

FIRST REGULAR SESSION

# SENATE BILL NO. 162

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR CIERPIOT.

0483S.01H

ADRIANE D. CROUSE, Secretary

## AN ACT

To repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to the day on which elections may take place.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 115.123, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 115.123,  
3 to read as follows:

115.123. 1. All public elections shall be held on  
2 Tuesday. Except as provided in subsections 2 and 3 of this  
3 section, and section 247.180, all public elections shall be  
4 held on the general election day, the primary election day,  
5 the general municipal election day, the first Tuesday after  
6 the first Monday in November, or on another day expressly  
7 provided by city or county charter, and in nonprimary years  
8 on the first Tuesday after the first Monday in August.  
9 [Bond elections may be held on the first Tuesday after the  
10 first Monday in February but no other issue shall be  
11 included on the ballot for such election.]

12 2. Notwithstanding the provisions of subsection 1 of  
13 this section, an election for a presidential primary held  
14 pursuant to sections 115.755 to 115.785 shall be held on the  
15 second Tuesday after the first Monday in March of each  
16 presidential election year.

17 3. The following elections shall be exempt from the  
18 provisions of subsection 1 of this section:

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

19           (1) [Bond elections necessitated by fire, vandalism or  
20 natural disaster;

21           (2)] Elections for which ownership of real property is  
22 required by law for voting; **and**

23           [(3)] (2) Special elections to fill vacancies and to  
24 decide tie votes or election contests[; and

25           (4) Tax elections necessitated by a financial  
26 hardship due to a five percent or greater decline in per-  
27 pupil state revenue to a school district from the previous  
28 year].

29           4. Nothing in this section prohibits a charter city or  
30 county from having its primary election in March if the  
31 charter provided for a March primary before August 28, 1999.

32           5. Nothing in this section shall prohibit elections  
33 held pursuant to section 65.600, but no other issues shall  
34 be on the March ballot except pursuant to this chapter.

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