with corporate tax status.
- Foreign corporations and LLCs that do not hold valid certificates of authority to transact business in this state may not contribute to any Missouri campaign finance committees.

When receiving a contribution, committees may use the MEC's LLC Campaign Finance Registration Search to check an LLC's registration status. Do not assume an LLC that is not registered with the MEC has a corporate tax status. The MEC recommends verifying this information with the LLC.

Committees can reject a contribution within 10 business days and return the contribution to the donor. Any contribution not returned within this time period must be disclosed on the committee's next report.

See Advisory Opinions [2017.02.CF.005](#), [2017.02.CF.006](#), and [2017.03.CF.009](#) for additional information.



For the most current information, refer to the **MEC's website**.
Regularly check for updates and **Advisory Opinions**.

-Contribution Limits & Prohibitions-

Using the LLC Campaign Finance Registration System

Creating an Account

- Select the “LLC Campaign Finance Registration” link from the “Help Center” box on the MEC homepage.
- Click the “Create Account” button.
- Enter all required information, including the email address and password you will use to login to the LLC Campaign Finance Registration System.

Registering an LLC

- Upon logging in, select “Add LLC Statement” and search for the LLC by entering its charter number or any portion of the LLC’s name.
- Click “start” next to the LLC. If the LLC has already been registered with the MEC, a green message will appear, indicating the filing date. Missouri LLCs that have existed less than a year will display a gray “ineligible LLC” message.
- The LLC’s member or manager must attest that the LLC meets all the requirements to make contributions to Missouri committees.

Once an LLC is registered, it will immediately appear in the MEC’s LLC Campaign Finance Registration Search.

Contribution Limits to Political Parties

(Mo. Const. Art. VIII, § 23.3(2))

Political parties may accept aggregate contributions of \$27,400 per election from persons or committees. The aggregate applies to the party committees at the state, county, municipal, district, ward, and township levels combined.

Connected Organizations

A corporation or labor organization may establish a continuing committee (PAC) which may accept contributions or dues from members, officers, directors, employees, or security holders.

- In [Advisory Opinion 2017.03.CF.010](#), the Commission stated that a corporation or labor organization may not contribute its own treasury funds to its connected continuing committee (PAC); it may contribute its own funds to an unconnected continuing committee (PAC).
- In [Advisory Opinion 2017.07.CF.014](#), the Commission discussed connected organizations and how a corporation’s status under the campaign finance laws is impacted under Article VIII, § 23.

-Post-Election Guidelines-

Successful Candidates:

- After the general election, file an **amended** *Statement of Committee Organization* and update election information;
- May use committee funds for necessary and ordinary expenses in connection with duties of office;
- May terminate the committee.

Note: Before being sworn in, successful candidates must file a *30 Day After Election Report* if they have made expenditures or made contributions. The reporting period covers the day after the last report closed through the earlier of either the day before being sworn in to office or 25 days after the election.

Unsuccessful Candidates:*

- If the committee has more money on hand than debt, terminate within 30 days; **or**
- If the committee has more debt than money on hand, it can amend to a debt service committee.

**Unsuccessful incumbent candidates: contact the MEC.*

Campaign Committees:

- If the committee has more money on hand than debt, terminate within 30 days; **or**
- If the committee has more debt than money on hand, retire debt and terminate.

Terminating a Committee

1. Distribute any remaining funds and resolve committee debt.
 - See §§ 130.033 and 130.034, RSMo, for allowable uses of contributions. Note: The Missouri Constitution prohibits certain contributions to committees, including candidate committees (see pg. 23).
2. Close the committee's bank account.
3. File *Committee Termination Statement* and *Full Disclosure Report* within 10 days of the committee's dissolution (within 30 days of dissolution for debt service committees), disclosing any remaining funds that were disbursed or loans that were paid through the committee's dissolution date. Current contact information for the committee is required.



See the ***After Election Requirements and Debt Service Committees*** brochure and the ***Terminating a Committee*** brochure on our website.

-Committee Checklist-

Upon meeting the dollar threshold or deciding to form a committee:

- Select a committee name incorporating the name of candidate (if a candidate committee).
- Select a treasurer who is a resident of the district or county in which the committee sits. A committee may also have a deputy treasurer. The candidate can serve as treasurer or deputy treasurer.
- Open an official committee bank account using the name of the committee as it will be registered with the MEC.
- Complete the *Statement of Committee Organization* and file with the MEC. NOTE: Local campaign committees for ballot measures must file a *Statement of Committee Organization* with their local election authority (pg. 17).
- Read all emails from the MEC and stay up-to-date on all filing deadlines.
- Research and establish a plan for proper record-keeping.
- Review contribution limits and restrictions on receiving and making contributions (pg. 23-26).
- Take advantage of the [resources and training](#), on the MEC website.
- Review reporting calendars and add deadlines to a personal calendar that you check often. Print a copy of the [annual campaign finance deadlines](#) from the MEC website.
- File all required reports by the deadlines to avoid late fees.

