

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 685

101ST GENERAL ASSEMBLY

0254S.03C

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 27.010, 50.166, 51.050, 55.060, 58.030, 59.021, 59.100, 60.010, 77.230, 79.080, 105.465, 162.291, 190.050, 204.610, 247.060, 249.140, 321.130, 451.040, and 483.010, RSMo, and to enact in lieu thereof twenty new sections relating to certain public officers, with an existing penalty provision.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 27.010, 50.166, 51.050, 55.060,
2 58.030, 59.021, 59.100, 60.010, 77.230, 79.080, 105.465,
3 162.291, 190.050, 204.610, 247.060, 249.140, 321.130, 451.040,
4 and 483.010, RSMo, are repealed and twenty new sections enacted
5 in lieu thereof, to be known as sections 27.010, 50.166, 51.050,
6 55.060, 58.030, 59.021, 59.100, 60.010, 77.230, 79.080,
7 105.035, 105.465, 162.291, 190.050, 204.610, 247.060, 249.140,
8 321.130, 451.040, and 483.010, to read as follows:

27.010. The attorney general for the state of Missouri
2 shall be elected at each general election at which a
3 governor and other state officers are elected, and his term
4 shall begin at 12:00 noon on the second Monday in January
5 next succeeding his election, and shall continue for four
6 years, or until his successor is elected and qualified. The
7 attorney general shall [reside at the seat of government
8 and] keep his office in the supreme court building, and
9 receive an annual salary of sixty-five thousand dollars plus

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

10 any salary adjustment provided pursuant to section 105.005,
11 payable out of the state treasury. The salary shall
12 constitute the total compensation for all duties to be
13 performed by him **or her** and there shall be no further
14 payments made to or accepted by him **or her** for the
15 performance of any duty now required of him **or her** under any
16 existing law. The attorney general shall devote his **or her**
17 full time to [his] **the** office, and, except in the
18 performance of his **or her** official duties, shall not engage
19 in the practice of law.

50.166. **1.** In all cases of claims allowed against the
2 county, and in all cases of grants, salaries, pay and
3 expenses allowed by law, the county clerk may fill in on a
4 form of warrant the amount due as approved by the county
5 commission and other necessary information. The form of the
6 warrant thus filled in by the county clerk may be
7 transmitted to the county treasurer. The warrant may be in
8 such form that a single instrument may serve as the warrant
9 and the county treasurer's draft or check, and may be so
10 designed that it is a nonnegotiable warrant when signed by
11 the county clerk and becomes a negotiable check or draft
12 after it has been signed by the county treasurer.

**2. Upon request, the county treasurer shall have
14 access to any financially relevant document in the
15 possession of any county official for the purposes of
16 processing a warrant, unless such warrant is received in the
17 absence of a check then the county treasurer shall have
18 access to the information necessary to process the warrant.**

**3. No official of any county shall refuse a request
20 from the county treasurer for access to or a copy of any
21 document in the possession of a county official that is
22 financially relevant to his or her duties under section**

23 50.330, except that any county official may redact, remove,
24 or delete any personal identifying information, including a
25 Social Security number, financial account numbers, medical
26 information, or any other personal identifying information,
27 before submission to the county treasurer.

28 4. No county treasurer shall refuse to release funds
29 for the payment of any properly approved expenditure.

51.050. No person shall be elected or appointed clerk
2 of the county commission unless such person be a citizen of
3 the United States, [over the age of twenty-one years] **twenty-**
4 **one years of age or older**, and shall have resided within the
5 state one whole year, and within the county for which the
6 person is elected one year just prior to such person's
7 election; and every clerk shall after the election continue
8 to reside within the county for which such person is clerk.

