

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR

SENATE BILL NO. 786

98TH GENERAL ASSEMBLY
2016

4093S.10T

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:

Section A. 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house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 115.105, 115.107, 115.306, 115.361, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, 115.620, 115.621, 115.642, 115.960, 130.026, and 130.057, to read as follows:

115.105. 1. The chair of the county committee of each political party named on the ballot shall have the right to designate a challenger for each polling place, who may be present [during the hours of voting] **until all ballots are**

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

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

20 2. Challenges may only be made when the challenger believes the election
21 laws of this state have been or will be violated, and each challenger shall report
22 any such belief to the election judges, or to the election authority if not satisfied
23 with the decision of the election judges.

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

28 4. In a presidential primary election, challengers may collect information
29 about the party ballot selected by the voter and may disclose party affiliation
30 information after the polls close.

31 5. All persons selected as challengers shall have the same qualifications
32 required by section 115.085 for election judges, except that such challenger shall
33 be a registered voter in the jurisdiction of the election authority for which the
34 challenger is designated as a challenger.

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

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

4 2. Watchers are to observe the counting of the votes and present any
5 complaint of irregularity or law violation to the election judges, or to the election
6 authority if not satisfied with the decision of the election judges. No watcher may
7 be substituted for another on election day.

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

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

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

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

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

12 (2) Each potential candidate for election to a public office, **except**
13 **candidates for a county or city committee of a political party**, shall file
14 an affidavit with the department of revenue and include a copy of the affidavit

15 with the declaration of candidacy required under section 115.349. Such affidavit
 16 shall be in substantially the following form:

17 **AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:**

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

26 Candidate's Signature

27 Printed Name of Candidate

28 (3) Upon receipt of a complaint alleging a delinquency of the candidate in
 29 the filing or payment of any state income taxes, personal property taxes,
 30 municipal taxes, real property taxes on the place of residence, as stated on the
 31 declaration of candidacy, or if the person is a past or present corporate officer of
 32 any fee office that owes any taxes to the state, the department of revenue shall
 33 investigate such potential candidate to verify the claim contained in the
 34 complaint. If the department of revenue finds a positive affirmation to be false,
 35 the department shall contact the secretary of state, or the election official who
 36 accepted such candidate's declaration of candidacy, and the potential
 37 candidate. The department shall notify the candidate of the outstanding tax
 38 owed and give the candidate thirty days to remit any such outstanding taxes
 39 owed which are not the subject of dispute between the department and the
 40 candidate. If the candidate fails to remit such amounts in full within thirty days,
 41 the candidate shall be disqualified from participating in the current election and
 42 barred from refiling for an entire election cycle even if the individual pays all of
 43 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
 2 a candidate for nomination to an office in which the candidate is the incumbent
 3 or the only candidate dies, withdraws as provided in subsection 1 or 2 of section
 4 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may
 5 file as a candidate for nomination, and at or before 5:00 p.m. on the eighth
 6 Tuesday prior to any primary election, or if any candidate for the position of
 7 political party committeeman or committeewoman dies or withdraws as provided

8 in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the
9 last day in which a person may file as a candidate for nomination, and at or
10 before 5:00 p.m. on the eighth Tuesday prior to any primary election, leaving less
11 candidates for the available committee positions than the number of available
12 committee positions, filing for the office or position shall be reopened for a period
13 of five working days, excluding holidays and weekends, following the death,
14 withdrawal or disqualification during which period new candidates may file
15 declarations of candidacy.

16 2. If a candidate for nomination to an office in which the candidate is the
17 only candidate dies, withdraws as provided in subsection 1 or 2 of section
18 115.359, or is disqualified after 5:00 p.m. on the sixth Tuesday prior to the
19 primary election, the election and canvass shall not proceed, and a vacancy shall
20 exist on the general election ballot to be filled in the manner provided in sections
21 115.363 to 115.377.

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

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

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

115.607. 1. No person shall be elected or shall serve as a member of a

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

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

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

36 4. In each county of the first classification containing a portion, but not
37 the major portion, of a city which has over three hundred thousand inhabitants,

38 ten members of the committee, five men and five women, shall be elected from the
39 district of each state representative wholly contained in the county in the
40 following manner: within six months after each legislative reapportionment, the
41 election authority shall divide each legislative district wholly contained in the
42 county into five committee districts of contiguous territory as compact and as
43 nearly equal in population as may be; two members of the committee, a man and
44 a woman, shall be elected from each committee district. The election authority
45 shall divide the area of the county located within legislative districts not wholly
46 contained in the county into similar committee districts; two members of the
47 committee, a man and a woman, shall be elected from each committee district.

