

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 786

AN ACT

To repeal sections 115.105, 115.107, 115.306, 115.361, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof seventeen new sections relating to elections, with an emergency clause for certain sections and a delayed effective date for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 115.105, 115.107, 115.306, 115.361,
2 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619,
3 and 115.621, RSMo, and section 130.026 as enacted by senate bill
4 no. 262, eighty-eighth general assembly, first regular session,
5 and section 130.057 as enacted by house bill no. 676 merged with
6 senate bills nos. 31 & 285, ninety-second general assembly, first
7 regular session, are repealed and seventeen new sections enacted
8 in lieu thereof, to be known as sections 115.105, 115.107,
9 115.306, 115.361, 115.603, 115.607, 115.609, 115.611, 115.613,
10 115.617, 115.619, 115.620, 115.621, 115.642, 115.960, 130.026,

1 and 130.057, to read as follows:

2 115.105. 1. The chair of the county committee of each
3 political party named on the ballot shall have the right to
4 designate a challenger for each polling place, who may be present
5 [during the hours of voting] until all ballots are cast on the
6 day of election, and a challenger for each location at which
7 absentee ballots are counted, who may be present while the
8 ballots are being prepared for counting and counted. No later
9 than four business days before the election, the chair of each
10 county committee of each political party named on the ballot
11 shall provide signed official designation forms with the names of
12 the designated challengers and substitutes to the local election
13 authority for confirmation of eligibility to serve as a
14 challenger. The local election authority, after verifying the
15 eligibility of each designated and substitute challenger, shall
16 sign off on the official designation forms, unless the challenger
17 is found not to have the qualifications established by subsection
18 5 of this section. If the election authority determines that a
19 challenger does not meet the qualifications of subsection 5 of
20 this section, the designating party chair may designate a
21 replacement challenger and provide the local election authority
22 with the name of the replacement challenger before 5:00 p.m. of
23 the Monday preceding the election. The designating chair may
24 substitute challengers at his or her discretion during such
25 hours.

26 2. Challenges may only be made when the challenger believes
27 the election laws of this state have been or will be violated,
28 and each challenger shall report any such belief to the election

1 judges, or to the election authority if not satisfied with the
2 decision of the election judges.

3 3. Prior to the close of the polls, challengers may list
4 and give out the names of those who have voted. The listing and
5 giving out of names of those who have voted by a challenger shall
6 not be considered giving information tending to show the state of
7 the count.

8 4. In a presidential primary election, challengers may
9 collect information about the party ballot selected by the voter
10 and may disclose party affiliation information after the polls
11 close.

12 5. All persons selected as challengers shall have the same
13 qualifications required by section 115.085 for election judges,
14 except that such challenger shall be a registered voter in the
15 jurisdiction of the election authority for which the challenger
16 is designated as a challenger.

17 6. Any challenge by a challenger to a voter's
18 identification for validity shall be made only to the election
19 judges or other election authority. If the poll challenger is
20 not satisfied with the decision of the election judges, then he
21 or she may report his or her belief that the election laws of
22 this state have been or will be violated to the election
23 authority as allowed under this section.

24 115.107. 1. At every election, the chairman of the county
25 committee of each political party named on the ballot shall have
26 the right to designate a watcher for each place votes are
27 counted.

28 2. Watchers are to observe the counting of the votes and

1 present any complaint of irregularity or law violation to the
2 election judges, or to the election authority if not satisfied
3 with the decision of the election judges.

4 No watcher may be substituted for another on election day.

5 3. No watcher shall report to anyone the name of any person
6 who has or has not voted.

7 4. A watcher may remain present until all closing
8 certification forms are completed, all equipment is closed and
9 taken down, the transportation case for the ballots is sealed,
10 election materials are returned to the election authority or to
11 the designated collection place for a polling place, and any
12 other duties or procedures required under sections 115.447 to
13 115.491 are completed. A watcher may also remain present at each
14 location at which absentee ballots are counted and may remain
15 present while such ballots are being prepared for counting and
16 counted.

17 5. All persons selected as watchers shall have the same
18 qualifications required by section 115.085 for election judges,
19 except that such watcher shall be a registered voter in the
20 jurisdiction of the election authority for which the watcher is
21 designated as a watcher.

22 115.306. 1. No person shall qualify as a candidate for
23 elective public office in the state of Missouri who has been
24 found guilty of or pled guilty to a felony or misdemeanor under
25 the federal laws of the United States of America or to a felony
26 under the laws of this state or an offense committed in another
27 state that would be considered a felony in this state.

28 2. (1) Any person who files as a candidate for election to

1 a public office shall be disqualified from participation in the
2 election for which the candidate has filed if such person is
3 delinquent in the payment of any state income taxes, personal
4 property taxes, municipal taxes, real property taxes on the place
5 of residence, as stated on the declaration of candidacy, or if
6 the person is a past or present corporate officer of any fee
7 office that owes any taxes to the state.

