

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 533

98TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, April 23, 2015, with recommendation that the Senate Committee Substitute do pass.

1378S.05C

ADRIANE D. CROUSE, Secretary.

AN ACT

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

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Section A. Section 115.361, RSMo, is repealed and one new section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

115.361. 1. Except as provided in subsections 2 and 3 of this section, if
2 a candidate for nomination to an office in which the candidate is the incumbent
3 or the only candidate dies, withdraws as provided in subsection 1 or 2 of section
4 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may
5 file as a candidate for nomination, and at or before 5:00 p.m. on the eighth
6 Tuesday prior to any primary election, or if any candidate for the position of
7 political party committeeman or committeewoman dies or withdraws as provided
8 in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the
9 last day in which a person may file as a candidate for nomination, and at or
10 before 5:00 p.m. on the eighth Tuesday prior to any primary election, leaving less
11 candidates for the available committee positions than the number of available
12 committee positions, filing for the office or position shall be reopened for a period
13 of five working days, excluding holidays and weekends, following the death,
14 withdrawal or disqualification during which period new candidates may file
15 declarations of candidacy.

16 2. If a candidate for nomination to an office in which the candidate is the
17 only candidate dies, withdraws as provided in subsection 1 or 2 of section
18 115.359, or is disqualified after 5:00 p.m. on the sixth Tuesday prior to the

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 primary election, the election and canvass shall not proceed, and a vacancy shall
20 exist on the general election ballot to be filled in the manner provided in sections
21 115.363 to 115.377.

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

27 4. If after filing a declaration of candidacy, a candidate files a statement
28 of withdrawal within two working days prior to the deadline for the close of filing
29 set forth in section 115.349, the time of filing for that office shall [be extended
30 until 5:00 p.m. of the first Friday following the deadline for the close of filing set
31 forth in section 115.349] **cease at said deadline. There shall be a**
32 **reopening of filing on the first Tuesday after the deadline for the close**
33 **of filing set forth in section 115.349 which shall last until 5:00 p.m. on**
34 **the Friday immediately following the first Tuesday after said deadline.**

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