

Guide for Local Election Authorities:

Step-by-Step Planning for Annual MEC Requirements



MEC

MISSOURI
ETHICS
COMMISSION

This booklet is intended only as a guide to aid understanding of the requirements for local filing officers and election authorities. For the Law's complete requirements, consult the law itself, codified in Chapter 105 of the Revised Statutes of Missouri.

You can find additional resources, electronic filing, and information about the Missouri Ethics Commission on the Commission's website, mec.mo.gov.

Revised 2023

-Table of Contents-

Political Subdivision Basics

Terms to Know	3
Checklist for Local Election Authorities	4
Year at a Glance Calendar	5
Introduction to the Political Subdivision E-Filing System	6
Annual Operating Budget	7
Conflict of Interest Ordinances	8

Candidate PFD Filers

Determining Candidate PFD Filers	10
Election Packets	11
Notice to Candidate Forms	12
Submitting the Candidate Filers List	14
After Candidate Filing	15

Annual PFD Filers

Who must file an annual PFD?	18
Submitting the Annual PFD Filers List	19
Annual Filer Notification	20
Deadlines and Penalties for Annual Filers	21
Newly Appointed or Employed Filers	22

About the Commission

The Commission and its Mission	23
Advisory Opinions	24
Additional Resources	25

- Thank you -

Thank you for working with the Missouri Ethics Commission to ensure compliance with Missouri's ethics laws. The staff of the MEC are grateful for your assistance during candidate filing and throughout the year.

We understand that clerks and local election authorities have many responsibilities and are an integral part of the smooth day-to-day operations of Missouri's political subdivisions. That's why we created this booklet: to make it easier to understand and comply with a political subdivision's MEC requirements.

I encourage you to read through this booklet and learn more about important topics, including:

- Submitting a subdivision's annual operating budget information;
- Adopting a conflict of interest ordinance;
- Preparing for candidate filing;
- Completing the *Notice to Candidate Form*;
- Submitting a subdivision's annual PFD filers list and candidate PFD filers list;
- And more.

The Commission enforces the laws and retains information and reports related to personal financial disclosure, conflict of interest, campaign finance, and lobbying laws. To learn more about the Commission, its advisory opinions, and additional resources offered by the MEC, see pages 23-25.

Please don't hesitate to reach out to our team of experts if you have any further questions or concerns.

- pfdonline@mec.mo.gov
- 573-751-2065

Sincerely,

MEC Team

Political Subdivision Basics

1

Terms to Know

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.

Personal Financial Disclosure

(§§ 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 discloses 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).

In this section:

- Terms to know
- Checklist for local election authorities
- Year at a glance calendar for political subdivisions
- Introduction to the political subdivision e-filing system
- Submitting your annual operating budget information
- Conflict of interest ordinances

- Checklist for Local Election Authorities -

Political subdivisions can determine which tasks they need to complete with the MEC by determining whether their annual operating budget (AOB) exceeds \$1 million and whether the subdivision has adopted a conflict of interest ordinance, policy, or resolution identifying positions and candidates that must file a PFD. Use the checklists below to stay on track of your duties and responsibilities with the MEC throughout the year.

All political subdivisions must:

- ☐ Submit their annual operating budget (AOB) information to the MEC (see page 7).
- ☐ Complete the *Notice to Candidate Form* with each candidate, informing them whether they must file a PFD (see page 12).

Political subdivisions with an AOB over \$1 million must:

- ☐ Provide each candidate with a PFD form (if candidate must file) and other MEC resources (see page 13).
- ☐ Submit their list of which candidates, if any, must file a PFD within 48 hours of the close of filing for candidacy (see page 14).
- ☐ Submit their list of annual PFD filers to the MEC (see page 19).
- ☐ Notify annual PFD filers of their filing requirement (see page 20).
- ☐ Track their PFD filers' status to ensure timely filing (see page 15).

Subdivisions with a conflict of interest ordinance, policy, or resolution must:

- ☐ Determine whether their subdivision must re-adopt its ordinance by September 15 (see page 8).
- ☐ Consult their ordinance to determine which positions and candidates must file a PFD (see page 10).
- ☐ Enforce penalties for late or non-filing of a PFD in accordance with the subdivision's ordinance (see pages 12 and 21).

Need help?

