

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1477

98TH GENERAL ASSEMBLY

4687H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof nine new sections relating to political parties, with an emergency clause.

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

Section A. Sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, 2 and 115.621, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as 3 sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, 115.620, and 115.621, 4 to read as follows:

115.603. Each established political party shall have a state committee, a congressional 2 district committee for each congressional district in the state, a judicial district committee for 3 each circuit judge district in the state not subject to the provisions of article V, section 25 of the 4 state constitution, a senatorial district committee for each senatorial district in the state, a 5 legislative district committee for each legislative district in the state and a county committee for 6 each county in the state, **except any city not within a county which shall have a city** 7 **committee in lieu of a county committee.**

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 **or city not within a county** and the committee district from which the person is 4 elected if such district shall have been so long established, and if not, then of the district or 5 districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 6 5, and 6 of this section, the membership of a county **or city** committee of each established

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.

7 political party shall consist of a man and a woman elected from each **precinct**, township, or ward
8 in the county **or city not within a county**.

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

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

31 4. In each county of the first classification containing a portion, but not the major
32 portion, of a city which has over three hundred thousand inhabitants, ten members of the
33 committee, five men and five women, shall be elected from the district of each state
34 representative wholly contained in the county in the following manner: within six months after
35 each legislative reapportionment, the election authority shall divide each legislative district
36 wholly contained in the county into five committee districts of contiguous territory as compact
37 and as nearly equal in population as may be; two members of the committee, a man and a
38 woman, shall be elected from each committee district. The election authority shall divide the
39 area of the county located within legislative districts not wholly contained in the county into
40 similar committee districts; two members of the committee, a man and a woman, shall be elected
41 from each committee district.

42 5. In each city not situated in a county, two members of the committee, a man and a
43 woman, shall be elected from each ward.

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

50 7. If any election authority has failed to adopt a reapportionment plan by the deadline set
51 forth in this section, the county commission, sitting as a reapportionment commission, shall
52 within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward,
53 or precinct lines shall not affect the terms of office of incumbent party committee members
54 elected from districts as constituted at the time of their election.

 115.609. In each city not situated in a county and in each county which has over nine
2 hundred thousand inhabitants, all members of the county **or city** committee shall be elected at
3 the primary election immediately preceding each gubernatorial election and shall hold office until
4 their successors are elected and qualified. In each other county, all members of the county
5 committee shall be elected at each primary election and shall hold office until their successors
6 are elected and qualified.

 115.611. 1. Except as provided in subsection 4 of section 115.613, any registered voter
2 of the county **or a city not within a county** may have such voter's name printed on the primary
3 ballot of such voter's party as a candidate for county **or city** committeeman or committeewoman
4 by filing a declaration of candidacy in the office of the county **or city** election authority and by
5 paying any filing fee required by subsection 2 of this section.

6 2. Before filing such candidate's declaration of candidacy, candidates for county **or city**
7 committeeman or county **or city** committeewoman shall pay to the treasurer of such candidate's
8 party's county **or city** committee, or submit to the county **or city** election authority to be
9 forwarded to the treasurer of such candidate's party's committee, a certain sum of money, as
10 follows:

11 (1) One hundred dollars if such candidate is a candidate for county committeeman or
12 committeewoman in any county which has or hereafter has over nine hundred thousand
13 inhabitants or in any city not situated in a county;

14 (2) Twenty-five dollars if such candidate is a candidate for county committeeman or
15 committeewoman in any county of the first class containing the major portion of a city which has
16 over three hundred thousand inhabitants; **or**

17 (3) Except as provided in subdivisions (1) and (2) of this subsection, no candidate for
18 county committeeman or committeewoman shall be required to pay a filing fee.

19 3. Any person who cannot pay the fee to file as a candidate for county **or city**
20 committeeman or committeewoman may have the fee waived by filing a declaration of inability
21 to pay and a petition with the official with whom such candidate files such candidate's
22 declaration of candidacy. The provisions of section 115.357 shall apply to all such declarations
23 and petitions.

24 4. No person's name shall be printed on any official primary ballot as a candidate for
25 county **or city** committeeman or committeewoman unless the person has filed a declaration of
26 candidacy with the proper election authority not later than 5:00 p.m. on the last Tuesday in
27 March immediately preceding the primary election.

115.613. 1. Except as provided in subsection 4 of this section, the qualified man and
2 woman receiving the highest number of votes from each committee district for committeeman
3 and committeewoman of a party shall be members of the county **or city** committee of the party.

4 2. If two or more qualified persons receive an equal number of votes for county **or city**
5 committeeman or committeewoman of a party and a higher number of votes than any other
6 qualified person from the party, a vacancy shall exist on the county committee which shall be
7 filled by a majority of the committee in the manner provided in section 115.617.

