

SECOND REGULAR SESSION

HOUSE BILL NO. 2656

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

5673H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.121, 115.123, 115.341, 115.349, and 115.615, RSMo, and to enact in lieu thereof five new sections relating to election day.

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

Section A. Sections 115.121, 115.123, 115.341, 115.349, and 115.615, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 115.121, 115.123,
3 115.341, 115.349, and 115.615, to read as follows:

115.121. 1. The general election day shall be the first Tuesday after the first Monday in
2 November of even-numbered years.

3 2. The primary election day shall be the first Tuesday after the ~~first~~ **third** Monday in
4 ~~August~~ **June** of even-numbered years.

5 3. The election day for the election of political subdivision and special district
6 officers shall be the first Tuesday after the ~~first~~ **third** Monday in ~~April~~ **June** each year,
7 and shall be known as the general municipal election day.

115.123. 1. All public elections shall be held on Tuesday. Except as provided in
2 subsections 2 and 3 of this section, and section 247.180, all public elections shall be held on
3 the general election day, the primary election day, the general municipal election day, the first
4 Tuesday after the first Monday in November, or on another day expressly provided by city or
5 county charter, and in nonprimary years on the first Tuesday after the ~~first~~ **third** Monday in
6 ~~August~~ **June**. Bond elections may be held on the first Tuesday after the first Monday in
7 February but no other issue shall be included on the ballot for such 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.

8 2. Notwithstanding the provisions of subsection 1 of this section, an election for a
9 presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the second
10 Tuesday after the first Monday in March of each presidential election year.

11 3. The following elections shall be exempt from the provisions of subsection 1 of this
12 section:

- 13 (1) Bond elections necessitated by fire, vandalism or natural disaster;
- 14 (2) Elections for which ownership of real property is required by law for voting;
- 15 (3) Special elections to fill vacancies and to decide tie votes or election contests; and
- 16 (4) Tax elections necessitated by a financial hardship due to a five percent or greater
17 decline in per-pupil state revenue to a school district from the previous year.

18 4. Nothing in this section prohibits a charter city or county from having its primary
19 election in March if the charter provided for a March primary before August 28, 1999.

20 5. Nothing in this section shall prohibit elections held pursuant to section 65.600, but
21 no other issues shall be on the March ballot except pursuant to this chapter.

115.341. For the nomination of candidates to be elected at the next general election, a
2 primary election shall be held on the first Tuesday after the ~~[first]~~ **third** Monday in ~~[August]~~
3 **June** of even-numbered years.

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 or sections
2 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless
3 the candidate has filed a written declaration of candidacy in the office of the appropriate
4 election official by 5:00 p.m. on the ~~[last]~~ **first** Tuesday in ~~[March]~~ **February** immediately
5 preceding the primary election.

6 2. No declaration of candidacy for nomination in a primary election shall be accepted
7 for filing prior to 8:00 a.m. on the ~~[last]~~ **second** Tuesday in ~~[February]~~ **January** immediately
8 preceding the primary election.

9 3. Each declaration of candidacy for nomination in a primary election shall state the
10 candidate's full name, residence address, office for which such candidate proposes to be a
11 candidate, the party ticket on which he or she wishes to be a candidate and that if nominated
12 and elected he or she will qualify. The declaration shall be in substantially the following
13 form:

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16 I, _____, a resident and registered voter of the county of _____ and the state of Missouri,
17 residing at _____, do announce myself a candidate for the office of _____ on the _____
18 party ticket, to be voted for at the primary election to be held on the _____ day of _____,
19 _____, and I further declare that if nominated and elected to such office I will qualify.

20 _____

21 Signature of candidate

22

23

24 _____

25 Residence address

26

27

28

29 _____

30 Mailing address (if different)

31 _____

32 Telephone Number (Optional)

33

34

35 If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate
36 before an official authorized to accept his or her declaration of candidacy. If the declaration
37 is to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it
38 shall be subscribed and sworn to by the candidate before a notary public or other officer
39 authorized by law to administer oaths.

115.615. In years when a primary election is held pursuant to subsection 2 of section
2 115.121, each county committee shall meet at the county seat on the ~~third Tuesday of~~
3 ~~August]~~ **first Tuesday immediately following the primary election.** In each city not
4 situated in a county, the city committee shall meet on the same day at such place within the
5 city as the chair of the current city committee may designate. In all counties of the first,
6 second and third classification the county courthouse shall be made available for such
7 meetings and any other county political party meeting at no charge to the party committees.
8 At the meeting, each committee shall organize by electing one of its members as chair and
9 one of its members as vice chair, a man and a woman, and a secretary and a treasurer, a man
10 and a woman, who may or may not be members of the committee. The county chair and vice
11 chair so elected shall by virtue thereof become members of the party congressional, senatorial
12 and judicial committees of the district of which their county is a part.

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