

The MEC Guide to

# **P**ersonal **F**inancial **D**isclosure



The Missouri Ethics Commission



# Personal Financial Disclosure

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

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

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

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# About Personal Financial Disclosure

## What is Personal Financial Disclosure?

The purpose of filing a Personal Financial Disclosure (PFD) statement is to provide to the public information about a public official's, employee's or candidate's financial interests. Historically PFDs have been used to disclose any potential conflicts of interest by a public official or employee. Also known as Financial Interest Statement.

## What statutes govern PFD requirements?

Section 105.483 through 105.492, RSMo.

## What is a Political Subdivision?

(§105.450 RSMo)

A political subdivision is a district, sub district or special district of the state with taxing authority.

Examples include: a county, city, town, village, township, school district, library district, public water supply district, road district, fire protection district, ambulance district, hospital district, health center, nursing home district, and other districts formed (pursuant to Mo. Law) to provide limited, specific services.

## Who must file?

(§105.483 RSMo)

Public officials and candidates for the following positions are required to file personal financial disclosure statements (including former officials/employees who served in the previous calendar year):

- Statewide office and designated staff
- Senators and Representatives
- New judicial candidates
- Incumbent Judges (except Municipal)
- Municipal Judges (if required by political subdivision)
- Certain state boards and commission members



# About Personal Financial Disclosure

## Who must file? (continued)

(§105.483 RSMo)

- Certain employees of the state or political subdivisions of the state including those employees who are authorized to serve as the chief administrative officer, chief purchasing officer, general counsel (if employed full-time), or to promulgate or adopt rules and regulations
- Candidates and public officials in political subdivisions, where an ordinance has been adopted and filed with the Missouri Ethics Commission (MEC), that meet one or both of the following exceptions:
  - The candidate, official, or their relative (related within the first degree of blood or marriage) is doing business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500/transaction, or
  - The conflict of interest ordinance/resolution specifically requires the filing of a Personal Financial Disclosure statement.

## Where to file?

- Annual filers (except sitting judges) file with MEC. If a political subdivision has an ordinance on file, filer must also provide a copy to the governing body of the political subdivision.
- All judges file with Supreme Court.
- Municipal judges (if required by subdivision) - file with MEC



# About Personal Financial Disclosure

## What information must I include?

(§105.485 RSMo)

- Include information for filer, filer’s spouse and any dependent child(ren)
- If spouse is also a required filer, must disclose spouse’s name only
- Do not include account numbers

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

## How do I file my PFD and what are the deadlines for filing?

File electronically:

- Log-in to Personal Financial (PFD) E-filing system
- Must be received by 5:00 pm **on** due date

Submit by mail to:

- Missouri Ethics Commission, PO Box 1370, Jefferson City MO 65102
- Must be post-marked no later than midnight the day before the due date

Deliver in person to:

- Missouri Ethics Commission, 3411 A Knipp Dr., Jefferson City MO
- Must be received by 5:00 p.m. **on** the due date

**Fax filings ARE NOT accepted,  
paper forms require original signature.**

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

# About Personal Financial Disclosure

## What form should I use?

*Personal Financial Disclosure Statement* (long form) - generally filed unless specifically stated otherwise by political subdivision's ordinance.

*Financial Disclosure Statement for Political Subdivision* (short form) - filed by individuals designated by political subdivision with an adopted ordinance or resolution.

## What are the penalties for late filing?

(§105.492 RSMo)

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

## Can I amend a report?

(§105.485 RSMo)

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

## Are PFD statements public records?

Yes, the MEC provides copies of PFD statements upon written request. A copying fee is charged.

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

(§105.487 RSMo)

File only one PFD for that calendar year and include all positions held. Must file by the earliest deadline applicable and file the longest form required.

See our FAQs on our website at [www.mec.mo.gov](http://www.mec.mo.gov)



# All Required Filers

## Annual filers

(§105.487 RSMo)

Individuals holding certain positions, designated by political subdivisions with an annual operating budget (AOB) over \$1 million, are required to file a PFD statement beginning in January and no later than May 1st for each year they hold the position. These individuals, known as annual filers, should check with their political subdivision for their filing requirements.

