

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2084

102ND GENERAL ASSEMBLY

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KRISTINA MARTIN, Secretary

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## AN ACT

To repeal sections 115.127 and 182.645, RSMo, and to enact in lieu thereof two new sections relating to political subdivisions, with a delayed effective date for certain sections.

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

Section A. Sections 115.127 and 182.645, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 115.127 and 182.645, to read as follows:

115.127. 1. Except as provided in subsection 4 of  
2 this section, upon receipt of notice of a special election  
3 to fill a vacancy submitted pursuant to subsection 2 of  
4 section 115.125, the election authority shall cause legal  
5 notice of the special election to be published in a  
6 newspaper of general circulation in its jurisdiction. The  
7 notice shall include the name of the officer or agency  
8 calling the election, the date and time of the election, the  
9 name of the office to be filled and the date by which  
10 candidates must be selected or filed for the office. Within  
11 one week prior to each special election to fill a vacancy  
12 held in its jurisdiction, the election authority shall cause  
13 legal notice of the election to be published in two  
14 newspapers of different political faith and general  
15 circulation in the jurisdiction. The legal notice shall  
16 include the date and time of the election, the name of the  
17 officer or agency calling the election and a sample ballot.

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

18 If there is only one newspaper of general circulation in the  
19 jurisdiction, the notice shall be published in the newspaper  
20 within one week prior to the election. If there are two or  
21 more newspapers of general circulation in the jurisdiction,  
22 but no two of opposite political faith, the notice shall be  
23 published in any two of the newspapers within one week prior  
24 to the election.

25 2. Except as provided in subsections 1 and 4 of this  
26 section and in sections 115.521, 115.549 and 115.593, the  
27 election authority shall cause legal notice of each election  
28 held in its jurisdiction to be published. The notice shall  
29 be published in two newspapers of different political faith  
30 and qualified pursuant to chapter 493 which are published  
31 within the bounds of the area holding the election. If  
32 there is only one so-qualified newspaper, then notice shall  
33 be published in only one newspaper. If there is no  
34 newspaper published within the bounds of the election area,  
35 then the notice shall be published in two qualified  
36 newspapers of different political faith serving the area.  
37 Notice shall be published twice, the first publication  
38 occurring in the second week prior to the election, and the  
39 second publication occurring within one week prior to the  
40 election. Each such legal notice shall include the date and  
41 time of the election, the name of the officer or agency  
42 calling the election and a sample ballot; and, unless notice  
43 has been given as provided by section 115.129, the second  
44 publication of notice of the election shall include the  
45 location of polling places. The election authority may  
46 provide any additional notice of the election it deems  
47 desirable.

48 3. The election authority shall print the official  
49 ballot as the same appears on the sample ballot, and no

50 candidate's name or ballot issue which appears on the sample  
51 ballot or official printed ballot shall be stricken or  
52 removed from the ballot except on death of a candidate or by  
53 court order, but in no event shall a candidate or issue be  
54 stricken or removed from the ballot less than eight weeks  
55 before the date of the election.

56 4. In lieu of causing legal notice to be published in  
57 accordance with any of the provisions of this chapter, the  
58 election authority in jurisdictions which have less than  
59 seven hundred fifty registered voters and in which no  
60 newspaper qualified pursuant to chapter 493 is published,  
61 may cause legal notice to be mailed during the second week  
62 prior to the election, by first class mail, to each  
63 registered voter at the voter's voting address. All such  
64 legal notices shall include the date and time of the  
65 election, the location of the polling place, the name of the  
66 officer or agency calling the election and a sample ballot.

