

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 282

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

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

Read 2nd time February 17, 2011, and referred to the Committee on Financial and Governmental Organizations and Elections.

Reported from the Committee March 3, 2011, with recommendation that the bill do pass and be placed on the Consent Calendar.

Removed from the Consent Calendar March 7, 2011.

Re-reported from the Committee March 10, 2011, with recommendation that the bill do pass.

Taken up for Perfection March 16, 2011. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

1542S.01P

## AN ACT

To repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to dates of conducting elections.

*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Section A. Sections 115.123 and 115.755, RSMo, are repealed and one new  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] **and 3** of this section, and section 247.180,  
3 all public elections shall be held on the general election day, the primary election  
4 day, the general municipal election day, the first Tuesday after the first Monday  
5 in [February or] November, or on another day expressly provided by city or  
6 county charter, [the first Tuesday after the first Monday in June] and in  
7 nonprimary years 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]  
11 **seven days after the presidential primary is conducted in the state of**  
12 **New Hampshire** of each presidential election year.

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

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

- 15 (1) Bond elections necessitated by fire, vandalism or natural disaster;  
16 (2) Elections for which ownership of real property is required by law for  
17 voting; and  
18 (3) Special elections to fill vacancies and to decide tie votes or election  
19 contests.
- 20 4. No city or county shall adopt a charter or charter amendment which  
21 calls for elections to be held on dates other than those established in subsection  
22 1 of this section.
- 23 5. Nothing in this section prohibits a charter city or county from having  
24 its primary election in March if the charter provided for a March primary before  
25 August 28, 1999.
- 26 6. Nothing in this section shall prohibit elections held pursuant to section  
27 65.600, but no other issues shall be on the March ballot except pursuant to this  
28 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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