

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

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 1,  
2 Section A, Line 7, by inserting after all of said section and line the following:

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4 "115.125. 1. Not later than 5:00 p.m. on the tenth Tuesday prior to any election, except a  
5 special election to decide an election contest, tie vote or an election to elect seven members to serve  
6 on a school board of a district pursuant to section 162.241, or a delay in notification pursuant to  
7 subsection 2 of this section, or pursuant to the provisions of section 115.399, the officer or agency  
8 calling the election shall notify the election authorities responsible for conducting the election. The  
9 notice shall be in writing, shall specify the name of the officer or agency calling the election and  
10 shall include a certified copy of the legal notice to be published pursuant to subsection 2 of section  
11 115.127. The notice and any other information required by this section may, with the prior  
12 notification to the election authority receiving the notice, be accepted by facsimile transmission  
13 prior to 5:00 p.m. on the tenth Tuesday prior to the election, provided that the original copy of the  
14 notice and a certified copy of the legal notice to be published shall be received in the office of the  
15 election authority within three business days from the date of the facsimile transmission. In lieu of  
16 a certified copy of the legal notice to be published pursuant to subsection 2 of section 115.127, each  
17 notice of a special election to fill a vacancy shall include the name of the office to be filled, the date  
18 of the election and the date by which candidates must be selected or filed for the office. Not later  
19 than the fourth Tuesday prior to any special election to fill a vacancy called by a political  
20 subdivision or special district, the officer or agency calling the election shall certify a sample ballot  
21 to the election authorities responsible for conducting the election.

22 2. [Except as provided for in sections 115.247 and 115.359, if there is no additional cost for  
23 the printing or reprinting of ballots or if the political subdivision or special district calling for the  
24 election agrees to pay any printing or reprinting costs, a political subdivision or special district may,  
25 at any time after certification required in subsection 1 of this section, but no later than 5:00 p.m. on  
26 the sixth Tuesday before the election, be permitted to make late notification to the election authority  
27 pursuant to court order, which, except for good cause shown by the election authority in opposition  
28 thereto, shall be freely given upon application by the political subdivision or special district to the  
29 circuit court of the area of such subdivision or district.] The ten week filing deadline established  
30 under subsection 1 of this section is mandatory for all political subdivisions and special districts that  
31 are not specifically exempt from such deadline by law or charter, and no court shall order any  
32 individual or issue placed on a regular election day ballot for such political subdivisions or special  
33 districts if the deadline is violated. When such deadline is violated, a special election may be held at  
34 the request of a political subdivision or district; however, when a special election is called to fill a  
35 vacancy, or present a ballot measure of any type, that could have been submitted at a regular  
36 election day, but for a violation of the ten week notice requirement of subsection 1 of this section,

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 then all costs of such special election called by a political subdivision or special district shall be paid  
2 in full by such political subdivision or special district. No court shall have the authority to order an  
3 individual or issue be placed on the ballot less than six weeks before the date of the election, except  
4 as provided in sections 115.361 and 115.379."; and

5  
6 Further amend said bill by amending the title, enacting clause, and intersectional references  
7 accordingly.