

CCS#2 HCS SB 104 -- ELECTIONS

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

(1) Prohibits an individual from qualifying as a candidate for elective public office who has been found guilty of or pled guilty to an offense committed in another state that would be considered a felony in this state;

(2) Requires an individual who files as a candidate for election to public office to be disqualified if he or she is delinquent in the payment of specified taxes or the individual is a past or present corporate officer of any fee office that owes any taxes to the state. Each potential candidate must file an affidavit with the Department of Revenue declaring that he or she is not aware of any delinquency and include a copy of the affidavit with the required declaration of candidacy;

(3) Specifies that Sections 115.307 to 115.405, RSMo, regarding political parties and nomination of candidates, must not apply to candidates for special district offices; township offices in township organization counties; or city, town, and village offices;

(4) Requires any action brought challenging the ballot title or fiscal note prepared for an initiative petition or referendum measure to be fully and finally adjudicated within 180 days of filing and more than 56 days prior to the election in which it is to appear or the action must be extinguished unless a court extends the period upon a finding of good cause for the extension;

(5) Repeals obsolete provisions regarding the election of school board members in the St. Joseph School District based on the 1960 census and requires the district to hold elections annually at the same times and places as general municipal elections for all years where one or more terms expire. Currently, school board members in the district serve a six-year term. The bill changes the term to three years upon the expiration of any term after August 28, 2015;

(6) Requires all elections for any school district that becomes an urban school district because of the 2000 federal census must be held annually at the same times and places as general municipal elections for all years where one or more terms expire and the terms must be for three years;

(7) Specifies that a candidate for the school board in the St. Joseph School District must file a declaration of candidacy with the secretary of the school board and must not be required to submit a petition;

(8) Modifies provisions regarding the election of trustees of a community college district in a district that contains the City of St. Louis. The bill specifies that the board must consist of seven members, six of whom must be elected to a six-year term and one at-large member who must be appointed by the Coordinating Board for Higher Education. The bill specifies the powers of the board and the requirements for serving on the board; and

(9) Repeals the provision enacted this year in SS SCS HCS#2 HB 63 as Section 162.205 that prohibits any person from being a candidate for a member or director of the school board in any district where he or she has previously been employed as the district's superintendent.

The bill contains a severability clause and if any provision is held to be invalid for any reason, the decision must not invalidate all of the remaining provisions of the bill.