

FIRST REGULAR SESSION

# HOUSE BILL NO. 894

## 94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOSKINS.

Read 1st time February 15, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2096L.01I

## AN ACT

To repeal section 115.329, RSMo, and to enact in lieu thereof one new section relating to independent candidates.

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

Section A. Section 115.329, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.329, to read as follows:

115.329. 1. **Except as provided in subsection 2 of this section**, the secretary of state or any election authority shall not accept for filing any petition for the formation of a new party or for the nomination of an independent candidate which is submitted prior to 8:00 a.m. on the day immediately following the general election next preceding the general election for which the petition is submitted or which is submitted after 5:00 p.m. on the fifteenth Monday immediately preceding the general election for which the petition is submitted.

2. **For all elections held after January 1, 2008, any petition for the nomination of an independent candidate for placement on an official ballot in a general election shall be filed by the same deadline established for other candidates in subsection 5 of section 115.127, and all independent candidates shall file a declaration of candidacy for each primary election by the same deadline established for other candidates in subsection 1 of section 115.349. No independent candidate's name shall appear on the ballot for any general election if such independent candidate's name did not appear on the primary ballot as a result of failing to timely file a declaration of candidacy under this subsection.**

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           **3.** When a special election to fill a vacancy is called, neither the secretary of state nor any  
16 election authority shall accept for filing any petition for the formation of a new party or for the  
17 nomination of an independent candidate which is submitted after 5:00 p.m. on the day which is  
18 midway between the day the election is called and the election day.

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