

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 786
98TH GENERAL ASSEMBLY

4093H.08C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 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 fifteen 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:

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5 session, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections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

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

5 2. (1) Any person who files as a candidate for election to a public office shall be
6 disqualified from participation in the election for which the candidate has filed if such person
7 is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 real property taxes on the place of residence, as stated on the declaration of candidacy, or if the
9 person is a past or present corporate officer of any fee office that owes any taxes to the state.

10 (2) Each potential candidate for election to a public office, **except candidates for a**
11 **county or city committee of a political party**, shall file an affidavit with the department of
12 revenue and include a copy of the affidavit with the declaration of candidacy required under
13 section 115.349. Such affidavit 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 currently aware of any
16 delinquency in the filing or payment of any state income taxes, personal property taxes,
17 municipal taxes, real property taxes on the place of residence, as stated on the declaration of
18 candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes
19 to the state, other than those taxes which may be in dispute. I declare under penalties of perjury
20 that I am not aware of any information that would prohibit me from fulfilling any bonding
21 requirements for the office for which I am filing.

22 Candidate's Signature

23 Printed Name of Candidate

24 (3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or
25 payment of any state income taxes, personal property taxes, municipal taxes, real property taxes
26 on the place of residence, as stated on the declaration of candidacy, or if the person is a past or
27 present corporate officer of any fee office that owes any taxes to the state, the department of
28 revenue shall investigate such potential candidate to verify the claim contained in the complaint.
29 If the department of revenue finds a positive affirmation to be false, the department shall contact
30 the secretary of state, or the election official who accepted such candidate's declaration of
31 candidacy, and the potential candidate. The department shall notify the candidate of the
32 outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed
33 which are not the subject of dispute between the department and the candidate. If the candidate
34 fails to remit such amounts in full within thirty days, the candidate shall be disqualified from
35 participating in the current election and barred from refiling for an entire election cycle even if
36 the individual pays all of the outstanding taxes that were the subject of the complaint.

115.361. 1. Except as provided in subsections 2 and 3 of this section, if a candidate for
2 nomination to an office in which the candidate is the incumbent or the only candidate dies,
3 withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m.
4 on the last day in which a person may file as a candidate for nomination, and at or before 5:00
5 p.m. on the eighth Tuesday prior to any primary election, or if any candidate for the position of
6 political party committeeman or committeewoman dies or withdraws as provided in subsection
7 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may

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

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

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

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

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

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

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

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

31 4. In each county of the first classification containing a portion, but not the major
32 portion, of a city which has over three hundred thousand inhabitants, ten members of the
33 committee, five men and five women, shall be elected from the district of each state
34 representative wholly contained in the county in the following manner: within six months after
35 each legislative reapportionment, the election authority shall divide each legislative district
36 wholly contained in the county into five committee districts of contiguous territory as compact
37 and as nearly equal in population as may be; two members of the committee, a man and a
38 woman, shall be elected from each committee district. The election authority shall divide the
39 area of the county located within legislative districts not wholly contained in the county into
40 similar committee districts; two members of the committee, a man and a woman, shall be elected
41 from each committee district.

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

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

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

115.609. In each city not situated in a county and in each county which has over nine
2 hundred thousand inhabitants, all members of the county **or city** committee shall be elected at
3 the primary election immediately preceding each gubernatorial election and shall hold office until
4 their successors are elected and qualified. In each other county, all members of the county
5 committee shall be elected at each primary election and shall hold office until their successors
6 are elected and qualified.

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

6 2. Before filing such candidate's declaration of candidacy, candidates for county **or city**
7 committeeman or county **or city** committeewoman shall pay to the treasurer of such candidate's
8 party's county **or city** committee, or submit to the county **or city** election authority to be
9 forwarded to the treasurer of such candidate's party's committee, a certain sum of money, as
10 follows:

11 (1) One hundred dollars if such candidate is a candidate for county **or city**
12 committeeman or committeewoman in any county which has or hereafter has over nine hundred
13 thousand inhabitants or in any city not situated in a county;

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

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

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

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

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

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

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

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

115.617. Whenever a member of any county **or city** committee dies, [becomes disabled,]
2 resigns, or ceases to be a registered voter of or a resident of the county **or a city not within a**
3 **county** or the committee district from which he is elected, a vacancy shall exist on the
4 committee. A majority of the committee shall elect another person to fill the vacancy who, for
5 one year next before his election, shall have been both a registered voter of and a resident of the

6 county **or city** and the committee district. The person selected to fill the vacancy shall serve the
7 remainder of the vacated term.

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

13 2. [If a legislative district and a county are coextensive, the chairman, vice chairman,
14 secretary and treasurer of the county committee shall be the chairman, vice chairman, secretary
15 and treasurer of the legislative committee.