The political subdivision may adopt a conflict of interest ordinance or resolution identifying positions required to file. The ordinance must be filed with the MEC and is required to be re-adopted every 2 years.

List of required annual filers:

- Each year, all designating agencies and/or political subdivisions with an AOB over \$1 million (with or without an ordinance or resolution) are required by law to provide the MEC with a list of all individuals required to file a PFD.
- An individual should contact his agency or political subdivision with questions about being designated by an agency.

Annual filer notification:

- MEC annually notifies, in January of the year the statement is due, individuals (including former officials/employees) who have been designated as required to file by their agency or political subdivision.
- State law requires the agency, designating the individual as required to file, to notify the individual, including former officials/employees.

Reporting time period (§105.487(3) RSMo)

- Include entire previous calendar year (January 1 to December 31); **unless**
- If not in the position for the entire calendar year, report from January 1 through the last day the position was held.

# All Required Filers

## Newly Appointed or Employed

(§105.487 RSMo)

### New Appointment

Must file a PFD if the position specifically requires it:

- Within 30 days from appointment date
- With the MEC
- Report for calendar year before the date of appointment (ex: if appointed in 2013, report for calendar year 2012).

### New Employee

Must file a PFD if the position specifically requires it:

- Within 30 days from hire date
- With the MEC
- Report for calendar year before the date of employment (ex: if newly hired in 2018, report for calendar year 2017).



# **All Required Filers**

## **Candidates for elective office**

(§105.487 & 105.489 RSMo)

Must file PFD with MEC & give copy to political subdivision if it has an ordinance:

- Due no later than 14 days after the closing date for filing for candidacy
- If become a candidate after the certification date, must file PFD within 14 days of nomination
- Includes candidates for political subdivision with an AOB over \$1 million dollars (unless the political subdivision has adopted an ordinance or resolution which excludes the candidate from filing a PFD)

## **Candidates for judicial office**

(§105.489(2) RSMo)

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

## **Candidate notification**

(§105.487(1) RSMo)

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

## **Candidate reporting time period**

(§105.487(1) RSMo)

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

# Candidate Required Filers

## Candidate Filing

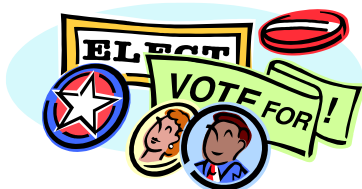
(§105.487 RSMo)

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

- Reporting Dates—for exact due dates view the **Personal Financial Disclosure Reporting Dates** calendar available on our website
- The calendar states **by election date**, the:
  - Closing date for filing for candidacy
  - 14-day PFD filing deadline
  - 21-day PFD filing deadline
- Penalties
  - Failure to file by the **14 day** deadline results in a minimum \$10 per day late fee
  - Failure to file by the **21 day** deadline results in late fees, candidate disqualification, and removal from ballot (both the candidate and the official with whom the candidate filed are notified.)

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

A candidate required to file a PFD because of their candidacy in a primary election is required to **amend** their PFD by the close of business on the Monday before the general election if they obtain any additional financial interests or have any change in their existing financial interests since the filing of their last PFD. (§105.487(1) RSMo.)



See our FAQs on our website at [www.mec.mo.gov](http://www.mec.mo.gov)

# Political Subdivision Requirements

## Political subdivision requirements

Must report to MEC, annually:

- If annual operating budget (AOB) is over \$1 million or is \$1 million or less
- If a conflict of interest ordinance or resolution has been adopted by the subdivision
- List of designated required filers (annual & candidate)

## Required filers within a political subdivision

(§105.485.4 RSMo)

If political subdivision's AOB is over \$1 million:

- Elected officials
- Candidates for elected office
- Chief administrative officer
- Chief purchasing officer
- General counsel (if employed full-time)
- Any official or employee authorized by the political subdivision's governing body to promulgate rules and regulations or vote on the adoption of rules and regulations.

