

New Missouri Law Requires LLCs to Register Before Making Political Contributions

Alert

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On August 28, 2022, a [new Missouri statute](#) governing political contributions by limited liability companies (LLC) will take effect. Missouri law currently permits individuals to make campaign contributions to candidates but bars corporations from doing so, although corporations may make unlimited contributions to Political Action Committees (PAC).

Previously, the Missouri Ethics Commission (MEC) had issued guidance on whether an LLC is a corporation for purposes for campaign contribution laws. Under that guidance, an LLC was not a corporation unless registered as such with the IRS. Thus, under MEC guidance, an LLC could contribute directly to candidates (with applicable limits) and to PACs (in unlimited amounts).

Effective August 28, section 130.029.4, RSMo will now require LLCs to register with the MEC before they can make political contributions. The MEC has created an online [LLC Campaign Finance Registration System](#) that LLCs must use to register. An LLC may authorize any individual to register the LLC with the MEC, but only a member or manager may attest to the required information.

To make political contributions, an LLC must meet the following criteria in addition to registering with MEC:

- Be registered with the Missouri Secretary of State
- Not be classified as a corporation with the IRS
- Have existed for at least one year prior to making a contribution
- Be a legitimate business with a legitimate business interest and not be created for the sole purpose of making campaign contributions

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If an LLC meets all of these requirements and registers with the MEC, the LLC may make contributions directly to candidates and to PACs.

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