

FIRST REGULAR SESSION

HOUSE BILL NO. 342

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAKER (123).

Read 1st time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0823L.011

AN ACT

To repeal section 115.019, RSMo, and to enact in lieu thereof one new section relating to board of election commissioners.

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

Section A. Section 115.019, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.019, to read as follows:

115.019. 1. Any group of registered voters from any county of the first class not having a board of election commissioners may circulate a petition for the formation of a board.

2. The petition shall be signed by the number of registered voters in the county equal to at least fifteen percent of the total votes cast in the county for governor at the last gubernatorial election.

3. Petitions proposing the formation of a board of election commissioners in any county of the first class shall be filed with the election authority of the county not later than 5:00 p.m. on the thirteenth Tuesday preceding a general election.

4. Each petition for the formation of a board of election commissioners shall consist of sheets of uniform size. The space for signatures on either side of a petition page shall be no larger than eight and one-half by fourteen inches, and each page shall contain signatures of registered voters from only one county. Each page of each petition for the formation of a board of election commissioners shall be in substantially the following form:

To the Honorable, county clerk of County:

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.

15 We, the undersigned, citizens and registered voters of County, respectfully
 16 order that the following question be placed on the official ballot, for acceptance or rejection, at
 17 the next general election to be held on the day of,

18 "Should a board of election commissioners be established in County to assume
 19 responsibility for the registration of voters and the conduct of elections?";

20 and each for himself or herself says: I have personally signed this petition; I am a registered
 21 voter of the state of Missouri and County; my registered voting address and the name
 22 of the city, town or village in which I live are correctly written after my name.

23

24 CIRCULATOR'S AFFIDAVIT STATE OF MISSOURI, COUNTY OF

25

26 I,, a resident of the state of Missouri, being first duly sworn, say (print or type
 27 names of signers)

28

REGISTERED VOTING

29 NAME	DATE	ADDRESS	ZIP	CONGR	NAME
30 (Signature) SIGNED		(Street)(City,		CODE DIST.	(Printed
31		Town or Village)			or Typed)

32 (Here follow numbered lines for signers)

33 signed this page of the foregoing petition, and each of them signed his or her name thereto in
 34 my presence; I believe that each has stated his or her name, registered voting address and city,
 35 town or village correctly, and that each signer is a registered voter of the state of Missouri and
 36 County.

37

.....

38

Signature of Affiant

39

(Person obtaining signatures)

40

41

.....

42

Address of Affiant

43 Subscribed and sworn to before me this day of, A.D.

44

45

.....

46

Signature of Notary

47 Notary Public (Seal)

48 My commission expires

49 If this form is followed substantially, it shall be sufficient, disregarding clerical and merely
 50 technical errors.

51 5. The validity of each petition filed pursuant to provisions of this section shall be
52 determined in the manner provided for new party and independent candidate petitions in sections
53 115.333, 115.335 and 115.337.

54 6. Upon the filing of a valid petition for the formation of a board of election
55 commissioners **or upon a majority vote of the county commission in any county of the first**
56 **classification with more than eighty-two thousand but fewer than eighty-two thousand one**
57 **hundred inhabitants**, it shall be the duty of the election authority to have the following question
58 placed on the official ballot, in the same manner other questions are placed, at the next general
59 election:

60 "Should a board of election commissioners be established in County to
61 assume responsibility for the registration of voters and the conduct of elections?"

62 7. The votes for and against the question shall be counted and certified in the same
63 manner as votes on other questions.

64 8. If the question is approved by a majority of the voters at the election, a board of
65 election commissioners shall be appointed as provided in this subchapter and shall have the same
66 rights and responsibilities provided by law for all boards of election commissioners.

67 9. Any person who is a registered voter of a county of the first class not having a board
68 of election commissioners may sign a petition for the formation of a board in the county. Any
69 person who signs a name other than the person's own to any petition or knowingly signs the
70 person's name more than once to the same petition or who knows the person is not a registered
71 voter at the time of signing such petition, or any officer or person willfully violating any
72 provision of this section shall be guilty of a class two election offense.