

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 581**  
**95TH GENERAL ASSEMBLY**

3162L.04C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 115.091 and 115.241, RSMo, and to enact in lieu thereof three new sections relating to elections.

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

Section A. Sections 115.091 and 115.241, RSMo, are repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 77.305, 79.045, and 115.091, to read as follows:

2 **77.305. The city council may submit any question to a vote as an advisory**  
3 **referendum to be included on the ballot for an election to be conducted on a date**  
4 **authorized under section 115.123. Such an advisory referendum, upon receiving a**  
5 **majority of votes in such city, shall only be used by the city council as a measure of public**  
6 **preference and shall not have the force and effect of law. Such questions shall only be**  
7 **submitted in the same manner that questions are otherwise submitted to a vote under**  
8 **chapter 115.**

2 **79.045. The city council may submit any question to a vote as an advisory**  
3 **referendum to be included on the ballot for an election to be conducted on a date**  
4 **authorized under section 115.123. Such an advisory referendum, upon receiving a**  
5 **majority of votes in such city, shall only be used by the city council as a measure of public**  
6 **preference and shall not have the force and effect of law. Such questions shall only be**  
7 **submitted in the same manner that questions are otherwise submitted to a vote under**  
8 **chapter 115.**

115.091. On commissioning or before entering upon his duties, each election judge shall  
2 take and subscribe the following oath:

3 I solemnly swear that I will **support and defend the Constitution of the United States**  
4 **and of this state, that I will** impartially discharge the duties of judge according to law[.]

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 to the best of my ability, and that I will not disclose how any voter has voted unless I am  
 6 required to do so as a witness in a proper judicial proceeding. I also affirm that I will not  
 7 allow any person to vote who is not entitled to vote and that I will make no statement nor  
 8 give any information of any kind tending in any way to show the state of the count prior  
 9 to the close of the polls on election day.

10

11 Sworn and subscribed to before me  
 12 this .....day of ....., 20...

13

14 .....

15 Judge of Election

16

17 .....

18 Election Authority (Judge of Election)

19 witnessing oath

2 [115.241. Each party emblem shall be printed on the ballot above the  
 party caption.]

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