

SENATE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1477

AN ACT

To repeal section sections 115.306, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof ten new sections relating to political parties, with an emergency clause.

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

1           Section A. Sections 115.306, 115.603, 115.607, 115.609,  
2 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, are  
3 repealed and ten new sections enacted in lieu thereof, to be  
4 known as sections 115.306, 115.603, 115.607, 115.609, 115.611,  
5 115.613, 115.617, 115.619, 115.620, and 115.621, to read as  
6 follows:

7           115.306. 1. No person shall qualify as a candidate for  
8 elective public office in the state of Missouri who has been  
9 found guilty of or pled guilty to a felony or misdemeanor under  
10 the federal laws of the United States of America or to a felony  
11 under the laws of this state or an offense committed in another  
12 state that would be considered a felony in this state.

13           2. (1) Any person who files as a candidate for election to  
14 a public office shall be disqualified from participation in the  
15 election for which the candidate has filed if such person is

1 delinquent in the payment of any state income taxes, personal  
2 property taxes, municipal taxes, real property taxes on the place  
3 of residence, as stated on the declaration of candidacy, or if  
4 the person is a past or present corporate officer of any fee  
5 office that owes any taxes to the state.

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

12 AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

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

23 ..... Candidate's Signature

24 ..... Printed Name of Candidate

25 (3) Upon receipt of a complaint alleging a delinquency of  
26 the candidate in the filing or payment of any state income taxes,  
27 personal property taxes, municipal taxes, real property taxes on  
28 the place of residence, as stated on the declaration of

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

17 115.603. Each established political party shall have a  
18 state committee, a congressional district committee for each  
19 congressional district in the state, a judicial district  
20 committee for each circuit judge district in the state not  
21 subject to the provisions of article V, section 25 of the state  
22 constitution, a senatorial district committee for each senatorial  
23 district in the state, a legislative district committee for each  
24 legislative district in the state and a county committee for each  
25 county in the state, except any city not within a county which  
26 shall have a city committee in lieu of a county committee.

27 115.607. 1. No person shall be elected or shall serve as a  
28 member of a county or city committee who is not, for one year

1 next before the person's election, both a registered voter of and  
2 a resident of the county or city not within a county and the  
3 committee district from which the person is elected if such  
4 district shall have been so long established, and if not, then of  
5 the district or districts from which the same shall have been  
6 taken. Except as provided in subsections 2, 3, 4, 5, and 6 of  
7 this section, the membership of a county or city committee of  
8 each established political party shall consist of a man and a  
9 woman elected from each precinct, township, or ward in the county  
10 or city not within a county.

11 2. In each county of the first classification containing  
12 the major portion of a city which has over three hundred thousand  
13 inhabitants, two members of the committee, a man and a woman,  
14 shall be elected from each ward in the city. Any township  
15 entirely contained in the city shall have no additional  
16 representation on the county committee. The election authority  
17 for the county shall, not later than six months after the  
18 decennial census has been reported to the President of the United  
19 States, divide the most populous township outside the city into  
20 eight subdistricts of contiguous and compact territory and as  
21 nearly equal in population as practicable. The subdistricts  
22 shall be numbered from one upward consecutively, which numbers  
23 shall, insofar as practicable, be retained upon reapportionment.  
24 Two members of the county committee, a man and a woman, shall be  
25 elected from each such subdistrict. Six members of the  
26 committee, three men and three women, shall be elected from the  
27 second and third most populous townships outside the city. Four  
28 members of the committee, two men and two women, shall be elected

1 from the other townships outside the city.

2 3. In any city which has over three hundred thousand  
3 inhabitants, the major portion of which is located in a county  
4 with a charter form of government, for the portion of the city  
5 located within such county and notwithstanding section 82.110, it  
6 shall be the duty of the election authority, not later than six  
7 months after the decennial census has been reported to the  
8 President of the United States, to divide such cities into not  
9 less than twenty-four nor more than twenty-five wards after each  
10 decennial census. Wards shall be so divided that the number of  
11 inhabitants in any ward shall not exceed any other ward of the  
12 city and within the same county, by more than five percent,  
13 measured by the number of the inhabitants determined at the  
14 preceding decennial census.