The MEC offers webinars to assist political subdivisions and local election authorities throughout the year. To register for a webinar, go to mec.mo.gov/Training and select the "Training Schedule" link.

- Year at a Glance Calendar -

Timeline of Annual Duties:

- **Mid-July:** Deadline to submit a political subdivision's AOB information to the MEC (see page 7)
- **September 15:** Deadline for political subdivisions with an AOB over \$1 millions to adopt (or re-adopt) a conflict of interest ordinance. Subdivisions do not need to adopt a conflict of interest ordinance, but those that do must re-adopt every other year by September 15. Send a certified copy of the ordinance to the MEC within 10 days of (re-)adoption (see page 8).
- **Late October/early November:** The MEC sends election packets to subdivisions. Review your subdivision's packet to ensure you have sufficient materials. Review your subdivision's ordinance (if applicable) to determine which candidates, if any, must file a PFD (see pages 10 and 11).
- **Mid-December:** Deadline to submit a subdivision's annual filers list (see page 19).
- **May 1:** Deadline for annual filers to complete their PFD. Penalties apply for annual filers who fail to submit their PFD by the May 1 deadline (see page 21).

Candidate Filing Timeline:

- **Before candidate filing:** Know whether your subdivision's AOB exceeds \$1 million and whether your subdivision has a conflict of interest ordinance in effect. This will determine which candidates must file a PFD. Prepare to distribute election packet materials to candidates.
- **During candidate filing:** Complete a *Notice to Candidate Form* with every candidate. Give a copy to the candidate and keep the original. Provide each candidate with a copy of the most recent *MEC Guide to Ethics Laws* and other MEC materials (see pages 12 and 13).
- **After candidate filing:**
 - The deadline to submit a subdivision's candidate PFD filers list for an election is 48 hours after the close of candidate filing (see page 14).
 - Track your candidate PFD filers to ensure timely filing. Remind filers of their PFD requirement if necessary (see page 15).
 - Candidate PFDs are due 14 days after the close of candidate filing. In subdivisions without an ordinance, late fees apply. If a PFD is not filed within 21 days of the close of candidate filing, candidates in subdivisions without an ordinance face disqualification and removal from the ballot (see pages 8 and 12).

- The Electronic Filing System -

Political subdivisions can use the MEC's Political Subdivision Electronic Filing System to complete the following tasks:

- Indicate whether the subdivision's annual operating budget (AOB) exceeds \$1 million;
- See whether the subdivision has a conflict of interest ordinance on file with the MEC and the ordinance's expiration date;
- Submit the subdivision's annual PFD filers list;
- Submit the subdivision's candidate PFD filers list;
- Verify whether the MEC has received a PFD from a required filer in the subdivision; and
- Update the subdivision's contact information, if necessary.

The electronic filing system allows you to see a list of completed tasks, which tasks need attention, and gives you the ability to edit previously submitted information.

All political subdivisions are eligible for electronic filing and receive their ID and password through paper correspondence from the MEC. Your subdivision's ID will begin with the letter "S" followed by six numbers.

Forgot your subdivision ID or password?

If you cannot locate your political subdivision's ID or case-sensitive password, please contact our office via email at pfdonline@mec.mo.gov or by phone at 800-392-8660.

- Annual Operating Budget (AOB) -

Each year, every political subdivision must inform the MEC whether their annual operating budget (AOB) is over \$1 million, or \$1 million and under. The subdivision does not disclose its exact AOB, only whether it exceeds the \$1 million threshold. This information will help determine whether any candidates, public officials, or public employees within the political subdivision must file a PFD.

Determining a political subdivision's AOB:

(Attorney General Opinion 174-90, pg. 22; MEC Advisory Opinion 1993.09.104)

The Attorney General has interpreted the term "annual operating budget" to include any revenues and expenditures involved in the actual day-to-day work of the political subdivision. This includes all general funds and special purpose funds. Do not include debt service when calculating your political subdivision's AOB.

Submitting a political subdivision's AOB information:

Once you have determined whether your subdivision's AOB exceeds \$1 million, inform the MEC by mid-July each year. You can submit this information in three steps:

1. Log in to the Political Subdivision Electronic Filing System using the subdivision's ID and password.
2. Under the "Information to be Filed by Political Subdivision" header, click "Go" next to "Annual Operating Budget (AOB)."
3. Select whether the subdivision's AOB is \$1 million or under or over \$1 million and click "submit." For your reference, the system displays the AOB information submitted for the prior budget year.

