

FIRST REGULAR SESSION

HOUSE BILL NO. 949

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HURST.

1972L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.646, RSMo, and to enact in lieu thereof two new sections relating to the use of public funds for lobbying activities, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 115.646, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 105.1435 and 115.646, to read as follows:

2 **105.1435. 1. No employee of a state agency or department shall engage in any**
3 **activity requiring registration as a legislative lobbyist, as such term is defined in section**
4 **104.470, testify in an official capacity in favor of or against legislation before a committee**
5 **of the general assembly, or remain on the floor of either chamber of the general assembly**
6 **during a session thereof while receiving compensation for time worked including per-diem**
7 **compensation. This section shall not be construed to prohibit any state agency official or**
8 **employee from making public appearances or testifying before a committee of the general**
9 **assembly for informational purposes only. State agency employees may provide their own**
10 **personal opinions on legislation at committee meetings of the general assembly or with**
11 **individual legislators during those hours when they are not being compensated for time**
12 **worked or receiving a per diem. Salaried employees shall not count any time spent**
13 **providing personal opinions on legislation as compensated time without regard to whether**
14 **the time is compensated at an hourly rate or is a salary requirement.**

15 **2. The restrictions on lobbying and the expenditure of public funds for lobbying**
16 **in this section shall not be interpreted to include any of the political activities of elected**
17 **statewide officials, members of the general assembly, members of the judicial branch of**
government, or the staff and employees of such elected officials and judges.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

115.646. **1.** No contribution or expenditure of public funds shall be made directly by any
2 officer, employee or agent of any political subdivision to advocate, support, or oppose any ballot
3 measure, **legislation**, or candidate for public office. This section shall not be construed to
4 prohibit any public official of a political subdivision from making public appearances or from
5 issuing press releases concerning any such ballot measure.

6 **2. No contribution or expenditure of public funds shall be made directly by any**
7 **state agency or any member or employee thereof to advocate, support, or oppose any ballot**
8 **measure or candidate for public office or to employ in any capacity whatsoever, whether**
9 **full-time or part—time or under a contractual agreement, any individual who is required**
10 **to register as a legislative lobbyist as such term is defined in section 105.470. No state**
11 **agency shall compensate or provide anything of value to an individual required to register**
12 **as a legislative lobbyist, as such term is defined in section 105.470, in exchange for such**
13 **individual's lobbying services. A violation of this subsection shall be a class B**
14 **misdemeanor.**

15 **3. The restrictions on lobbying and the expenditure of public funds for lobbying**
16 **in this section shall not be interpreted to include any of the political activities of elected**
17 **statewide officials, members of the general assembly, members of the judicial branch of**
18 **government, or the staff and employees of such elected officials and judges.**

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