15 4. In each county of the first classification containing a  
16 portion, but not the major portion, of a city which has over  
17 three hundred thousand inhabitants, ten members of the committee,  
18 five men and five women, shall be elected from the district of  
19 each state representative wholly contained in the county in the  
20 following manner: within six months after each legislative  
21 reapportionment, the election authority shall divide each  
22 legislative district wholly contained in the county into five  
23 committee districts of contiguous territory as compact and as  
24 nearly equal in population as may be; two members of the  
25 committee, a man and a woman, shall be elected from each  
26 committee district. The election authority shall divide the area  
27 of the county located within legislative districts not wholly  
28 contained in the county into similar committee districts; two

1 members of the committee, a man and a woman, shall be elected  
2 from each committee district.

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

6 6. In all counties with a charter form of government and a  
7 population of over nine hundred thousand inhabitants, the county  
8 committee persons shall be elected from each township. Within  
9 ninety days after August 28, 2002, and within six months after  
10 each decennial census has been reported to the President of the  
11 United States, the election authority shall divide the county  
12 into twenty-eight compact and contiguous townships containing  
13 populations as nearly equal in population to each other as is  
14 practical.

15 7. If any election authority has failed to adopt a  
16 reapportionment plan by the deadline set forth in this section,  
17 the county commission, sitting as a reapportionment commission,  
18 shall within sixty days after the deadline, adopt a  
19 reapportionment plan. Changes of township, ward, or precinct  
20 lines shall not affect the terms of office of incumbent party  
21 committee members elected from districts as constituted at the  
22 time of their election.

23 115.609. In each city not situated in a county and in each  
24 county which has over nine hundred thousand inhabitants, all  
25 members of the county or city committee shall be elected at the  
26 primary election immediately preceding each gubernatorial  
27 election and shall hold office until their successors are elected  
28 and qualified. In each other county, all members of the county

1 committee shall be elected at each primary election and shall  
2 hold office until their successors are elected and qualified.

3 115.611. 1. Except as provided in subsection 4 of section  
4 115.613, any registered voter of the county or a city not within  
5 a county may have such voter's name printed on the primary ballot  
6 of such voter's party as a candidate for county or city  
7 committeeman or committeewoman by filing a declaration of  
8 candidacy in the office of the county or city election authority  
9 and by paying any filing fee required by subsection 2 of this  
10 section.

11 2. Before filing such candidate's declaration of candidacy,  
12 candidates for county or city committeeman or county or city  
13 committeewoman shall pay to the treasurer of such candidate's  
14 party's county or city committee, or submit to the county or city  
15 election authority to be forwarded to the treasurer of such  
16 candidate's party's committee, a certain sum of money, as  
17 follows:

18 (1) One hundred dollars if such candidate is a candidate  
19 for county or city committeeman or committeewoman in any county  
20 which has or hereafter has over nine hundred thousand inhabitants  
21 or in any city not situated in a county;

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

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

1           3. Any person who cannot pay the fee to file as a candidate  
2 for county or city committeeman or committeewoman may have the  
3 fee waived by filing a declaration of inability to pay and a  
4 petition with the official with whom such candidate files such  
5 candidate's declaration of candidacy. The provisions of section  
6 115.357 shall apply to all such declarations and petitions.

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

13           115.613. 1. Except as provided in subsection 4 of this  
14 section, the qualified man and woman receiving the highest number  
15 of votes from each committee district for committeeman and  
16 committeewoman of a party shall be members of the county or city  
17 committee of the party.

18           2. If two or more qualified persons receive an equal number  
19 of votes for county or city committeeman or committeewoman of a  
20 party and a higher number of votes than any other qualified  
21 person from the party, a vacancy shall exist on the county or  
22 city committee which shall be filled by a majority of the  
23 committee in the manner provided in section 115.617.

24           3. If no qualified person is elected county or city  
25 committeeman or committeewoman from a committee district for a  
26 party, a vacancy shall exist on the county or city committee  
27 which shall be filled by a majority of the committee in the  
28 manner provided in section 115.617.