Political subdivisions with an AOB of \$1 million or less:

(§ 105.483, RSMo)

If your political subdivision's AOB does not exceed \$1 million, you will not have any required PFD filers.

However, if your political subdivision's AOB exceeds \$1 million, candidates, public officials, and public employees may need to file. See page 10 to learn which candidates must file a PFD. See page 18 to learn which public officials and employees must annually file a PFD.

- Conflict of Interest Ordinances -

What is a conflict of interest ordinance?

Political subdivisions with an AOB over \$1 million have the option to adopt an ordinance/policy/resolution that would establish its own method of disclosing potential financial conflicts of interest. Subdivisions that adopt a conflict of interest ordinance have some discretion over who must file and the penalties for late or non-filers.

Adopting and re-adopting a conflict of interest ordinance:

(§ 105.485.4, RSMo)

For a conflict of interest ordinance to take effect, the political subdivision's governing body must adopt the ordinance at an open meeting by September 15. The political subdivision must certify a copy of the ordinance and file via mail, fax, or hand-delivery with the MEC within 10 days of its adoption.

The subdivision must re-adopt the ordinance every other year at an open meeting by September 15. If a subdivision fails to timely re-adopt its ordinance, all candidates and certain public officials and employees outlined in state law must file a *Personal Financial Interest Statement* or face penalties assessed by the MEC. See pages 10 and 18 to learn about required filers, and pages 15 and 21 to learn about penalties.

What must a conflict of interest ordinance include?

(§ 105.485.4, RSMo)

§ 105.485.4, RSMo, outlines the minimum requirements a conflict of interest ordinance must include. Political subdivisions should consult with their attorney to ensure that their conflict of interest ordinance meets any minimum requirements. The MEC offers a sample ordinance meeting all minimum requirements on its website, mec.mo.gov.

Conflict of interest ordinance enforcement:

Importantly, the minimum requirements for a conflict of interest ordinance outlined in statute do not include penalties. When preparing an ordinance, consider whether the political subdivision wants penalties to apply to late or non-filers and establish such penalties in the ordinance. Upon adopting a conflict of interest ordinance, the political subdivision becomes responsible for enforcement. The MEC cannot penalize late filers or non-filers in a subdivision with an ordinance.

Candidate Filers

2

Chapter Overview:

(§§ 105.483 & 105.493.2, RSMo)

§ 105.483, RSMo, states that candidates for public office must file a *Financial Interest Statement*, also known as a Personal Financial Disclosure (PFD), which discloses possible financial conflicts of interest. If a candidate fails to file their PFD within 21 days of the closing date for candidate filing, they face disqualification and removal from the ballot.

However, § 105.485.4, RSMo, states that political subdivisions with an annual operating budget (AOB) over \$1 million have the option to adopt an ordinance that would establish its own method of disclosing financial conflicts of interest. Subdivisions that adopt such an ordinance have some discretion over who must file and the penalties assessed for late or non-filers.

Because many candidates risk disqualification and other penalties if they do not file their PFD on time, political subdivisions must understand and comply with MEC requirements. This chapter will outline and explain those requirements

In this section:

- Determining required candidate PFD filers
- MEC Election Packets
- Completing the *Notice to Candidate Form*
- Submitting your candidate PFD filers list
- Tracking candidate PFD filers
- Penalties for candidate filers

- Determining Candidate Filers -

Which candidates must file a PFD?

All candidates in political subdivisions with an AOB over \$1 million must file a PFD, unless the subdivision has a conflict of interest ordinance.

If the political subdivision has a conflict of interest ordinance, consult the ordinance to determine which candidates must file a PFD. Such candidates must file their PFD with the MEC and send a copy to the subdivision. At a minimum, candidates must file a PFD if they meet one or both of the following conditions:

- The candidate or their relative within the first degree of blood or marriage does business or owns a substantial interest in a business that has conducted business with the political subdivision over \$500.
- The conflict of interest ordinance specifically requires a candidate for this position to file a PFD.

“Personal Financial Interest Statement” vs. “Financial Disclosure Statement for Political Subdivisions”

The MEC sends election packets to political subdivisions each year. These election packets include paper copies of the PFD form that required filers in each subdivision must complete. Depending on the political subdivision, required filers will submit either a *Personal Financial Interest Statement* or a *Financial Disclosure Statement for Political Subdivisions*.

