

SECOND REGULAR SESSION

SENATE BILL NO. 730

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4481S.011

AN ACT

To repeal sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof nine new sections relating to political parties, with an emergency clause.

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

Section A. Sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 2 115.619, and 115.621, RSMo, are repealed and nine new sections enacted in lieu 3 thereof, to be known as sections 115.603, 115.607, 115.609, 115.611, 115.613, 4 115.617, 115.619, 115.620, and 115.621, to read as follows:

115.603. Each established political party shall have a state committee, a 2 congressional district committee for each congressional district in the state, a 3 judicial district committee for each circuit judge district in the state not subject 4 to the provisions of article V, section 25 of the state constitution, a senatorial 5 district committee for each senatorial district in the state, a legislative district 6 committee for each legislative district in the state and a county committee for 7 each county in the state, **except any city not within a county which shall** 8 **have a city committee in lieu of a county committee.**

115.607. 1. No person shall be elected or shall serve as a member of a 2 county committee who is not, for one year next before the person's election, both 3 a registered voter of and a resident of the county **or city not within a county** 4 and the committee district from which the person is elected if such district shall 5 have been so long established, and if not, then of the district or districts from 6 which the same shall have been taken. Except as provided in subsections 2, 3, 7 4, 5, and 6 of this section, the membership of a county **or city** committee of each 8 established political party shall consist of a man and a woman elected from each

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

9 **precinct**, township, or ward in the county **or city not within a county**.

10 2. In each county of the first classification containing the major portion
11 of a city which has over three hundred thousand inhabitants, two members of the
12 committee, a man and a woman, shall be elected from each ward in the city. Any
13 township entirely contained in the city shall have no additional representation
14 on the county committee. The election authority for the county shall, not later
15 than six months after the decennial census has been reported to the President of
16 the United States, divide the most populous township outside the city into eight
17 subdistricts of contiguous and compact territory and as nearly equal in population
18 as practicable. The subdistricts shall be numbered from one upward
19 consecutively, which numbers shall, insofar as practicable, be retained upon
20 reapportionment. Two members of the county committee, a man and a woman,
21 shall be elected from each such subdistrict. Six members of the committee, three
22 men and three women, shall be elected from the second and third most populous
23 townships outside the city. Four members of the committee, two men and two
24 women, shall be elected from the other townships outside the city.

25 3. In any city which has over three hundred thousand inhabitants, the
26 major portion of which is located in a county with a charter form of government,
27 for the portion of the city located within such county and notwithstanding section
28 82.110, it shall be the duty of the election authority, not later than six months
29 after the decennial census has been reported to the President of the United
30 States, to divide such cities into not less than twenty-four nor more than
31 twenty-five wards after each decennial census. Wards shall be so divided that the
32 number of inhabitants in any ward shall not exceed any other ward of the city
33 and within the same county, by more than five percent, measured by the number
34 of the inhabitants determined at the preceding decennial census.

35 4. In each county of the first classification containing a portion, but not
36 the major portion, of a city which has over three hundred thousand inhabitants,
37 ten members of the committee, five men and five women, shall be elected from the
38 district of each state representative wholly contained in the county in the
39 following manner: within six months after each legislative reapportionment, the
40 election authority shall divide each legislative district wholly contained in the
41 county into five committee districts of contiguous territory as compact and as
42 nearly equal in population as may be; two members of the committee, a man and
43 a woman, shall be elected from each committee district. The election authority
44 shall divide the area of the county located within legislative districts not wholly

45 contained in the county into similar committee districts; two members of the
46 committee, a man and a woman, shall be elected from each committee district.

47 5. In each city not situated in a county, two members of the committee,
48 a man and a woman, shall be elected from each ward.

49 6. In all counties with a charter form of government and a population of
50 over nine hundred thousand inhabitants, the county committee persons shall be
51 elected from each township. Within ninety days after August 28, 2002, and
52 within six months after each decennial census has been reported to the President
53 of the United States, the election authority shall divide the county into
54 twenty-eight compact and contiguous townships containing populations as nearly
55 equal in population to each other as is practical.

56 7. If any election authority has failed to adopt a reapportionment plan by
57 the deadline set forth in this section, the county commission, sitting as a
58 reapportionment commission, shall within sixty days after the deadline, adopt a
59 reapportionment plan. Changes of township, ward, or precinct lines shall not
60 affect the terms of office of incumbent party committee members elected from
61 districts as constituted at the time of their election.