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

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

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

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

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

5 candidacy in the office of the county **or city** election authority and by paying any
6 filing fee required by subsection 2 of this section.

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

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

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

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

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

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

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

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

10 3. If no qualified person is elected county **or city** committeeman or

11 committeewoman from a committee district for a party, a vacancy shall exist on
12 the county **or city** committee which shall be filled by a majority of the committee
13 in the manner provided in section 115.617.

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

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

115.619. 1. [The membership of] A legislative district committee shall
2 consist of [all county committee members within] **the precinct, ward, or**
3 **township committeeman and committeewoman from such precincts,**
4 **wards, or townships included in whole or in part of** the legislative
5 district[, except as provided in subsections 4 and 5 of this section. In all counties
6 of this state which are wholly contained within a legislative district, or in which
7 there are two or more whole legislative districts, or one whole legislative district
8 and part of another legislative district, or parts of two or more legislative
9 districts,]. There shall be elected from the membership of each legislative district
10 committee a chairman and a vice chairman, one of whom shall be a woman and
11 one of whom shall be a man, and each legislative district at the same time shall
12 elect a secretary and a treasurer, one of whom shall be a woman and one of whom

13 shall be a man, but who may or may not be members of the legislative district
14 committee. Party state committees may provide for voting by proxy and for
15 weighted or fractional voting.

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

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

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

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

34 **The congressional, senatorial, or judicial committee of a district which**
35 **is composed of:**

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

37 **(2) One or more whole counties and part of one or more counties;**
38 **shall consist of the county committee chair and vice chair of each**
39 **county within the district and the committeeman and committeewoman**
40 **of each legislative district committee within the district.**

41 **3. The congressional, senatorial, or judicial committee of a**
42 **district which consists of:**

43 **(1) Parts of one or more counties;**

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

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

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

48 **shall consist of the committeemen and committeewomen of the precinct,**

49 ward, or township included in whole or in part of the district and the
50 chair and vice chair of each legislative district committee within the
51 district in whole or in part.

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

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

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

21 3. The members of each congressional district committee shall meet at
22 some place **and time** within the district, to be designated by the current chair
23 of the committee, [on the last Tuesday in August] **not earlier than five weeks**
24 **after each primary election but in no event later than the sixth Saturday**
25 **after each primary election.** The county courthouse in counties of the first,
26 second and third classification in which the meeting is to take place, as
27 designated by the chair, shall be made available for such meeting and any other

28 congressional district political party committee meeting at no charge to the
29 committee. At the meeting, the committee shall organize by electing one of its
30 members as chair and one of its members as vice chair, one of whom shall be a
31 woman and one of whom shall be a man, and a secretary and a treasurer, one of
32 whom shall be a woman and one of whom shall be a man, who may or may not be
33 members of the committee.

34 [2.] 4. The members of each legislative district committee shall meet at
35 some place **and date** within the legislative district or within one of the counties
36 in which the legislative district exists, to be designated by the current chair of the
37 committee, [on the third Wednesday] **not earlier than three weeks** after each
38 [August] primary election **but in no event later than the fourth Saturday**
39 **after each primary election.** The county courthouse in counties of the first,
40 second and third classification in which the meeting is to take place, as
41 designated by the chair, shall be made available for such meeting and any other
42 legislative district political party committee meeting at no charge to the
43 committee. At the meeting, the committee shall organize [pursuant to subsection
44 1 of section 115.619] **by electing two of its members, a man and a woman,**
45 **as chair and vice chair, and a man and a woman who may or may not**
46 **be members of the committee as secretary and treasurer.**

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

62 6. The members of each senatorial district shall also meet at some place
63 within the district, to be designated by the current chair of the committee, if

64 there is one, and if not, by the chair of the congressional district in which the
65 senatorial district is principally located, on the Saturday after [the third Tuesday
66 in November after] each general election. At the meeting, the committee shall
67 proceed to elect two registered voters of the district, one man and one woman, as
68 members of the party's state committee.

