

FIRST REGULAR SESSION

# HOUSE BILL NO. 533

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DUGGER.

1378H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 115.361, RSMo, and to enact in lieu thereof one new section relating to candidate filing deadlines.

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

Section A. Section 115.361, RSMo, is repealed and one new section enacted in lieu thereof, to be known as sections 115.361, to read as follows:

115.361. 1. Except as provided in subsections 2 and 3 of this section, if a candidate for nomination to an office in which the candidate is the incumbent or the only candidate dies, withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may file as a candidate for nomination, and at or before 5:00 p.m. on the eighth Tuesday prior to any primary election, or if any candidate for the position of political party committeeman or committeewoman dies or withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may file as a candidate for nomination, and at or before 5:00 p.m. on the eighth Tuesday prior to any primary election, leaving less candidates for the available committee positions than the number of available committee positions, filing for the office or position shall be reopened for a period of five working days, excluding holidays and weekends, following the death, withdrawal or disqualification during which period new candidates may file declarations of candidacy.

2. If a candidate for nomination to an office in which the candidate is the only candidate dies, withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the sixth Tuesday prior to the primary election, the election and canvass shall not proceed, and a vacancy shall exist on the general election ballot to be filled in the manner provided in sections 115.363 to 115.377.

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           3. If a candidate for the position of political party committeeman or committeewoman  
19 becomes disqualified after the eighth Tuesday prior to the primary election, the election and  
20 canvass shall proceed, and the disqualified candidate's name shall be physically eradicated from  
21 the ballot so that no vote may be cast for that candidate.

22           4. If after filing a declaration of candidacy, a candidate files a statement of withdrawal  
23 within two working days prior to the deadline for the close of filing set forth in section 115.349,  
24 the time of filing for that office shall [be extended until 5:00 p.m. of the first Friday following  
25 the deadline for the close of filing set forth in section 115.349] **immediately cease upon the**  
26 **filing of withdrawal so that no other candidate may file for that office until the reopening**  
27 **of filing on the first Tuesday after the deadline for the close of filing set forth by in section**  
28 **115.349 officially expires. The reopening of filing shall extend until 5:00 p.m. on the Friday**  
29 **immediately following the first Tuesday after the deadline for the close of filing set forth**  
30 **in section 115.349 officially expires.**

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