If political subdivision adopts an ordinance or resolution, at a minimum:

- Chief administrative officer
- Chief purchasing officer
- A candidate, public official, or their relative (within the 1st degree by blood or marriage) who has conducted business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500 per transaction

## Ordinance requirements

(§105.485.4 RSMo)

Must be adopted biennially, at an open meeting, by September 15 of the preceding year; and must file a copy, certified by political subdivision, with the MEC, within 10 days of its adoption

# Reporting Questions?

## Time Period Covered

Status	Time Period	Due Date
<b>Annual Filer</b>	January 1 to December 31 (if no longer serving, enter time period served)	May 1st
<b>Newly Appointed or Employed</b>	Calendar year before the date of appointment/employment	Within 30 days of appointment/employment
<b>Incumbent Candidate</b>	January 1 of previous calendar year to closing date for candidacy (may be longer than a 12 month period)	Within 14 days of closing date for candidacy
<b>New Candidate</b>	12 months before the closing date for candidacy	Within 14 days of closing date for candidacy

## Dependent Children Name(s)

List the names of all children, stepchildren, foster children and wards under the age of 18 residing in the person's household and who receive in excess of 50% of their support from the person.

## Spouse's Name

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

## Political Subdivision

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

# Reporting Questions?

## Title

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

## Employment

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

## Stocks, Bonds or Other Holdings

List the following if owned by you, your spouse or dependent child(ren) during the time period covered on the statement. If the entity is a corporation listed on a regulated stock exchange, list the name only.

- A. Name of any closely-held corporation/limited partnership (ownership of 10% or more); or of
- B. Name of any publicly traded corporation/limited partnership listed on a regulated stock exchange or automated quotation system (ownership of 2% or more); or
- C. Name and address of any stock, bond or other equity interest (value of more than \$10,000);

**EXCEPTIONS:** ▶ Interest in any qualified plan or annuity pursuant to Employees Retirement Income Security Act (ERISA). ▶ **Members of state boards or commissions** uncompensated except for actual expenses or a per diem allowance do not have to report interest in publicly traded corporations or limited partnerships listed on a regulated stock exchange or automated quotation system.

## Miscellaneous Income

List the name and address of any source from which you, your spouse, or dependent child(ren) received \$1,000 or more during the time period covered by the statement, not reported elsewhere (ex: rental income, government assistance, inheritance, dividends, etc.).

Cont. 

# Reporting Questions?

## Trust Assets

If you, your spouse or dependent child(ren), is the settlor (creator) of a revocable trust, list any assets in the trust that would have been reported elsewhere on this form, during the time period covered by the statement, if they had not been in the trust.

## Relatives

List spouse, parent(s), child(ren) and child(ren)'s spouse who were employed during the time period covered by this statement, by the State of Missouri, a political subdivision (city, county, school, etc.) or a special district, or who were lobbyists, or who are fee agents of the Department of Revenue.

## Committees

List the name and address of each campaign committee, candidate committee, continuing committee/PAC, or political party committee for which any person or any corporation listed on this statement received payment during the time period covered by the statement.

## Attest, Signatures

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



PFD forms can be downloaded from  
our website at [www.mec.mo.gov](http://www.mec.mo.gov)



# Training/Resources

Visit our website for other training resources, including topic specific tutorials & brochures, FAQs, Deadlines & Reminders & more!

[www.mec.mo.gov](http://www.mec.mo.gov)

View the training page to see the training schedule & to register.

[www.mec.mo.gov/Training](http://www.mec.mo.gov/Training)

## Notes

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# Missouri Ethics Commission

## COMMISSIONERS

### **Don Summers**

Chair

Republican

6th Congressional District

Term expires March 15, 2020

### **Kim Benjamin**

Vice Chair

Democrat

4th Congressional District

Term expires March 15, 2020

### **George Ratermann**

Republican

2nd Congressional District

Term expires March 15, 2020

### **Wayne Henke**

Democrat

3rd Congressional District

Term expires March 15, 2022

### **Sherman W. "Bill" Birkes, Jr**

Republican

7th Congressional District

Term expires March 15, 2022

### **Cheryl D.S. Walker**

Democrat

1st Congressional District.

Term expires March 15, 2022

## CONTACT INFORMATION

### STAFF CONTACTS

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Stacey Heislen	Assistant Director
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