

HCS HB 613 -- ELECTIONS

SPONSOR: Deeken (Diehl)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 7 to 5.

This substitute changes the laws regarding elections. In its main provisions, the substitute:

(1) Establishes the Andrew Jackson Vote Restoration Act which repeals certain provisions regarding the election process for nonpartisan elections. Currently, nonpartisan elections in political subdivisions and special districts, except for municipalities, may be canceled if the number of candidates filing for a position is equal to the number of positions available. The act repeals these provisions and requires elections to always be held;

(2) Makes it a class three election offense to use an electronic recording device to record, photograph, copy, or transmit the content of a voted ballot to any unauthorized person;

(3) Allows county commissions in third and fourth classification counties to appoint a land surveyor if the filing deadline for the office has expired without any candidate filing for the office and the proper notice has been given as required. Currently, these county commissions may appoint a land surveyor following a general election if no qualified candidates file for the office;

(4) Prohibits an individual who has been found guilty of or pled guilty or nolo contendere to a felony in Missouri, to any crime committed in any other jurisdiction that would be a felony if committed in Missouri, or to any federal felony or misdemeanor from qualifying as a candidate for elective public office including any elective public office of any political subdivision. Crimes involving misconduct in public office or dishonesty whether classified as misdemeanors or felonies will also disqualify an individual;

(5) Allows certain third class cities to eliminate primary elections for the position of mayor or councilman. Statements of candidacy may be filed with the county clerk, and the eligible candidates will be placed on the ballot at a general election; and

(6) Requires the Secretary of State to establish a secure system for allowing absentee voting via ballot transmission over the Internet by those in the military and federal service who are

currently residing outside of the United States. The Secretary of State will consider programs that are based on open source platforms, provide support to participating local election authorities, provide adequate voter education to overseas voters, and seek federal funds for the program. A phased implementation of the program will begin by June 30, 2010, with full implementation by January 1, 2012.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Unknown greater than \$15,792 in FY 2010, FY 2011, and FY 2012. No impact on Other State Funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that Missouri ranks poorly in allowing ballot access to overseas voters. Missouri has 50,000 to 60,000 eligible military voters, but only 7,000 ballots are typically cast. The costs of implementation should come from general revenue and federal funds.

Testifying for the bill were Representative Diehl; Missouri Circuit Clerks Association; and Wendy Noren, Boone County Clerk.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that extending the period for counting absentee ballots might be useful. It is unclear if a current computer system exists that would be satisfactory.

Testifying on the bill was Office of the Secretary of State.