

SENATE BILL NO. 749

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

3911S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 115.349, RSMo, and to enact in lieu thereof one new section relating to candidate filing deadlines, with an emergency clause.

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

Section A. Section 115.349, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 115.349,
3 to read as follows:

115.349. 1. Except as otherwise provided in sections
2 115.361 to 115.383 or sections 115.755 to 115.785, no
3 candidate's name shall be printed on any official primary
4 ballot unless the candidate has filed a written declaration
5 of candidacy in the office of the appropriate election
6 official by 5:00 p.m. on the last Tuesday in March
7 immediately preceding the primary election.

8 2. No declaration of candidacy for nomination in a
9 primary election shall be accepted for filing prior to 8:00
10 a.m. on the last Tuesday in February immediately preceding
11 the primary election.

12 3. Each declaration of candidacy for nomination in a
13 primary election shall state the candidate's full name,
14 residence address, office for which such candidate proposes
15 to be a candidate, the party ticket on which he or she
16 wishes to be a candidate and that if nominated and elected
17 he or she will qualify. The declaration shall be in
18 substantially the following form:

19 I, _____, a resident and registered voter of the
 20 county of _____ and the state of Missouri,
 21 residing at _____, do announce myself a candidate
 22 for the office of _____ on the _____ party
 23 ticket, to be voted for at the primary election to
 24 be held on the _____ day of _____, _____, and I
 25 further declare that if nominated and elected to
 26 such office I will qualify.

27	_____	Subscribed and
28	—	sworn
29	Signature of	to before me
30	candidate	this
31		_____ day of
32		_____, _____
33	_____	_____
34	Residence	Signature of
35	address	election
36		official or
37		other officer
38		authorized to
39		administer oaths
40	_____	
41	Mailing address (if different)	
42	_____	
43	Telephone Number (Optional)	

44 If the declaration is to be filed in person, it shall be
 45 subscribed and sworn to by the candidate before an official
 46 authorized to accept his or her declaration of candidacy.
 47 If the declaration is to be filed by certified mail pursuant
 48 to the provisions of subsection 2 of section 115.355, it
 49 shall be subscribed and sworn to by the candidate before a

50 notary public or other officer authorized by law to
51 administer oaths.

52 **4. Notwithstanding subsection 1 of this section to the**
53 **contrary, for the primary election held on the first Tuesday**
54 **after the first Monday in August 2022, no candidate's name**
55 **shall be printed on any official primary ballot unless the**
56 **candidate has filed a written declaration of candidacy in**
57 **the office of the appropriate election official by 5:00 p.m.**
58 **on the first Tuesday in April immediately preceding the**
59 **primary election.**

Section B. Because of the need to ensure the orderly
2 conduct of the 2022 primary election, section A of this act
3 is deemed necessary for the immediate preservation of the
4 public health, welfare, peace, and safety, and is hereby
5 declared to be an emergency act within the meaning of the
6 constitution, and section A of this act shall be in full
7 force and effect upon its passage and approval.

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