8 (2) Each potential candidate for election to a public
9 office, except candidates for a county or city committee of a
10 political party, shall file an affidavit with the department of
11 revenue and include a copy of the affidavit with the declaration
12 of candidacy required under section 115.349. Such affidavit
13 shall be in substantially the following form:

14 AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

15 I hereby declare under penalties of perjury that I am not
16 currently aware of any delinquency in the filing or payment of
17 any state income taxes, personal property taxes, municipal taxes,
18 real property taxes on the place of residence, as stated on the
19 declaration of candidacy, or that I am a past or present
20 corporate officer of any fee office that owes any taxes to the
21 state, other than those taxes which may be in dispute. I declare
22 under penalties of perjury that I am not aware of any information
23 that would prohibit me from fulfilling any bonding requirements
24 for the office for which I am filing.

25 Candidate's Signature

26 Printed Name of Candidate

27 (3) Upon receipt of a complaint alleging a delinquency of
28 the candidate in the filing or payment of any state income taxes,

1 personal property taxes, municipal taxes, real property taxes on
2 the place of residence, as stated on the declaration of
3 candidacy, or if the person is a past or present corporate
4 officer of any fee office that owes any taxes to the state, the
5 department of revenue shall investigate such potential candidate
6 to verify the claim contained in the complaint. If the
7 department of revenue finds a positive affirmation to be false,
8 the department shall contact the secretary of state, or the
9 election official who accepted such candidate's declaration of
10 candidacy, and the potential candidate. The department shall
11 notify the candidate of the outstanding tax owed and give the
12 candidate thirty days to remit any such outstanding taxes owed
13 which are not the subject of dispute between the department and
14 the candidate. If the candidate fails to remit such amounts in
15 full within thirty days, the candidate shall be disqualified from
16 participating in the current election and barred from refiling
17 for an entire election cycle even if the individual pays all of
18 the outstanding taxes that were the subject of the complaint.

19 115.361. 1. Except as provided in subsections 2 and 3 of
20 this section, if a candidate for nomination to an office in which
21 the candidate is the incumbent or the only candidate dies,
22 withdraws as provided in subsection 1 or 2 of section 115.359, or
23 is disqualified after 5:00 p.m. on the last day in which a person
24 may file as a candidate for nomination, and at or before 5:00
25 p.m. on the eighth Tuesday prior to any primary election, or if
26 any candidate for the position of political party committeeman or
27 committeewoman dies or withdraws as provided in subsection 1 or 2
28 of section 115.359, or is disqualified after 5:00 p.m. on the

1 last day in which a person may file as a candidate for
2 nomination, and at or before 5:00 p.m. on the eighth Tuesday
3 prior to any primary election, leaving less candidates for the
4 available committee positions than the number of available
5 committee positions, filing for the office or position shall be
6 reopened for a period of five working days, excluding holidays
7 and weekends, following the death, withdrawal or disqualification
8 during which period new candidates may file declarations of
9 candidacy.

10 2. If a candidate for nomination to an office in which the
11 candidate is the only candidate dies, withdraws as provided in
12 subsection 1 or 2 of section 115.359, or is disqualified after
13 5:00 p.m. on the sixth Tuesday prior to the primary election, the
14 election and canvass shall not proceed, and a vacancy shall exist
15 on the general election ballot to be filled in the manner
16 provided in sections 115.363 to 115.377.

17 3. If a candidate for the position of political party
18 committeeman or committeewoman becomes disqualified after the
19 eighth Tuesday prior to the primary election, the election and
20 canvass shall proceed, and the disqualified candidate's name
21 shall be physically eradicated from the ballot so that no vote
22 may be cast for that candidate.

23 4. If after filing a declaration of candidacy, a candidate
24 files a statement of withdrawal within two working days prior to
25 the deadline for the close of filing set forth in section
26 115.349, the time of filing for that office shall [be extended
27 until 5:00 p.m. of the first Friday following the deadline for
28 the close of filing set forth in section 115.349] cease at said

1 deadline. There shall be a reopening of filing on the first
2 Tuesday after the deadline for the close of filing set forth in
3 section 115.349 which shall last until 5:00 p.m. on the Friday
4 immediately following the first Tuesday after said deadline.

5 115.603. Each established political party shall have a
6 state committee, a congressional district committee for each
7 congressional district in the state, a judicial district
8 committee for each circuit judge district in the state not
9 subject to the provisions of article V, section 25 of the state
10 constitution, a senatorial district committee for each senatorial
11 district in the state, a legislative district committee for each
12 legislative district in the state and a county committee for each
13 county in the state, except any city not within a county which
14 shall have a city committee in lieu of a county committee.

15 115.607. 1. No person shall be elected or shall serve as a
16 member of a county or city committee who is not, for one year
17 next before the person's election, both a registered voter of and
18 a resident of the county or city not within a county and the
19 committee district from which the person is elected if such
20 district shall have been so long established, and if not, then of
21 the district or districts from which the same shall have been
22 taken. Except as provided in subsections 2, 3, 4, 5, and 6 of
23 this section, the membership of a county or city committee of
24 each established political party shall consist of a man and a
25 woman elected from each precinct, township, or ward in the county
26 or city not within a county.