55.060. No person shall be elected or appointed county
2 auditor of a county of the first class not having a charter
3 form of government or of a county of the second class unless
4 he **or she** is a citizen of the United States [above the age
5 of twenty-one years], **twenty-one years of age or older**, and
6 has resided within the state for one whole year and within
7 the county for which he **or she** is elected or appointed for
8 three months immediately preceding the election or his **or**
9 **her** appointment. He **or she** shall also be a person familiar
10 with the theory and practice of accounting by education,
11 training, and experience and able to perform the duties
12 imposed upon the county auditor by the provisions of this
13 chapter. The county auditor shall, after his **or her**
14 appointment or election, reside in the county for which he
15 **or she** is auditor.

58.030. No person shall be elected or appointed to the
2 office of coroner unless he **or she** be a citizen of the

3 United States, [over the age of twenty-one years] **twenty-one**
4 **years of age or older**, and shall have resided within the
5 state one whole year, and within the county for which he **or**
6 **she** is elected, six months next preceding the election.

59.021. A candidate for county recorder where the
2 offices of the clerk of the court and recorder of deeds are
3 separate, except in any city not within a county or any
4 county having a charter form of government, shall be at
5 least twenty-one years of age, a registered voter, and a
6 resident of the state of Missouri as well as the county in
7 which he or she is a candidate for at least one year prior
8 to the date of the general election. Upon election to
9 office, the person shall continue to reside in that county
10 during his or her tenure in office. **Each candidate for**
11 **county recorder shall provide to the election authority a**
12 **copy of an affidavit from a surety company authorized to do**
13 **business in this state that indicates the candidate is able**
14 **to satisfy the bond requirements under section 59.100.**

59.100. 1. Every recorder elected as provided in
2 section 59.020, before entering upon the duties of the
3 office as recorder, shall enter into bond to the state, in a
4 sum set by the county commission [of not less than one
5 thousand dollars], with sufficient sureties, not less than
6 two, to be approved by the commission, conditioned for the
7 faithful performance of the duties enjoined on such person
8 by law as recorder, and for the delivering up of the
9 records, books, papers, writings, seals, furniture and
10 apparatus belonging to the office, whole, safe and
11 undefaced, to such officer's successor.

12 **2. For a recorder elected after December 31, 2021, the**
13 **bond shall be no less than five thousand dollars. For a**

14 **recorder elected before January 1, 2022, the bond shall be**
15 **no less than one thousand dollars.**

60.010. 1. At the regular general election in the
2 year 1948, and every four years thereafter, the voters of
3 each county of this state in counties of the second, third,
4 and fourth classification shall elect a registered land
5 surveyor as county surveyor, who shall hold office for four
6 years and until a successor is duly elected, commissioned
7 and qualified. The person elected shall be commissioned by
8 the governor.

9 2. No person shall be elected or appointed surveyor
10 unless such person is a citizen of the United States, [over
11 the age of twenty-one years] **twenty-one years of age or**
12 **older**, a registered land surveyor, and shall have resided
13 within the state one whole year. An elected surveyor shall
14 have resided within the county for which the person is
15 elected six months immediately prior to election and shall
16 after election continue to reside within the county for
17 which the person is surveyor. An appointed surveyor need
18 not reside within the county for which the person is
19 surveyor.

20 3. Notwithstanding the provisions of subsection 1 of
21 this section, or any other law to the contrary, the county
22 commission of any county of the third or fourth
23 classification may appoint a surveyor following the deadline
24 for filing for the office of surveyor, if no qualified
25 candidate files for the office in the general election in
26 which the office would have been on the ballot, provided
27 that the notice required by section 115.345 has been
28 published in at least one newspaper of general circulation
29 in the county. The appointed surveyor shall serve at the
30 pleasure of the county commission, however, an appointed

31 surveyor shall forfeit said office once a qualified
32 individual, who has been duly elected at a regularly
33 scheduled general election where the office of surveyor is
34 on the ballot and who has been commissioned by the governor,
35 takes office. The county commission shall fix appropriate
36 compensation, which need not be equal to that of an elected
37 surveyor.

77.230. No person shall be mayor unless he **or she** be
2 at least [~~thirty~~] **twenty-one** years of age, a citizen of the
3 United States and a resident of such city at the time of and
4 for two years next preceding his **or her** election. When two
5 or more persons shall have an equal number of votes for the
6 office of mayor, the matter shall be determined by the
7 council.