115.609. In each city not situated in a county and in each county which
2 has over nine hundred thousand inhabitants, all members of the county **or city**
3 committee shall be elected at the primary election immediately preceding each
4 gubernatorial election and shall hold office until their successors are elected and
5 qualified. In each other county, all members of the county committee shall be
6 elected at each primary election and shall hold office until their successors are
7 elected and qualified.

115.611. 1. Except as provided in subsection 4 of section 115.613, any
2 registered voter of the county **or a city not within a county** may have such
3 voter's name printed on the primary ballot of such voter's party as a candidate
4 for county **or city** committeeman or committeewoman by filing a declaration of
5 candidacy in the office of the county **or city** election authority and by paying any
6 filing fee required by subsection 2 of this section.

7 2. Before filing such candidate's declaration of candidacy, candidates for
8 county **or city** committeeman or county **or city** committeewoman shall pay to
9 the treasurer of such candidate's party's county **or city** committee, or submit to
10 the county **or city** election authority to be forwarded to the treasurer of such
11 candidate's party's committee, a certain sum of money, as follows:

12 (1) One hundred dollars if such candidate is a candidate for county

13 committeeman or committeewoman in any county which has or hereafter has over
14 nine hundred thousand inhabitants or in any city not situated in a county;

15 (2) Twenty-five dollars if such candidate is a candidate for county
16 committeeman or committeewoman in any county of the first class containing the
17 major portion of a city which has over three hundred thousand inhabitants; **or**

18 (3) Except as provided in subdivisions (1) and (2) of this subsection, no
19 candidate for county committeeman or committeewoman shall be required to pay
20 a filing fee.

21 3. Any person who cannot pay the fee to file as a candidate for county **or**
22 **city** committeeman or committeewoman may have the fee waived by filing a
23 declaration of inability to pay and a petition with the official with whom such
24 candidate files such candidate's declaration of candidacy. The provisions of
25 section 115.357 shall apply to all such declarations and petitions.

26 4. No person's name shall be printed on any official primary ballot as a
27 candidate for county **or city** committeeman or committeewoman unless the
28 person has filed a declaration of candidacy with the proper election authority not
29 later than 5:00 p.m. on the last Tuesday in March immediately preceding the
30 primary election.

115.613. 1. Except as provided in subsection 4 of this section, the
2 qualified man and woman receiving the highest number of votes from each
3 committee district for committeeman and committeewoman of a party shall be
4 members of the county **or city** committee of the party.

5 2. If two or more qualified persons receive an equal number of votes for
6 county **or city** committeeman or committeewoman of a party and a higher
7 number of votes than any other qualified person from the party, a vacancy shall
8 exist on the county committee which shall be filled by a majority of the committee
9 in the manner provided in section 115.617.

10 3. If no qualified person is elected county **or city** committeeman or
11 committeewoman from a committee district for a party, a vacancy shall exist on
12 the county **or city** committee which shall be filled by a majority of the committee
13 in the manner provided in section 115.617.

14 4. The provisions of this subsection shall apply only in any county **or city**
15 where no filing fee is required for filing a declaration of candidacy for
16 committeeman or committeewoman in a committee district. If only one qualified
17 candidate has filed a declaration of candidacy for committeeman or
18 committeewoman in a committee district for a party prior to the deadline

19 established [by law] **in this chapter**, no election shall be held for committeeman
20 or committeewoman in the committee district for that party and the election
21 authority shall certify the qualified candidate in the same manner and at the
22 same time as candidates elected pursuant to subsection 1 of this section are
23 certified. If no qualified candidate files for committeeman or committeewoman
24 in a committee district for a party, no election shall be held and a vacancy shall
25 exist on the county **or city** committee which shall be filled by a majority of the
26 committee in the manner provided in section 115.617.

115.617. Whenever a member of any county **or city** committee dies,
2 becomes disabled, resigns, or ceases to be a registered voter of or a resident of the
3 county **or a city not within a county** or the committee district from which he
4 is elected, a vacancy shall exist on the committee. A majority of the committee
5 shall elect another person to fill the vacancy who, for one year next before his
6 election, shall have been both a registered voter of and a resident of the county
7 **or city** and the committee district. The person selected to fill the vacancy shall
8 serve the remainder of the vacated term.