1. The Personal Financial Interest Statement: Requires filers to disclose more information than the *Financial Disclosure Statement for Political Subdivisions*. Candidates in political subdivisions that do not have a conflict of interest ordinance on file with the MEC will file this form.
2. The Financial Disclosure Statement for Political Subdivisions: Filed by those in subdivisions that have opted out of the more detailed financial disclosure requirements by adopting a conflict of interest ordinance.

Candidates who choose to electronically file their PFD will automatically be prompted to complete the version of the PFD form that applies to them.

Remember: candidates in political subdivisions with an AOB of \$1 million or less will not file a *Personal Financial Interest Statement* or a *Financial Disclosure Statement for Political Subdivisions*.

- Election Packets -

Each year, the MEC sends a packet of materials to political subdivisions in Missouri in preparation for candidate filing. The resources in this packet assist both the local election authority and candidates. Take time to review the contents of the subdivision's packet and distribute MEC resources to candidates. The contents of a subdivision's election packet will depend on its AOB.

ALL election packets contain:

- **A letter to the election authority:** This letter outlines any requirements local election authorities have during candidate filing, based on your AOB. It also contains detailed instructions for completing the *Notice to Candidate Form*.
- **Notice to Candidate Forms:** You must complete this form with each candidate. This form informs candidates whether they are (or are not) required to file a PFD. If a candidate must file a PFD, this form is the only notification they receive of their filing requirement.
- **Copies of the MEC's Guide to Ethics Law:** You must give each candidate a copy of the most recent version of the *MEC's Ethics Guide*.
- **Campaign finance publications:** Assist candidates with topics such as when and how to form and register a candidate committee with the MEC and how to disclose who paid for campaign materials.
- **Candidate Training Flyers:** This flyer lists webinar dates and registration information for candidates to learn more about any requirements they may have with the MEC. Give each candidate a flyer.

Political subdivisions with an AOB over \$1 million will also receive:

- **PFD forms with instructions for electronic filing:** Required candidate PFD filers may choose to submit their PFD using the paper form provided to them by their political subdivision or file electronically. The MEC assists candidates with questions about how to file their PFD. Give each required candidate PFD filer a paper form.
- **A PFD filing calendar:** This calendar lists PFD filing deadlines and penalties for the upcoming year. Reference this document when completing the *Notice to Candidate Form* with any required candidate PFD filers.

If you have questions about the materials in the subdivision's packet or you anticipate that you may need a larger quantity of materials, contact the MEC.

- Notice to Candidate Form -

What is the Notice to Candidate Form?

(§ 105.487(1), RSMo)

By law, the *Notice to Candidate Form* must be completed by the local election authority with every candidate. This form informs a candidate whether they must file a PFD. The *Notice to Candidate Form* is the only notification a candidate will receive regarding their filing requirement. You must complete this form with all candidates, regardless of whether the individual must file a PFD.

How to complete the Notice to Candidate Form

Before you begin, confirm your subdivision's annual operating budget (AOB) (see page 7) and know whether your subdivision has a conflict of interest ordinance in effect (see page 8).

Part 1: Enter all required information about the candidate, including their name, office sought, political subdivision and election date.

Part 2: Does the candidate need to file a PFD? Beneath each option is a list of reasons why a candidate may or may not need to file a PFD.

- If the candidate **must** file, select box 1 and proceed to part 3.
- If the candidate **does not** need to file, select box 2 and proceed to part 4.

Part 3: Enter the PFD deadlines. You can find the 14-day and 21-day deadlines using the PFD calendar included in the subdivision's election packet. Remind candidates of any penalties for late or non-filing:

- If the subdivision does not have an ordinance and the candidate does not file within 14 days of the close of candidate filing, they face \$10 per day late fees. If the candidate does not file within 21 days of the close of candidate filing, the candidate faces disqualification and removal from the ballot.
- If the political subdivision has a conflict of interest ordinance, the subdivision will determine and assess penalties in accordance with its ordinance.

Part 4: The candidate must initial, sign, and date the *Notice to Candidate Form* in the presence of the election official who must also sign as a witness.