79.080. No person shall be mayor unless he **or she** be
2 at least [~~twenty-five~~] **twenty-one** years of age, a citizen of
3 the United States and a resident of the city at the time of
4 and for at least one year next preceding his **or her** election.

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

105.465. 1. Any person who registers as a lobbyist
2 shall dissolve his or her candidate committee. In the
3 course of dissolving such committee, such person shall not

4 disburse moneys from such committee, except for the purpose
5 of:

6 (1) Returning a contribution made to the candidate
7 committee to the entity responsible for making the
8 contribution to the committee;

9 (2) Donating moneys to a nonprofit entity qualified as
10 exempt from federal taxation under Section 501(c)(3) of the
11 Internal Revenue Code of 1986, as amended; or

12 (3) Transferring moneys to a political party committee.

13 2. For purposes of this section, the term "lobbyist"
14 shall have the same meaning given to such term under section
15 105.470, and the terms "**candidate**", "committee", "candidate
16 committee", "contribution", and "political party committee"
17 shall have the same meanings given to such terms under
18 section 130.011.

19 **3. This section shall not apply to any person holding**
20 **a municipal office or school district office which is filled**
21 **by a vote of registered voters or any person who has filed**
22 **to be a candidate for a municipal office or school district**
23 **office which is filled by a vote of registered voters.**

162.291. The voters of each seven-director district
2 other than urban districts shall, at municipal elections,
3 elect two directors who are citizens of the United States
4 and resident taxpayers of the district, who have resided in
5 this state for one year next preceding their election or
6 appointment, and who are [at least twenty-four years of age]
7 **twenty-one years of age or older.**

190.050. 1. After the ambulance district has been
2 declared organized, the declaring county commission, except
3 in counties of the second class having more than one hundred
4 five thousand inhabitants located adjacent to a county of
5 the first class having a charter form of government which

6 has a population of over nine hundred thousand inhabitants,
7 shall divide the district into six election districts as
8 equal in population as possible, and shall by lot number the
9 districts from one to six inclusive. The county commission
10 shall cause an election to be held in the ambulance district
11 within ninety days after the order establishing the
12 ambulance district to elect ambulance district directors.
13 Each voter shall vote for one director from the ambulance
14 election district in which the voter resides. The directors
15 elected from districts one and four shall serve for a term
16 of one year, the directors elected from districts two and
17 five shall serve for a term of two years, and the directors
18 from districts three and six shall serve for a term of three
19 years; thereafter, the terms of all directors shall be three
20 years. All directors shall serve the term to which they
21 were elected or appointed, and until their successors are
22 elected and qualified, except in cases of resignation or
23 disqualification. The county commission shall reapportion
24 the ambulance districts within sixty days after the
25 population of the county is reported to the governor for
26 each decennial census of the United States. Notwithstanding
27 any other provision of law, if the number of candidates for
28 the office of director is no greater than the number of
29 directors to be elected, no election shall be held, and the
30 candidates shall assume the responsibilities of their
31 offices at the same time and in the same manner as if they
32 have been elected.

33 2. In all counties of the second class having more
34 than one hundred five thousand inhabitants located adjacent
35 to a county of the first class having a charter form of
36 government which has a population of over nine hundred
37 thousand inhabitants, the voters shall vote for six

38 directors elected at large from within the district for a
39 term of three years. Those directors holding office in any
40 district in such a county on August 13, 1976, shall continue
41 to hold office until the expiration of their terms, and
42 their successors shall be elected from the district at large
43 for a term of three years. In any district formed in such
44 counties after August 13, 1976, the governing body of the
45 county shall cause an election to be held in that district
46 within ninety days after the order establishing the
47 ambulance district to elect ambulance district directors.
48 Each voter shall vote for six directors. The two candidates
49 receiving the highest number of votes at such election shall
50 be elected for a term of three years, the two candidates
51 receiving the third and fourth highest number of votes shall
52 be elected for a term of two years, the two candidates
53 receiving the fifth and sixth highest number of votes shall
54 be elected for a term of one year; thereafter, the term of
55 all directors shall be three years.

