

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 1245

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

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

Read 2nd time March 3, 2008, and referred to the Committee on Financial and Governmental Organizations and Elections.

Reported from the Committee April 17, 2008, with recommendation that the bill do pass.

Taken up for Perfection April 24, 2008. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

5387S.01P

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Section A. Sections 115.350 and 561.021, RSMo, are repealed and one new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].

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

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

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

Unofficial

Bill

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