

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend SS/SCS/HCS/House Bill No. 271, Page 7, Section 59.100, Line 15,

2 by inserting after all of said line the following:

3 "115.127. 1. Except as provided in subsection 4 of  
4 this section, upon receipt of notice of a special election  
5 to fill a vacancy submitted pursuant to subsection 2 of  
6 section 115.125, the election authority shall cause legal  
7 notice of the special election to be published in a  
8 newspaper of general circulation in its jurisdiction. The  
9 notice shall include the name of the officer or agency  
10 calling the election, the date and time of the election, the  
11 name of the office to be filled and the date by which  
12 candidates must be selected or filed for the office. Within  
13 one week prior to each special election to fill a vacancy  
14 held in its jurisdiction, the election authority shall cause  
15 legal notice of the election to be published in two  
16 newspapers of different political faith and general  
17 circulation in the jurisdiction. The legal notice shall  
18 include the date and time of the election, the name of the  
19 officer or agency calling the election and a sample ballot.  
20 If there is only one newspaper of general circulation in the  
21 jurisdiction, the notice shall be published in the newspaper  
22 within one week prior to the election. If there are two or  
23 more newspapers of general circulation in the jurisdiction,  
24 but no two of opposite political faith, the notice shall be  
25 published in any two of the newspapers within one week prior  
26 to the election.

27           2. Except as provided in subsections 1 and 4 of this  
28 section and in sections 115.521, 115.549 and 115.593, the  
29 election authority shall cause legal notice of each election  
30 held in its jurisdiction to be published. The notice shall  
31 be published in two newspapers of different political faith  
32 and qualified pursuant to chapter 493 which are published  
33 within the bounds of the area holding the election. If  
34 there is only one so-qualified newspaper, then notice shall  
35 be published in only one newspaper. If there is no  
36 newspaper published within the bounds of the election area,  
37 then the notice shall be published in two qualified  
38 newspapers of different political faith serving the area.  
39 Notice shall be published twice, the first publication  
40 occurring in the second week prior to the election, and the  
41 second publication occurring within one week prior to the  
42 election. Each such legal notice shall include the date and  
43 time of the election, the name of the officer or agency  
44 calling the election and a sample ballot; and, unless notice  
45 has been given as provided by section 115.129, the second  
46 publication of notice of the election shall include the  
47 location of polling places. The election authority may  
48 provide any additional notice of the election it deems  
49 desirable.

50           3. The election authority shall print the official  
51 ballot as the same appears on the sample ballot, and no  
52 candidate's name or ballot issue which appears on the sample  
53 ballot or official printed ballot shall be stricken or  
54 removed from the ballot except on death of a candidate or by  
55 court order, but in no event shall a candidate or issue be  
56 stricken or removed from the ballot less than eight weeks  
57 before the date of the election.

58           4. In lieu of causing legal notice to be published in  
59 accordance with any of the provisions of this chapter, the

election authority in jurisdictions which have less than seven hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may cause legal notice to be mailed during the second week prior to the election, by first class mail, to each registered voter at the voter's voting address. All such legal notices shall include the date and time of the election, the location of the polling place, the name of the officer or agency calling the election and a sample ballot.

5. If the opening date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the opening filing date shall be 8:00 a.m., the sixteenth seventeenth Tuesday prior to the election[, except that for any home rule city with more than four hundred thousand inhabitants and located in more than one county and any political subdivision or special district located in such city, the opening filing date shall be 8:00 a.m., the fifteenth Tuesday prior to the election]. If the closing date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the closing filing date shall be 5:00 p.m., the eleventh fourteenth Tuesday prior to the election. The political subdivision or special district calling an election shall, before the sixteenth seventeenth Tuesday, [or the fifteenth Tuesday for any home rule city with more than four hundred thousand inhabitants and located in more than one county or any political subdivision or special district located in such city,] prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may

93 be accomplished by legal notice published in at least one  
94 newspaper of general circulation in the political  
95 subdivision or special district.

96 6. Except as provided for in sections 115.247 and  
97 115.359, if there is no additional cost for the printing or  
98 reprinting of ballots or if the candidate agrees to pay any  
99 printing or reprinting costs, a candidate who has filed for  
100 an office or who has been duly nominated for an office may,  
101 at any time after the certification of the notice of  
102 election required in subsection 1 of section 115.125 but no  
103 later than 5:00 p.m. on the eighth Tuesday before the  
104 election, withdraw as a candidate pursuant to a court order,  
105 which, except for good cause shown by the election authority  
106 in opposition thereto, shall be freely given upon  
107 application by the candidate to the circuit court of the  
108 area of such candidate's residence."; and

109 Further amend the title and enacting clause accordingly.