

SECOND REGULAR SESSION

# HOUSE BILL NO. 2108

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BARTELSMEYER.

Read 1<sup>st</sup> time March 5, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4948L.011

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### AN ACT

To repeal sections 115.063, 115.065, and 115.075, RSMo, and to enact in lieu thereof three new sections relating to election costs.

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

Section A. Sections 115.063, 115.065, and 115.075, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 115.063, 115.065, and 115.075, to read as follows:

115.063. 1. When any question or candidate is submitted to a vote by any political subdivision or special district **or the state** and no other question or candidate is submitted at the same election, all costs of the election shall be paid from the general revenue of the political subdivision or special district **or the state** submitting a question or candidate at the election.

2. All costs of special elections involving a statewide candidate or statewide issue and all costs of special elections involving candidates for state senator or state representative shall be paid by the state, except that if a political subdivision or special district holds an election on the same day, the costs shall be shared proportionately by the state and the political subdivisions and special districts affected in the manner provided in section 115.065.

3. [The state shall not be liable for any costs of a general election or primary election held in even-numbered years as designated in subsections 1 and 2 of section 115.121.

4.] When a proposed political subdivision submits a petition requesting an election as part of the formation thereof, the petitioners shall submit together with the petition sufficient security to pay all costs of the election. If such proposition is successful, the political subdivision thereby created shall reimburse those persons advancing funds to pay the costs of the election.

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

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 except in primary and general elections by the state and one or more political subdivisions or special districts at the same election] **or the state**, 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 **or the state** at the same election, all costs of the election shall be paid proportionally from the general revenues of all political subdivisions and special districts **and the state** submitting a question or candidate at the election.

3. Proportional election costs paid [under the provisions of] **pursuant to** subsection 2 of this section shall be assessed by charging each political subdivision and special district **and the state** the same percentage of the total cost of the election as the number of registered voters of the political subdivision or special district on the day of the election is to the total number of registered voters on the day of the election, derived by adding together the number of registered voters in each political subdivision and special district submitting a question or candidate at the election.

4. "Proportional costs" and "election costs", as used in this chapter, are defined as those costs that require additional out-of-pocket expense by the election authority in conducting an election. It may include reimbursement to county general revenue for the salaries of employees of the election authority for the hours worked to conduct an election, any indirect expenses identified under an independent cost allocation study and an amount not to exceed five percent of the total cost of election to be credited to the election services fund of the county. The election services fund shall be budgeted and expended at the direction of the election authority and shall not be used to substitute for or subsidize any allocation of general revenue for the operation of the election authority's office without the express consent of the election authority. The election services fund may be audited by the appropriate auditing agency, and any unexpended balance shall be left in the fund to accumulate from year to year with interest. The election services fund shall be used by the election authority for training programs and purchase of additional supplies or equipment to improve the conduct of elections, including anything

37 necessarily pertaining thereto. In addition to these costs, the state shall, subject to appropriation,  
38 compensate the election services fund for transactions submitted pursuant to [the provisions of]  
39 section 115.157.

115.075. Except as otherwise provided in this [subchapter] **chapter**, all costs and  
2 expenses relating to the conduct of elections and the registration of voters in each county shall  
3 be paid from the general revenue of the county.