1           4. The provisions of this subsection shall apply only in  
2 any county or city where no filing fee is required for filing a  
3 declaration of candidacy for committeeman or committeewoman in a  
4 committee district. If only one qualified candidate has filed a  
5 declaration of candidacy for committeeman or committeewoman in a  
6 committee district for a party prior to the deadline established  
7 **[by law]** in this chapter, no election shall be held for  
8 committeeman or committeewoman in the committee district for that  
9 party and the election authority shall certify the qualified  
10 candidate in the same manner and at the same time as candidates  
11 elected pursuant to subsection 1 of this section are certified.  
12 If no qualified candidate files for committeeman or  
13 committeewoman in a committee district for a party, no election  
14 shall be held and a vacancy shall exist on the county or city  
15 committee which shall be filled by a majority of the committee in  
16 the manner provided in section 115.617.

17           115.617. Whenever a member of any county or city committee  
18 dies, **[becomes disabled,]** resigns, or ceases to be a registered  
19 voter of or a resident of the county or a city not within a  
20 county or the committee district from which he is elected, a  
21 vacancy shall exist on the committee. A majority of the  
22 committee shall elect another person to fill the vacancy who, for  
23 one year next before his election, shall have been both a  
24 registered voter of and a resident of the county or city and the  
25 committee district. The person selected to fill the vacancy  
26 shall serve the remainder of the vacated term.

27           115.619. 1. **[The membership of]** A legislative district  
28 committee shall consist of **[all county committee members within]**

1 the precinct, ward, or township committeeman and committeewoman  
2 from such precincts, wards, or townships included in whole or in  
3 part of the legislative district[, except as provided in  
4 subsections 4 and 5 of this section. In all counties of this  
5 state which are wholly contained within a legislative district,  
6 or in which there are two or more whole legislative districts, or  
7 one whole legislative district and part of another legislative  
8 district, or parts of two or more legislative districts,]\_. There  
9 shall be elected from the membership of each legislative district  
10 committee a chairman and a vice chairman, one of whom shall be a  
11 woman and one of whom shall be a man, and each legislative  
12 district at the same time shall elect a secretary and a  
13 treasurer, one of whom shall be a woman and one of whom shall be  
14 a man, but who may or may not be members of the legislative  
15 district committee. Party state committees may provide for  
16 voting by proxy and for weighted or fractional voting.

17 2. [If a legislative district and a county are coextensive,  
18 the chairman, vice chairman, secretary and treasurer of the  
19 county committee shall be the chairman, vice chairman, secretary  
20 and treasurer of the legislative committee.

21 3. Except as provided in subsections 4 and 5 of this  
22 section, the congressional, senatorial or judicial district  
23 committee shall consist of the chairman and vice chairman of each  
24 of the legislative districts in the congressional, senatorial, or  
25 judicial districts and the chairman and vice chairman of each of  
26 the county committees within the districts. Party state  
27 committees may provide for voting by proxy and may provide for  
28 weighted or fractional voting.

1           4. The congressional, senatorial or judicial district  
2 committee of a district coextensive with one county shall be the  
3 county committee.

4           5. The congressional, senatorial or judicial district  
5 committee of a district which is composed in whole or in part of  
6 a part of a city or part of a county shall consist of the ward or  
7 township committeemen and committeewomen from such wards or  
8 townships included in whole or in part in such part of a city or  
9 part of a county forming the whole or a part of such district.  
10 Party state committees may provide for voting by proxy and may  
11 provide for weighted or fractional voting.] The congressional,  
12 senatorial, or judicial committee of a district which is composed  
13 of:

14           (1) One or more whole counties; or

15           (2) One or more whole counties and part of one or more  
16 counties;

17  
18 shall consist of the county committee chair and vice chair of  
19 each county within the district and the committeeman and  
20 committeewoman of each legislative district committee within the  
21 district.

22           3. The congressional, senatorial, or judicial committee of  
23 a district which consists of:

24           (1) Parts of one or more counties;

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

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

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

1 shall consist of the committeemen and committeewomen of the  
2 precinct, ward, or township included in whole or in part of the  
3 district and the chair and vice chair of each legislative  
4 district committee within the district in whole or in part.

5 115.620. Provisions for proxy voting for district  
6 committees organized under section 115.621 may be made by a  
7 political party. In the event that such provisions are not made,  
8 proxy voting shall only be allowed for legislative,  
9 congressional, senatorial, and judicial district committee  
10 meetings. In any event, a person may only serve as a proxy voter  
11 if such person is legally permitted to vote in the district in  
12 which the proxy resides.

