

HCS HB 121 -- ELECTIONS

SPONSOR: Dugger

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 9 to 0.

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

- (1) Prohibits any state department from contracting with or providing any moneys to any entity that has been found guilty of or has pled guilty to intentionally or willfully violating any election, tax, or immigration law of this state;
- (2) Prohibits a person from being elected or appointed the clerk of a county commission unless he or she has resided within the county for one year prior to his or her election instead of the current six-month requirement;
- (3) Changes the allowable dates for holding a public election by removing the first Monday in February and the first Tuesday after the first Monday in June as possible election dates;
- (4) Specifies that in a nonpartisan election in any political subdivision or special district except for a municipal election in any city, town, or village with more than 35,000 inhabitants when no election is held because the number of candidates is equal to the number of positions in that office, the election authority must publish a notice containing the names of the candidates who will assume the responsibilities of the office. The notice must be published by April 1 of each year in at least one newspaper of general circulation in the political subdivision or district. Currently, in a nonpartisan election in any political subdivision or special district with the exception of municipal elections, candidates are allowed to take office without an election if the number of candidates is equal to the number of positions to be filled and proper notice has been published in at least one newspaper of general circulation in the district;
- (5) Specifies that the opening filing date for any office filled by an election held on the general municipal election day except in a political subdivision or special district in a noncharter county will be the first Tuesday in December of the year prior to the election and the closing date will be the first Tuesday after the first Monday in January of the year in which the election is held;
- (6) Changes when a candidate has the right to a recount of the

votes from a standard requiring the candidate's defeat by less than 1% of the votes cast to a candidate's defeat by less than one-half of 1% of the votes cast;

(7) Specifies that any person who discourages, hampers, pressures, or attempts to prevent another person from filing for office for the purpose of eliminating the requirement to hold a special election because the number of candidates filing is the same as the number of positions to be filled will be guilty of a class four election offense;

(8) Requires each established state political party to provide the Secretary of State with proof of the identity and proof of United States citizenship for each nominee for President and Vice President of the United States. The proof must be submitted with the other certification documents that are required to be filed with the Secretary of State pursuant to Chapter 115, RSMo;

(9) Establishes a procedure by which an ambulance district board member may be recalled from office by the registered voters of the member's election district. No board member can be recalled during the first or last 180 days of the member's current term or if a previous recall election was in the member's favor during the current term; and

(10) Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption.

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters say that the bill makes several important changes to the laws regarding elections including changing filing deadlines to aid county clerks and by changing the number of votes required for a mandatory recount which will save money.

Testifying for the bill were Representative Dugger; Missouri Association of County Clerks and Election Authorities; and Missouri Municipal League.

OPPOSERS: Those who oppose the bill say that there is no need to change the distance for specified electioneering offenses from 25 to 50 feet.

Testifying against the bill was Missouri Press Association.