

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 438, Page 2, Section 60.010, Line 23, by
2 inserting after all of said line the following:

3
4 "105.035. No person shall be appointed to an elected public office in the state of Missouri
5 who is delinquent in the payment of state income tax, personal property tax, or real property tax on
6 the person's place of residence. A candidate for such appointed public office shall provide the
7 appointing authority thereof with a signed and notarized affidavit stating that all state income taxes
8 and property taxes, both personal property and real property, have been paid or the fact that no taxes
9 were owed for the two fiscal years immediately prior to the filing deadline for the requisite elective
10 public office.

11 115.306. 1. No person shall qualify as a candidate for elective public office in the state of
12 Missouri who has been found guilty of or pled guilty to a felony or misdemeanor under the federal
13 laws of the United States of America or to a felony under the laws of this state or an offense
14 committed in another state that would be considered a felony in this state.

15 2. (1) Any person who files as a candidate for election to a public office shall be
16 disqualified from participation in the election for which the candidate has filed if such person is
17 delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real
18 property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is
19 a past or present corporate officer of any fee office that owes any taxes to the state.

20 (2) Each potential candidate for election to a public office shall file an affidavit with the
21 department of revenue and include a copy of the affidavit with the declaration of candidacy required
22 under section 115.349. Such affidavit shall be in substantially the following form:

23 **AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:**

24 I hereby declare under penalties of perjury that I am not currently aware of any delinquency
25 in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real
26 property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past
27 or present corporate officer of any fee office that owes any taxes to the state, other than those taxes
28 which may be in dispute. I declare under penalties of perjury that I am not aware of any information
29 that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

30
31 Candidate's Signature

32
33 Printed Name of Candidate

34 (3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or
35 payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on
36 the place of residence, as stated on the declaration of candidacy, or if the person is a past or present

Action Taken _____ Date _____

1 corporate officer of any fee office that owes any taxes to the state, the department of revenue shall
2 investigate such potential candidate to verify the claim contained in the complaint. If the
3 department of revenue finds a positive affirmation to be false, the department shall contact the
4 secretary of state, or the election official who accepted such candidate's declaration of candidacy,
5 and the potential candidate. The department shall notify the candidate of the outstanding tax owed
6 and give the candidate thirty days to remit any such outstanding taxes owed which are not the
7 subject of dispute between the department and the candidate. If the candidate fails to remit such
8 amounts in full within thirty days, the candidate shall be disqualified from participating in the
9 current election and barred from refiling for an entire election cycle even if the individual pays all of
10 the outstanding taxes that were the subject of the complaint.

11 3. In addition to the requirements of subsections 1 and 2 of this section, the election
12 authority of any city, town, village, or township shall require proof that a candidate for elective
13 public office within the city, town, village, or township is not delinquent in the payment of state
14 income tax, personal property tax, or real property tax on the candidate's place of residence. A
15 candidate for such elective public office shall provide the election authority thereof with a signed
16 and notarized affidavit stating that all state income taxes and property taxes, both personal property
17 and real property, have been paid or the fact that no taxes were owed for the two fiscal years
18 immediately prior to the filing deadline for the requisite elective public office."; and
19

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