

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 892
97TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, March 27, 2014, with recommendation that the Senate Committee Substitute do pass.

6133S.02C

TERRY L. SPIELER, Secretary.

AN ACT

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

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Section A. Sections 115.123 and 115.755, RSMo, are repealed and two new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

115.123. 1. All public elections shall be held on Tuesday. Except as
2 provided in subsections 2 and 3 of this section, and section 247.180, all public
3 elections shall be held on the general election day, the primary election day, the
4 general municipal election day, the first Tuesday after the first Monday in
5 November, or on another day expressly provided by city or county charter, and in
6 nonprimary years on the first Tuesday after the first Monday in August. Bond
7 elections may be held on the first Tuesday after the first Monday in February but
8 no other issue shall be included on the ballot for such election.

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

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

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

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

18 (3) Special elections to fill vacancies and to decide tie votes or election
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] **second** Tuesday after the first Monday in [February] **March** of each
3 presidential election year.

✓

Bill

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