56 3. A candidate for director of the ambulance district
57 shall, at the time of filing, be a citizen of the United
58 States, a qualified voter of the election district as
59 provided in subsection 1 of this section, a resident of the
60 district for two years next preceding the election, and
61 shall be [at least twenty-four years of age] **twenty-one**
62 **years of age or older.** In an established district which is
63 located within the jurisdiction of more than one election
64 authority, the candidate shall file his or her declaration
65 of candidacy with the secretary of the board. In all other
66 districts, a candidate shall file a declaration of candidacy
67 with the county clerk of the county in which he or she
68 resides. A candidate shall file a statement under oath that
69 he or she possesses the required qualifications. No

70 candidate's name shall be printed on any official ballot
71 unless the candidate has filed a written declaration of
72 candidacy pursuant to subsection 5 of section 115.127. If
73 the time between the county commission's call for a special
74 election and the date of the election is not sufficient to
75 allow compliance with subsection 5 of section 115.127, the
76 county commission shall, at the time it calls the special
77 election, set the closing date for filing declarations of
78 candidacy.

204.610. 1. There shall be five trustees, appointed
2 or elected as provided for in the circuit court decree or
3 amended decree of incorporation for a reorganized common
4 sewer district, who shall reside within the boundaries of
5 the district. Each trustee shall be a voter of the district
6 and shall have resided in said district for twelve months
7 immediately prior to the trustee's election or appointment.
8 A trustee shall be [at least twenty-five years of age]
9 **twenty-one years of age or older** and shall not be delinquent
10 in the payment of taxes at the time of the trustee's
11 election or appointment. Regardless of whether or not the
12 trustees are elected or appointed, in the event the district
13 extends into any county bordering the county in which the
14 greater portion of the district lies, the presiding
15 commissioner or other chief executive officer of the
16 adjoining county shall be an additional member of the board
17 of trustees, or the governing body of such bordering county
18 may appoint a citizen from such county to serve as an
19 additional member of the board of trustees. Said additional
20 trustee shall meet the qualifications set forth in this
21 section for a trustee.

22 2. The trustees shall receive no compensation for
23 their services but may be compensated for reasonable

24 expenses normally incurred in the performance of their
25 duties. The board of trustees may employ and fix the
26 compensation of such staff as may be necessary to discharge
27 the business and purposes of the district, including clerks,
28 attorneys, administrative assistants, and any other
29 necessary personnel. The board of trustees may employ and
30 fix the duties and compensation of an administrator for the
31 district. The administrator shall be the chief executive
32 officer of the district subject to the supervision and
33 direction of the board of trustees. The administrator of
34 the district may, with the approval of the board of
35 trustees, retain consulting engineers for the district under
36 such terms and conditions as may be necessary to discharge
37 the business and purposes of the district.

38 3. Except as provided in subsection 1 of this section,
39 the term of office of a trustee shall be five years. The
40 remaining trustees shall appoint a person qualified under
41 this section to fill any vacancy on the board. The initial
42 trustees appointed by the circuit court shall serve until
43 the first Tuesday after the first Monday in June or until
44 the first Tuesday after the first Monday in April, depending
45 upon the resolution of the trustees. In the event that the
46 trustees are elected, said elections shall be conducted by
47 the appropriate election authority under chapter 115.
48 Otherwise, trustees shall be appointed by the county
49 commission in accordance with the qualifications set forth
50 in subsection 1 of this section.

51 4. Notwithstanding any other provision of law, if
52 there is only one candidate for the post of trustee, then no
53 election shall be held, and the candidate shall assume the
54 responsibilities of office at the same time and in the same
55 manner as if elected. If there is no candidate for the post

56 of trustee, then no election shall be held for that post and
57 it shall be considered vacant, to be filled under the
58 provisions of subsection 3 of this section.

