

HCS SCS SB 270 -- ELECTIONS

SPONSOR: Kraus (Dugger)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 10 to 0.

This substitute changes the laws regarding elections. In its main provisions, the substitute:

(1) Requires a special election to be held in order to fill a vacancy for the position of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer. Currently, the Office of United States Senator and most statewide offices, except for the Office of Governor, may be filled by a gubernatorial appointment when there is a vacancy. If there is a vacancy for any reason in the Office of Lieutenant Governor, Office of Secretary of State, or Office of State Treasurer, the Governor will take charge of the office until a successor is elected at the special election. In the case of an impeachment trial for one of these offices, the Governor supervises the office until a final determination is made and there is a reinstatement of the official to office or a special election. If a vacancy occurs for any reason in the Office of United States Senator, the Office of the Attorney General, or the Office of State Auditor, the Governor will appoint an acting senator, attorney general, or auditor to take charge of the office or hold the office in the case of the United States Senator until the special election is held. In the case of an impeachment in the Office of Attorney General or the Office of State Auditor, the acting attorney general or auditor will supervise the duties of the office until a final determination is made and there is a reinstatement of the official to office or a special election;

(2) Requires a candidate for county collector-treasurer to be at least 21 years of age, a resident of the county for at least one year prior to the date of filing for the office, a registered voter, and have paid all state income taxes and personal and real property taxes. The candidate must present the election authority with a copy of a signed affidavit from a surety company authorized to do business in Missouri indicating that he or she meets the statutory bond requirements of the office. A collector-treasurer must reside in the county throughout his or her term in office;

(3) Specifies that a collector-treasurer in a county having township organization will have the sole authority to appoint a deputy;

(4) Changes the allowable dates for holding a public election by removing the first Tuesday after the first Monday in June as a possible election date;

(5) Removes a provision which requires an absentee ballot to be rejected if sufficient evidence is shown to the election authority that the absentee voter has died prior to the opening of the polls on election day;

(6) Establishes a procedure by which an ambulance district board member may be recalled from office by the registered voters of the member's election district. No board member can be recalled during the first or last 180 days of the member's current term or if a previous recall election was in the member's favor during the current term; and

(7) Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of \$0 or a cost of Greater than \$7,000,000 in FY 2012, FY 2013, and FY 2014. No impact on Other State Funds in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters say that the bill will save money by removing days in February and June as public election days. There has been very low turnout at these elections, and there are three other election days available during the year.

Testifying for the bill were Senator Kraus; and Missouri County Collectors Association.

OPPONENTS: Those who oppose the bill say that municipalities and special districts such as schools would like to retain the February election date.

Testifying against the bill were Missouri Municipal League; Missouri School Boards Association; and Missouri National Education Association.