13 115.621. 1. Notwithstanding any other provision of this  
14 section to the contrary, any legislative, senatorial, or judicial  
15 district committee that is wholly contained within a county or a  
16 city not within a county may choose to meet on the same day as  
17 the respective county or city committee. All other committees  
18 shall meet as otherwise prescribed in this section.

19 2. The members of each county committee shall meet at the  
20 county seat not earlier than two weeks after each primary  
21 election but in no event later than the third Saturday after each  
22 primary election, at the discretion of the chairman at the  
23 committee. In each city not within a county, the city committee  
24 shall meet on the same day at the city hall. In all counties of  
25 the first, second, and third classification, the county  
26 courthouse shall be made available for such meetings and any  
27 other county political party meeting at no charge to the party  
28 committees. In all cities not within a county, the city hall

1 shall be made available for such meetings and any other city  
2 political party meeting at no charge to the party committees. At  
3 the meeting, each committee shall organize by electing two of its  
4 members, a man and a woman, as chair and vice chair, and a man  
5 and a woman who may or may not be members of the committee as  
6 secretary and treasurer.

7 3. The members of each congressional district committee  
8 shall meet at some place and time within the district, to be  
9 designated by the current chair of the committee, [on the last  
10 Tuesday in August] not earlier than five weeks after each primary  
11 election but in no event later than the sixth Saturday after each  
12 primary election. The county courthouse in counties of the  
13 first, second and third classification in which the meeting is to  
14 take place, as designated by the chair, shall be made available  
15 for such meeting and any other congressional district political  
16 party committee meeting at no charge to the committee. At the  
17 meeting, the committee shall organize by electing one of its  
18 members as chair and one of its members as vice chair, one of  
19 whom shall be a woman and one of whom shall be a man, and a  
20 secretary and a treasurer, one of whom shall be a woman and one  
21 of whom shall be a man, who may or may not be members of the  
22 committee.

23 [2.] 4. The members of each legislative district committee  
24 shall meet at some place and date within the legislative district  
25 or within one of the counties in which the legislative district  
26 exists, to be designated by the current chair of the committee,  
27 [on the third Wednesday] not earlier than three weeks after each  
28 [August] primary election but in no event later than the fourth

1 Saturday after each primary election. The county courthouse in  
2 counties of the first, second and third classification in which  
3 the meeting is to take place, as designated by the chair, shall  
4 be made available for such meeting and any other legislative  
5 district political party committee meeting at no charge to the  
6 committee. At the meeting, the committee shall organize  
7 [pursuant to subsection 1 of section 115.619] by electing two of  
8 its members, a man and a woman, as chair and vice chair, and a  
9 man and a woman who may or may not be members of the committee as  
10 secretary and treasurer.

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

1           6. The members of each senatorial district shall also meet  
2 at some place within the district, to be designated by the  
3 current chair of the committee, if there is one, and if not, by  
4 the chair of the congressional district in which the senatorial  
5 district is principally located, on the Saturday after [the third  
6 Tuesday in November after] each general election. At the  
7 meeting, the committee shall proceed to elect two registered  
8 voters of the district, one man and one woman, as members of the  
9 party's state committee.

10           [4.] 7. The members of each judicial district may meet at  
11 some place and date within the judicial district or within one of  
12 the counties in which the judicial district exists, to be  
13 designated by the current chair of the committee or the chair of  
14 the congressional district committee, [on the first Tuesday in  
15 September] not earlier than six weeks after each primary  
16 election[, or at another time designated by the chairmen of the  
17 committees] but in no event later than the seventh Saturday after  
18 each primary election. The county courthouse in counties of the  
19 first, second and third classification in which the meeting is to  
20 take place, as so designated pursuant to this subsection, shall  
21 be made available for such meeting and any other judicial  
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           Section B. Because of the necessity to effect a smooth

1 transition for political party committee elections after the  
2 August primary, section A of this act is deemed necessary for the  
3 immediate preservation of the public health, welfare, peace and  
4 safety, and is hereby declared to be an emergency act within the  
5 meaning of the constitution, and section A of this act shall be  
6 in full force and effect upon its passage and approval.