

SS SCS SB 592 -- ELECTIONS

SPONSOR: Hegeman

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elections and Elected Officials by a vote of 8 to 0. Voted "Do Pass" by the Rules- Administrative Oversight Committee by a vote of 10 to 2.

This bill changes election laws. In its main provisions the bill:

- (1) Requires ballot questions abolishing township government in a county to provide for taxes for road and bridge purposes (Sections 65.610 and 65.620, RSMo);
- (2) Changes the vote requirement for certain fourth class city sales of municipal utilities to a majority vote (Section 88.770);
- (3) Allows Centralia and Lebanon to propose a public safety sales tax of 0.5% for voter approval (Section 94.900);
- (4) Requires the state to pay election costs currently exempt for general elections and certain primary elections, but payment of such costs is subject to appropriation. Election costs will include electronic voting machine and poll book costs. Certain deadlines for cost payment are modified as specified in the bill (Sections 115.061, 115.063, 115.065, and 115.077);
- (5) Allows local election authorities to rent and lease their voting machines (Section 115.077);
- (6) Beginning January 1, 2019, the bill transfers unobligated funds from the State Election Subsidy Fund to the Election Administration Improvement Fund and requires payments to local election authorities from the administration fund (Sections 115.077 and 115.078);
- (7) Increases the number of municipalities exempt from holding elections where there is no competition from municipalities with less than 1,000 inhabitants to those with less than 2,000 inhabitants (Section 115.124);
- (8) Changes deadlines for filling vacancies and changing ballots. Courts will not change ballot measures or candidate names on ballots eight weeks prior to an election. Special elections to fill vacancies must be noticed to the election authority at least eight weeks prior to the election and sample ballots provided no later than the sixth Tuesday before an election (Sections 115.125 and 115.127);

- (9) Allows candidates, campaign committee representatives, or political party committee representatives to acquire absentee ballot records in an electronic format by paying a fee to the Office of the Secretary of State not more than public record copying fees (Section 115.157);
- (10) Allows complaints to be filed with the Elections Division in the Missouri Secretary of State's Office as specified in the bill (Sections 115.155, 115.287, and 115.429);
- (11) Allows applications for absentee ballots by email, and changes the deadline for military and overseas voters to request absentee ballots from 5:00 p.m. on the Wednesday prior to the election to 5:00 p.m. on the second Wednesday prior to the election (Sections 115.279, 115.284, 115.287, 115.299, and 115.910);
- (12) Requires political party nominating committees to file the name of a candidate for special election to fill a vacancy in the General Assembly by the 21st day after a writ of election is issued and prohibits new party formation for such purposes after that deadline (Sections 115.329 and 115.373);
- (13) Repeals a certified mail requirement for petition signatures involving new political party formation and modifies certain petition deadlines (Section 115.335);
- (14) Requires candidate to withdraw eight weeks prior to an election and changes the deadline for new candidates to file when there is a death or withdrawal or disqualification. For primary elections, the five-day period to file is now prior to the tenth Tuesday before the primary election, and for general elections where the only candidate dies or withdraws after 5:00 p.m. on the tenth Tuesday prior to the election, then a vacancy will occur (Sections 115.359 and 115.361);
- (15) Allows political party nominating committees to fill candidate spots before 5:00 p.m. of the tenth Tuesday prior to an election of any type (Section 115.363);
- (16) Requires candidate names to remain on the ballot if death, withdrawal, or disqualification occurs on or after the eighth Tuesday before the election (Sections 115.373 and 115.379);
- (17) Enacts a penalty of perjury requirement for election violation complaints and allows frivolous complaints to be dismissed by the Office of the Secretary of State. Compensatory damage and false light lawsuits may be brought against those filing frivolous election complaints (Section 115.642);

(18) Creates a petition and ballot process for school districts to transform into community college districts as specified in the bill (Section 162.441); and

(19) Repeals various obsolete provisions and makes technical reference changes.

PROPONENTS: Supporters say that the bill is a product of consensus and provides many necessary changes that will make the operations of local election authorities and the Office of the Secretary of State more efficient, allowing them to provide better service to the public. The state should pay for more election costs and allow local election authorities to rent equipment to cover their costs. The state should appropriate the moneys necessary to fund elections and the bill allows this discussion to proceed. It will make the absentee voting process easier by extending mail time. Many election complaints are currently unwarranted and caused by personal animosities and we need to reduce such abuse of the system. Many changes have been vetted in prior years and much of the bill consists of fixes to minor problems and technical changes.

Testifying for the bill were Senator Hegeman; Summit Utilities; Missouri American Water; Missouri Rural Water Association; Missouri Chamber of Commerce and Industry; Brian Miller, Missouri Community College Association; Missouri Association of County Clerks & Election Authorities; Trish Vincent, Missouri Secretary of State; and The Nine Network.

OPPONENTS: There was no opposition voiced to the committee.