115.619. 1. [The membership of] A legislative district committee shall
2 consist of [all county committee members within] **the precinct, ward, or**
3 **township committeeman and committeewoman from such precincts,**
4 **wards, or townships included in whole or in part of** the legislative
5 district[, except as provided in subsections 4 and 5 of this section. In all counties
6 of this state which are wholly contained within a legislative district, or in which
7 there are two or more whole legislative districts, or one whole legislative district
8 and part of another legislative district, or parts of two or more legislative
9 districts,]. There shall be elected from the membership of each legislative district
10 committee a chairman and a vice chairman, one of whom shall be a woman and
11 one of whom shall be a man, and each legislative district at the same time shall
12 elect a secretary and a treasurer, one of whom shall be a woman and one of whom
13 shall be a man, but who may or may not be members of the legislative district
14 committee. Party state committees may provide for voting by proxy and for
15 weighted or fractional voting.

16 2. [If a legislative district and a county are coextensive, the chairman,
17 vice chairman, secretary and treasurer of the county committee shall be the
18 chairman, vice chairman, secretary and treasurer of the legislative committee.

19 3. Except as provided in subsections 4 and 5 of this section, the
20 congressional, senatorial or judicial district committee shall consist of the

21 chairman and vice chairman of each of the legislative districts in the
22 congressional, senatorial, or judicial districts and the chairman and vice
23 chairman of each of the county committees within the districts. Party state
24 committees may provide for voting by proxy and may provide for weighted or
25 fractional voting.

26 4. The congressional, senatorial or judicial district committee of a district
27 coextensive with one county shall be the county committee.

28 5. The congressional, senatorial or judicial district committee of a district
29 which is composed in whole or in part of a part of a city or part of a county shall
30 consist of the ward or township committeemen and committeewomen from such
31 wards or townships included in whole or in part in such part of a city or part of
32 a county forming the whole or a part of such district. Party state committees may
33 provide for voting by proxy and may provide for weighted or fractional voting.]

34 **The congressional, senatorial, or judicial committee of a district which**
35 **is composed of:**

36 (1) **One or more whole counties; or**

37 (2) **One or more whole counties and part of one or more counties;**
38 **shall consist of the county committee chair and vice chair of each**
39 **county within the district and the committeeman and committeewoman**
40 **of each legislative district committee within the district.**

41 3. **The congressional, senatorial, or judicial committee of a**
42 **district which consists of:**

43 (1) **Parts of one or more counties;**

44 (2) **Part of a city not within the county;**

45 (3) **A whole city not within a county; or**

46 (4) **Part of a city not within a county and parts of one or more**
47 **counties;**

48 **shall consist of the committeemen and committeewomen of the precinct,**
49 **ward, or township included in whole or in part of the district and the**
50 **chair and vice chair of each legislative district committee within the**
51 **district in whole or in part.**

115.620. **Provisions for proxy voting for district committees**
2 **organized under section 115.621 may be made by a political party. In**
3 **the event that such provisions are not made, proxy voting shall only be**
4 **allowed for legislative, congressional, senatorial, and judicial district**
5 **committee meetings. In any event, persons may only serve as a proxy**

6 voter if such person is legally permitted to vote in the district, of which
7 the proxy is from.

115.621. 1. Notwithstanding any other provision of this section
2 to the contrary, any legislative, senatorial, or judicial district
3 committee that is wholly contained within a county or a city not within
4 a county may choose to meet on the same day as the respective county
5 or city committee. All other committees shall meet as otherwise
6 prescribed in this section.

7 2. The members of each county committee shall meet at the
8 county seat not earlier than two weeks after each primary election but
9 in no event later than the third Saturday after each primary election,
10 at the discretion of the chairman at the committee. In each city not
11 within a county, the city committee shall meet on the same day at the
12 city hall. In all counties of the first, second, and third classification,
13 the county courthouse shall be made available for such meetings and
14 any other county political party meeting at no charge to the party
15 committees. In all cities not within a county, the city hall shall be
16 made available for such meetings and any other city political party
17 meeting at no charge to the party committees. At the meeting, each
18 committee shall organize by electing two of its members, a man and a
19 woman, as chair and vice chair, a man and a woman who may or may
20 not be members of the committee as secretary and treasurer.