Once the *Notice to Candidate Form* is completed and signed, provide a copy to the candidate and keep the original in your election files. Do not return a copy to the MEC. It is prudent to stress the importance of filing in a timely manner, particularly to candidates who may face disqualification as a consequence of failing to file by the 21-day deadline.

- Candidate Filing Reminders -

MEC resources for candidates:

In addition to the *Notice to Candidate Form*, political subdivisions receive MEC materials in their election packets to distribute to candidates, including:

- Up-to-date copies of the *MEC Guide to Ethics Law*.
- Paper PFD forms with instructions for electronic filing (in subdivisions with an AOB over \$1 million). Give each required candidate PFD filer a paper PFD form.
- Campaign finance publications that assist candidates with topics such as when and how to form and register a candidate committee with the MEC and how to disclose who paid for campaign materials.
- Training flyers. These flyers include dates and registration information for the MEC's new candidate webinars.

MEC Tip: Group these resources together prior to candidate filing, to ensure each candidate receives the information they need to stay in compliance with the MEC during their campaign.

Keep track of required candidate PFD filers:

Within 48 hours of the close of candidate filing, political subdivisions must submit a list of any required candidate PFD filers with the MEC. Because this list must be filed promptly, keep a running list with the required information for each candidate PFD filer:

- The position the candidate is running for;
- Whether the candidate currently serves in a position that would require them to file a PFD annually;
- The candidate's name;
- The candidate's address;
- And, if available, the candidate's email address.

Collecting this information in advance makes it quick and easy to submit your list of required candidate PFD filers. To learn how to electronically file a subdivision's candidate filers list, see page 14.

- Submitting the Candidate Filers List-

Within 48 hours of the close of candidate filing, political subdivisions with an AOB over \$1 million must submit a candidate filers list, informing the MEC whether any candidates in their political subdivision must file a PFD. If the subdivision has candidates that must file, the subdivision must submit information for each required candidate PFD filer.

If a political subdivision does not submit their candidate filers list, the MEC will not know which candidates must file a PFD. Failure to submit a subdivision's PFD filers list does not prevent a required candidate PFD filer from receiving penalties, including removal from the ballot.

How to submit the candidate filers list:

1. Within 48 hours of the close of candidate filing, log into the MEC's political subdivision electronic filing system.
2. Under "Information to be Filed by Political Subdivision" select the "go" button next to "Candidate List."
3. Select the election date from the drop-down menu (if you don't see your election date listed, contact the MEC).
4. The system will ask if the political subdivision has any candidates that must file a PFD.
 - Consult the *Notice to Candidate Forms* you completed with each candidate during candidate filing to determine whether your subdivision has required candidate PFD filers.
 - If you don't have any required filers to add, click "no," then "submit candidate list" to complete this requirement.
 - To add candidates to your list, click "yes."
5. Click "add candidate" and enter information about the candidate into each required field. Click "submit" after each filer. The candidate will appear in a list at the bottom of your screen.
6. Repeat step 5 for each required candidate PFD filer.
7. Once each filer has been entered, click the "submit candidate list" button to complete your subdivision's filing.

Important Reminder:

Political subdivisions with an AOB over \$1 million must submit their candidate filers list to the MEC within 48 hours of the closing of candidate filing.

- After Candidate Filing-

Tracking candidate filers:

If a political subdivision has a conflict of interest ordinance on file with the MEC, any required candidate PFD filers must file their PFD with the MEC and send a copy to the subdivision. However, candidates in subdivisions without a conflict of interest ordinance will only file their PFD with the MEC. Any subdivision can check and see if the MEC has received a PFD from a candidate listed on the subdivision's candidate filers list.

1. Log into the MEC's political subdivision electronic filing system.
2. Under "Information to be Filed by Political Subdivisions," click "go" next to "filer status."
3. Click the "candidates" tab.
4. The system will display your candidate filers list. On the right side of the screen under "PFD Filed," the system will display "yes" if the candidate has filed their PFD and "no" if the candidate has not yet filed their PFD.

MEC Tip: Remember, the only notification a candidate receives about their PFD filing requirement is the *Notice to Candidate Form*. Consider contacting candidates and reminding them to file their PFD before the deadline to avoid penalties, such as late fees and removal from the ballot.

Penalties for candidate filers:

(§§ 105.487, 105.492.2, RSMo)

The penalties a candidate faces for failing to timely file a PFD may differ depending on whether the political subdivision has a conflict of interest ordinance in effect.

