

FIRST REGULAR SESSION

HOUSE BILL NO. 58

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SATER (Sponsor) AND ROBB (Co-sponsor).

Pre-filed December 4, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0184L.01I

AN ACT

To repeal section 115.357, RSMo, and to enact in lieu thereof one new section relating to candidate filing fees.

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

Section A. Section 115.357, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.357, to read as follows:

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state or county office shall, before filing [his] **the candidate's** declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket [he] **the candidate** seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, two hundred dollars if he or she is a candidate for statewide office or for United States senator, one hundred dollars if he or she is a candidate for representative in Congress, circuit judge or state senator, and fifty dollars if he or she is a candidate for state representative;

(2) To the treasurer of the county central committee, [fifty] **one hundred** dollars if he or she is a candidate for county office.

2. The required sum may be submitted by the candidate to the official accepting [his] **the candidate's** declaration of candidacy. All sums so submitted shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

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.

14 3. Any person who cannot pay the fee required to file as a candidate may have the fee
 15 waived by filing a declaration of inability to pay and a petition with [his] **the candidate's**
 16 declaration of candidacy. Each such declaration shall be in substantially the following form:

17 DECLARATION OF INABILITY TO PAY FILING FEE I,, do hereby swear
 18 that I am financially unable to pay the fee of (amount of fee) to file as a candidate for
 19 nomination to the office of at the primary election to be held on the day of, 20....

20 Subscribed and sworn to before me

21 Signature of candidate this day of, 20....

22
 23 Signature of election official or

24 Residence address officer authorized to administer

25 oaths

26 If the candidate's declaration of candidacy is to be filed in person, the declaration of inability to
 27 pay shall be subscribed and sworn to by the candidate before the election official who witnesses
 28 the candidate's declaration of candidacy. If [his] **the** declaration of candidacy is to be filed by
 29 certified mail pursuant to subsection 2 of section 115.355, the declaration of inability to pay shall
 30 be subscribed and sworn to by the candidate before the notary or other officer who witnesses the
 31 candidate's declaration of candidacy. With [his] **the** declaration of inability to pay, the candidate
 32 shall submit a petition endorsing [his] **the candidate's** candidacy. Except for the number of
 33 signatures required, each such petition shall, insofar as practicable, be in the form provided in
 34 sections 115.321 and 115.325. If the person filing declaration of indigence is to be a candidate
 35 for statewide office, [his] **the** petition shall be signed by the number of registered voters in the
 36 state equal to at least one-half of one percent of the total number of votes cast in the state for the
 37 office at the last election in which a candidate ran for the office. If the person filing a declaration
 38 of indigence is to be a candidate for any other office, the petition shall be signed by the number
 39 of registered voters in the district or political subdivision which is equal to at least one percent
 40 of the total number of votes cast for the office at the last election in which a candidate ran for the
 41 office. The candidate's declaration of inability to pay and the petition shall be filed at the same
 42 time and in the same manner as [his] **the** declaration of candidacy is filed. The petition shall be
 43 checked and its sufficiency determined in the same manner as new party and independent
 44 candidate petitions.

45 4. No filing fee shall be required of any person who proposes to be an independent
 46 candidate, the candidate of a new party or a candidate for presidential elector.

47 5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall
 48 be printed on any official ballot until the required fee has been paid.

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