After the Election:

Unsuccessful Candidates:

- If the committee has more money on hand than debt, terminate within 30 days of the election. Close committee bank account, resolve debt, disburse remaining funds, and file a *Termination Report*.
- If the committee has more debt than money on hand, it can amend to a debt service committee.
- Unsuccessful incumbent candidates should contact the MEC.

Successful Candidates:

- File a *30 Day After Election Report* **before** being sworn-in.
- After the general election, may keep the committee open and amend to the next election date on the *Statement of Committee Organization* (may use committee funds for necessary and ordinary expenses for the duties of the office).
- Terminate the committee (optional).

Campaign Committees: see pg. 27.

Conflict of Interest

3

What is governmental conflict of interest?

(§§ 105.450-105.467, RSMo)

A conflict of interest is generally defined as a conflict between the private interests and the official responsibilities of a person in a position of trust (Merriam-Webster). The Commission enforces specific laws that define conflicts of interest for public officials and employees.

These laws prohibit public officials and employees, their spouses, and dependent children from realizing a personal gain by virtue of their office or position. In some circumstances, these prohibitions also apply to their businesses. These laws include restrictions on receiving additional compensation via employment, providing services or conducting business with the political subdivision, and acting to influence decisions that could result in a financial benefit.

In this Section

- Employment and Compensation
- Providing Service and Conducting Business
- Decision-Making
- Use of Public Funds
- Governmental Nepotism



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

-Conflict of Interest-

Employment and Compensation

(§§ 105.454, 105.456, 105.458, 105.462, RSMo)

As a general rule, certain elected and appointed officials, and some employees of the state or a political subdivision, cannot be employed in another capacity by the public entity in which they serve. Additionally, these officials and employees cannot be paid by a third party to influence a decision of the state or political subdivision in which they serve.

There are also statutory provisions that prevent some former officials and employees from accepting any compensation to attempt to influence a decision of the state or political subdivision that they formerly served. Officials with rulemaking authority are similarly prohibited, and they are also prohibited from doing business for a year with any entity that participated in a proceeding before that official in the preceding year.

Providing Services and Conducting Business

(§§ 105.454, 105.456, 105.458, RSMo)

Generally, officials and employees may not do business with the state or the political subdivision they serve in an amount greater than \$500 per transaction or \$5,000* per year unless there is public notice, competitive bidding, and the official or employee is the lowest bidder. The prohibition covers the provision of services and the selling, renting, or leasing of property. These restrictions also apply to school district officials and employees.

Statewide officeholders and officials who are members of any legislative body are also prohibited from doing business with the state or political subdivision via a business entity in an amount greater than \$500 per transaction or \$5,000* per year unless there is public notice, competitive bidding, and the official or employee is the lowest bidder. This prohibition applies to sole proprietorships and entities where the official holds a 10% ownership interest.

** For the General Assembly and statewide officeholders, the annual limit is \$1,500.*

-Conflict of Interest-

Decision-Making

(§§ 105.452, 105.454, 105.462, RSMo)

No public official or state/subdivision employee may act officially (or refrain from acting officially) in exchange for any payment, offer/promise to pay, or receipt of anything of value. This includes payments to third persons, gifts, and campaign contributions. Additionally, they may not offer, promote, or advocate for a political appointment in exchange for anything of value to any political subdivision.

Public officials and employees are prohibited from favorably acting on any matter that is designed to provide a “special monetary benefit” to the official, employee, a spouse, or a dependent child. They are also prohibited from realizing a gain from the use or disclosure of confidential information.

Officials and employees serving in an executive or administrative capacity or with rulemaking authority may not attempt to influence decisions of the political subdivision that may financially benefit themselves, their spouse, dependent child, or associated business* unless the political subdivision:

- Provides public notice;
- Offers competitive bidding; and
- Requires the official/employee’s bid to be the lowest received.

**via the performance of a service, or the sale, rental, or lease of property in an amount over \$500 per transaction or \$5,000 per year. See § 105.454.1(3), RSMo, for more information.*

Use of Public Funds

(§ 115.646, RSMo)

No contribution or expenditure of public funds can be made by an officer, employee, or agent of a political subdivision (including school districts and charter schools) to advocate, support, or oppose any ballot measure or candidate for public office. This does not prohibit public officials of a political subdivision from making public appearances or issuing press releases about a ballot measure.

