

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 593

AN ACT

To repeal section 115.124, RSMo, and to enact in lieu thereof one new section relating to nonpartisan elections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Section 115.124, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 115.124,
3 to read as follows:

4 115.124. 1. Notwithstanding any other law to the contrary,
5 in a nonpartisan election in any political subdivision or special
6 district [except for] including municipal elections in any city,
7 town, or village with one thousand or fewer inhabitants that have
8 adopted a proposal pursuant to subsection 3 of this section but
9 excluding municipal elections in any city, town, or village with
10 more than one thousand inhabitants, if the notice provided for in
11 subsection 5 of section 115.127 has been published in at least
12 one newspaper of general circulation as defined in section
13 493.050 in the district, and if the number of candidates who have
14 filed for a particular office is equal to the number of positions
15 in that office to be filled by the election, no election shall be
16 held for such office, and the candidates shall assume the
17 responsibilities of their offices at the same time and in the

1 same manner as if they had been elected. If no election is held
2 for such office as provided in this section, the election
3 authority shall publish a notice containing the names of the
4 candidates that shall assume the responsibilities of office under
5 this section. Such notice shall be published in at least one
6 newspaper of general circulation as defined in section 493.050 in
7 such political subdivision or district by the first of the month
8 in which the election would have occurred, had it been contested.
9 Notwithstanding any other provision of law to the contrary, if at
10 any election the number of candidates filing for a particular
11 office exceeds the number of positions to be filled at such
12 election, the election authority shall hold the election as
13 scheduled, even if a sufficient number of candidates withdraw
14 from such contest for that office so that the number of
15 candidates remaining after the filing deadline is equal to the
16 number of positions to be filled.

17 2. The election authority or political subdivision
18 responsible for the oversight of the filing of candidates in any
19 nonpartisan election in any political subdivision or special
20 district shall clearly designate where candidates shall form a
21 line to effectuate such filings and determine the order of such
22 filings; except that, in the case of candidates who file a
23 declaration of candidacy with the election authority or political
24 subdivision prior to 5:00 p.m. on the first day for filing, the
25 election authority or political subdivision may determine by
26 random drawing the order in which such candidates' names shall
27 appear on the ballot. If a drawing is conducted pursuant to this
28 subsection, it shall be conducted so that each candidate may draw

1 a number at random at the time of filing. If such drawing is
2 conducted, the election authority or political subdivision shall
3 record the number drawn with the candidate's declaration of
4 candidacy. If such drawing is conducted, the names of candidates
5 filing on the first day of filing for each office on each ballot
6 shall be listed in ascending order of the numbers so drawn.

7 3. The governing body of any city, town, or village with
8 one thousand or fewer inhabitants may submit to the voters at any
9 available election, a question to adopt the provisions of
10 subsection 1 of this section for municipal elections. If a
11 majority of the votes cast by the qualified voters voting thereon
12 are in favor of the question, then the city, town, or village
13 shall conduct nonpartisan municipal elections as provided in
14 subsection 1 of this section for all nonpartisan elections
15 remaining in the year in which the proposal was adopted and for
16 the six calendar years immediately following such approval. At
17 the end of such six-year period, each such city, town, or village
18 shall be prohibited from conducting such elections in such a
19 manner unless such a question is again adopted by the majority of
20 qualified voters as provided in this subsection.