

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2208, Page 1, Section A, Line 2, by inserting after all of said line the
2 following:

3
4 "115.125. 1. Not later than 5:00 p.m. on the [tenth] sixth Tuesday prior to any election,
5 except a special election to decide an election contest, tie vote or an election to elect seven members
6 to serve on a school board of a district pursuant to section 162.241, or a delay in notification
7 pursuant to subsection 2 of this section, or pursuant to the provisions of section 115.399, the officer
8 or agency calling the election shall notify the election authorities responsible for conducting the
9 election. The notice shall be in writing, shall specify the name of the officer or agency calling the
10 election and shall include a certified copy of the legal notice to be published pursuant to subsection
11 2 of section 115.127. The notice and any other information required by this section may, with the
12 prior notification to the election authority receiving the notice, be accepted by facsimile
13 transmission prior to 5:00 p.m. on the [tenth] sixth Tuesday prior to the election, provided that the
14 original copy of the notice and a certified copy of the legal notice to be published shall be received
15 in the office of the election authority within three business days from the date of the facsimile
16 transmission. In lieu of a certified copy of the legal notice to be published pursuant to subsection 2
17 of section 115.127, each notice of a special election to fill a vacancy shall include the name of the
18 office to be filled, the date of the election and the date by which candidates must be selected or filed
19 for the office. Not later than the fourth Tuesday prior to any special election to fill a vacancy called
20 by a political subdivision or special district, the officer or agency calling the election shall certify a
21 sample ballot 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 six-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 ~~candidate name or issue placed on a regular election day ballot for such political subdivisions or~~
33 ~~special districts if the deadline is violated. When such deadline is violated, a special election may~~
34 ~~be held at the request of a political subdivision or district; however, when a special election of any~~
35 ~~type is called that could have been submitted at a regular election day but for a violation of the six-~~
36 ~~week notice requirement of subsection 1 of this section, all costs of such special election called by a~~

Action Taken _____ Date _____

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

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