-Conflict of Interest-

Governmental Nepotism

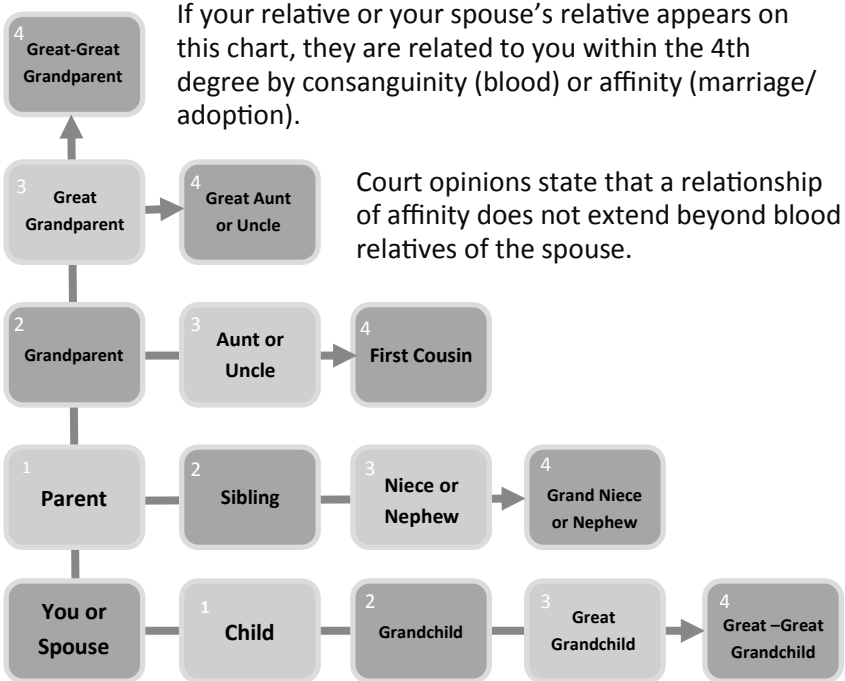
(Mo. Const. Art. VII, § 6)

The Missouri Constitution prohibits any public officer or employee from naming or appointing to public office or employment any relative within the 4th degree by consanguinity (blood) or affinity (marriage/adoption), by virtue of their office or employment.

The penalty for violation is automatic forfeiture of office. The MEC cannot enforce this clause, therefore, it is not necessary to file a complaint with the Commission. For enforcement, contact the county prosecutor or Attorney General.

Note: In addition to the Missouri Constitution, political subdivisions may have their own ordinances, policies, and/or procedures regarding nepotism. Always consult the political subdivision to ensure all state and local conflict of interest laws are followed.

Nepotism Chart



Lobbying

Who is a lobbyist?

(§§ 105.470—105.478, RSMo)

A state lobbyist is an individual who attempts to influence state executive, state legislative, or state judicial purchasing actions; and meets one or more of the following:

- a. Acts in the ordinary course of business; or
- b. Engaged in pay as a lobbyist; or
- c. Designated to act as a lobbyist by a person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or
- d. Spends \$50 or more on behalf of public officials, annually.

An elected local government official lobbyist is an individual who is employed for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget over \$10 million.

In this Section

- Lobbyist Requirements
- Required Reports
- Waiting Periods
- Additional Lobbyist Restrictions



See [FAQs](#) on our website for more information.

-Lobbying-

Types of Lobbyists

(§ 105.470, RSMo)

There are four types of lobbyists:

1. Legislative lobbyist
2. Executive lobbyist
3. Judicial lobbyist
4. Elected local government official lobbyist

Legislative Liaison

(§ 105.470(5)(d), RSMo)

A legislative liaison is any state employee hired to communicate with members of the General Assembly on behalf of any elected official of the state; the judicial branch of state government; or any department, agency, board, or commission of the state, provided such entity is a part of the executive branch of state government. A legislative liaison is **not** a legislative lobbyist.

Lobbyist Requirements

(§ 105.473, RSMo)

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

- Register annually with the MEC;
- Pay a \$10 annual registration fee;
- File monthly reports disclosing any monies spent on elected officials, their family, and/or staff (or a *Non-Expenditure Report*) and disclosing business relationships with public officials.

A lobbyist may amend or terminate their status at any time.

Lobbyist Principal

(§ 105.470(7), RSMo)

A lobbyist principal is any person, business entity, governmental entity, religious organization, nonprofit corporation, or association who employs, contracts for pay, or otherwise compensates a lobbyist.

-Lobbying-

Required Reports

(§ 105.473, RSMo)

- Monthly reports must be filed electronically on or before the 10th day of each month. Lobbyists report monies spent by the lobbyist principal and/or the lobbyist, including:
 - Printing and publication
 - Media and other advertising
 - Travel
 - Entertainment
 - Honorariums/gifts
 - Meals/food/beverages
 - Other
- A lobbyist or lobbyist principal must file a *List of Principals and Legislative Action* report with the MEC by March 15 and May 30 of each year to disclose their interests to the public. Electronic filing of this report is now available for registered lobbyists.

