



May 7, 2026

To: Mayor Michael Topliff
City Council Members

From: Kellie Mayers, City Clerk

Re: Repeal of Financial Disclosure Provisions

Executive Summary

The bill repeals sections 2-499 through 2-501 of the Municipal Code relating to financial disclosure requirements. State law requires the city to adopt a separate resolution on a biennial basis to establish local disclosure procedures under Section 105.485 RSMo. Repeal of these code provisions will help maintain consistency with state law and clarify that enforcement authority rests with the Missouri Ethics Commission.

Discussion

Missouri Law requires certain city officials and employees to file financial disclosure statements and allows political subdivisions to establish local procedures through biennial resolution. Because state law already requires periodic adoption of a separate resolution, inclusion of these provisions in the municipal code is unnecessary and may create inconsistencies with future statutory changes. The repeal will simplify compliance and clarify that the Missouri Ethics Commission has enforcement authority over these requirements.

The required biennial resolution will be presented to the council in the next couple of months in compliance with Section 105.485 RSMo.

Fiscal Impact

No fiscal impact.

AN ORDINANCE REPEALING SECTIONS 2-499 THROUGH 2-501 OF THE MUNICIPAL CODE FOR THE REASON THAT THE CITY MUST ADOPT A RESOLUTION INCLUDING THESE PROVISIONS OR SIMILAR PROVISIONS ON A BIENNIAL BASIS AS REQUIRED BY SECTION 105.485.4 RSMO AND OTHER REASONS AS DISCUSSED HEREIN

Whereas, state law requires certain city officials to file a financial disclosure statement on an annual basis or upon the occurrence of certain events (Section 105.483 RSMo and following); and

Whereas, there are two methods for filing the required financial disclosure form: (i) under the provisions of Section 105.485.2 RSMo; or (ii) in accordance with the provisions of a resolution adopted by the City on a biennial basis which meets the then-current requirements of Section 105.485.4 RSMo; and

Whereas, with respect to the second method, Section 105.485.4 states, in relevant part, “4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection...”; and

Whereas, the inclusion of the reporting requirements in the Municipal Code is not necessary or prudent in that: (i) inclusion does not allow the City to forego the biennial adoption of the resolution; (ii) the Municipal Code provisions may not be timely updated to ensure consistency with the provisions of Chapter 105 RSMo.; and (iii) inclusion in the Code may give the false implication that the City is the enforcing authority when, in fact, the Missouri Ethics Commission has jurisdiction and enforcement authority (Section 105.955 RSMo: “14. The commission shall have the following duties and responsibilities relevant to the impartial and effective enforcement of sections 105.450 to 104.496...: (1) Receive and review complaints regarding alleged violation of sections 105.450 to 104.496 and chapter 130, conduct initial reviews and investigations regarding such complaints as provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary authorities along with recommendations for sanctions; and initiate judicial proceedings...”).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby repeals Section 2-499 “Disclosure Reports”; Section 2-500 “Filing of Reports”; and Section 2-501 “When Filed”; of Article VI “Ethics” of Chapter 2 “Administration” of the Municipal Code.

The City Council stresses that the city officials named or described in Section 105.483 – 105.485 RSMo **must** continue to file financial disclosure statements under one of the two methods established by Section 105.485.

Section 2. The City Council sets forth its purposes in repealing such provisions in the Municipal Code as follows:

The inclusion of the reporting requirements in the Municipal Code is not necessary or prudent in that: (i) inclusion does not allow the City to forego the biennial adoption of the resolution – biennial adoption of a resolution meeting current requirements of state law is required; (ii) the Municipal Code provisions may not be timely updated to ensure consistency with the provisions of Chapter 105 RSMo.; and (iii) inclusion of such requirements in the Code may give the false implication that the City is the enforcing authority when, in fact, the Missouri Ethics Commission has jurisdiction and enforcement authority over matters relating to financial disclosure reports (Section 105.955 RSMo: “14. The commission shall have the following duties and responsibilities relevant to the impartial and effective enforcement of sections 105.450 to 104.496...: (1) Receive and review complaints regarding alleged violation of sections 105.450 to 104.496 and chapter 130, conduct initial reviews and investigations regarding such complaints as provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary authorities along with recommendations for sanctions; and initiate judicial proceedings...”).

Section 3. This Ordinance shall be in full force and effect from and after the date of its passage by the City Council.

PASSED AND APPROVED THIS ____ DAY OF _____, 20____
CITY OF WEST PLAINS, MISSOURI

BY: _____
MAYOR MICHAEL TOPLIFF

(SEAL)

ATTEST: _____
CITY CLERK KELLIE MAYERS