16 3. Except as provided in subsections 4 and 5 of this section, the congressional, senatorial
17 or judicial district committee shall consist of the chairman and vice chairman of each of the
18 legislative districts in the congressional, senatorial, or judicial districts and the chairman and vice
19 chairman of each of the county committees within the districts. Party state committees may
20 provide for voting by proxy and may provide for weighted or fractional voting.

21 4. The congressional, senatorial or judicial district committee of a district coextensive
22 with one county shall be the county committee.

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

30 **(1) One or more whole counties; or**

31 **(2) One or more whole counties and part of one or more counties;**

32

33 shall consist of the county committee chair and vice chair of each county within the district
34 and the committeeman and committeewoman of each legislative district committee within
35 the district.

36 3. The congressional, senatorial, or judicial committee of a district which consists
37 of:

38 (1) Parts of one or more counties;

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

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

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

42

43 shall consist of the committeemen and committeewomen of the precinct, ward, or township
44 included in whole or in part of the district and the chair and vice chair of each legislative
45 district committee within the district in whole or in part.

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

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

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

17 3. The members of each congressional district committee shall meet at some place **and**
18 **time** within the district, to be designated by the current chair of the committee, [on the last

19 Tuesday in August] **not earlier than five weeks** after each primary election **but in no event**
20 **later than the sixth Saturday after each primary election.** The county courthouse in counties
21 of the first, second and third classification in which the meeting is to take place, as designated
22 by the chair, shall be made available for such meeting and any other congressional district
23 political party committee meeting at no charge to the committee. At the meeting, the committee
24 shall organize by electing one of its members as chair and one of its members as vice chair, one
25 of whom shall be a woman and one of whom shall be a man, and a secretary and a treasurer, one
26 of whom shall be a woman and one of whom shall be a man, who may or may not be members
27 of the committee.

28 [2.] **4.** The members of each legislative district committee shall meet at some place **and**
29 **date** within the legislative district or within one of the counties in which the legislative district
30 exists, to be designated by the current chair of the committee, [on the third Wednesday] **not**
31 **earlier than three weeks** after each [August] primary election **but in no event later than the**
32 **fourth Saturday after each primary election.** The county courthouse in counties of the first,
33 second and third classification in which the meeting is to take place, as designated by the chair,
34 shall be made available for such meeting and any other legislative district political party
35 committee meeting at no charge to the committee. At the meeting, the committee shall organize
36 [pursuant to subsection 1 of section 115.619] **by electing two of its members, a man and a**
37 **woman, as chair and vice chair, and a man and a woman who may or may not be members**
38 **of the committee as secretary and treasurer.**

39 [3.] **5.** The members of each senatorial district committee shall meet at some place **and**
40 **date** within the district, to be designated by the current chair of the committee, if there is one,
41 and if not, by the chair of the congressional district in which the senatorial district is principally
42 located, [on the third Saturday] **not earlier than four weeks** after each [August] primary election
43 **but in no event later than the fifth Saturday after each primary election.** The county
44 courthouse in counties of the first, second and third classification in which the meeting is to take
45 place, as so designated pursuant to this subsection, shall be made available for such meeting and
46 any other senatorial district political party committee meeting at no charge to the committee. At
47 the meeting, the committee shall organize by electing one of its members as chair and one of its
48 members as vice chair, one of whom shall be a woman and one of whom shall be a man, and a
49 secretary and a treasurer, one of whom shall be a woman and one of whom shall be a man, who
50 may or may not be members of the committee.

51 **6.** The members of each senatorial district shall also meet at some place within the
52 district, to be designated by the current chair of the committee, if there is one, and if not, by the
53 chair of the congressional district in which the senatorial district is principally located, on the
54 Saturday after [the third Tuesday in November after] each general election. At the meeting, the

55 committee shall proceed to elect two registered voters of the district, one man and one woman,
56 as members of the party's state committee.