21 3. The members of each congressional district committee shall meet at
22 some place **and time** within the district, to be designated by the current chair
23 of the committee, [on the last Tuesday in August] **not earlier than five weeks**
24 **after each primary election but in no event later than the sixth Saturday**
25 **after each primary election.** The county courthouse in counties of the first,
26 second and third classification in which the meeting is to take place, as
27 designated by the chair, shall be made available for such meeting and any other
28 congressional district political party committee meeting at no charge to the
29 committee. At the meeting, the committee shall organize by electing one of its
30 members as chair and one of its members as vice chair, one of whom shall be a
31 woman and one of whom shall be a man, and a secretary and a treasurer, one of
32 whom shall be a woman and one of whom shall be a man, who may or may not be
33 members of the committee.

34 [2.] 4. The members of each legislative district committee shall meet at

35 some place **and date** within the legislative district or within one of the counties
36 in which the legislative district exists, to be designated by the current chair of the
37 committee, [on the third Wednesday] **not earlier than three weeks** after each
38 [August] primary election **but in no event later than the fourth Saturday**
39 **after each primary election.** The county courthouse in counties of the first,
40 second and third classification in which the meeting is to take place, as
41 designated by the chair, shall be made available for such meeting and any other
42 legislative district political party committee meeting at no charge to the
43 committee. At the meeting, the committee shall organize [pursuant to subsection
44 1 of section 115.619] **by electing two of its members, a man and a woman,**
45 **as chair and vice chair, and a man and a woman who may or may not**
46 **be members of the committee as secretary and treasurer.**

47 [3.] **5.** The members of each senatorial district committee shall meet at
48 some place **and date** within the district, to be designated by the current chair
49 of the committee, if there is one, and if not, by the chair of the congressional
50 district in which the senatorial district is principally located, [on the third
51 Saturday] **not earlier than four weeks** after each [August] primary election
52 **but in no event later than the fifth Saturday after each primary**
53 **election.** The county courthouse in counties of the first, second and third
54 classification in which the meeting is to take place, as so designated pursuant to
55 this subsection, shall be made available for such meeting and any other senatorial
56 district political party committee meeting at no charge to the committee. At the
57 meeting, the committee shall organize by electing one of its members as chair and
58 one of its members as vice chair, one of whom shall be a woman and one of whom
59 shall be a man, and a secretary and a treasurer, one of whom shall be a woman
60 and one of whom shall be a man, who may or may not be members of the
61 committee.

62 **6.** The members of each senatorial district shall also meet at some place
63 within the district, to be designated by the current chair of the committee, if
64 there is one, and if not, by the chair of the congressional district in which the
65 senatorial district is principally located, on the Saturday after [the third Tuesday
66 in November after] each general election. At the meeting, the committee shall
67 proceed to elect two registered voters of the district, one man and one woman, as
68 members of the party's state committee.

69 [4.] **7.** The members of each judicial district may meet at some place **and**
70 **date** within the judicial district or within one of the counties in which the

71 judicial district exists, to be designated by the current chair of the committee or
72 the chair of the congressional district committee, [on the first Tuesday in
73 September] **not earlier than six weeks** after each primary election[, or at
74 another time designated by the chairmen of the committees] **but in no event**
75 **later than the seventh Saturday after each primary election.** The county
76 courthouse in counties of the first, second and third classification in which the
77 meeting is to take place, as so designated pursuant to this subsection, shall be
78 made available for such meeting and any other judicial district political party
79 committee meeting at no charge to the committee. At the meeting, the committee
80 shall organize [pursuant to subsection 1 of section 115.619] **by electing two of**
81 **its members, a man and a woman, as chair and vice chair, and a man**
82 **and a woman who may or may not be members of the committee as**
83 **secretary and treasurer.**

Section B. Because of the necessity to effect a smooth transition for
2 political party committee elections after the August primary, section A of this act
3 is deemed necessary for the immediate preservation of the public health, welfare,
4 peace and safety, and is hereby declared to be an emergency act within the
5 meaning of the constitution, and section A of this act shall be in full force and
6 effect upon its passage and approval.

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