

FIRST REGULAR SESSION

HOUSE BILL NO. 1299

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCMULLEN.

2692H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 128, RSMo, by adding thereto one new section relating to residency of congressional representatives, with penalty provisions.

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

Section A. Chapter 128, RSMo, is amended by adding thereto one new section, to be known as section 128.370, to read as follows:

128.370. 1. As used in this section, the following terms shall mean:

(1) "Congressional district", a specific geographic area that is permitted to elect a member of the United States House of Representatives under the laws of this state and Article I, Section 2 of the Constitution of the United States;

(2) "Established congressional district", a congressional district whose boundaries have been unaltered in the twenty-four months before an election;

(3) "New congressional district", a congressional district whose boundaries have been altered in the twenty-four months before an election;

(4) "Resident":

(a) In an established congressional district, an individual who maintains their legal domicile for the purposes of voter registration and taxation within a congressional district for a period of a least twelve months before the election; and

(b) In a new congressional district, an individual who maintains their legal domicile for the purposes of voter registration and taxation within a congressional district for a period of a least three months before the election.

2. Only a resident of a congressional district shall be elected to serve as a representative of the district. An individual shall certify his or her residency when filing

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 his or her declaration of candidacy. A candidate who makes a false statement about his
19 or her residency shall be guilty of a class one election offense.

20 3. Before an individual appears on the ballot as a candidate to represent a
21 congressional district, his or her residency shall be verified by the secretary of state.
22 Residencies of all candidates for congressional districts shall be verified within sixty
23 days after the deadline to file as a candidate for such office.

24 4. The secretary of state may promulgate all necessary rules and regulations for
25 the administration of this section. Any rule or portion of a rule, as that term is defined
26 in section 536.010, that is created under the authority delegated in this section shall
27 become effective only if it complies with and is subject to all of the provisions of chapter
28 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
29 and if any of the powers vested with the general assembly pursuant to chapter 536 to
30 review, to delay the effective date, or to disapprove and annul a rule are subsequently
31 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
32 adopted after August 28, 2023, shall be invalid and void.

33 5. The provisions of this section shall not apply to the primary and general
34 elections for congressional representatives in 2024, but shall apply for such elections in
35 2026 and thereafter.

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