247.060. 1. The management of the business and
2 affairs of the district is hereby vested in a board of
3 directors, who shall have all the powers conferred upon the
4 district except as herein otherwise provided. It shall be
5 composed of five members, each of whom shall be a voter of
6 the district and shall have resided in said district one
7 whole year immediately prior to his or her election. A
8 member shall be [at least twenty-five years of age] **twenty-**
9 **one years of age or older** and shall not be delinquent in the
10 payment of taxes at the time of his **or her** election. Except
11 as provided in subsection 2 of this section, the term of
12 office of a member of the board shall be three years. The
13 remaining members of the board shall appoint a qualified
14 person to fill any vacancy on the board. If no qualified
15 person who lives in the subdistrict for which there is a
16 vacancy is willing to serve on the board, the board may
17 appoint an otherwise qualified person who lives in the
18 district but not in the subdistrict in which the vacancy
19 exists to fill such vacancy.

20 2. After notification by certified mail that he or she
21 has two consecutive unexcused absences, any member of the
22 board failing to attend the meetings of the board for three
23 consecutive regular meetings, unless excused by the board
24 for reasons satisfactory to the board, shall be deemed to
25 have vacated the seat, and the secretary of the board shall
26 certify that fact to the board. The vacancy shall be filled
27 as other vacancies occurring in the board.

28 3. The initial members of the board shall be appointed
29 by the circuit court and one shall serve until the

30 immediately following first Tuesday after the first Monday
31 in April, two shall serve until the first Tuesday after the
32 first Monday in April on the second year following their
33 appointment and the remaining appointees shall serve until
34 the first Tuesday after the first Monday in April on the
35 third year following their appointment. On the expiration
36 of such terms and on the expiration of any subsequent term,
37 elections shall be held as otherwise provided by law, and
38 such elections shall be held in April pursuant to section
39 247.180.

40 4. In 2008, 2009, and 2010, directors elected in such
41 years shall serve from the first Tuesday after the first
42 Monday in June until the first Tuesday in April of the third
43 year following the year of their election. All directors
44 elected thereafter shall serve from the first Tuesday in
45 April until the first Tuesday in April of the third year
46 following the year of their election.

47 5. Each member of the board may receive an attendance
48 fee not to exceed one hundred dollars for attending each
49 regularly called board meeting, or special meeting, but
50 shall not be paid for attending more than two meetings in
51 any calendar month, except that in a county of the first
52 classification, a member shall not be paid for attending
53 more than four meetings in any calendar month. However, no
54 board member shall be paid more than one attendance fee if
55 such member attends more than one board meeting in a
56 calendar week. In addition, the president of the board of
57 directors may receive fifty dollars for attending each
58 regularly or specially called board meeting, but shall not
59 be paid the additional fee for attending more than two
60 meetings in any calendar month. Each member of the board
61 shall be reimbursed for his or her actual expenditures in

62 the performance of his or her duties on behalf of the
63 district.

64 6. In no event, however, shall a board member receive
65 any attendance fees or additional compensation authorized in
66 subsection 5 of this section until after such board member
67 has completed a minimum of six hours training regarding the
68 responsibilities of the board and its members concerning the
69 basics of water treatment and distribution, budgeting and
70 rates, water utility planning, the funding of capital
71 improvements, the understanding of water utility financial
72 statements, the Missouri sunshine law, and this chapter.

73 7. The circuit court of the county having jurisdiction
74 over the district shall have jurisdiction over the members
75 of the board of directors to suspend any member from
76 exercising his or her office, whensoever it appears that he
77 or she has abused his or her trust or become disqualified;
78 to remove any member upon proof or conviction of gross
79 misconduct or disqualification for his or her office; or to
80 restrain and prevent any alienation of property of the
81 district by members, in cases where it is threatened, or
82 there is good reason to apprehend that it is intended to be
83 made in fraud of the rights and interests of the district.

