

FIRST REGULAR SESSION

# SENATE BILL NO. 282

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Read 1st time February 16, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1542S.011

## AN ACT

To repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to the date of the presidential primary.

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

Section A. Sections 115.123 and 115.755, RSMo, are repealed and one new  
2 section enacted in lieu thereof, to be known as section 115.123, to read as follows:

115.123. 1. All public elections shall be held on Tuesday. Except as  
2 provided in subsections 2, 3, and 4 of this section, and section 247.180, all public  
3 elections shall be held on the general election day, the primary election day, the  
4 general municipal election day, the first Tuesday after the first Monday in  
5 February or November, or on another day expressly provided by city or county  
6 charter, the first Tuesday after the first Monday in June and in nonprimary years  
7 on the first Tuesday after the first Monday in August.

8 2. Notwithstanding the provisions of subsection 1 of this section, an  
9 election for a presidential primary held pursuant to sections [115.755] **115.758**  
10 to 115.785 shall be held on the first Tuesday after the first Monday in March of  
11 each presidential election year.

12 3. The following elections shall be exempt from the provisions of  
13 subsection 1 of this section:

14 (1) Bond elections necessitated by fire, vandalism or natural disaster;

15 (2) Elections for which ownership of real property is required by law for  
16 voting; and

17 (3) Special elections to fill vacancies and to decide tie votes or election  
18 contests.

19 4. No city or county shall adopt a charter or charter amendment which

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

20 calls for elections to be held on dates other than those established in subsection  
21 1 of this section.

22           5. Nothing in this section prohibits a charter city or county from having  
23 its primary election in March if the charter provided for a March primary before  
24 August 28, 1999.

25           6. Nothing in this section shall prohibit elections held pursuant to section  
26 65.600, but no other issues shall be on the March ballot except pursuant to this  
27 chapter.

                  [115.755. A statewide presidential preference primary shall  
2           be held on the first Tuesday after the first Monday in February of  
3           each presidential election year.]

✓

Bill

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