

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Bill No. 104, Page 1, In the Title, Line 3, by deleting all of said line and inserting in  
2 lieu thereof the words, "to elections."; and

3  
4 Further amend said bill, page, Section A, Line 2, by inserting after all of said section and line the  
5 following:

6 "115.306. 1. No person shall qualify as a candidate for elective public office in the state of  
7 Missouri who has been found guilty of or pled guilty to a felony or misdemeanor under the federal  
8 laws of the United States of America or to a felony under the laws of this state.

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

14 (2) Each potential candidate for election to a public office shall file an affidavit with the  
15 department of revenue and include a copy of the affidavit with the declaration of candidacy required  
16 under section 115.349. Such affidavit 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 of any delinquency  
19 in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real  
20 property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past  
21 or present corporate officer of any fee office that owes any taxes to the state, other than those taxes  
22 which may be in dispute. I declare under penalties of perjury that I am not aware of any information  
23 that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

24 ..... Candidate's Signature

25 ..... Printed Name of Candidate.

26 (3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or  
27 payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on  
28 the place of residence, as stated on the declaration of candidacy, or if the person is a past or present  
29 corporate officer of any fee office that owes any taxes to the state, the department of revenue shall  
30 investigate such potential candidate to verify the claim contained in the complaint. If the department  
31 of revenue finds a positive affirmation to be false, the department shall contact the secretary of state,  
32 or the election official who accepted such candidate's declaration of candidacy, and the potential  
33 candidate. The department shall notify the candidate of the outstanding tax owed and give the  
34 candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute  
35 between the department and the candidate. If the candidate fails to remit such amounts in full within  
36 thirty days, the candidate shall be disqualified from participating in the current election and barred

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1 from refile for an entire election cycle even if the individual pays all of the outstanding taxes that  
 2 were the subject of the complaint.

3 115.308. Sections 115.307 to 115.405 shall not apply to candidates for special district  
 4 offices; township offices in township organization counties; or city, town, and village offices."; and

5  
 6 Further amend said bill, Page 2, Section 116.190, Line 43, by inserting after all of said section and  
 7 line the following:

8 "162.481. 1. Except as otherwise provided in this section and in section 162.492, all  
 9 elections of school directors in urban school districts shall be held biennially at the same times and  
 10 places as municipal elections.

11 2. [In any urban district which includes all or the major part of a city which first obtained a  
 12 population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial  
 13 census, elections of directors shall be held on municipal election days of even-numbered years. The  
 14 directors of the prior district shall continue as directors of the urban district until their successors are  
 15 elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two  
 16 for terms of two years to succeed the two directors of the prior district who were elected in 1960 and  
 17 two for terms of six years to succeed the two directors of the prior district who were elected in 1961.  
 18 The successors of these directors shall be elected for terms of six years. On the first Tuesday in  
 19 April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to  
 20 terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six  
 21 years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

22 3.] Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a  
 23 seven-director district becomes an urban school district, the directors of the prior seven-director  
 24 district shall continue as directors of the urban school district until the expiration of the terms for  
 25 which they were elected and until their successors are elected as provided in this subsection. The  
 26 first biennial school election for directors shall be held in the urban school district at the time  
 27 provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the  
 28 directors of the prior district which are first to expire, and directors shall be elected to succeed the  
 29 directors of the prior district whose terms have expired. If the terms of two directors only have  
 30 expired, the directors elected at the first biennial school election in the urban school district shall be  
 31 elected for terms of six years. If the terms of four directors have expired, two directors shall be  
 32 elected for terms of six years and two shall be elected for terms of four years. At the next succeeding  
 33 biennial election held in the urban district, successors for the remaining directors of the prior  
 34 seven-director district shall be elected. If only two directors are to be elected they shall be elected  
 35 for terms of six years each. If four directors are to be elected, two shall be elected for terms of six  
 36 years and two shall be elected for terms of two years. After seven directors of the urban district have  
 37 been elected under this subsection, their successors shall be elected for terms of six years.

38 [4.] 3. In any school district in [any city with a population of one hundred thousand or more  
 39 inhabitants which is located within a county of the first classification that adjoins no other county of  
 40 the first classification, or any school district which becomes an urban school district by reason of the  
 41 2000 federal decennial census] which a majority of the district is located in any home rule city with  
 42 more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants,  
 43 elections shall be held annually at the same times and places as general municipal elections for all  
 44 years where one or more terms expire, and the terms shall be for three years and until their  
 45 successors are duly elected and qualified for all directors elected on and after August 28, 1998.