27 2. In each county of the first classification containing
28 the major portion of a city which has over three hundred thousand

1 inhabitants, two members of the committee, a man and a woman,
2 shall be elected from each ward in the city. Any township
3 entirely contained in the city shall have no additional
4 representation on the county committee. The election authority
5 for the county shall, not later than six months after the
6 decennial census has been reported to the President of the United
7 States, divide the most populous township outside the city into
8 eight subdistricts of contiguous and compact territory and as
9 nearly equal in population as practicable. The subdistricts
10 shall be numbered from one upward consecutively, which numbers
11 shall, insofar as practicable, be retained upon reapportionment.
12 Two members of the county committee, a man and a woman, shall be
13 elected from each such subdistrict. Six members of the
14 committee, three men and three women, shall be elected from the
15 second and third most populous townships outside the city. Four
16 members of the committee, two men and two women, shall be elected
17 from the other townships outside the city.

18 3. In any city which has over three hundred thousand
19 inhabitants, the major portion of which is located in a county
20 with a charter form of government, for the portion of the city
21 located within such county and notwithstanding section 82.110, it
22 shall be the duty of the election authority, not later than six
23 months after the decennial census has been reported to the
24 President of the United States, to divide such cities into not
25 less than twenty-four nor more than twenty-five wards after each
26 decennial census. Wards shall be so divided that the number of
27 inhabitants in any ward shall not exceed any other ward of the
28 city and within the same county, by more than five percent,

1 measured by the number of the inhabitants determined at the
2 preceding decennial census.

3 4. In each county of the first classification containing a
4 portion, but not the major portion, of a city which has over
5 three hundred thousand inhabitants, ten members of the committee,
6 five men and five women, shall be elected from the district of
7 each state representative wholly contained in the county in the
8 following manner: within six months after each legislative
9 reapportionment, the election authority shall divide each
10 legislative district wholly contained in the county into five
11 committee districts of contiguous territory as compact and as
12 nearly equal in population as may be; two members of the
13 committee, a man and a woman, shall be elected from each
14 committee district. The election authority shall divide the area
15 of the county located within legislative districts not wholly
16 contained in the county into similar committee districts; two
17 members of the committee, a man and a woman, shall be elected
18 from each committee district.

19 5. In each city not situated in a county, two members of
20 the committee, a man and a woman, shall be elected from each
21 ward.

22 6. In all counties with a charter form of government and a
23 population of over nine hundred thousand inhabitants, the county
24 committee persons shall be elected from each township. Within
25 ninety days after August 28, 2002, and within six months after
26 each decennial census has been reported to the President of the
27 United States, the election authority shall divide the county
28 into twenty-eight compact and contiguous townships containing

1 populations as nearly equal in population to each other as is
2 practical.

3 7. If any election authority has failed to adopt a
4 reapportionment plan by the deadline set forth in this section,
5 the county commission, sitting as a reapportionment commission,
6 shall within sixty days after the deadline, adopt a
7 reapportionment plan. Changes of township, ward, or precinct
8 lines shall not affect the terms of office of incumbent party
9 committee members elected from districts as constituted at the
10 time of their election.

11 115.609. In each city not situated in a county and in each
12 county which has over nine hundred thousand inhabitants, all
13 members of the county or city committee shall be elected at the
14 primary election immediately preceding each gubernatorial
15 election and shall hold office until their successors are elected
16 and qualified. In each other county, all members of the county
17 committee shall be elected at each primary election and shall
18 hold office until their successors are elected and qualified.

19 115.611. 1. Except as provided in subsection 4 of section
20 115.613, any registered voter of the county or a city not within
21 a county may have such voter's name printed on the primary ballot
22 of such voter's party as a candidate for county or city
23 committeeman or committeewoman by filing a declaration of
24 candidacy in the office of the county or city election authority
25 and by paying any filing fee required by subsection 2 of this
26 section.

27 2. Before filing such candidate's declaration of candidacy,
28 candidates for county or city committeeman or county or city

1 committeewoman shall pay to the treasurer of such candidate's
2 party's county or city committee, or submit to the county or city
3 election authority to be forwarded to the treasurer of such
4 candidate's party's committee, a certain sum of money, as
5 follows:

6 (1) One hundred dollars if such candidate is a candidate
7 for county or city committeeman or committeewoman in any county
8 which has or hereafter has over nine hundred thousand inhabitants
9 or in any city not situated in a county;

10 (2) Twenty-five dollars if such candidate is a candidate
11 for county committeeman or committeewoman in any county of the
12 first class containing the major portion of a city which has over
13 three hundred thousand inhabitants; or

14 (3) Except as provided in subdivisions (1) and (2) of this
15 subsection, no candidate for county committeeman or
16 committeewoman shall be required to pay a filing fee.

17 3. Any person who cannot pay the fee to file as a candidate
18 for county or city committeeman or committeewoman may have the
19 fee waived by filing a declaration of inability to pay and a
20 petition with the official with whom such candidate files such
21 candidate's declaration of candidacy. The provisions of section
22 115.357 shall apply to all such declarations and petitions.

23 4. No person's name shall be printed on any official
24 primary ballot as a candidate for county or city committeeman or
25 committeewoman unless the person has filed a declaration of
26 candidacy with the proper election authority not later than 5:00
27 p.m. on the last Tuesday in March immediately preceding the
28 primary election.