69 [4.] 7. The members of each judicial district may meet at some place **and**
70 **date** within the judicial district or within one of the counties in which the
71 judicial district exists, to be designated by the current chair of the committee or
72 the chair of the congressional district committee, [on the first Tuesday in
73 September] **not earlier than six weeks** after each primary election[, or at
74 another time designated by the chairmen of the committees] **but in no event**
75 **later than the seventh Saturday after each primary election.** The county
76 courthouse in counties of the first, second and third classification in which the
77 meeting is to take place, as so designated pursuant to this subsection, shall be
78 made available for such meeting and any other judicial district political party
79 committee meeting at no charge to the committee. At the meeting, the committee
80 shall organize [pursuant to subsection 1 of section 115.619] **by electing two of**
81 **its members, a man and a woman, as chair and vice chair, and a man**
82 **and a woman who may or may not be members of the committee as**
83 **secretary and treasurer.**

115.642. 1. Any person may file a complaint with the secretary
2 of state stating the name of any person who has violated any of the
3 provisions of sections 115.629 to 115.646 and stating the facts of the
4 alleged offense. Within thirty days of receiving a complaint, the
5 secretary of state shall notify the person filing the complaint whether
6 or not the secretary has dismissed the complaint or will commence an
7 investigation. If reasonable grounds appear that the alleged offense
8 was committed, the secretary of state may issue a probable cause
9 statement. If the secretary of state issues a probable cause statement,
10 he or she may refer the offense to the appropriate prosecuting attorney.

11 2. Notwithstanding the provisions of sections 27.060, 56.060, or
12 56.430 to the contrary, when requested by the prosecuting attorney or
13 circuit attorney, the secretary of state or his or her authorized
14 representatives may aid any prosecuting attorney or circuit attorney
15 in the commencement and prosecution of election offenses as provided
16 in sections 115.629 to 115.646.

17 **3. The secretary of state may investigate any suspected violation**
18 **of any of the provisions of sections 115.629 to 115.646.**

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

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

8 **(2) Except as provided in subsection 2 of this section, as used in**
9 **this section and sections 432.200 to 432.295, the parties who agree to**
10 **conduct voter registration transactions by electronic means shall be the**
11 **local election authority who is required to accept or reject a voter**
12 **registration application and the prospective voter submitting the**
13 **application;**

14 **(3) A local election authority is authorized to develop, maintain,**
15 **and approve systems that transmit voter registration applications**
16 **electronically under sections 432.200 to 432.295;**

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

23 **(5) Local election authorities who maintain a voter registration**
24 **application system shall direct voter registration applicants from other**
25 **jurisdictions to the system used by the local election authority for that**
26 **jurisdiction to accept voter registration applications electronically.**

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

30 **(1) Within thirty days of, but in no event prior to January 1,**
31 **2017, the president of the Missouri association of county clerks and**
32 **election authorities shall appoint fourteen of its members to serve on**
33 **a committee to approve and develop uniform standards, systems, and**
34 **modifications that shall be used by the secretary of state in any**
35 **electronic voter registration application system offered by that**

36 office. The committee may also make recommendations regarding the
37 purchase, maintenance, integration, and operation of electronic
38 databases, software, and hardware used by local election authorities
39 and the secretary of state's office including, but not limited to, systems
40 used for military and overseas voting and for building and conducting
41 election operations. The committee shall have fourteen local election
42 authorities, including representatives of each classification of counties,
43 a representative from an election board, and at least one member who
44 has experience processing online voter registration transactions. In
45 addition, one representative appointed by the secretary of state's office
46 shall serve on the committee;

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

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

56 (4) The secretary of state's office shall direct eligible voters to
57 a local election authority's system to accept voter registration
58 applications electronically if the local election authority has a system
59 in place as of the effective date of this section or implements a system
60 that meets the same standards and format that has been approved by
61 the committee for the secretary of state's system;

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

69 (6) To improve the accuracy of voter registration application
70 data and reduce costs for local election authorities, the system
71 maintained by the secretary of state shall, as soon as is practical,
72 provide a method where the data entered by the voter registration

73 applicant does not have to be re-entered by the election authority to
74 the state voter registration database.

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

81 4. This section shall not apply to voter registration and absentee
82 records submitted by voters authorized under federal law, section
83 115.291, or sections 115.900 to 115.936 to submit electronic records and
84 signatures.

