

HCS SS SB 786 -- ELECTION INVESTIGATIONS

SPONSOR: Kraus

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elections by a vote of 9 to 0. Voted "Do Pass with HCS" by the Select Committee on State and Local Governments by a vote of 10 to 0.

This bill allows any person to file a complaint alleging an election offense with the Secretary of State and grants the Secretary the authority to investigate such claims. In the event that the Secretary of State finds reasonable grounds that an election offense has been committed, he or she may issue a probable cause statement and refer the offense to the appropriate prosecuting attorney.

The bill exempts political party city and county committees from tax affidavit requirements related to local offices. It modifies the time period for filing for office in cases where a candidate withdraws under Section 115.361, RSMo. Filing shall reopen from the first Tuesday after the normal filing deadline until 5:00 p.m. of the Friday of that same week.

The bill also specifies that certain financial disclosure reports shall be filed in an electronic format with the Missouri Ethics Commission and specified that the commission is the appropriate office for filing specified financial disclosure reports.

The bill changes the name of the St. Louis County political party committee to a city committee. Criteria for the membership of Congressional, Senatorial, and Judicial District Committees that overlap more than one county or city committee district are specified in the bill. If these districts overlap exactly with a county or city committee, then membership on both committees is identical.

The bill specifies meeting dates for forming a committee; county committees will meet at the county courthouse which must be available free of charge and city committees must meet at city hall as specified in the bill. Meeting times requirements for Congressional District Committees, Legislative District Committees, and Senatorial District Committees are also outlined in the bill. The bill will allow proxy voting if authorized by political party committees for district committees under Section 116.621, but otherwise allows proxy voting only for Legislative, Senatorial, Congressional, and Judicial District Committee meetings. The substitute removes a reference to disabled persons being disqualified from holding office in a political party committee.

The bill changes the laws regarding voter registration and petition signature requirements. It authorizes an election authority to accept voter registration applications using electronic methods and to develop, maintain, and approve systems that transmit voter registration applications electronically. The voter registration provisions are specified in the bill.

The bill contains an emergency clause for all provisions with the exception of the filing of financial disclosure report modifications that have a separate delayed effective date.

PROPOSERS: Supporters say that the bill will allow the office of Secretary of State to conduct active investigations, refer findings to the office of the Attorney General, or to have its attorneys act as special prosecutors in instances where such expertise is useful and helpful to county prosecutors.

Testifying for the bill was Senator Kraus.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others say that the bill should give local prosecutors the option of retaining a case, ask the office of the Secretary of State for assistance, or to assume prosecution in some instances.

Testifying for information purposes only was Missouri Association of Prosecuting Attorneys.