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Support SB 152

Summary

Senate Bill 152 (SS SB 152) amends Chapter 130 of the Revised Statutes of Missouri (RSMo) by adding six new sections (130.170 to 130.188) to regulate campaign finance. The bill focuses on preventing foreign influence in Missouri elections, particularly ballot measures. It establishes definitions, restrictions, reporting requirements, and enforcement mechanisms to ensure transparency and compliance. Below is a summary, with key provisions noted, followed by an analysis of its protective impact on the Missouri State Constitution and citizens.

Key Provisions

- **Definitions (130.170):** Defines critical terms like "*foreign national*," "*prohibited sources*," and "*preliminary activity*" to clarify the scope of restrictions. "*Foreign national*" includes individuals, foreign governments, and entities (130.170.3), with exceptions for U.S.-generated funds (130.170.3(e)).
- **Restrictions on Foreign Influence (130.173, 130.179):** Prohibits committees from accepting contributions from foreign nationals or "*prohibited sources*" (130.173.2) and bars foreign nationals from directing or soliciting contributions/expenditures (130.179.1-2). In-kind contributions from foreign nationals are also banned (130.176.5).
- **Reporting and Affirmation Requirements (130.173, 130.176):** Treasurers must certify no preliminary activity used prohibited funds (130.173.1) and affirm compliance in reports (130.173.3). Donors contributing over \$2,000 must affirm they are not foreign nationals or recipients of significant prohibited funds (130.176.1), with expenditure affirmations due within 48 hours (130.176.3).
- **Enforcement and Penalties (130.188):** The Attorney General can issue civil investigative demands (130.188.1(1)) and pursue civil actions (130.188.2). Penalties include refunds (130.188.3), disgorgement of expenditure amounts (130.188.4), lobbyist sanctions (130.188.5), injunctive relief, and statutory damages up to triple the violation amount for willful breaches (130.188.6-7).
- **Donor Privacy (130.185):** Protects lawful donors' identities during investigations, limiting Attorney General data collection (130.185.1) and prohibiting public disclosure unless a violation is confirmed (130.185.2).

Protection of the Missouri State Constitution and Citizens

- **Safeguarding Constitutional Integrity:** The Missouri Constitution (Article VIII) empowers the state to regulate elections and ballot measures. SB 152 protects this authority by preventing foreign nationals from influencing outcomes, preserving the sovereignty of Missouri's electoral process. It ensures that only citizens and lawful residents shape state policy, aligning with constitutional principles of self-governance.
- **Protecting Citizens:** The bill shields Missourians from external manipulation of ballot measures, which often address critical issues like taxation, healthcare, and education. Banning foreign contributions and expenditures (130.173, 130.179) ensures that citizens' voices remain paramount. Transparency measures (130.176) enhance accountability, while enforcement (130.188) deters violations, fostering trust in democracy. The privacy provisions (130.185) also protect lawful donors from undue scrutiny, balancing oversight with individual rights.

In conclusion, SB 152 strengthens Missouri's electoral system by targeting foreign influence, imposing reasonable compliance measures, and providing robust enforcement—all while upholding constitutional norms and benefiting citizens through a more secure democratic process.

ACT4MO Supports this legislation!