

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 271, Page 7, Section 59.100, Line 15,

2 by inserting after all of said line the following:

3 "115.127. 1. Except as provided in subsection 4 of
 4 this section, upon receipt of notice of a special election
 5 to fill a vacancy submitted pursuant to subsection 2 of
 6 section 115.125, the election authority shall cause legal
 7 notice of the special election to be published in a
 8 newspaper of general circulation in its jurisdiction. The
 9 notice shall include the name of the officer or agency
 10 calling the election, the date and time of the election, the
 11 name of the office to be filled and the date by which
 12 candidates must be selected or filed for the office. Within
 13 one week prior to each special election to fill a vacancy
 14 held in its jurisdiction, the election authority shall cause
 15 legal notice of the election to be published in two
 16 newspapers of different political faith and general
 17 circulation in the jurisdiction. The legal notice shall
 18 include the date and time of the election, the name of the
 19 officer or agency calling the election and a sample ballot.
 20 If there is only one newspaper of general circulation in the
 21 jurisdiction, the notice shall be published in the newspaper
 22 within one week prior to the election. If there are two or
 23 more newspapers of general circulation in the jurisdiction,
 24 but no two of opposite political faith, the notice shall be
 25 published in any two of the newspapers within one week prior
 26 to the election.

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

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

58 4. In lieu of causing legal notice to be published in
59 accordance with any of the provisions of this chapter, the

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

69 5. If the opening date for filing a declaration of
70 candidacy for any office in a political subdivision or
71 special district is not required by law or charter, the
72 opening filing date shall be 8:00 a.m., the **[sixteenth]**
73 seventeenth Tuesday prior to the election[, except that for
74 any home rule city with more than four hundred thousand
75 inhabitants and located in more than one county and any
76 political subdivision or special district located in such
77 city, the opening filing date shall be 8:00 a.m., the
78 fifteenth Tuesday prior to the election]. If the closing
79 date for filing a declaration of candidacy for any office in
80 a political subdivision or special district is not required
81 by law or charter, the closing filing date shall be 5:00
82 p.m., the **[eleventh]** fourteenth Tuesday prior to the
83 election. The political subdivision or special district
84 calling an election shall, before the **[sixteenth]**
85 seventeenth Tuesday, [or the fifteenth Tuesday for any home
86 rule city with more than four hundred thousand inhabitants
87 and located in more than one county or any political
88 subdivision or special district located in such city,] prior
89 to any election at which offices are to be filled, notify
90 the general public of the opening filing date, the office or
91 offices to be filled, the proper place for filing and the
92 closing filing date of the election. Such notification may

93 be accomplished by legal notice published in at least one
94 newspaper of general circulation in the political
95 subdivision or special district.

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

109 Further amend the title and enacting clause accordingly.