8 3. If no qualified person is elected county **or city** committeeman or committeewoman
9 from a committee district for a party, a vacancy shall exist on the county **or city** committee
10 which shall be filled by a majority of the committee in the manner provided in section 115.617.

11 4. The provisions of this subsection shall apply only in any county **or city** where no
12 filing fee is required for filing a declaration of candidacy for committeeman or committeewoman
13 in a committee district. If only one qualified candidate has filed a declaration of candidacy for
14 committeeman or committeewoman in a committee district for a party prior to the deadline
15 established [by law] **in this chapter**, no election shall be held for committeeman or
16 committeewoman in the committee district for that party and the election authority shall certify
17 the qualified candidate in the same manner and at the same time as candidates elected pursuant
18 to subsection 1 of this section are certified. If no qualified candidate files for committeeman or
19 committeewoman in a committee district for a party, no election shall be held and a vacancy shall
20 exist on the county **or city** committee which shall be filled by a majority of the committee in the
21 manner provided in section 115.617.

115.617. Whenever a member of any county **or city** committee dies, [becomes disabled,]
2 resigns, or ceases to be a registered voter of or a resident of the county **or a city not within a**
3 **county** or the committee district from which he is elected, a vacancy shall exist on the
4 committee. A majority of the committee shall elect another person to fill the vacancy who, for

5 one year next before his election, shall have been both a registered voter of and a resident of the
6 county **or city** and the committee district. The person selected to fill the vacancy shall serve the
7 remainder of the vacated term.

115.619. 1. [The membership of] A legislative district committee shall consist of [all
2 county committee members within] **the precinct, ward, or township committeeman and**
3 **committeewoman from such precincts, wards, or townships included in whole or in part**
4 **of the legislative district**], except as provided in subsections 4 and 5 of this section. In all
5 counties of this state which are wholly contained within a legislative district, or in which there
6 are two or more whole legislative districts, or one whole legislative district and part of another
7 legislative district, or parts of two or more legislative districts,] . There shall be elected from the
8 membership of each legislative district committee a chairman and a vice chairman, one of whom
9 shall be a woman and one of whom shall be a man, and each legislative district at the same time
10 shall elect a secretary and a treasurer, one of whom shall be a woman and one of whom shall be
11 a man, but who may or may not be members of the legislative district committee. Party state
12 committees may provide for voting by proxy and for weighted or fractional voting.

13 2. [If a legislative district and a county are coextensive, the chairman, vice chairman,
14 secretary and treasurer of the county committee shall be the chairman, vice chairman, secretary
15 and treasurer of the legislative committee.

16 3. Except as provided in subsections 4 and 5 of this section, the congressional, senatorial
17 or judicial district committee shall consist of the chairman and vice chairman of each of the
18 legislative districts in the congressional, senatorial, or judicial districts and the chairman and vice
19 chairman of each of the county committees within the districts. Party state committees may
20 provide for voting by proxy and may provide for weighted or fractional voting.

21 4. The congressional, senatorial or judicial district committee of a district coextensive
22 with one county shall be the county committee.

23 5. The congressional, senatorial or judicial district committee of a district which is
24 composed in whole or in part of a part of a city or part of a county shall consist of the ward or
25 township committeemen and committeewomen from such wards or townships included in whole
26 or in part in such part of a city or part of a county forming the whole or a part of such district.
27 Party state committees may provide for voting by proxy and may provide for weighted or
28 fractional voting.] **The congressional, senatorial, or judicial committee of a district which**
29 **is composed of:**

30 (1) **One or more whole counties; or**

31 (2) **One or more whole counties and part of one or more counties;**
32

33 shall consist of the county committee chair and vice chair of each county within the district
34 and the committeeman and committeewoman of each legislative district committee within
35 the district.

36 3. The congressional, senatorial, or judicial committee of a district which consists
37 of:

38 (1) Parts of one or more counties;

39 (2) Part of a city not within the county;

40 (3) A whole city not within a county; or

41 (4) Part of a city not within a county and parts of one or more counties;

42

43 shall consist of the committeemen and committeewomen of the precinct, ward, or township
44 included in whole or in part of the district and the chair and vice chair of each legislative
45 district committee within the district in whole or in part.

115.620. Provisions for proxy voting for district committees organized under
2 section 115.621 may be made by a political party. In the event that such provisions are not
3 made, proxy voting shall only be allowed for legislative, congressional, senatorial, and
4 judicial district committee meetings. In any event, a person may only serve as a proxy
5 voter if such person is legally permitted to vote in the district in which the proxy resides.

115.621. 1. Notwithstanding any other provision of this section to the contrary, any
2 legislative, senatorial, or judicial district committee that is wholly contained within a
3 county or a city not within a county may choose to meet on the same day as the respective
4 county or city committee. All other committees shall meet as otherwise prescribed in this
5 section.

