

FIRST REGULAR SESSION

# HOUSE BILL NO. 158

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DEEKEN (Sponsor), DIXON, WHORTON, McGHEE,  
HARRIS (110), WILSON (119) AND KUESSNER (Co-sponsors).

Pre-filed December 18, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 115.063 and 115.065, RSMo, and to enact in lieu thereof two 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Section A. Sections 115.063 and 115.065, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 115.063 and 115.065, to read as follows:

2 115.063. 1. When any question or candidate is submitted to a vote by any political  
2 subdivision or special district and no other question or candidate is submitted at the same  
3 election, all costs of the election shall be paid from the general revenue of the political  
4 subdivision or special district submitting a question or candidate at the election.

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

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

12 4.] When a proposed political subdivision submits a petition requesting an election as  
13 part of the formation thereof, the petitioners shall submit together with the petition sufficient

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.

14 security to pay all costs of the election. If such proposition is successful, the political subdivision  
15 thereby created shall reimburse those persons advancing funds to pay the costs of the election.

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

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

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

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

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35 compensate the election services fund for transactions submitted pursuant to the provisions of  
36 section 115.157.

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