Important Note:

Monthly expenditure reports **must** be filed, regardless of whether the lobbyist has expenditures to report. Failure to timely file monthly reports results in a \$10 per day late fee.

Restrictions on Lobbyist Gifts

(Mo. Const. Art. III, § 2)

The Missouri Constitution prohibits members and employees of the General Assembly from receiving gifts from paid lobbyists or lobbyist principals.

Executive Order 18-10 also prohibits lobbyist gifts to the executive branch of state government.

-Lobbying-

Waiting Periods

(Mo. Const. Art. III, § 2(a), §§ 105.455 and 105.470(5)(d), RSMo)

- No member or employee of the General Assembly shall act or serve as a paid lobbyist until the expiration of two calendar years after the conclusion of the session in which the member or employee served.
- Any person who holds a statewide office of Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Attorney General, or serves in an office appointed by the Governor and confirmed by the Senate, cannot act, serve, or register as a lobbyist until six months after their term of office expires.

These provisions do not apply to persons acting as a legislative liaison for a state department or agency, even if paid.



Additional Restrictions

(§§ 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 ([Advisory Opinion 2016.08.L.001](#)).



For up-to-date information on lobbyist restrictions, refer to the **Advisory Opinions** on our website.

Complaints and Investigations

5

What does the MEC investigate?

(See §§ 105.957 and 130.054, RSMo)

The MEC's statutory responsibilities include auditing disclosure reports and reviewing formal complaints for violations of:

- Campaign finance requirements (Ch. 130, RSMo and Mo. Const. Art. VIII, § 23);
- Conflict of interest laws (§§ 105.450—105.467 & 171.181, RSMo);
- Financial interest disclosure requirements (§§ 105.483—105.492, RSMo);
- Lobbyist requirements (§§ 105.470—105.478, RSMo);
- The provisions of the Constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions;
- Any code of conduct promulgated by any department, division, or agency of state government or by state institutions of higher education, or by executive order.

Investigations are confidential and not available for public viewing. Only Commission actions are published on the MEC's website.

In this Section

- Submitting a Complaint
- Complaints against Candidates
- Commission Actions

-Complaints & Investigations-

Any individual may file a complaint with the MEC if they believe there has been a violation of campaign finance disclosure laws, conflict of interest laws, lobbying laws, personal financial disclosure laws, or any order, ordinance, or resolution dealing with the official conduct of officials or employees. Once a complaint is filed, meeting all MEC requirements, a determination is made as to whether or not an investigation should take place.

Submitting a Complaint

1. Download a copy of the complaint form from www.mec.mo.gov.
2. Complete the form in writing, including all known facts.
3. Notarize the complaint.
4. Mail or deliver the complaint to the Commission. The alleged violator(s) will receive a copy of the complaint within five days of receipt.

Limitations on Complaints Against Candidates

(§§ 105.957.3 and 130.054, RSMo)

- Within 60 days prior to the primary through the general election, the Commission can only accept a complaint on a candidate alleging violations relating to campaign finance disclosure law or PFD requirements
- The Commission cannot accept any complaints against a candidate within 15 days of an election.
- The Commission may only accept a complaint alleging a candidate has violated Article VIII, § 23.3 within 60 days prior to the primary election until the general election.

Commission Actions

(§ 105.961, RSMo)

- A hearing can be held if the Commission finds reasonable grounds that a violation of the law has occurred.
- A hearing is a legal proceeding in which respondents may be represented by legal counsel if they so choose.
- A respondent is found in violation when at least four members of the Commission find probable cause of a violation.
- The Commission can resolve cases by issuing joint stipulations of fact and law which serve as a settlement.
- Commission actions are public and posted on the MEC website.



Search **Commission Cases - Commission Actions** on our website.

Additional Resources

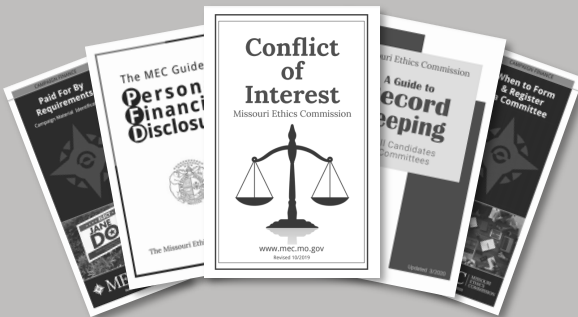
6

What resources does the MEC provide?

The MEC offers training in a variety of mediums to candidates, elected and public officials, legislators, lobbyists, and others wanting to learn about Missouri's ethics laws.

The [Resources & Training](#) page on our website offers free:

- Trainings/presentations for conferences and events
- Webinars
- MEC-hosted training
- On-demand YouTube tutorial videos
- FAQs
- Publications and brochures



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-Notes-

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