

SECOND REGULAR SESSION

HOUSE BILL NO. 1380

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STACY.

5197H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.321, RSMo, and to enact in lieu thereof one new section relating to elections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 115.321, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.321, to read as follows:

115.321. 1. Any person desiring to be an independent candidate for any office to be filled by voters throughout the state, or for any congressional district, state senate district, state representative district, or circuit judge district, shall file a petition with the secretary of state. Any person desiring to be an independent candidate for any county office shall file a petition with the election authority of the county.

2. Each page or a sheet attached to each page of each petition for the nomination of an independent candidate shall:

(1) Declare concisely the intention to nominate an independent candidate;

(2) State the name and address, including street and number, of the independent candidate. If independent candidates for presidential elector are to be nominated, a number of independent candidates for presidential elector equal to the number of electors to which the state is entitled shall be nominated by one petition, and the name of their candidate for president and the name of their candidate for vice president shall be printed on each page or a sheet attached to each page of the petition. At least one qualified resident of each congressional district shall be named as a nominee for presidential elector, and the name and address of each candidate shall be printed on each page or a sheet attached to each page of the petition. The names of the candidates for president and vice president shall not be printed on the official ballot without the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 written consent of such persons. Their written consent shall accompany and be deemed part of
19 the petition;

20 (3) State the office for which candidate is to be nominated.

21 3. If an independent candidate is to be nominated for a statewide office, the petition shall
22 be signed by at least ~~[ten thousand registered voters of the state]~~ **five percent of the voters who**
23 **voted in the United States House of Representatives election in the district where the**
24 **independent candidate resides.**

25 4. If the independent candidate is to be nominated for a district or county office, the
26 petition shall be signed by the number of registered voters in the district or county which is equal
27 to at least ~~[two]~~ **five** percent of the total number of voters who voted at the last election for
28 ~~[candidates for the office being sought or is equal to ten thousand voters, whichever is less]~~ **the**
29 **United States House of Representatives election in the district where the independent**
30 **candidate resides.**

31 5. The name of each person who files a valid petition for nomination as an independent
32 candidate shall be placed on the official ballot as an independent candidate for the office at the
33 next general election or the special election if the petition nominates a candidate to fill a vacancy
34 which is to be filled at a special election. If presidential electors are nominated by the petition,
35 the names of the candidates for elector shall not be placed on the official ballot, but the name of
36 their candidate for president and the name of their candidate for vice president shall be placed
37 on the official ballot at the next presidential election.

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