Candidates in subdivisions without a conflict of interest ordinance:

- Failure to file within 14 days of the closing date of candidate filing results in \$10 per day late fees.
- Failure to file within 21 days of the closing date of candidate filing results in candidate disqualification and removal from the ballot.

Candidates in subdivisions with a conflict of interest ordinance:

- The subdivision must consult its ordinance to determine what penalties (if any) apply to candidates for late or non-filing of a PFD. The MEC cannot enforce penalties for candidates in subdivisions with an ordinance.

- Candidate Filing: 3 Key Takeaways -

Takeaway #1: Take steps to prepare for candidate filing.

Before candidate filing begins, make sure you complete the following tasks:

- ☐ Determine your political subdivision's annual operating budget (AOB) and tell the MEC whether it exceeds \$1 million.
- ☐ If the subdivision's AOB exceeds \$1 million, determine whether it has a conflict of interest ordinance in effect. If the ordinance will reach its two-year expiration date, consider re-adopting by September 15.
- ☐ Use the above information to determine which candidates are required PFD filers.
- ☐ Carefully review the subdivision's election packets. Ensure you have sufficient copies of items to distribute to candidates and that you understand how to complete the *Notice to Candidate Form*.

Takeaway #2: Complete a *Notice to Candidate Form* with every candidate, even if they don't need to file a PFD.

The local election authority must complete a *Notice to Candidate Form* with each candidate. This notice informs candidates whether or not they must file a PFD. If a candidate is required to file a PFD, this is the only notification they receive. Read the form carefully to understand how to complete it correctly. Give a copy of the completed *Notice to Candidate Form* to the candidate, and keep the original in your election files.

Takeaway #3: Complete the subdivision's candidate filers list within 48 hours of the close of candidate filing.

If the MEC does not receive a candidate filers list from a political subdivision, it does not know which candidates, if any, must file a PFD. Because a candidate's PFD is due only 14 days after the close of candidate filing. It is important for subdivisions to complete their candidate filers list in a timely fashion. To streamline this process, the MEC recommends keeping a running list of required candidate PFD filers and their information in your election files. To learn more about how to complete and submit a subdivision's candidate filers list, register to attend the MEC's Candidate Filers List Webinar at mec.mo.gov/Training.

Annual PFD Filers

3

Chapter Overview

(§§ 105.483, 105.485, RSMo)

An annual filer is an official or employee of the state or a political subdivision with an AOB over \$1 million that must 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 they hold the position. If the annual filer is also a candidate, they must submit their PFD by the earliest filing deadline, whether annual or candidate. Former public officials and employees designated as PFD filers must file a PFD for the position they held for a portion of the previous calendar year.

§ 105.483, RSMo, outlines specific positions that must annually file a PFD. However, § 105.485, RSMo, states that political subdivisions with an AOB over \$1 million have the option to adopt an ordinance that would establish its own method of disclosing potential financial conflicts of interest. Subdivisions that adopt an ordinance have some discretion over who must file and the penalties assessed for late or non-filers.

In this section:

- Who must file an annual PFD?
- Completing a subdivision's annual filers list
- Annual filer notification
- Deadlines and penalties for annual filers
- Newly appointed or employed filers

- Who must file an annual PFD? -

Annual filers will differ depending on a political subdivision's AOB and whether the subdivision has a conflict of interest ordinance on file with the MEC:

Political subdivisions with an AOB of \$1 million or less:

- No employees or officials must file an annual PFD.

Political subdivisions with an AOB over \$1 million that do not have a conflict of interest ordinance on file with the MEC:

- Each elected official;
- 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; and
- Any person designated as a decision-making public servant by the political subdivision's governing body (see § 105.450(6), RSMo, for the definition of "decision-making public servant").

Political subdivisions with an AOB over \$1 million that have a conflict of interest ordinance on file with the MEC:

- Chief administrative officer;
- Chief purchasing officer;
- Any public official who has (or whose relative within the first degree of blood or marriage has) conducted business with the political subdivision in excess of \$500 per transaction; and
- Any public official specifically required by the subdivision's conflict of interest ordinance.

To learn about how to determine and submit your annual operating budget information, see page 7. To learn about conflict of interest ordinances, see page 8.