57 [4.] 7. The members of each judicial district may meet at some place **and date** within
58 the judicial district or within one of the counties in which the judicial district exists, to be
59 designated by the current chair of the committee or the chair of the congressional district
60 committee, [on the first Tuesday in September] **not earlier than six weeks** after each primary
61 election[, or at another time designated by the chairmen of the committees] **but in no event later**
62 **than the seventh Saturday after each primary election.** The county courthouse in counties
63 of the first, second and third classification in which the meeting is to take place, as so designated
64 pursuant to this subsection, shall be made available for such meeting and any other judicial
65 district political party committee meeting at no charge to the committee. At the meeting, the
66 committee shall organize [pursuant to subsection 1 of section 115.619] **by electing two of its**
67 **members, a man and a woman, as chair and vice chair, and a man and a woman who may**
68 **or may not be members of the committee as secretary and treasurer.**

115.642. 1. Any person may file a complaint with the secretary of state stating the
2 name of any person who has violated any of the provisions of sections 115.629 to 115.641
3 and stating the facts of the alleged offense. Within thirty days of receiving a complaint, the
4 secretary of state shall notify the person filing the complaint whether or not the secretary
5 has dismissed the complaint or will commence an investigation. If reasonable grounds
6 appear that the alleged offense was committed, the secretary of state may issue a probable
7 cause statement. If the secretary of state issues a probable cause statement, he or she may
8 refer the offense to the appropriate prosecuting attorney.

9 2. Notwithstanding the provisions of sections 27.060, 56.060, or 56.430 to the
10 contrary, when requested by the prosecuting attorney or circuit attorney, the secretary of
11 state or his or her authorized representatives may aid any prosecuting attorney or circuit
12 attorney in the commencement and prosecution of election offenses as provided in sections
13 115.629 to 115.641.

14 3. The secretary of state may investigate any suspected violation of any of the
15 provisions of sections 115.629 to 115.641.

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

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

6 (2) Except as provided in subsection 2 of this section, as used in this section and
7 sections 432.200 to 432.295, the parties who agree to conduct voter registration transactions

8 by electronic means shall be the local election authority who is required to accept or reject
9 a voter registration application and the prospective voter submitting the application;

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

13 (4) Except as provided in subsection 2 of this section, no officer, agency, or
14 organization shall collect or submit a voter registration application with an electronic
15 signature to an election authority without first obtaining approval of the data and
16 signature format from the local election authority and the approval of the voter to collect
17 and store the signature and data; and

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

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

25 (1) Within thirty days of the effective date of this section, the president of the
26 Missouri association of county clerks and election authorities shall appoint fourteen of its
27 members to serve on a committee to approve and develop uniform standards, systems, and
28 modifications that shall be used by the secretary of state in any electronic voter registration
29 application system offered by that office. The committee shall have fourteen local election
30 authorities, including representatives of each classification of counties, a representative
31 from an election board, and at least one member who has experience processing online
32 voter registration transactions. In addition, one representative appointed by the secretary
33 of state's office shall serve on the committee;

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

37 (3) Once the format and data collection standards are approved by the committee
38 and implemented for the system maintained by the secretary of state, local election
39 authorities shall accept the transmission of voter registration applications submitted to the
40 approved system under the provisions of sections 432.200 to 432.295;

41 (4) The secretary of state's office shall direct eligible voters to a local election
42 authority's system to accept voter registration applications electronically if the local
43 election authority has a system in place as of the effective date of this section or implements

44 a system that meets the same standards and format that has been approved by the
45 committee for the secretary of state's system;

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

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

56 3. Each applicant who registers using an approved electronic voter registration
57 application system shall be deemed to be registered as of the date the signed application
58 is submitted to the system, if such application is accepted and not rejected by the election
59 authority and the verification notice required under section 115.155 is not returned as
60 undeliverable by the postal service.

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

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

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

69 7. Notwithstanding the provisions of section 432.230, nothing in this section shall
70 require the election authority to accept voter registration records or signatures created,
71 generated, sent, communicated, received, stored, or otherwise processed, or used by
72 electronic means or in electronic form from any officer, agency, or organization not
73 authorized under subsection 2 of this section without prior approval from the election
74 authority. Except as provided in subsection 2 of this section, no officer, agency, or
75 organization shall give the voter the opportunity to submit a voter registration application
76 with an electronic signature without first obtaining the approval of the local election
77 authority.

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

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

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

130.026. 1. For the purpose of this section, the term "election authority" or "local
2 election authority" means the county clerk, except that in a city or county having a board of
3 election commissioners the board of election commissioners shall be the election authority. For
4 any political subdivision or other district which is situated within the jurisdiction of more than
5 one election authority, as defined herein, the election authority is the one in whose jurisdiction
6 the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most
7 populous portion of the political subdivision or district for which an election is held is situated,
8 except that a county clerk or a county board of election commissioners shall be the election
9 authority for all candidates for elective county offices other than county clerk and for any
10 countywide ballot measures.

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

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

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

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

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

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

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

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

33 3. The appropriate officer or officers for candidate committees and campaign committees
34 shall be the same as designated in subsection 2 of this section for the candidates or ballot
35 measures supported or opposed as indicated in the statement of organization required to be filed
36 by any such committee.