84 8. The jurisdiction conferred by this section shall be
85 exercised as in ordinary cases upon petition, filed by or at
86 the instance of any member of the board, or at the instance
87 of any ten voters residing in the district who join in the
88 petition, verified by the affidavit of at least one of
89 them. The petition shall be heard in a summary manner after
90 ten days' notice in writing to the member or officer
91 complained of. An appeal shall lie from the judgment of the
92 circuit court as in other causes, and shall be speedily
93 determined; but an appeal does not operate under any

94 condition as a supersedeas of a judgment of suspension or
95 removal from office.

249.140. 1. Any candidate for the office of trustee
2 in the district shall be an American citizen [over the age
3 of twenty-five years] **twenty-one years of age or older** and
4 shall have been a resident within the county within which
5 the district is situated for more than four whole years next
6 before the date of the election at which he **or she** is a
7 candidate and shall be a voter of the district. Any person
8 desiring to become a candidate for the office of trustee at
9 the election held on the original incorporation of the
10 district, as provided in section 249.070, shall file with
11 the county commission or with the election commissioners a
12 statement, under oath, that he **or she** possesses the
13 qualifications required by sections 249.010 to 249.420 for
14 trustee and shall pay a filing fee of five dollars,
15 whereupon his **or her** name shall be placed on the ballot as
16 candidate for trustee. Any person desiring to become a
17 candidate for the office of trustee in any subsequent
18 election shall file such statement, under oath, with and pay
19 such filing fee to the secretary of the board of trustees,
20 whereupon his **or her** name shall be placed on the ballot as
21 candidate for the office of trustee.

22 2. At such initial election the candidate who receives
23 the highest number of votes shall be elected for a six-year
24 term as trustee; the candidate who receives the second
25 highest number of votes shall be elected for a four-year
26 term as trustee; the candidate who receives the third
27 highest number of votes shall be elected for a two-year term
28 as trustee.

29 3. After his **or her** election each trustee shall take
30 and subscribe [his] **an** oath or affirmation before the clerk

31 of the circuit court to the effect that he **or she** is
32 qualified to act as trustee under the provisions of sections
33 249.010 to 249.420 and that he **or she** will perform his **or**
34 **her** duties as such trustee to the best of his **or her** ability
35 and impartially in the interest of the whole district.

321.130. A person, to be qualified to serve as a
2 director, shall be a resident and voter of the district for
3 at least one year before the election or appointment and [be
4 over the age of twenty-four years] **shall be twenty-one years**
5 **of age or older**. In the event the person is no longer a
6 resident of the district, the person's office shall be
7 vacated, and the vacancy shall be filled as provided in
8 section 321.200. Nominations and declarations of candidacy
9 shall be filed at the headquarters of the fire protection
10 district by paying a filing fee equal to the amount of a
11 candidate for county office as set forth under section
12 115.357, and filing a statement under oath that such person
13 possesses the required qualifications. Thereafter, such
14 candidate shall have the candidate's name placed on the
15 ballot as a candidate for director.

451.040. 1. Previous to any marriage in this state, a
2 license for that purpose shall be obtained from the officer
3 authorized to issue the same, and no marriage contracted
4 shall be recognized as valid unless the license has been
5 previously obtained, and unless the marriage is solemnized
6 by a person authorized by law to solemnize marriages.

7 2. Before applicants for a marriage license shall
8 receive a license, and before the recorder of deeds shall be
9 authorized to issue a license, the parties to the marriage
10 shall present an application for the license, duly executed
11 and signed in the presence of the recorder of deeds or their
12 deputy **or electronically through an online process**. If an

13 applicant is unable to sign the application in the presence
14 of the recorder of deeds as a result of the applicant's
15 incarceration or because the applicant has been called or
16 ordered to active military duty out of the state or country,
17 the recorder of deeds may issue a license if:

18 (1) An affidavit or sworn statement is submitted by
19 the incarcerated or military applicant on a form furnished
20 by the recorder of deeds which includes the necessary
21 information for the recorder of deeds to issue a marriage
22 license under this section. The form shall include, but not
23 be limited to, the following:

24 (a) The names of both applicants for the marriage
25 license;

26 (b) The date of birth of the incarcerated or military
27 applicant;

