

FIRST REGULAR SESSION

SENATE BILL NO. 48

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LIBLA.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0297S.011

AN ACT

To repeal section 115.357, RSMo, and to enact in lieu thereof one new section relating to candidate filing fees.

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

Section A. Section 115.357, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.357, to read as follows:

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state, or county office shall, before filing [his] the declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket he or she seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, [two hundred dollars] **ten percent of the salary for the office for which the candidate is seeking nomination** if he or she is a candidate for statewide office [or for], United States senator, [one hundred dollars if he or she is a candidate for] representative in Congress, circuit judge [or], state senator, [and fifty dollars if he or she is a candidate for] **or** state representative;

(2) To the treasurer of the county central committee, fifty dollars if he or she is a candidate for county office.

2. The required sum may be submitted by the candidate to the official accepting [his] the declaration of candidacy. All sums so submitted shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

3. Any person who cannot pay the fee required to file as a candidate may have the fee waived by filing a declaration of inability to pay and a petition with

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

20 [his] the declaration of candidacy. Each such declaration shall be in
21 substantially the following form:

22 DECLARATION OF INABILITY TO PAY FILING FEE

23 I,, do hereby swear that I am financially unable to pay the fee of
24 (amount of fee) to file as a candidate for nomination to the office of at the
25 primary election to be held on the day of, 20.... .

26 Subscribed and sworn to before me
27 Signature of candidate this day of, 20.... .

28
29 Signature of election official or
30 Residence address officer authorized to administer
31 oaths

32 If the candidate's declaration of candidacy is to be filed in person, the declaration
33 of inability to pay shall be subscribed and sworn to by the candidate before the
34 election official who witnesses the candidate's declaration of candidacy. If [his]
35 the declaration of candidacy is to be filed by certified mail pursuant to subsection
36 2 of section 115.355, the declaration of inability to pay shall be subscribed and
37 sworn to by the candidate before the notary or other officer who witnesses the
38 candidate's declaration of candidacy. With his or her declaration of inability to
39 pay, the candidate shall submit a petition endorsing his or her
40 candidacy. Except for the number of signatures required, each such petition
41 shall, insofar as practicable, be in the form provided in sections 115.321 and
42 115.325. If the person filing declaration of indigence is to be a candidate for
43 statewide office, [his] the petition shall be signed by the number of registered
44 voters in the state equal to at least one-half of one percent of the total number
45 of votes cast in the state for the office at the last election in which a candidate
46 ran for the office. If the person filing a declaration of indigence is to be a
47 candidate for any other office, the petition shall be signed by the number of
48 registered voters in the district or political subdivision which is equal to at least
49 one percent of the total number of votes cast for the office at the last election in
50 which a candidate ran for the office. The candidate's declaration of inability to
51 pay and the petition shall be filed at the same time and in the same manner as
52 [his] the declaration of candidacy is filed. The petition shall be checked and its
53 sufficiency determined in the same manner as new party and independent
54 candidate petitions.

55 4. No filing fee shall be required of any person who proposes to be an

56 independent candidate, the candidate of a new party or a candidate for
57 presidential elector.

58 5. Except as provided in subsections 3 and 4 of this section, no candidate's
59 name shall be printed on any official ballot until the required fee has been paid.

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