

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 569**  
96TH GENERAL ASSEMBLY

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Reported from the Committee on Financial and Governmental Organizations and Elections, March 1, 2012, with recommendation that the Senate Committee Substitute do pass.

4738S.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

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

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

Section A. Section 115.123, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.123, to read as follows: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 provided in subsections 2[,], and 3[,], and 4] of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in [February or] November, or on another day expressly provided by city or county charter, [the first Tuesday after the first Monday in June] and in nonprimary years on the first Tuesday after the first Monday in August. **Bond elections may be held on the first Tuesday after the first Monday in February but no other issue shall be included on the ballot for such election.**

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

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

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for

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

19 voting; and

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

22 4. No city or county shall adopt a charter or charter amendment which  
23 calls for elections to be held on dates other than those established in subsection  
24 1 of this section.

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

28 6. Nothing in this section shall prohibit elections held pursuant to section  
29 65.600, but no other issues shall be on the March ballot except pursuant to this  
30 chapter.

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Bill

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