

FIRST REGULAR SESSION

HOUSE BILL NO. 731

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES VILLA (Sponsor), KRATKY,
WRIGHT-JONES (63) AND VOGT (Co-sponsors).

Read 1st time March 8, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1600L.011

AN ACT

To repeal section 115.357, RSMo, and to enact in lieu thereof one new section relating to filing fees for elections.

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

Section A. Section 115.357, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.357, to read as follows:

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state or county office shall, before filing his **or her** declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket he seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, two hundred dollars if he or she is a candidate for statewide office or for United States senator, one hundred dollars if he or she is a candidate for representative in Congress, circuit judge or state senator, and fifty dollars if he or she is a candidate for state representative;

(2) To the treasurer of the county central committee **or treasurer of a city**, fifty dollars if he or she is a candidate for county office, **or an amount equal to one percent of the salary for the office the candidate seeks if the candidate seeks an office in a city not within a county**.

2. The required sum may be submitted by the candidate to the official accepting his declaration of candidacy. All sums so submitted shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

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.

16 3. Any person who cannot pay the fee required to file as a candidate may have the fee
 17 waived by filing a declaration of inability to pay and a petition with his declaration of candidacy.
 18 Each such declaration shall be in substantially the following form:

19 DECLARATION OF INABILITY TO PAY FILING FEE I,, do hereby swear 20 that I am financially unable to pay the fee of (amount of fee) to file as a candidate for 21 nomination to the office of at the primary election to be held on the day of, 20... . 22 23 Signature of candidate 24 25 26 Residence address 27	Subscribed and sworn to before me this day of, 20... Signature of election official or officer authorized to administer oaths
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28 If the candidate's declaration of candidacy is to be filed in person, the declaration of inability to
 29 pay shall be subscribed and sworn to by the candidate before the election official who witnesses
 30 the candidate's declaration of candidacy. If his declaration of candidacy is to be filed by certified
 31 mail pursuant to subsection 2 of section 115.355, the declaration of inability to pay shall be
 32 subscribed and sworn to by the candidate before the notary or other officer who witnesses the
 33 candidate's declaration of candidacy. With his declaration of inability to pay, the candidate shall
 34 submit a petition endorsing his candidacy. Except for the number of signatures required, each
 35 such petition shall, insofar as practicable, be in the form provided in sections 115.321 and
 36 115.325. If the person filing declaration of indigence is to be a candidate for statewide office,
 37 his petition shall be signed by the number of registered voters in the state equal to at least
 38 one-half of one percent of the total number of votes cast in the state for the office at the last
 39 election in which a candidate ran for the office. If the person filing a declaration of indigence
 40 is to be a candidate for any other office, the petition shall be signed by the number of registered
 41 voters in the district or political subdivision which is equal to at least one percent of the total
 42 number of votes cast for the office at the last election in which a candidate ran for the office.
 43 The candidate's declaration of inability to pay and the petition shall be filed at the same time and
 44 in the same manner as his declaration of candidacy is filed. The petition shall be checked and
 45 its sufficiency determined in the same manner as new party and independent candidate petitions.

46 4. No filing fee shall be required of any person who proposes to be an independent
 47 candidate, the candidate of a new party or a candidate for presidential elector.

48 5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall
 49 be printed on any official ballot until the required fee has been paid.