1 115.613. 1. Except as provided in subsection 4 of this
2 section, the qualified man and woman receiving the highest number
3 of votes from each committee district for committeeman and
4 committeewoman of a party shall be members of the county or city
5 committee of the party.

6 2. If two or more qualified persons receive an equal number
7 of votes for county or city committeeman or committeewoman of a
8 party and a higher number of votes than any other qualified
9 person from the party, a vacancy shall exist on the county or
10 city committee which shall be filled by a majority of the
11 committee in the manner provided in section 115.617.

12 3. If no qualified person is elected county or city
13 committeeman or committeewoman from a committee district for a
14 party, a vacancy shall exist on the county or city committee
15 which shall be filled by a majority of the committee in the
16 manner provided in section 115.617.

17 4. The provisions of this subsection shall apply only in
18 any county or city where no filing fee is required for filing a
19 declaration of candidacy for committeeman or committeewoman in a
20 committee district. If only one qualified candidate has filed a
21 declaration of candidacy for committeeman or committeewoman in a
22 committee district for a party prior to the deadline established
23 **[by law]** in this chapter, no election shall be held for
24 committeeman or committeewoman in the committee district for that
25 party and the election authority shall certify the qualified
26 candidate in the same manner and at the same time as candidates
27 elected pursuant to subsection 1 of this section are certified.
28 If no qualified candidate files for committeeman or

1 committeewoman in a committee district for a party, no election
2 shall be held and a vacancy shall exist on the county or city
3 committee which shall be filled by a majority of the committee in
4 the manner provided in section 115.617.

5 115.617. Whenever a member of any county or city committee
6 dies, [becomes disabled,] resigns, or ceases to be a registered
7 voter of or a resident of the county or a city not within a
8 county or the committee district from which he is elected, a
9 vacancy shall exist on the committee. A majority of the
10 committee shall elect another person to fill the vacancy who, for
11 one year next before his election, shall have been both a
12 registered voter of and a resident of the county or city and the
13 committee district. The person selected to fill the vacancy
14 shall serve the remainder of the vacated term.

15 115.619. 1. [The membership of] A legislative district
16 committee shall consist of [all county committee members within]
17 the precinct, ward, or township committeeman and committeewoman
18 from such precincts, wards, or townships included in whole or in
19 part of the legislative district[, except as provided in
20 subsections 4 and 5 of this section. In all counties of this
21 state which are wholly contained within a legislative district,
22 or in which there are two or more whole legislative districts, or
23 one whole legislative district and part of another legislative
24 district, or parts of two or more legislative districts,]. There
25 shall be elected from the membership of each legislative district
26 committee a chairman and a vice chairman, one of whom shall be a
27 woman and one of whom shall be a man, and each legislative
28 district at the same time shall elect a secretary and a

1 treasurer, one of whom shall be a woman and one of whom shall be
2 a man, but who may or may not be members of the legislative
3 district committee. Party state committees may provide for
4 voting by proxy and for weighted or fractional voting.

5 2. [If a legislative district and a county are coextensive,
6 the chairman, vice chairman, secretary and treasurer of the
7 county committee shall be the chairman, vice chairman, secretary
8 and treasurer of the legislative committee.

9 3. Except as provided in subsections 4 and 5 of this
10 section, the congressional, senatorial or judicial district
11 committee shall consist of the chairman and vice chairman of each
12 of the legislative districts in the congressional, senatorial, or
13 judicial districts and the chairman and vice chairman of each of
14 the county committees within the districts. Party state
15 committees may provide for voting by proxy and may provide for
16 weighted or fractional voting.

17 4. The congressional, senatorial or judicial district
18 committee of a district coextensive with one county shall be the
19 county committee.

20 5. The congressional, senatorial or judicial district
21 committee of a district which is composed in whole or in part of
22 a part of a city or part of a county shall consist of the ward or
23 township committeemen and committeewomen from such wards or
24 townships included in whole or in part in such part of a city or
25 part of a county forming the whole or a part of such district.
26 Party state committees may provide for voting by proxy and may
27 provide for weighted or fractional voting.] The congressional,
28 senatorial, or judicial committee of a district which is composed

1 of:

2 (1) One or more whole counties; or

3 (2) One or more whole counties and part of one or more
4 counties;

5
6 shall consist of the county committee chair and vice chair of
7 each county within the district and the committeeman and
8 committeewoman of each legislative district committee within the
9 district.

10 3. The congressional, senatorial, or judicial committee of
11 a district which consists of:

12 (1) Parts of one or more counties;

13 (2) Part of a city not within the county;

14 (3) A whole city not within a county; or

15 (4) Part of a city not within a county and parts of one or
16 more counties;

17
18 shall consist of the committeemen and committeewomen of the
19 precinct, ward, or township included in whole or in part of the
20 district and the chair and vice chair of each legislative
21 district committee within the district in whole or in part.

22 115.620. Provisions for proxy voting for district
23 committees organized under section 115.621 may be made by a
24 political party. In the event that such provisions are not made,
25 proxy voting shall only be allowed for legislative,
26 congressional, senatorial, and judicial district committee
27 meetings. In any event, a person may only serve as a proxy voter
28 if such person is legally permitted to vote in the district in

1 which the proxy resides.

