

FIRST REGULAR SESSION

HOUSE BILL NO. 283

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROWLAND (Sponsor), KELLEY (126), COX, LOEHNER, ELMER, HINSON, PHILLIPS, KOENIG, RIDDLE, SHUMAKE, WELLS, POLLOCK, SCHOELLER, SMITH (150), FRANKLIN, FISHER AND LEACH (Co-sponsors) .

0845L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 115.399 and 115.761, RSMo, and to enact in lieu thereof two new sections relating to declarations of candidacy.

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

Section A. Sections 115.399 and 115.761, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 115.399 and 115.761, to read as follows:

115.399. 1. Not later than the twelfth Tuesday prior to each presidential election, or notwithstanding any prior laws to the contrary, in the year 1996 and thereafter, within seven working days after choosing its nominees for president and vice president of the United States, whichever is later, the state committee of each established political party shall certify in writing to the secretary of state the names of its nominees for president and vice president of the United States. **Such certification shall include proof of identity and proof of United States citizenship for each nominee.**

2. Not later than the third Tuesday prior to each presidential election, the state committee of each established political party shall certify in writing to the secretary of state the names of its nominees for presidential elector. At least one qualified resident of each congressional district shall be named as a nominee for presidential elector by each state committee, and the number of nominees for presidential elector named by each state committee shall equal the number to which the state is entitled.

3. When submitted for filing, each certification made by a state committee pursuant to the provisions of subsection 2 of this section shall be accompanied by a declaration of candidacy

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.

16 for each candidate for presidential elector. Each declaration of candidacy shall state the
17 candidate's full name, residence address, office for which such person proposes to be a candidate
18 and that if elected the person will qualify. Each such declaration shall be in substantially the
19 following form:

20

21 I, , a resident of the congressional district and the state of Missouri do
22 announce myself a candidate for the office of presidential elector from the . . . congressional
23 district (state at large) on the . . . ticket, to be voted for at the presidential election to be held on
24 the . . . day of . . . , 20. . , and I further declare that if nominated and elected to such office I will
25 qualify.

26

27

28 Signature of candidate

29

30

31 Residence address

32

33

34

Subscribed and sworn to

before me this

day of , 20.

.

Signature of election official

or officer authorized to

administer oaths

35 Each such declaration shall be subscribed and sworn to by the candidate before the election
36 official receiving the certification, a notary public or other officer authorized by law to
37 administer oaths.

115.761. 1. The official list of presidential candidates for each established political party
2 shall include the names of all constitutionally qualified candidates for whom, on or after 8:00
3 a.m. on the fifteenth Tuesday prior to the presidential primary, and on or before 5:00 p.m., on
4 the eleventh Tuesday prior to the presidential primary, a written request to be included on the
5 presidential primary ballot is filed with the secretary of state. **Such written request shall**
6 **include proof of identity and proof of United States citizenship for each candidate**, along
7 with:

8 (1) Receipt of payment to the state committee of the established political party on whose
9 ballot the candidate wishes to appear of a filing fee of one thousand dollars; or

10 (2) A written statement, sworn to before an officer authorized by law to administer oaths,
11 that the candidate is unable to pay the filing fee and does not have funds in a campaign fund or
12 committee to pay the filing fee and a petition signed by not less than five thousand registered
13 Missouri voters, as determined by the secretary of state, that the candidate's name be placed on
14 the ballot of the specified established political party for the presidential preference primary. The

15 request to be included on the presidential primary ballot shall include each signer's printed name,
16 registered address and signature and shall be in substantially the following form:

17

18 I (We) the undersigned, do hereby request that the name of be placed
19 upon the February,, presidential primary ballot as candidate for nomination as the
20 nominee for President of the United States on the party ticket.

21 2. The state or national party organization of an established political party that adopts
22 rules imposing signature requirements to be met before a candidate can be listed as an official
23 candidate shall notify the secretary of state by October first of the year preceding the presidential
24 primary.

25 3. Any candidate or such candidate's authorized representative may have such candidate's
26 name stricken from the presidential primary ballot by filing with the secretary of state on or
27 before 5:00 p.m. on the eleventh Tuesday prior to the presidential primary election a written
28 statement, sworn to before an officer authorized by law to administer oaths, requesting that such
29 candidate's name not be printed on the official primary ballot. Thereafter, the secretary of state
30 shall not include the name of that candidate in the official list announced pursuant to section
31 115.758 or in the certified list of candidates transmitted pursuant to section 115.765.

32 4. The filing times set out in this section shall only apply to presidential preference
33 primaries, and are in lieu of those established in section 115.349.

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