

FIRST REGULAR SESSION

SENATE BILL NO. 177

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHMITT.

Read 1st time January 22, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0808S.01I

AN ACT

To repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections relating to the date of the presidential primary.

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

Section A. Sections 115.123 and 115.755, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 115.123 and 115.755, to read as follows:

115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2 and 3 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 November, or on another day expressly provided by city or county charter, 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 **[February] March** 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 voting;
- (3) Special elections to fill vacancies and to decide tie votes or election

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

19 contests; and

20 (4) Tax elections necessitated by a financial hardship due to a five percent
21 or greater decline in per-pupil state revenue to a school district from the previous
22 year.

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

26 5. Nothing in this section shall prohibit elections held pursuant to section
27 65.600, but no other issues shall be on the March ballot except pursuant to this
28 chapter.

115.755. A statewide presidential preference primary shall be held on the
2 first Tuesday after the first Monday in [February] **March** of each presidential
3 election year.

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Bill

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