- Submitting the Annual Filers List -

Each December, political subdivisions with an AOB over \$1 million must provide the MEC with a list of the coming year's annual PFD filers.

Log into the political subdivision electronic filing system. Under "Information to be Filed by Political Subdivision," click "go" next to "Personal Financial Disclosure (PFD) Annual Filers." You will see three links:

Process candidate filers: Disclose if any candidates from a prior election cycle now hold a position that requires them to annually file a PFD.

- The system prompts you to select either "required," if the former candidate now serves in or was elected to an annual filer position, or "not required," if the former candidate is not serving in or elected to an annual filer position.
- Incumbent candidates will have two positions listed—the annual filer position they held and the position for which they ran. First, process their annual filer position by selecting whether they are "serving" or "not serving" in an annual filer position.
 - If you select "serving," the system will automatically respond "not required" to the candidate prompt and move the filer to the subdivision's annual filers list.
 - If you select "not serving," the system will prompt you to enter the individual's last day of service in the position. Select "not required" for the candidate prompt. Former incumbent candidates that no longer hold their position must still file a PFD that discloses their financial interests from January 1, through the last day they held the position.

Process Annual Filers: Here, you will disclose which of the current year's annual filers must file again in the coming year. For each filer, answer whether the individual still serves in a position that must file a PFD or if the individual no longer holds the position.

- Selecting "serving" keeps the filer on your annual filers list.
- If you select "not serving," enter the individual's last day of service. This individual will file a PFD disclosing their financial interests from January 1 through the last day they held the position. Next year, the filer will automatically be removed from the subdivision's annual filers list.

New Filers: This section allows you to add any individuals that served or serve in the current year that have not served in prior years.

- If the new filer was elected to their position this year, you will not add the individual here. You added these filers in "Process Candidate Filers."
- Click "add filer" and check "new filer." Enter the filer's information.

Click "confirmation and submit" to officially file annual filers list with the MEC.

- Annual PFD Filers Notification -

Who notifies annual filers of their PFD filing requirement?

(§ 105.958, RSMo)

Annual filers are either defined by statute to file or designated by a political subdivision. This includes former public officials and employees.

State law requires political subdivisions to notify individuals that have been designated as required to file a PFD. If the political subdivision fails to notify a person that their name has been submitted to the MEC as a designated filer, the subdivision is responsible for any late fees incurred by the filer and assessed by the MEC.

In January of each year, the MEC also notifies all annual filers of their PFD filing requirement. To notify annual filers, the MEC relies on contact information provided by political subdivisions in their annual filers list. Therefore, political subdivisions should ensure the most up-to-date contact information for each filer is provided when completing the annual filers list. This is particularly important for former officials/employees, who may prove difficult to contact following their departure from the position.

What if an annual filer is also a candidate?

Required filers must only submit one PFD per calendar year. If an individual must file a PFD due to both their status as an annual PFD filer and candidate PFD filer, the individual must file by the earlier deadline to avoid penalties.

Remember:

- Each January, the MEC notifies annual filers using contact information submitted by political subdivisions in their annual filers list. Political subdivisions must also notify annual filers of their filing requirement.
 - **MEC Tip:** Provide a personal email address for any former officials/employees on your subdivision's annual filers list. This makes it easier for the subdivision and the MEC to contact these individuals regarding their PFD filing requirement.
- The election authority notifies candidate PFD filers of their filing requirement when they complete the *Notice to Candidate Form* with the candidate.

- Annual Filer Deadlines and Penalties -

Deadlines for annual PFD filers:

(§ 105.958, RSMo)

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

If the due date for filing a PFD falls on a Saturday, Sunday, or an official state holiday, the due date is extended to the next business day.

Reporting time period:

Annual filers must disclose their financial interests from January 1 through December 31 of the year prior to the due date.

If an individual no longer holds the position that required them to file a PFD, they must file a PFD disclosing their financial interests from January 1 through the last day they held the position. Remember, providing up-to-date contact information for former officials/employees to the MEC ensures that these individuals receive an annual PFD filing reminder.

Penalties for annual filers:

(§§ 105.492 and 105.963.3, RSMo)

Penalties for annual filers differ depending on whether their political subdivision has a conflict of interest ordinance on file with the MEC:

- Penalties in subdivisions without an ordinance:
 - \$10 per day late fees;
 - Compensation withheld until PFD is filed; and
 - Failure to file the PFD within 30 days of receiving notice from the MEC results in the individual being subject to suspension from office.
- If a political subdivision has a conflict of interest ordinance on file with the MEC, the subdivision determines and assesses penalties in accordance with its ordinance.

