

HCS#2 HB 178 -- LOCAL BALLOT PROPOSALS (Koenig)

COMMITTEE OF ORIGIN: Committee on Ways and Means

This substitute specifies that a proposal by any political subdivision to enact a tax for any purpose that is submitted to and rejected by the voters may be resubmitted at any time in the immediately following two years but the proposal will not become effective unless it is approved by at least 60% of the qualified persons voting on the proposal. If the proposal is resubmitted after the two-year period, the proposal becomes effective if a majority of the qualified voters are in favor of the proposal. These provisions will not apply to any proposal to enact any tax for which the subdivision has a budget need because of a Governor-proclaimed disaster or emergency or the tax is authorized in the Constitution of Missouri.

The substitute prohibits any water supply district in St. Charles County that contracts with a for profit management company focusing on contract management and operations from charging and collecting from its customers any increase in rates, charges, or fees without a majority vote of the qualified voters of the water supply district. Any actual charges or fees by a state or local governmental entity not associated with the water supply district may be passed on to its customers without a vote.

The substitute prohibits any water supply district in St. Charles County that does not actually process or treat sewage or wastewater but pays another governmental entity for providing the service from charging and collecting from its customers a premium or fee greater than it pays to the other entity without a majority vote of the qualified voters of the water supply district.

In the event that there is a tie vote between two candidates in a primary election for a county office, the substitute allows each candidate to place his or her name on the general election ballot without a political party designation. If one of the eligible candidates declines, the remaining candidate will be declared to have won the primary election and may appear on the general election ballot as the candidate for the political party in which the primary was held.

No votes for a write-in candidate will be allowed in a general election under these circumstances unless only one candidate's name is on the ballot. The provisions of the substitute will apply only in the case of an uncontested general election in which the candidates who tie in a primary election are the only candidates eligible to run for the county office in the general election because all other candidates have not met the filing requirements

for the office.

If a general election is contested as a result of these provisions, any tie vote in a political party primary must be resolved under Section 115.515, RSMo, prior to the general election.