2 115.621. 1. Notwithstanding any other provision of this
3 section to the contrary, any legislative, senatorial, or judicial
4 district committee that is wholly contained within a county or a
5 city not within a county may choose to meet on the same day as
6 the respective county or city committee. All other committees
7 shall meet as otherwise prescribed in this section.

8 2. The members of each county committee shall meet at the
9 county seat not earlier than two weeks after each primary
10 election but in no event later than the third Saturday after each
11 primary election, at the discretion of the chairman at the
12 committee. In each city not within a county, the city committee
13 shall meet on the same day at the city hall. In all counties of
14 the first, second, and third classification, the county
15 courthouse shall be made available for such meetings and any
16 other county political party meeting at no charge to the party
17 committees. In all cities not within a county, the city hall
18 shall be made available for such meetings and any other city
19 political party meeting at no charge to the party committees. At
20 the meeting, each committee shall organize by electing two of its
21 members, a man and a woman, as chair and vice chair, and a man
22 and a woman who may or may not be members of the committee as
23 secretary and treasurer.

24 3. The members of each congressional district committee
25 shall meet at some place and time within the district, to be
26 designated by the current chair of the committee, [on the last
27 Tuesday in August] not earlier than five weeks after each primary
28 election but in no event later than the sixth Saturday after each

1 primary election. The county courthouse in counties of the
2 first, second and third classification in which the meeting is to
3 take place, as designated by the chair, shall be made available
4 for such meeting and any other congressional district political
5 party committee meeting at no charge to the committee. At the
6 meeting, the committee shall organize by electing one of its
7 members as chair and one of its members as vice chair, one of
8 whom shall be a woman and one of whom shall be a man, and a
9 secretary and a treasurer, one of whom shall be a woman and one
10 of whom shall be a man, who may or may not be members of the
11 committee.

12 [2.] 4. The members of each legislative district committee
13 shall meet at some place and date within the legislative district
14 or within one of the counties in which the legislative district
15 exists, to be designated by the current chair of the committee,
16 [on the third Wednesday] not earlier than three weeks after each
17 [August] primary election but in no event later than the fourth
18 Saturday after each primary election. The county courthouse in
19 counties of the first, second and third classification in which
20 the meeting is to take place, as designated by the chair, shall
21 be made available for such meeting and any other legislative
22 district political party committee meeting at no charge to the
23 committee. At the meeting, the committee shall organize
24 [pursuant to subsection 1 of section 115.619] by electing two of
25 its members, a man and a woman, as chair and vice chair, and a
26 man and a woman who may or may not be members of the committee as
27 secretary and treasurer.

28 [3.] 5. The members of each senatorial district committee

1 shall meet at some place and date within the district, to be
2 designated by the current chair of the committee, if there is
3 one, and if not, by the chair of the congressional district in
4 which the senatorial district is principally located, [on the
5 third Saturday] not earlier than four weeks after each [August]
6 primary election but in no event later than the fifth Saturday
7 after each primary election. The county courthouse in counties
8 of the first, second and third classification in which the
9 meeting is to take place, as so designated pursuant to this
10 subsection, shall be made available for such meeting and any
11 other senatorial district political party committee meeting at no
12 charge to the committee. At the meeting, the committee shall
13 organize by electing one of its members as chair and one of its
14 members as vice chair, one of whom shall be a woman and one of
15 whom shall be a man, and a secretary and a treasurer, one of whom
16 shall be a woman and one of whom shall be a man, who may or may
17 not be members of the committee.

18 6. The members of each senatorial district shall also meet
19 at some place within the district, to be designated by the
20 current chair of the committee, if there is one, and if not, by
21 the chair of the congressional district in which the senatorial
22 district is principally located, on the Saturday after [the third
23 Tuesday in November after] each general election. At the
24 meeting, the committee shall proceed to elect two registered
25 voters of the district, one man and one woman, as members of the
26 party's state committee.

27 [4.] 7. The members of each judicial district may meet at
28 some place and date within the judicial district or within one of

1 the counties in which the judicial district exists, to be
2 designated by the current chair of the committee or the chair of
3 the congressional district committee, [on the first Tuesday in
4 September] not earlier than six weeks after each primary
5 election[, or at another time designated by the chairmen of the
6 committees] but in no event later than the seventh Saturday after
7 each primary election. The county courthouse in counties of the
8 first, second and third classification in which the meeting is to
9 take place, as so designated pursuant to this subsection, shall
10 be made available for such meeting and any other judicial
11 district political party committee meeting at no charge to the
12 committee. At the meeting, the committee shall organize
13 [pursuant to subsection 1 of section 115.619] by electing two of
14 its members, a man and a woman, as chair and vice chair, and a
15 man and a woman who may or may not be members of the committee as
16 secretary and treasurer.

17 115.642. 1. Any person may file a complaint with the
18 secretary of state stating the name of any person who has
19 violated any of the provisions of sections 115.629 to 115.646 and
20 stating the facts of the alleged offense. Within thirty days of
21 receiving a complaint, the secretary of state shall notify the
22 person filing the complaint whether or not the secretary has
23 dismissed the complaint or will commence an investigation. If
24 reasonable grounds appear that the alleged offense was committed,
25 the secretary of state may issue a probable cause statement. If
26 the secretary of state issues a probable cause statement, he or
27 she may refer the offense to the appropriate prosecuting
28 attorney.

