

SECOND REGULAR SESSION

# SENATE BILL NO. 773

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PARSON.

Read 1st time February 8, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5719S.021

## AN ACT

To repeal section 115.349, RSMo, and to enact in lieu thereof one new section relating to the time period for filing declarations for candidacy, with an emergency clause.

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

Section A. Section 115.349, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.349, to read as follows:

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 or sections 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless the candidate has filed a written declaration of candidacy in the office of the appropriate election official by 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

2. No declaration of candidacy for nomination in a primary election shall be accepted for filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the primary election.

3. Each declaration of candidacy for nomination in a primary election shall state the candidate's full name, residence address, office for which such candidate proposes to be a candidate, the party ticket on which he or she wishes to be a candidate and that if nominated and elected he or she will qualify. The declaration shall be in substantially the following form:

I, ....., a resident and registered voter of the county of ..... and the state of Missouri, residing at ....., do announce myself a candidate for the office of ..... on the ..... party ticket, to be voted for at the primary election to be held on the .... day of ....., ..., and I further declare that if nominated and elected to such office I will qualify.

.....

Signature of candidate

Subscribed and sworn to

before me this ..... day

21 ..... of ....., .....  
 22 Residence address Signature of election  
 23 official or other officer  
 24 authorized to administer oaths  
 25 .....  
 26 Mailing address (if different)  
 27 .....  
 28 Telephone Number (Optional)

29 If the declaration is to be filed in person, it shall be subscribed and sworn to by  
 30 the candidate before an official authorized to accept his or her declaration of  
 31 candidacy. If the declaration is to be filed by certified mail pursuant to the  
 32 provisions of subsection 2 of section 115.355, it shall be subscribed and sworn to  
 33 by the candidate before a notary public or other officer authorized by law to  
 34 administer oaths.

35 **4. Notwithstanding subsections 1 and 2 of this section to the**  
 36 **contrary, the filing period for candidates to file a declaration of**  
 37 **candidacy under this section for the primary election to be held on**  
 38 **August 7, 2012, shall begin at 8:00 a.m. on March 27, 2012, and end at**  
 39 **5:00 p.m. on April 24, 2012.**

Section B. Because of the need to ensure that candidates have adequate  
 2 notice of changing electoral district boundaries before filing declarations of  
 3 candidacy for public office, section A of this act is deemed necessary for the  
 4 immediate preservation of the public health, welfare, peace and safety, and is  
 5 hereby declared to be an emergency act within the meaning of the constitution,  
 6 and section A of this act shall be in full force and effect upon its passage and  
 7 approval.

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