

FIRST REGULAR SESSION

HOUSE BILL NO. 731

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHIPMAN.

1351H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 21.110 and 115.367, RSMo, and to enact in lieu thereof two new sections relating to vacancies in elected office.

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

Section A. Sections 21.110 and 115.367, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 21.110 and 115.367, to read as follows:

21.110. If the governor receives any resignation or notice of vacancy, or if he **or she** is satisfied of the death of any member of either house, during the recess, he **or she** shall, ~~[without delay]~~ **no later than thirty days from the day that such resignation becomes effective or he or she receives a notice of vacancy**, issue a writ of election to supply the vacancy, **unless such a vacancy occurs within six months of the general election for the ensuing term or the next general election.**

115.367. 1. In the event that the boundaries of a district have been altered, or a new district established for a candidate to be selected by a party committee since the last election in which a party candidate ran for such office, the members of the nominating committee shall be the members of the various nominating committees for that office, as provided in section 115.365 who reside within the altered or new district; provided, however, that members of nominating committees for candidates for special elections to fill vacancies conducted pursuant to section 21.130 shall be from the ~~[old]~~ districts **as they existed at the time of the decennial census**. The chairman of the nominating committee shall be the committee chairman of the county which polled the highest vote for the party candidate for governor within the area to be represented at the last gubernatorial election.

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.

11 2. In the event that a candidate is to be selected by a party committee of a new political
12 party which has not yet elected committeemen and committeewomen in the manner provided by
13 law, the chairman of the nominating committee shall be the provisional chairman of the party
14 for the state, or if the political party is formed for a district or political subdivision less than the
15 state, the chairman of the nominating committee shall be the provisional chairman of the party
16 for such district or political subdivision.

17 The chairman of the nominating committee shall appoint additional members of the nominating
18 committee, not less than four in number.

19 3. In the event that a candidate is to be selected for nomination or election to an office
20 by a new political party which has elected committeemen and committeewomen in the manner
21 provided for established political parties, the members of the nominating committee shall be the
22 same as provided in section 115.365.

23 **4. Notwithstanding any other provision of law, in the event that a candidate is to**
24 **be selected for nomination or election to the office of representative in the United States**
25 **Congress by the congressional district committee of a political party under section 115.365,**
26 **then the members of the congressional district committee eligible to vote for the nomination**
27 **of a candidate for such representative in Congress shall reside in the requisite United**
28 **States congressional district. A county committee or other political party committee with**
29 **members comprising a congressional district committee whose member is ineligible to vote**
30 **under this section may replace any member by a majority vote of the committee prior to**
31 **the nomination vote. If no replacement member or members are selected, then those**
32 **positions shall remain vacant during the nomination process.**

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