

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1857, Page 10, Section 115.078, Line 35,
2 by inserting after all of said section and line the following:

3
4 "115.124. 1. Notwithstanding any other law to the contrary, in a nonpartisan election in any
5 political subdivision or special district including municipal elections in any city, town, or village
6 with ~~[one]~~ two thousand or fewer inhabitants that have adopted a proposal pursuant to subsection 3
7 of this section but excluding municipal elections in any city, town, or village with more than ~~[one]~~
8 two thousand inhabitants, if the notice provided for in subsection 5 of section 115.127 has been
9 published in at least one newspaper of general circulation as defined in section 493.050 in the
10 district, and ~~[if the number of candidates who have filed for a particular office is equal to the~~
11 ~~number of positions in that office to be filled by the election, no election shall be held for such~~
12 ~~office]~~ if the number of candidates for each office in a particular political subdivision, special
13 district, or municipality is equal to the number of positions for each office within the political
14 subdivision, special district, or municipality to be filled by the election and no ballot measure is
15 placed on the ballot such that a particular political subdivision will owe no proportional elections
16 costs if an election is not held, no election shall be held, and the candidates shall assume the
17 responsibilities of their offices at the same time and in the same manner as if they had been elected.
18 If no election is held for [such office] a particular political subdivision, special district, or
19 municipality as provided in this section, the election authority shall publish a notice containing the
20 names of the candidates that shall assume the responsibilities of office under this section. Such
21 notice shall be published in at least one newspaper of general circulation as defined in section
22 493.050 in such political subdivision or district by the first of the month in which the election would
23 have occurred, had it been contested. Notwithstanding any other provision of law to the contrary, if
24 at any election the number of candidates filing for a particular office exceeds the number of
25 positions to be filled at such election, the election authority shall hold the election as scheduled,
26 even if a sufficient number of candidates withdraw from such contest for that office so that the
27 number of candidates remaining after the filing deadline is equal to the number of positions to be
28 filled.

29 2. The election authority or political subdivision responsible for the oversight of the filing
30 of candidates in any nonpartisan election in any political subdivision or special district shall clearly

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1 designate where candidates shall form a line to effectuate such filings and determine the order of
2 such filings; except that, in the case of candidates who file a declaration of candidacy with the
3 election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election
4 authority or political subdivision may determine by random drawing the order in which such
5 candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection,
6 it shall be conducted so that each candidate, or candidate's representative if the candidate filed under
7 subsection 2 of section 115.355, may draw a number at random at the time of filing. If such
8 drawing is conducted, the election authority or political subdivision shall record the number drawn
9 with the candidate's declaration of candidacy. If such drawing is conducted, the names of
10 candidates filing on the first day of filing for each office on each ballot shall be listed in ascending
11 order of the numbers so drawn.

12 3. The governing body of any city, town, or village with [~~one~~] two thousand or fewer
13 inhabitants may submit to the voters at any available election, a question to adopt the provisions of
14 subsection 1 of this section for municipal elections. If a majority of the votes cast by the qualified
15 voters voting thereon are in favor of the question, then the city, town, or village shall conduct
16 nonpartisan municipal elections as provided in subsection 1 of this section for all nonpartisan
17 elections remaining in the year in which the proposal was adopted and for the six calendar years
18 immediately following such approval. At the end of such six-year period, each such city, town, or
19 village shall be prohibited from conducting such elections in such a manner unless such a question
20 is again adopted by the majority of qualified voters as provided in this subsection."; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.