- Newly Appointed or Employed Filers -

If an individual is appointed or hired to a position that must file a PFD, the individual must complete and file their PFD within 30 days of their appointment/employment date (or the earliest applicable deadline).

Political subdivisions must notify the MEC of the new filer as soon as possible. To notify the MEC, send an email to pfdonline@mec.mo.gov with the following information:

- The name of the political subdivision;
- The individual's name;
- The individual's address;
- The individual's position and the date appointed/employed; and
- An acknowledgement that the individual is a newly appointed/employed filer.

The individual has 30 days from the date of appointment/employment (not the date the subdivision notified the MEC) to file their PFD. Failure to file by this 30-day deadline will result in penalties:

- \$10 per day late fee;
- Withholding compensation until PFD is filed; and
- Failure to file within 30 days of receiving notice from the MEC results in suspension and removal from office.

If a political subdivision has a conflict of interest ordinance on file with the MEC, the subdivision determines and assesses any penalties in accordance with its ordinance.

Examples for newly appointed/employed filers:

- Martin is employed as full-time general counsel for his city on July 1. He must file his PFD by July 31.
- School board member Sarah is appointed as superintendent on April 15. Typically, Sarah would file 30 days from her appointment date, which is May 15. However, because she is an annual filer, she must file by the earlier, annual filer deadline, May 1. Filers with multiple possible deadlines must complete their PFD requirement by the earliest applicable deadline.

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

In this section:

- Advisory Opinions
- Additional Resources

-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 Commission may issue a written opinion regarding any issue that the Commission can receive a complaint on pursuant to § 105.957, RSMo.

Advisory opinions specifically apply to the requestor 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 mec.mo.gov.
2. Select the "Advisory Opinions" link in the "Searches" box at the bottom of the homepage.
3. Search opinions by number or phrase. Searches can be further refined to only include opinions on certain topics or referencing specific statutes or the Missouri Constitution.

Advisory Opinions for Local Election Authorities

MEC advisory opinions that local election authorities and political subdivisions may find helpful include (but are not limited to):

- [1995.12.157](#)—Explains that it is the responsibility of the election authority to notify a candidate of their requirement to file a PFD.
- [1996.01.PF.102](#)—Explains that candidates in political subdivisions with an annual operating budget of \$1 million or less do not need to file a PFD.
- [1997.11.109](#)—Explains that while the MEC must contact local election authorities in the event of a candidate's disqualification for failing to timely file a PFD, the election authority has a statutory obligation to remove the candidate from the ballot.

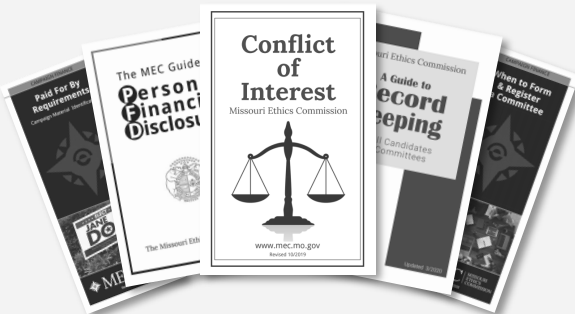
-Additional Resources-

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
- YouTube tutorial videos
- FAQs
- Publications and brochures



Follow us on
Twitter



@MOEthics

Subscribe to the MEC's
quarterly newsletter



Send your name & email to
news@mec.mo.gov

Subscribe to our
YouTube channel



Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION

Contact Information

Physical Address: 3411 A Knipp Drive
Jefferson City, MO 65109

Mailing Address: PO Box 1370
Jefferson City, MO 65102

Phone Numbers: Campaign Finance: 573-751-2013
Financial Disclosure: 573-751-2065
Lobbying: 573-751-2027
Toll Free: 800-392-8660

Website: mec.mo.gov

Email: helpdesk@mec.mo.gov



Subscribe to our
YouTube channel



Missouri Ethics
Commission

Subscribe to the MEC's
quarterly newsletter



Send your name & email to
news@mec.mo.gov

Follow us on X



@MOEthics