1 2. Notwithstanding the provisions of sections 27.060,
2 56.060, or 56.430 to the contrary, when requested by the
3 prosecuting attorney or circuit attorney, the secretary of state
4 or his or her authorized representatives may aid any prosecuting
5 attorney or circuit attorney in the commencement and prosecution
6 of election offenses as provided in sections 115.629 to 115.646.

7 3. The secretary of state may investigate any suspected
8 violation of any of the provisions of sections 115.629 to
9 115.646.

10 115.960. 1. An election authority is authorized to accept
11 voter registration applications with a signature submitted to the
12 election authority under the provisions of sections 432.200 to
13 432.295 as provided in this section:

14 (1) Sections 432.200 to 432.295 shall only apply to
15 transactions between parties that have agreed to conduct
16 transactions by electronic means;

17 (2) Except as provided in subsection 2 of this section, as
18 used in this section and sections 432.200 to 432.295, the parties
19 who agree to conduct voter registration transactions by
20 electronic means shall be the local election authority who is
21 required to accept or reject a voter registration application and
22 the prospective voter submitting the application;

23 (3) A local election authority is authorized to develop,
24 maintain, and approve systems that transmit voter registration
25 applications electronically under sections 432.200 to 432.295;

26 (4) Except as provided in subsection 2 of this section, no
27 officer, agency, or organization shall collect or submit a voter
28 registration application with an electronic signature to an

1 election authority without first obtaining approval of the data
2 and signature format from the local election authority and the
3 approval of the voter to collect and store the signature and
4 data; and

5 (5) Local election authorities who maintain a voter
6 registration application system shall direct voter registration
7 applicants from other jurisdictions to the system used by the
8 local election authority for that jurisdiction to accept voter
9 registration applications electronically.

10 2. A system maintained by the secretary of state's office
11 shall be used to accept voter registration applications
12 electronically subsequent to approval from the committee formed
13 as set forth in this subsection:

14 (1) Within thirty days of, but in no event prior to January
15 1, 2017, the president of the Missouri association of county
16 clerks and election authorities shall appoint fourteen of its
17 members to serve on a committee to approve and develop uniform
18 standards, systems, and modifications that shall be used by the
19 secretary of state in any electronic voter registration
20 application system offered by that office. The committee may
21 also make recommendations regarding the purchase, maintenance,
22 integration, and operation of electronic databases, software, and
23 hardware used by local election authorities and the secretary of
24 state's office including, but not limited to, systems used for
25 military and overseas voting and for building and conducting
26 election operations. The committee shall have fourteen local
27 election authorities, including representatives of each
28 classification of counties, a representative from an election

1 board, and at least one member who has experience processing
2 online voter registration transactions. In addition, one
3 representative appointed by the secretary of state's office shall
4 serve on the committee;

5 (2) The committee shall immediately meet to approve
6 electronic signature formats and a minimum set of data collection
7 standards for use in a voter registration application system
8 maintained by the secretary of state;

9 (3) Once the format and data collection standards are
10 approved by the committee and implemented for the system
11 maintained by the secretary of state, local election authorities
12 shall accept the transmission of voter registration applications
13 submitted to the approved system under the provisions of sections
14 432.200 to 432.295;

15 (4) The secretary of state's office shall direct eligible
16 voters to a local election authority's system to accept voter
17 registration applications electronically if the local election
18 authority has a system in place as of the effective date of this
19 section or implements a system that meets the same standards and
20 format that has been approved by the committee for the secretary
21 of state's system;

22 (5) The committee shall meet not less than semi-annually
23 through June 30, 2019, to recommend and approve changes and
24 enhancements proposed by the secretary of state or election
25 authorities to the electronic voter registration application
26 system. Vacancies that occur on the committee shall be filled by
27 the president of the Missouri association of county clerks and
28 election authorities at the time of the vacancy;

1 (6) To improve the accuracy of voter registration
2 application data and reduce costs for local election authorities,
3 the system maintained by the secretary of state shall, as soon as
4 is practical, provide a method where the data entered by the
5 voter registration applicant does not have to be re-entered by
6 the election authority to the state voter registration database.

7 3. Each applicant who registers using an approved
8 electronic voter registration application system shall be deemed
9 to be registered as of the date the signed application is
10 submitted to the system, if such application is accepted and not
11 rejected by the election authority and the verification notice
12 required under section 115.155 is not returned as undeliverable
13 by the postal service.

14 4. This section shall not apply to voter registration and
15 absentee records submitted by voters authorized under federal
16 law, section 115.291, or sections 115.900 to 115.940 to submit
17 electronic records and signatures.

18 5. High quality copies, including electronic copies, of
19 signatures made on paper documents may be used for petition
20 signature verification purposes and retained as records.

21 6. Any signature required for petition submission under
22 chapter 116 shall be handwritten on a paper document.