28 (c) An attestation by the incarcerated or military
29 applicant that both applicants are not related;

30 (d) The date the marriage ended if the incarcerated or
31 military applicant was previously married;

32 (e) An attestation signed by the incarcerated or
33 military applicant stating in substantial part that the
34 applicant is unable to appear in the presence of the
35 recorder of deeds as a result of the applicant's
36 incarceration or because the applicant has been called or
37 ordered to active military duty out of the state or country,
38 which will be verified by the professional or official who
39 directs the operation of the jail or prison or the military
40 applicant's military officer, or such professional's or
41 official's designee, and acknowledged by a notary public
42 commissioned by the state of Missouri at the time of
43 verification. However, in the case of an applicant who is
44 called or ordered to active military duty outside Missouri,

45 [acknowledgement] **acknowledgment** may be obtained by a notary
46 public who is duly commissioned by a state other than
47 Missouri or by notarial services of a military officer in
48 accordance with the Uniform Code of Military Justice at the
49 time of verification;

50 (2) The completed marriage license application of the
51 incarcerated or military applicant is submitted which
52 includes the applicant's Social Security number; except
53 that, in the event the applicant does not have a Social
54 Security number, a sworn statement by the applicant to that
55 effect; and

56 (3) A copy of a government-issued identification for
57 the incarcerated or military applicant which contains the
58 applicant's photograph. However, in such case the
59 incarcerated applicant does not have such an identification
60 because the jail or prison to which he or she is confined
61 does not issue an identification with a photo his or her
62 notarized application shall satisfy this requirement.

63 3. Each application for a license shall contain the
64 Social Security number of the applicant, provided that the
65 applicant in fact has a Social Security number, or the
66 applicant shall sign a statement provided by the recorder
67 that the applicant does not have a Social Security number.
68 The Social Security number contained in an application for a
69 marriage license shall be exempt from examination and
70 copying pursuant to section 610.024. After the receipt of
71 the application the recorder of deeds shall issue the
72 license, unless one of the parties withdraws the
73 application. The license shall be void after thirty days
74 from the date of issuance.

75 4. Any person violating the provisions of this section
76 shall be deemed guilty of a misdemeanor.

77 5. Common-law marriages shall be null and void.

78 6. Provided, however, that no marriage shall be deemed
79 or adjudged invalid, nor shall the validity be in any way
80 affected for want of authority in any person so solemnizing
81 the marriage pursuant to section 451.100, if consummated
82 with the full belief on the part of the persons, so married,
83 or either of them, that they were lawfully joined in
84 marriage.

85 7. In the event a recorder of deeds utilizes an online
86 process to accept applications for a marriage license or to
87 issue a marriage license and the applicants' identity has
88 not been verified in person, the recorder of deeds shall
89 have a two-step identity verification process or a process
90 that independently verifies the identity of such
91 applicants. Such process shall be adopted as part of any
92 electronic system for marriage licenses if the applicants do
93 not present themselves to the recorder of deeds or his or
94 her designee in person. It shall be the responsibility of
95 the recorder of deeds to ensure any process adopted to allow
96 electronic application or issuance of a marriage license
97 verifies the identities of both applicants. The recorder of
98 deeds shall not accept applications for or issue marriage
99 licenses through the process provided in this subsection
100 unless both applicants are at least eighteen years of age
101 and at least one of the applicants is a resident of the
102 county or city not within a county in which the application
103 was submitted.

 483.010. No person shall be appointed or elected clerk
2 of any court, unless he [be] **or she is** a citizen of the
3 United States, [above the age of twenty-one years] **twenty-**
4 **one years of age or older**, and shall have resided within the
5 state one whole year, and within the geographical area over

6 which the court has jurisdiction or, in the case of circuit
7 clerks, within the county from which elected, three months
8 before the appointment or election; and every clerk shall,
9 after his **or her** appointment or election, reside in the
10 geographical area over which the court he **or she** serves has
11 jurisdiction or, in the case of circuit clerks, in the
12 county for which he **or she** is clerk.

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