

SECOND REGULAR SESSION

HOUSE BILL NO. 2301

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

4976H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 115.306, RSMo, and to enact in lieu thereof one new section relating to qualifications for elective public office.

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

Section A. Section 115.306, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.306, to read as follows:

115.306. 1. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state **unless seven years have passed from the date of plea or conviction and such person has been discharged from probation and parole and the discharge is nonconditional.**

2. (1) Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(2) Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

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.

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<p>AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:</p> <p>I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.</p> <p>_____ Candidate's Signature _____ Printed Name of Candidate</p>
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30 (3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing
31 or payment of any state income taxes, personal property taxes, municipal taxes, real property
32 taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a
33 past or present corporate officer of any fee office that owes any taxes to the state, the
34 department of revenue shall investigate such potential candidate to verify the claim contained
35 in the complaint. If the department of revenue finds a positive affirmation to be false, the
36 department shall contact the secretary of state, or the election official who accepted such
37 candidate's declaration of candidacy, and the potential candidate. The department shall notify
38 the candidate of the outstanding tax owed and give the candidate thirty days to remit any such
39 outstanding taxes owed which are not the subject of dispute between the department and the
40 candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate
41 shall be disqualified from participating in the current election and barred from refiling for an
42 entire election cycle even if the individual pays all of the outstanding taxes that were the
43 subject of the complaint.

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