

SECOND REGULAR SESSION

# SENATE BILL NO. 1245

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

Read 1st time February 28, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5387S.011

## AN ACT

To repeal sections 115.350 and 561.021, RSMo, and to enact in lieu thereof one new section relating to disqualification of candidates for public office.

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

Section A. Sections 115.350 and 561.021, RSMo, are repealed and one new  
2 section enacted in lieu thereof, to be known as section 561.021, to read as follows:

561.021. 1. A person holding any public office, elective or appointive,  
2 under the government of this state or any agency or political subdivision thereof,  
3 who is convicted of a crime shall, upon sentencing, forfeit such office if :

4 (1) He is convicted under the laws of this state of a felony or under the  
5 laws of another jurisdiction of a crime which, if committed within this state,  
6 would be a felony, or he pleads guilty or nolo contendere of such a crime; or

7 (2) He is convicted of or pleads guilty or nolo contendere to a crime  
8 involving misconduct in office, or dishonesty; or

9 (3) The constitution or a statute other than the code so provides.

10 2. [Except as provided in subsection 3 of this section,] A person who  
11 pleads guilty or nolo contendere or is convicted under the laws of this state of a  
12 felony or under the laws of another jurisdiction of a crime which, if committed  
13 within this state, would be a felony, shall be ineligible to **qualify as a**  
14 **candidate for or** hold any public office, elective or appointive, under the  
15 government of this state or any agency or political subdivision thereof[, until the  
16 completion of his sentence or period of probation].

17 [3. A person who pleads guilty or nolo contendere or is convicted under  
18 the laws of this state or under the laws of another jurisdiction of a felony  
19 connected with the exercise of the right of suffrage shall be forever disqualified

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

20 from holding any public office, elective or appointive, under the government of  
21 this state or any agency or political subdivision thereof.]

2 [115.350. No person shall qualify as a candidate for elective  
3 public office in the state of Missouri who has been convicted of or  
4 found guilty of or pled guilty to a felony under the laws of this  
state.]

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