67 5. If the opening date for filing a declaration of  
68 candidacy for any office in a political subdivision or  
69 special district is not required by law or charter, the  
70 opening filing date shall be 8:00 a.m., the [seventeenth]  
71 **sixteenth** Tuesday prior to the election. If the closing  
72 date for filing a declaration of candidacy for any office in  
73 a political subdivision or special district is not required  
74 by law or charter, the closing filing date shall be 5:00  
75 p.m., the [fourteenth] **thirteenth** Tuesday prior to the  
76 election **or, if the thirteenth Tuesday prior to the election**  
77 **is a state or federal holiday, the closing filing date shall**  
78 **be 5:00 p.m. on the next day that is not a state or federal**  
79 **holiday.** The political subdivision or special district  
80 calling an election shall, before the [seventeenth]  
81 **sixteenth** Tuesday[, ] prior to any election at which offices

82 are to be filled, notify the general public of the opening  
83 filing date, the office or offices to be filled, the proper  
84 place for filing and the closing filing date of the  
85 election. Such notification may be accomplished by legal  
86 notice published in at least one newspaper of general  
87 circulation in the political subdivision or special district.

88 6. Except as provided for in sections 115.247 and  
89 115.359, if there is no additional cost for the printing or  
90 reprinting of ballots or if the candidate agrees to pay any  
91 printing or reprinting costs, a candidate who has filed for  
92 an office or who has been duly nominated for an office may,  
93 at any time after the certification of the notice of  
94 election required in subsection 1 of section 115.125 but no  
95 later than 5:00 p.m. on the eighth Tuesday before the  
96 election, withdraw as a candidate pursuant to a court order,  
97 which, except for good cause shown by the election authority  
98 in opposition thereto, shall be freely given upon  
99 application by the candidate to the circuit court of the  
100 area of such candidate's residence.

182.645. 1. The fiscal year for each consolidated  
2 public library district shall be July first to June  
3 thirtieth **unless otherwise set by the board of trustees**, and  
4 each year the librarian shall submit to the board of  
5 trustees a budget for the forthcoming fiscal year. The  
6 board shall approve the budget after making any changes  
7 therein that it deems necessary. The budget shall be  
8 approved on or before **[June thirtieth] the last day of the**  
9 **fiscal year** preceding the fiscal year for which the budget  
10 was prepared. The board on its own motion or at the request  
11 of the librarian, from time to time, may amend or modify the  
12 approved budget. A copy of the approved budget shall be  
13 filed with each county commission or county executive office

14 of the counties comprising the consolidated public library  
15 district, and with the state auditor.

16 2. The treasurer of the board of trustees of a  
17 consolidated public library district shall receive and be  
18 the custodian of all money belonging to the district from  
19 whatever source derived. All funds of the consolidated  
20 public library district derived from local taxation to be  
21 used for normal operations of the district and received from  
22 the county collector, shall be kept in a consolidated  
23 library operating fund. All funds belonging to the district  
24 which are to be used for building purposes shall be kept in  
25 a consolidated library building fund; all funds derived from  
26 state aid or federal grants, other than land, building and  
27 furnishing grants, shall be kept in the consolidated library  
28 operating fund; and the board may establish any other funds  
29 that it deems necessary. The treasurer shall deposit all  
30 moneys belonging to the consolidated public library district  
31 in the depositories that are selected by the board of  
32 trustees. The treasurer shall also be the custodian of all  
33 bonds or other securities belonging to the consolidated  
34 public library district.

35 3. Consolidated public library district moneys shall  
36 be disbursed by the treasurer by appropriate instrument of  
37 payment only upon due authorization of the consolidated  
38 public library district board of trustees and duly certified  
39 for payment by the president. The certification shall  
40 specify the amount to be paid, to whom payment is to be made  
41 and the purpose for which payment is being made. The board  
42 by resolution may direct that the signature of the president  
43 or treasurer be a facsimile signature in the manner provided  
44 by sections 105.273 to 105.278.

45           4. No authorization or certification shall be made,  
46 and no instrument of payment issued for the payment of any  
47 consolidated public library district indebtedness unless  
48 there is sufficient money in the treasury and the proper  
49 fund for the payment of the indebtedness and be in the  
50 proper form.

51           5. The treasurer of the board of trustees shall submit  
52 to the board of trustees, at each regularly scheduled  
53 meeting of the board, an accounting reflecting receipt and  
54 disbursement of funds belonging to the consolidated public  
55 library district.

          Section B. The repeal and reenactment of section  
2 115.127 of this act shall become effective on November 6,  
3 2024.

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