6 2. The members of each county committee shall meet at the county seat not earlier
7 than two weeks after each primary election but in no event later than the third Saturday
8 after each primary election, at the discretion of the chairman at the committee. In each city
9 not within a county, the city committee shall meet on the same day at the city hall. In all
10 counties of the first, second, and third classification, the county courthouse shall be made
11 available for such meetings and any other county political party meeting at no charge to
12 the party committees. In all cities not within a county, the city hall shall be made available
13 for such meetings and any other city political party meeting at no charge to the party
14 committees. At the meeting, each committee shall organize by electing two of its members,
15 a man and a woman, as chair and vice chair, and a man and a woman who may or may not
16 be members of the committee as secretary and treasurer.

17 3. The members of each congressional district committee shall meet at some place and
18 time within the district, to be designated by the current chair of the committee, [on the last

19 Tuesday in August] **not earlier than five weeks** after each primary election **but in no event**
20 **later than the sixth Saturday after each primary election.** The county courthouse in counties
21 of the first, second and third classification in which the meeting is to take place, as designated
22 by the chair, shall be made available for such meeting and any other congressional district
23 political party committee meeting at no charge to the committee. At the meeting, the committee
24 shall organize by electing one of its members as chair and one of its members as vice chair, one
25 of whom shall be a woman and one of whom shall be a man, and a secretary and a treasurer, one
26 of whom shall be a woman and one of whom shall be a man, who may or may not be members
27 of the committee.

28 [2.] **4.** The members of each legislative district committee shall meet at some place **and**
29 **date** within the legislative district or within one of the counties in which the legislative district
30 exists, to be designated by the current chair of the committee, [on the third Wednesday] **not**
31 **earlier than three weeks** after each [August] primary election **but in no event later than the**
32 **fourth Saturday after each primary election.** The county courthouse in counties of the first,
33 second and third classification in which the meeting is to take place, as designated by the chair,
34 shall be made available for such meeting and any other legislative district political party
35 committee meeting at no charge to the committee. At the meeting, the committee shall organize
36 [pursuant to subsection 1 of section 115.619] **by electing two of its members, a man and a**
37 **woman, as chair and vice chair, and a man and a woman who may or may not be members**
38 **of the committee as secretary and treasurer.**

39 [3.] **5.** The members of each senatorial district committee shall meet at some place **and**
40 **date** within the district, to be designated by the current chair of the committee, if there is one,
41 and if not, by the chair of the congressional district in which the senatorial district is principally
42 located, [on the third Saturday] **not earlier than four weeks** after each [August] primary election
43 **but in no event later than the fifth Saturday after each primary election.** The county
44 courthouse in counties of the first, second and third classification in which the meeting is to take
45 place, as so designated pursuant to this subsection, shall be made available for such meeting and
46 any other senatorial district political party committee meeting at no charge to the committee. At
47 the meeting, the committee shall organize by electing one of its members as chair and one of its
48 members as vice chair, one of whom shall be a woman and one of whom shall be a man, and a
49 secretary and a treasurer, one of whom shall be a woman and one of whom shall be a man, who
50 may or may not be members of the committee.

51 **6.** The members of each senatorial district shall also meet at some place within the
52 district, to be designated by the current chair of the committee, if there is one, and if not, by the
53 chair of the congressional district in which the senatorial district is principally located, on the
54 Saturday after [the third Tuesday in November after] each general election. At the meeting, the

55 committee shall proceed to elect two registered voters of the district, one man and one woman,
56 as members of the party's state committee.

57 [4.] 7. The members of each judicial district may meet at some place **and date** within
58 the judicial district or within one of the counties in which the judicial district exists, to be
59 designated by the current chair of the committee or the chair of the congressional district
60 committee, [on the first Tuesday in September] **not earlier than six weeks** after each primary
61 election[, or at another time designated by the chairmen of the committees] **but in no event later**
62 **than the seventh Saturday after each primary election.** The county courthouse in counties
63 of the first, second and third classification in which the meeting is to take place, as so designated
64 pursuant to this subsection, shall be made available for such meeting and any other judicial
65 district political party committee meeting at no charge to the committee. At the meeting, the
66 committee shall organize [pursuant to subsection 1 of section 115.619] **by electing two of its**
67 **members, a man and a woman, as chair and vice chair, and a man and a woman who may**
68 **or may not be members of the committee as secretary and treasurer.**

Section B. Because of the necessity to effect a smooth transition for political party
2 committee elections after the August primary, section A of this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace and safety, and is hereby declared
4 to be an emergency act within the meaning of the constitution, and section A of this act shall be
5 in full force and effect upon its passage and approval.

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