23 7. Notwithstanding the provisions of section 432.230,
24 nothing in this section shall require the election authority to
25 accept voter registration records or signatures created,
26 generated, sent, communicated, received, stored, or otherwise
27 processed, or used by electronic means or in electronic form from
28 any officer, agency, or organization not authorized under

1 subsection 2 of this section without prior approval from the
2 election authority. Except as provided in subsection 2 of this
3 section, no officer, agency, or organization shall give the voter
4 the opportunity to submit a voter registration application with
5 an electronic signature without first obtaining the approval of
6 the local election authority.

7 8. An election authority that agrees to conduct a
8 transaction by electronic means may refuse to conduct other
9 transactions by electronic means.

10 9. No election authority or the secretary of state shall
11 furnish to any member of the public any data collected under a
12 voter registration application system except as authorized in
13 subsection 1 of section 115.157.

14 10. Nothing in this section shall be construed to require
15 the secretary of state to cease operating a voter registration
16 application in place as of the effective date of this act.

17 130.026. 1. For the purpose of this section, the term
18 "election authority" or "local election authority" means the
19 county clerk, except that in a city or county having a board of
20 election commissioners the board of election commissioners shall
21 be the election authority. For any political subdivision or
22 other district which is situated within the jurisdiction of more
23 than one election authority, as defined herein, the election
24 authority is the one in whose jurisdiction the candidate resides
25 or, in the case of ballot measures, the one in whose jurisdiction
26 the most populous portion of the political subdivision or
27 district for which an election is held is situated, except that a
28 county clerk or a county board of election commissioners shall be

1 the election authority for all candidates for elective county
2 offices other than county clerk and for any countywide ballot
3 measures.

4 2. The appropriate officer or officers for candidates and
5 ballot measures shall be as follows:

6 (1) In the case of candidates for the offices of governor,
7 lieutenant governor, secretary of state, state treasurer, state
8 auditor, attorney general, judges of the supreme court and
9 appellate court judges, the appropriate officer shall be the
10 Missouri ethics commission;

11 (2) Notwithstanding the provisions of subsection 1 of this
12 section, in the case of candidates for the offices of state
13 senator, state representative, county clerk, and associate
14 circuit court judges and circuit court judges, the appropriate
15 ~~[officers]~~ officer shall be the Missouri ethics commission ~~[and~~
16 the election authority for the place of residence of the
17 candidate];

18 (3) In the case of candidates for elective municipal
19 offices in municipalities of more than one hundred thousand
20 inhabitants and elective county offices in counties of more than
21 one hundred thousand inhabitants, the appropriate ~~[officers]~~
22 officer shall be the Missouri ethics commission ~~[and the election~~
23 authority of the municipality or county in which the candidate
24 seeks office];

25 (4) In the case of all other offices, the appropriate
26 officer shall be the ~~[election authority of the district or~~
27 political subdivision for which the candidate seeks office]
28 Missouri ethics commission;

1 (5) In the case of ballot measures, the appropriate officer
2 or officers shall be:

3 (a) The Missouri ethics commission for a statewide measure;

4 (b) The local election authority for any political
5 subdivision or district as determined by the provisions of
6 subsection 1 of this section for any measure, other than a
7 statewide measure, to be voted on in that political subdivision
8 or district.

9 3. The appropriate officer or officers for candidate
10 committees and campaign committees shall be the same as
11 designated in subsection 2 of this section for the candidates or
12 ballot measures supported or opposed as indicated in the
13 statement of organization required to be filed by any such
14 committee.

15 4. The appropriate officer for political party committees
16 shall be as follows:

17 (1) In the case of state party committees, the appropriate
18 officer shall be the Missouri ethics commission;

19 (2) In the case of any district, county or city political
20 party committee, the appropriate officer shall be the Missouri
21 ethics commission [and the election authority for that district,
22 county or city].

23 5. The appropriate [officers] officer for a continuing
24 committee and for any other committee not named in subsections 2,
25 3, [4 and 5] and 4 of this section shall be [as follows:

26 (1)] the Missouri ethics commission [and the election
27 authority for the county in which the committee is domiciled; and

28 (2) If the committee makes or anticipates making

1 expenditures other than direct contributions which aggregate more
2 than five hundred dollars to support or oppose one or more
3 candidates or ballot measures in the same political subdivision
4 or district for which the appropriate officer is an election
5 authority other than the one for the county in which the
6 committee is domiciled, the appropriate officers for that
7 committee shall include such other election authority or
8 authorities, except that committees covered by this subsection
9 need not file statements required by section 130.021 and reports
10 required by subsections 6, 7 and 8 of section 130.046 with any
11 appropriate officer other than those set forth in subdivision (1)
12 of this subsection].

13 6. The term "domicile" or "domiciled" means the address of
14 the committee listed on the statement of organization required to
15 be filed by that committee in accordance with the provisions of
16 section 130.021.

17 7. Any financial disclosure reports and statements filed
18 with the Missouri ethics commission under this section shall be
19 filed in an electronic format as prescribed by the commission.

