

SECOND REGULAR SESSION

HOUSE BILL NO. 1127

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DUGGER.

4767H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 115.027 and 115.607, RSMo, and to enact in lieu thereof three new sections relating to the selection of public officials.

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

Section A. Sections 115.027 and 115.607, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 26.226, 115.027, and 115.607, to read as follows:

26.226. **In case of death, resignation, removal from office, conviction after**
2 **impeachment, or vacancy from any cause in the office of lieutenant governor, the governor**
3 **shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the**
4 **term in which such vacancy occurred and until the successor is elected, commissioned, and**
5 **qualified. Such election shall be held at the next general election. The candidates for the**
6 **election shall be nominated and placed on the ballot in accordance with the provisions of**
7 **sections 115.305 to 115.405. In the case of impeachment, the office shall remain vacant**
8 **until such impeachment is determined. If acquitted, the lieutenant governor shall be**
9 **reinstated in office. During any period of time when the office of lieutenant governor is**
10 **vacant, the chief administrative assistant of the vacating lieutenant governor shall perform**
11 **all ministerial duties during the period of such vacancy, provided however, that any duties**
12 **of the lieutenant governor as president of the senate shall be performed by the president**
13 **pro tempore of the senate during the period of such vacancy.**

115.027. 1. Each board of election commissioners shall be composed of four members,
2 appointed by the governor with the advice and consent of the senate. Two commissioners on
3 each board shall be members of one major political party, and two commissioners on each board
4 shall be members of the other major political party. In no case shall more than two

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.

5 commissioners on a board be members of the same political party. When appointing
6 commissioners, the governor shall designate one commissioner on each board to be chairman
7 of the board and one commissioner on each board to be secretary of the board. The chairman
8 and secretary of a board shall not be members of the same political party.

9 2. In jurisdictions with boards of election commissioners as the election authority, the
10 governor may appoint to the board one representative from each established political party. The
11 representative shall not be a member of the board for purposes of subsection 1 of this section.
12 The state chair of each established political party shall submit a list of no more than four names
13 from which the governor shall select the representative for that party. The representative shall
14 not have voting status, and shall not be compensated, but shall be allowed to participate in
15 discussions and be informed of any meeting of the board.

16 **3. The governor shall not make any appointment, during the legislative interim, to**
17 **the board of election commissioners in any county with a charter form of government and**
18 **with more than nine hundred fifty thousand inhabitants.**

115.607. 1. No person shall be elected or shall serve as a member of a county committee
2 who is not, for one year next before the person's election, both a registered voter of and a resident
3 of the county and the committee district from which the person is elected if such district shall
4 have been so long established, and if not, then of the district or districts from which the same
5 shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the
6 membership of a county committee of each established political party shall consist of a man and
7 a woman elected from each township or ward in the county.

8 2. In each county of the first classification containing the major portion of a city which
9 has over three hundred thousand inhabitants, [two members of the committee, a man and a
10 woman, shall be elected from each ward in the city. Any township entirely contained in the city
11 shall have no additional representation on the county committee. The election authority for the
12 county shall, not later than six months after the decennial census has been reported to the
13 President of the United States, divide the most populous township outside the city into eight
14 subdistricts of contiguous and compact territory and as nearly equal in population as practicable.
15 The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar
16 as practicable, be retained upon reapportionment. Two members of the county committee, a man
17 and a woman, shall be elected from each such subdistrict. Six members of the committee, three
18 men and three women, shall be elected from the second and third most populous townships
19 outside the city. Four members of the committee, two men and two women, shall be elected
20 from the other townships outside the city] **members of the committee shall be elected from the**
21 **districts of each state representative that are in any way contained in the county in the**
22 **following manner: within six months after each legislative reapportionment, each portion**

23 **of a legislative district contained in the county shall constitute a single committee district.**
24 **Two men and two women shall be elected from each committee district formed from a**
25 **legislative district that is wholly contained in the county as members of the committee, two**
26 **men and two women shall be elected from each committee district formed from a legislative**
27 **district that is predominantly contained in the county as members of the committee, and**
28 **one man and one woman shall be elected from each committee district formed from a**
29 **legislative district that is partially but not predominantly contained in the county as**
30 **members of the committee.**

31 3. [In any city which has over three hundred thousand inhabitants, the major portion of
32 which is located in a county with a charter form of government, for the portion of the city located
33 within such county and notwithstanding section 82.110, it shall be the duty of the election
34 authority, not later than six months after the decennial census has been reported to the President
35 of the United States, to divide such cities into not less than twenty-four nor more than
36 twenty-five wards after each decennial census. Wards shall be so divided that the number of
37 inhabitants in any ward shall not exceed any other ward of the city and within the same county,
38 by more than five percent, measured by the number of the inhabitants determined at the
39 preceding decennial census.

40 4.] In each county of the first classification containing a portion, but not the major
41 portion, of a city which has over three hundred thousand inhabitants, ten members of the
42 committee, five men and five women, shall be elected from the district of each state
43 representative wholly contained in the county in the following manner: within six months after
44 each legislative reapportionment, the election authority shall divide each legislative district
45 wholly contained in the county into five committee districts of contiguous territory as compact
46 and as nearly equal in population as may be; two members of the committee, a man and a
47 woman, shall be elected from each committee district. The election authority shall divide the
48 area of the county located within legislative districts not wholly contained in the county into
49 similar committee districts; two members of the committee, a man and a woman, shall be elected
50 from each committee district.

51 [5.] 4. In each city not situated in a county, two members of the committee, a man and
52 a woman, shall be elected from each ward.

53 [6.] 5. In all counties with a charter form of government and a population of over nine
54 hundred thousand inhabitants, the county committee persons shall be elected from each
55 township. Within ninety days after August 28, 2002, and within six months after each decennial
56 census has been reported to the President of the United States, the election authority shall divide
57 the county into twenty-eight compact and contiguous townships containing populations as nearly
58 equal in population to each other as is practical.

59 [7.] **6.** If any election authority has failed to adopt a reapportionment plan by the deadline
60 set forth in this section, the county commission, sitting as a reapportionment commission, shall
61 within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward,
62 or precinct lines shall not affect the terms of office of incumbent party committee members
63 elected from districts as constituted at the time of their election.

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