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

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

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

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

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

47 (2) If the committee makes or anticipates making expenditures other than direct
48 contributions which aggregate more than five hundred dollars to support or oppose one or more
49 candidates or ballot measures in the same political subdivision or district for which the
50 appropriate officer is an election authority other than the one for the county in which the
51 committee is domiciled, the appropriate officers for that committee shall include such other
52 election authority or authorities, except that committees covered by this subsection need not file
53 statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section
54 130.046 with any appropriate officer other than those set forth in subdivision (1) of this
55 subsection].

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

59 **7. The candidates required to file financial disclosure reports with the Missouri**
60 **ethics commission under subdivisions (2), (3), and (4) of subsection 2 of this section shall**
61 **file any required disclosure report in an electronic format as prescribed by the commission.**

130.057. 1. In order for candidates for election and public officials to more easily file
2 reports required by law and to access information contained in such reports, and for the Missouri
3 ethics commission to receive and store reports in an efficient and economical method, and for

4 the general public and news media to access information contained in such reports, the
5 commission shall establish and maintain an electronic reporting system pursuant to this section.

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

16 3. [When the commission determines that the electronic reporting system has been
17 properly implemented, the commission shall certify to all candidates and committees required
18 to file pursuant to this chapter that such electronic reporting system has been established and
19 implemented. Beginning with the primary and general elections in 2000, or the next primary or
20 general election in which the commission has made certification pursuant to this subsection,
21 whichever is later, candidates and all other committees shall file reports by using either the
22 electronic format prescribed by the commission or paper forms provided by the commission for
23 that purpose. Continuing committees shall file reports by electronic format prescribed by the
24 commission, except continuing committees which make contributions equal to or less than
25 fifteen thousand dollars in the applicable calendar year. Any continuing committee which makes
26 contributions in support of or opposition to any measure or candidate equal to or less than fifteen
27 thousand dollars in the applicable calendar year shall file reports on paper forms provided by the
28 commission for that purpose or by electronic format prescribed by the commission, whichever
29 reporting method the continuing committee chooses. The commission shall supply a computer
30 program which shall be used for filing by modem or by a common magnetic media chosen by
31 the commission. In the event that filings are performed electronically, the candidate shall file
32 a signed original written copy within five working days; except that, if a means becomes
33 available which will allow a verifiable electronic signature, the commission may also accept this
34 in lieu of a written statement.

35 4. Beginning January 1, 2000, or on the date the commission makes the certification
36 pursuant to subsection 3 of this section, whichever is later, all reports filed with the commission
37 by any candidate for a statewide office, or such candidate's committee, shall be filed in electronic
38 format as prescribed by the commission; provided however, that if a candidate for statewide
39 office, or such candidate's committee receives or spends five thousand dollars or less for any

40 reporting period, the report for that reporting period shall not be required to be filed
41 electronically.

42 5.] A copy of all reports filed in the state campaign finance electronic reporting system
43 shall be placed on a public electronic access system so that the general public may have open
44 access to the reports filed pursuant to this section. The access system shall be organized and
45 maintained in such a manner to allow an individual to obtain information concerning all
46 contributions made to or on behalf of, and all expenditures made on behalf of, any **candidate or**
47 public official described in subsection 2 of this section in formats that will include both written
48 and electronically readable formats.

49 [6.] 4. All records that are in electronic format, not otherwise closed by law, shall be
50 available in electronic format to the public. The commission shall maintain and provide for
51 public inspection, a listing of all reports with a complete description for each field contained on
52 the report, that has been used to extract information from their database files. The commission
53 shall develop a report or reports which contain every field in each database.

54 [7.] 5. Annually, the commission shall provide, without cost, a system-wide dump of
55 information contained in the commission's electronic database files to the general assembly. The
56 information is to be copied onto a medium specified by the general assembly. Such information
57 shall not contain records otherwise closed by law. It is the intent of the general assembly to
58 provide open access to the commission's records. The commission shall make every reasonable
59 effort to comply with requests for information and shall take a liberal interpretation when
60 considering such requests.

Section B. Because of the necessity to effect a smooth transition for political party
2 committee elections after the August primary, the enactment of section 115.620 and the repeal
3 and reenactment of sections 115.306, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617,
4 115.619, and 115.621 of section A of this act is deemed necessary for the immediate preservation
5 of the public health, welfare, peace and safety, and is hereby declared to be an emergency act
6 within the meaning of the constitution, and the enactment of section 115.620 and the repeal and
7 reenactment of sections 115.306, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617,
8 115.619, and 115.621 of section A of this act shall be in full force and effect upon its passage
9 and approval.

Section C. The repeal and reenactment of section 130.026 as enacted by senate bill no.
2 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by
3 house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first
4 regular session, shall become effective on January 1, 2017.

✓