

HCS SB 90 -- ELECTIONS

SPONSOR: McKenna (Dugger)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Elections by a vote of 9 to 3.

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

(1) Requires a candidate for the office of county treasurer or county collector-treasurer to provide the election authority with a signed affidavit from a surety company authorized to do business in Missouri indicating that the candidate meets the minimum \$20,000 bond requirements for the office of county treasurer or county collector-treasurer under Chapter 54, RSMo. Currently, a candidate for county treasurer must be at least 21 years of age and a resident of the state and the county in which he or she is a candidate for at least one year prior to the date of the general election for the office. The substitute exempts a candidate in a county with a charter form of government from these requirements (Sections 52.010, 54.040, and 54.330);

(2) Allows council members in a third class city to serve four-year terms if approved by a majority of the voters of the city (Section 77.030);

(3) Allows certain third class cities organized under Sections 78.010 to 78.400, to eliminate, by order or ordinance, any primary election for the office of mayor and councilman that is currently held in February. A person wishing to become a candidate for one of these offices must file a signed statement of candidacy with the city clerk in order to be placed on the ballot in the next municipal election for the office (Section 78.090);

(4) Allows, upon voter approval, any city, town, or village with 6,000 or fewer inhabitants to choose by vote to make use of the procedures of Section 115.124 that allow a candidate in a nonpartisan election to assume the responsibilities of the office without an election if the election is uncontested. Certain notice requirements for this procedure are specified (Section 115.124);

(5) Repeals the provisions that prohibits a voting machine from being used unless it permits each voter at a presidential election to vote by the use of a single lever for the candidates of one party or group of petitioners for President, Vice President, and their presidential electors and a mechanical model, illustrating the manner of voting on the machine is provided that is suitable for the instruction of voters (Section 115.249);

- (6) Repeals the provision that requires a voting machine to be placed so that the ballot labels can be plainly seen by the election judges when not in use by voters (Section 115.259);
- (7) Repeals the provision requiring that the words "Official Absentee Ballot" appear at the top of an absentee ballot (Section 115.281);
- (8) Changes the composition of a team to count absentee ballots from four election judges consisting of two from each political party to an equal number of judges from each major political party (Section 115.299);
- (9) Repeals the provision prohibiting absentee ballots from being counted by the same persons as those who removed them from their envelopes (Section 115.300);
- (10) Repeals the provision allowing the use of pasters to add or delete names on printed ballots if time does not permit correction of the printed ballot (Section 115.383);
- (11) Removes ballot labels from the list of items that the election authority must deliver to each polling place before the poll opens (Section 115.419);
- (12) Changes when election judges must open the ballot box and show to all present that it is empty from after the time fixed by law for the opening of the polls but before the voting begins to not more than one hour before the voting begins (Section 115.423);
- (13) Removes ballot cards from the type of ballots that election judges must initial after the voter's identification certificate has been initialed (Section 115.433);
- (14) Removes sealing the envelope containing a ballot from the list of responsibilities that election judges must perform when any physically disabled voter is unable to enter the polling place (Section 115.436);
- (15) Repeals the provision that allows a voter to cross out a name that appears on the ballot and write the name of the person for whom he or she wishes to vote above or below the crossed-out name and place a cross X mark in the square directly to the left of the crossed-out name but allows a voter to write the name of the person for whom he or she wishes to vote on the write-in line if the line appears on the ballot and place a valid mark immediately beside the candidate's name. The substitute repeals the provisions allowing the use of a sticker or other item containing a write-in

candidate's name in lieu of a handwritten name (Sections 115.439 and 115.455);

(16) Repeals the provision requiring the ballot to be strung on a wire or string in the order read after all of the proper votes on a ballot have been counted (Section 115.449);

(17) Repeals the provisions regarding the responsibility of the election authority in counting ballots cast using punch card voting systems and repeals the provision allowing a voter to use write-in stickers on ballots (Section 115.456);

(18) Changes, from after 12 months to after 24 months, when ballots, ballot cards, processed ballot materials in electronic form, write-in forms, applications, statements, certificates, affidavits, and computer programs relating to each election may be destroyed (Section 115.493); and

(19) Changes when a candidate or a person whose position on a ballot question was defeated will be allowed a recount of the votes from a defeat by less than 1% of the votes cast to a defeat by less than .5% of the votes cast (Section 115.601).

PROPOSERS: Supporters say that the bill is needed to allow council members in third class cities to serve four-year terms.

Testifying for the bill was Representative Entlicher.

OPPOSERS: There was no opposition voiced to the committee.