

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 644, Page 1, Section
2 9.245, Line 5, by inserting after all of said 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 two thousand or fewer inhabitants that have adopted a proposal pursuant to subsection 3 of this
7 section but excluding municipal elections in any city, town, or village with more than two thousand
8 inhabitants, if the notice provided for in subsection 5 of section 115.127 has been published in at
9 least one newspaper of general circulation as defined in section 493.050 in the district, and if the
10 number of candidates for each office in a particular political subdivision, special district, or
11 municipality is equal to the number of positions for each office within the political subdivision,
12 special district, or municipality to be filled by the election and no ballot measure is placed on the
13 ballot such that a particular political subdivision will owe no proportional elections costs if an
14 election is not held, no election shall be held, and the candidates shall assume the responsibilities of
15 their offices at the same time and in the same manner as if they had been elected. If no election is
16 held for a particular political subdivision, special district, or municipality as provided in this section,
17 the election authority shall publish a notice containing the names of the candidates that shall assume
18 the responsibilities of office under this section. Such notice shall be published in at least one
19 newspaper of general circulation as defined in section 493.050 in such political subdivision or
20 district by the first of the month in which the election would have occurred, had it been contested.
21 Notwithstanding any other provision of law to the contrary, if at any election the number of
22 candidates filing for a particular office exceeds the number of positions to be filled at such election,
23 the election authority shall hold the election as scheduled, even if a sufficient number of candidates
24 withdraw from such contest for that office so that the number of candidates remaining after the
25 filing deadline is equal to the number of positions to be filled.

26 2. The election authority or political subdivision responsible for the oversight of the filing of
27 candidates in any nonpartisan election in any political subdivision or special district shall clearly
28 designate where candidates shall form a line to effectuate such filings and determine the order of
29 such filings; except that, in the case of candidates who file a declaration of candidacy with the
30 election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election
31 authority or political subdivision may determine by random drawing the order in which such
32 candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection,
33 it shall be conducted so that each candidate, or candidate's representative if the candidate filed under
34 subsection 2 of section 115.355, may draw a number at random at the time of filing. If such
35 drawing is conducted, the election authority or political subdivision shall record the number drawn
36 with the candidate's declaration of candidacy. If such drawing is conducted, the names of candidates

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1 filing on the first day of filing for each office on each ballot shall be listed in ascending order of the
2 numbers so drawn.

3 3. The governing body of any city, town, or village with two thousand or fewer inhabitants
4 may submit to the voters at any available election, a question to adopt the provisions of subsection 1
5 of this section for municipal elections. If a majority of the votes cast by the qualified voters voting
6 thereon are in favor of the question, then the city, town, or village shall conduct nonpartisan
7 municipal elections as provided in subsection 1 of this section for all nonpartisan elections
8 remaining in the year in which the proposal was adopted and for the six calendar years immediately
9 following such approval. At the end of such six-year period, each such city, town, or village shall be
10 prohibited from conducting such elections in such a manner unless such a question is again adopted
11 by the majority of qualified voters as provided in this subsection.

12 4. This section shall not apply to any election for a trustee of a county health center board
13 under chapter 205."; and

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.