

FIRST REGULAR SESSION

HOUSE BILL NO. 600

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EGGLESTON.

0745H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.065 and 115.124, RSMo, and to enact in lieu thereof two new sections relating to elections.

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

Section A. Sections 115.065 and 115.124, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 115.065 and 115.124, to read as follows:

115.065. 1. Except as provided in sections 115.069, 115.071, 115.073 and 115.077, when any question or candidate is submitted to a vote by two or more political subdivisions or special districts, or by the state and one or more political subdivisions or special districts at the same election, all costs of the election shall be paid proportionally from the general revenues of the state and all political subdivisions and special districts submitting a question or candidate at the election, except that costs of publications of legal notice of elections shall not be paid proportionally. The state and each political subdivision and each special district shall pay for publication of its legal notice of election. At the discretion of the election authority, ballot printing costs, if any, may be paid proportionally or the state and each political subdivision and each special district may pay for such ballot printing costs, if any.

2. Except as provided in sections 115.069, 115.071 and 115.073, when any question or candidate is submitted to a vote by two or more political subdivisions or special districts at the same election, all costs of the election shall be paid proportionally from the general revenues of all political subdivisions and special districts submitting a question or candidate at the election.

3. ~~[Proportional election costs paid under the provisions of subsection 2 of this section shall be assessed by charging each political subdivision and special district the same percentage of the total cost of the election as the number of registered voters of the political subdivision or~~

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.

18 ~~special district on the day of the election is to the total number of registered voters on the day of~~
19 ~~the election, derived by adding together the number of registered voters in each political~~
20 ~~subdivision and special district submitting a question or candidate at the election]~~ All
21 **proportional costs shall be determined by the political subdivision's or special district's**
22 **budget relative to the budgets of the other political subdivisions and special districts with**
23 **a candidate or question on the ballot. The political subdivision or special district shall**
24 **report its budget with the notice of election under section 115.125.**

25 4. "Proportional costs" and "election costs", as used in this chapter, are defined as those
26 costs that require additional out-of-pocket expense by the election authority in conducting an
27 election. It may include reimbursement to county general revenue for the salaries of employees
28 of the election authority for the hours worked to conduct an election, the rental of any electronic
29 voting machine or electronic poll book, any indirect expenses identified under an independent
30 cost allocation study and an amount not to exceed five percent of the total cost of election to be
31 credited to the election services fund of the county. The election services fund shall be budgeted
32 and expended at the direction of the election authority and shall not be used to substitute for or
33 subsidize any allocation of general revenue for the operation of the election authority's office
34 without the express consent of the election authority. The election services fund may be audited
35 by the appropriate auditing agency, and any unexpended balance shall be left in the fund to
36 accumulate from year to year with interest. The election services fund shall be used by the
37 election authority for training programs and purchase of additional supplies or equipment to
38 improve the conduct of elections, including anything necessarily pertaining thereto. In addition
39 to these costs, the state shall, subject to appropriation, compensate the election services fund for
40 transactions submitted pursuant to the provisions of section 115.157.

115.124. ~~[1. Notwithstanding any other law to the contrary, in a nonpartisan election in~~
2 ~~any political subdivision or special district including municipal elections in any city, town, or~~
3 ~~village with two thousand or fewer inhabitants that have adopted a proposal pursuant to~~
4 ~~subsection 3 of this section but excluding municipal elections in any city, town, or village with~~
5 ~~more than two thousand inhabitants, if the notice provided for in subsection 5 of section 115.127~~
6 ~~has been published in at least one newspaper of general circulation as defined in section 493.050~~
7 ~~in the district, and if the number of candidates for each office in a particular political subdivision,~~
8 ~~special district, or municipality is equal to the number of positions for each office within the~~
9 ~~political subdivision, special district, or municipality to be filled by the election and no ballot~~
10 ~~measure is placed on the ballot such that a particular political subdivision will owe no~~
11 ~~proportional elections costs if an election is not held, no election shall be held, and the candidates~~
12 ~~shall assume the responsibilities of their offices at the same time and in the same manner as if~~
13 ~~they had been elected. If no election is held for a particular political subdivision, special district,~~

14 ~~or municipality as provided in this section, the election authority shall publish a notice containing~~
15 ~~the names of the candidates that shall assume the responsibilities of office under this section.~~
16 ~~Such notice shall be published in at least one newspaper of general circulation as defined in~~
17 ~~section 493.050 in such political subdivision or district by the first of the month in which the~~
18 ~~election would have occurred, had it been contested. Notwithstanding any other provision of law~~
19 ~~to the contrary, if at any election the number of candidates filing for a particular office exceeds~~
20 ~~the number of positions to be filled at such election, the election authority shall hold the election~~
21 ~~as scheduled, even if a sufficient number of candidates withdraw from such contest for that office~~
22 ~~so that the number of candidates remaining after the filing deadline is equal to the number of~~
23 ~~positions to be filled.~~

24 ~~———2.]~~ The election authority or political subdivision responsible for the oversight of the
25 filing of candidates in any nonpartisan election in any political subdivision or special district
26 shall clearly designate where candidates shall form a line to effectuate such filings and determine
27 the order of such filings; except that, in the case of candidates who file a declaration of candidacy
28 with the election authority or political subdivision prior to 5:00 p.m. on the first day for filing,
29 the election authority or political subdivision may determine by random drawing the order in
30 which such candidates' names shall appear on the ballot. If a drawing is conducted pursuant to
31 this subsection, it shall be conducted so that each candidate, or candidate's representative if the
32 candidate filed under subsection 2 of section 115.355, may draw a number at random at the time
33 of filing. If such drawing is conducted, the election authority or political subdivision shall record
34 the number drawn with the candidate's declaration of candidacy. If such drawing is conducted,
35 the names of candidates filing on the first day of filing for each office on each ballot shall be
36 listed in ascending order of the numbers so drawn.

37 ~~[3. The governing body of any city, town, or village with two thousand or fewer~~
38 ~~inhabitants may submit to the voters at any available election, a question to adopt the provisions~~
39 ~~of subsection 1 of this section for municipal elections. If a majority of the votes cast by the~~
40 ~~qualified voters voting thereon are in favor of the question, then the city, town, or village shall~~
41 ~~conduct nonpartisan municipal elections as provided in subsection 1 of this section for all~~
42 ~~nonpartisan elections remaining in the year in which the proposal was adopted and for the six~~
43 ~~calendar years immediately following such approval. At the end of such six-year period, each~~
44 ~~such city, town, or village shall be prohibited from conducting such elections in such a manner~~
45 ~~unless such a question is again adopted by the majority of qualified voters as provided in this~~
46 ~~subsection.]~~

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