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

88 6. Any signature required for petition submission under chapter
89 116 shall be handwritten on a paper document.

90 7. Notwithstanding the provisions of section 432.230, nothing in
91 this section shall require the election authority to accept voter
92 registration records or signatures created, generated, sent,
93 communicated, received, stored, or otherwise processed, or used by
94 electronic means or in electronic form from any officer, agency, or
95 organization not authorized under subsection 2 of this section without
96 prior approval from the election authority. Except as provided in
97 subsection 2 of this section, no officer, agency, or organization shall
98 give the voter the opportunity to submit a voter registration
99 application with an electronic signature without first obtaining the
100 approval of the local election authority.

101 8. An election authority that agrees to conduct a transaction by
102 electronic means may refuse to conduct other transactions by
103 electronic means.

104 9. No election authority or the secretary of state shall furnish to
105 any member of the public any data collected under a voter registration
106 application system except as authorized in subsection 1 of section
107 115.157.

108 10. Nothing in this section shall be construed to require the
109 secretary of state to cease operating a voter registration application in

110 **place as of the effective date of this act.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

69 **7. Any financial disclosure reports and statements filed with the**
70 **Missouri ethics commission under this section shall be filed in an**
71 **electronic format as prescribed by the commission.**

130.057. 1. In order for candidates for election and public officials to more
2 easily file reports required by law and to access information contained in such
3 reports, and for the Missouri ethics commission to receive and store reports in an
4 efficient and economical method, and for the general public and news media to
5 access information contained in such reports, the commission shall establish and
6 maintain an electronic reporting system pursuant to this section.

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

19 3. [When the commission determines that the electronic reporting system
20 has been properly implemented, the commission shall certify to all candidates and
21 committees required to file pursuant to this chapter that such electronic reporting
22 system has been established and implemented. Beginning with the primary and
23 general elections in 2000, or the next primary or general election in which the
24 commission has made certification pursuant to this subsection, whichever is later,
25 candidates and all other committees shall file reports by using either the
26 electronic format prescribed by the commission or paper forms provided by the
27 commission for that purpose. Continuing committees shall file reports by
28 electronic format prescribed by the commission, except continuing committees
29 which make contributions equal to or less than fifteen thousand dollars in the
30 applicable calendar year. Any continuing committee which makes contributions
31 in support of or opposition to any measure or candidate equal to or less than
32 fifteen thousand dollars in the applicable calendar year shall file reports on paper
33 forms provided by the commission for that purpose or by electronic format
34 prescribed by the commission, whichever reporting method the continuing
35 committee chooses. The commission shall supply a computer program which shall
36 be used for filing by modem or by a common magnetic media chosen by the

37 commission. In the event that filings are performed electronically, the candidate
38 shall file a signed original written copy within five working days; except that, if
39 a means becomes available which will allow a verifiable electronic signature, the
40 commission may also accept this in lieu of a written statement.

41 4. Beginning January 1, 2000, or on the date the commission makes the
42 certification pursuant to subsection 3 of this section, whichever is later, all
43 reports filed with the commission by any candidate for a statewide office, or such
44 candidate's committee, shall be filed in electronic format as prescribed by the
45 commission; provided however, that if a candidate for statewide office, or such
46 candidate's committee receives or spends five thousand dollars or less for any
47 reporting period, the report for that reporting period shall not be required to be
48 filed electronically.

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

57 [6.] 4. All records that are in electronic format, not otherwise closed by
58 law, shall be available in electronic format to the public. The commission shall
59 maintain and provide for public inspection, a listing of all reports with a complete
60 description for each field contained on the report, that has been used to extract
61 information from their database files. The commission shall develop a report or
62 reports which contain every field in each database.

63 [7.] 5. Annually, the commission shall provide, without cost, a
64 system-wide dump of information contained in the commission's electronic
65 database files to the general assembly. The information is to be copied onto a
66 medium specified by the general assembly. Such information shall not contain
67 records otherwise closed by law. It is the intent of the general assembly to
68 provide open access to the commission's records. The commission shall make
69 every reasonable effort to comply with requests for information and shall take a
70 liberal interpretation when considering such requests.

Section B. Because of the necessity to effect a smooth transition for
2 political party committee elections after the August primary, the enactment of

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

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

Bill

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