20 130.057. 1. In order for candidates for election and
21 public officials to more easily file reports required by law and
22 to access information contained in such reports, and for the
23 Missouri ethics commission to receive and store reports in an
24 efficient and economical method, and for the general public and
25 news media to access information contained in such reports, the
26 commission shall establish and maintain an electronic reporting
27 system pursuant to this section.

28 2. The ethics commission [may establish for elections in

1 1996 and] shall establish [for elections and all required
2 reporting beginning in 1998] and maintain [thereafter] a state
3 campaign finance and financial interest disclosure electronic
4 reporting system pursuant to this section for all candidates and
5 committees required to file under this chapter. The system may
6 be used for the collection, filing and dissemination of all
7 reports, including monthly lobbying reports filed by law, and all
8 reports filed with the commission pursuant to this chapter and
9 chapter 105. [The system may be established and used for all
10 reports required to be filed for the primary and general
11 elections in 1996 and all elections thereafter, except that the
12 system may require maintenance of a paper backup system for the
13 primary and general elections in 1996]. The reports shall be
14 maintained and secured in the electronic format by the
15 commission.

16 3. [When the commission determines that the electronic
17 reporting system has been properly implemented, the commission
18 shall certify to all candidates and committees required to file
19 pursuant to this chapter that such electronic reporting system
20 has been established and implemented. Beginning with the primary
21 and general elections in 2000, or the next primary or general
22 election in which the commission has made certification pursuant
23 to this subsection, whichever is later, candidates and all other
24 committees shall file reports by using either the electronic
25 format prescribed by the commission or paper forms provided by
26 the commission for that purpose. Continuing committees shall
27 file reports by electronic format prescribed by the commission,
28 except continuing committees which make contributions equal to or

1 less than fifteen thousand dollars in the applicable calendar
2 year. Any continuing committee which makes contributions in
3 support of or opposition to any measure or candidate equal to or
4 less than fifteen thousand dollars in the applicable calendar
5 year shall file reports on paper forms provided by the commission
6 for that purpose or by electronic format prescribed by the
7 commission, whichever reporting method the continuing committee
8 chooses. The commission shall supply a computer program which
9 shall be used for filing by modem or by a common magnetic media
10 chosen by the commission. In the event that filings are
11 performed electronically, the candidate shall file a signed
12 original written copy within five working days; except that, if a
13 means becomes available which will allow a verifiable electronic
14 signature, the commission may also accept this in lieu of a
15 written statement.

16 4. Beginning January 1, 2000, or on the date the commission
17 makes the certification pursuant to subsection 3 of this section,
18 whichever is later, all reports filed with the commission by any
19 candidate for a statewide office, or such candidate's committee,
20 shall be filed in electronic format as prescribed by the
21 commission; provided however, that if a candidate for statewide
22 office, or such candidate's committee receives or spends five
23 thousand dollars or less for any reporting period, the report for
24 that reporting period shall not be required to be filed
25 electronically.

26 5.] A copy of all reports filed in the state campaign
27 finance electronic reporting system shall be placed on a public
28 electronic access system so that the general public may have open

1 access to the reports filed pursuant to this section. The access
2 system shall be organized and maintained in such a manner to
3 allow an individual to obtain information concerning all
4 contributions made to or on behalf of, and all expenditures made
5 on behalf of, any candidate or public official described in
6 subsection 2 of this section in formats that will include both
7 written and electronically readable formats.

8 [6.] 4. All records that are in electronic format, not
9 otherwise closed by law, shall be available in electronic format
10 to the public. The commission shall maintain and provide for
11 public inspection, a listing of all reports with a complete
12 description for each field contained on the report, that has been
13 used to extract information from their database files. The
14 commission shall develop a report or reports which contain every
15 field in each database.

16 [7.] 5. Annually, the commission shall provide, without
17 cost, a system-wide dump of information contained in the
18 commission's electronic database files to the general assembly.
19 The information is to be copied onto a medium specified by the
20 general assembly. Such information shall not contain records
21 otherwise closed by law. It is the intent of the general
22 assembly to provide open access to the commission's records. The
23 commission shall make every reasonable effort to comply with
24 requests for information and shall take a liberal interpretation
25 when considering such requests.

26 Section B. Because of the necessity to effect a smooth
27 transition for political party committee elections after the
28 August primary, the enactment of section 115.620 and the repeal

1 and reenactment of sections 115.306, 115.603, 115.607, 115.609,
2 115.611, 115.613, 115.617, 115.619, and 115.621 of section A of
3 this act is deemed necessary for the immediate preservation of
4 the public health, welfare, peace and safety, and is hereby
5 declared to be an emergency act within the meaning of the
6 constitution, and the enactment of section 115.620 and the repeal
7 and reenactment of sections 115.306, 115.603, 115.607, 115.609,
8 115.611, 115.613, 115.617, 115.619, and 115.621 of section A of
9 this act shall be in full force and effect upon its passage and
10 approval.

11 Section C. The repeal and reenactment of section 130.026 as
12 enacted by senate bill no. 262, eighty-eighth general assembly,
13 first regular session, and section 130.057 as enacted by house
14 bill no. 676 merged with senate bills nos. 31 & 285, ninety-
15 second general assembly, first regular session, shall become
16 effective on January 1, 2017.

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24 Will Kraus

Tony Dugger