46 4. For any school district which becomes an urban school district by reason of the 2000  
 47 federal decennial census, elections shall be held annually at the same times and places as general  
 48 municipal elections for all years where one or more terms expire, and the terms shall be for three

1 years and until their successors are duly elected and qualified for all directors elected on and after  
2 August 28, 2001.

3 5. In any school district in any county with a charter form of government and with more than  
4 three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an  
5 urban school district by reason of the 2010 federal decennial census, elections shall be held annually  
6 at the same times and places as general municipal elections for all years where one or more terms  
7 expire, and the terms shall be for three years and until their successors are duly elected and qualified  
8 for all directors elected on and after April 2, 2012.

9 6. In any urban school district in a county of the first classification with more than  
10 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with  
11 more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat,  
12 elections shall be held annually at the same times and places as general municipal elections for all  
13 years where one or more terms expire, and upon expiration of any term after August 28, 2015, the  
14 term of office shall be for three years and until their successors are duly elected and qualified.

15 162.491. 1. Directors for urban school districts, other than those districts containing the  
16 greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition  
17 to be filed with the secretary of the board and signed by a number of voters in the district equal to ten  
18 percent of the total number of votes cast for the director receiving the highest number of votes cast at  
19 the next preceding biennial election, except as provided in subsection 4 of this section.

20 2. This section shall not be construed as providing the sole method of nominating candidates  
21 for the office of school director in urban districts which do not contain the greater part of a city of  
22 over three hundred thousand inhabitants.

23 3. A director for any urban school district containing a city of greater than one hundred thirty  
24 thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an  
25 independent candidate by filing with the secretary of the board a petition signed by five hundred  
26 registered voters of such school district.

27 4. In any urban school district located in a home rule city with more than seventy-one  
28 thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a  
29 declaration of candidacy with the secretary of the board and shall not be required to submit a  
30 petition.

31 [115.342. 1. Any person who files as a candidate for election to a public office shall be  
32 disqualified from participation in the election for which the candidate has filed if such person is  
33 delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real  
34 property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is  
35 a past or present corporate officer of any fee office that owes any taxes to the state.

36 2. Each potential candidate for election to a public office shall file an affidavit with the  
37 department of revenue and include a copy of the affidavit with the declaration of candidacy required  
38 under section 115.349. Such affidavit shall be in substantially the following form:

39 AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

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

46 ..... Candidate's Signature

47 ..... Printed Name of Candidate.

48 3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or

1 payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on  
2 the place of residence, as stated on the declaration of candidacy, or if the person is a past or present  
3 corporate officer of any fee office that owes any taxes to the state, the department of revenue shall  
4 investigate such potential candidate to verify the claim contained in the complaint. If the department  
5 of revenue finds a positive affirmation to be false, the department shall contact the secretary of state,  
6 or the election official who accepted such candidate's declaration of candidacy, and the potential  
7 candidate. The department shall notify the candidate of the outstanding tax owed and give the  
8 candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute  
9 between the department and the candidate. If the candidate fails to remit such amounts in full within  
10 thirty days, the candidate shall be disqualified from participating in the current election and barred  
11 from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that  
12 were the subject of the complaint.]

13 [115.348. No person shall qualify as a candidate for elective public office in the state of  
14 Missouri who has been found guilty of or pled guilty to a felony or misdemeanor under the federal  
15 laws of the United States of America.]

16 [115.350. No person shall qualify as a candidate for elective public office in the state of  
17 Missouri who has been convicted of or found guilty of or pled guilty to a felony under the laws of  
18 this state.]

19 Section B. Because of the need to ensure uniform and final election practices in township  
20 organization counties, and cities, towns, and villages, sections 115.308, 162.481, and 162.491 of  
21 section A of this act is deemed necessary for the immediate preservation of the public health,  
22 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the  
23 constitution, and sections 115.308, 162.481, and 162.491 of section A of this act shall be in full force  
24 upon its passage and approval."; and  
25

26 Further amend said bill by amending the title, enacting clause, and intersectional references  
27 accordingly.