

HCS HB 2140 -- ELECTIONS (McGaugh)

Committee of Origin: Elections and Elected Officials

This bill modifies provisions related to elections.

The bill allows the officer or agency calling an election to notify the election authority responsible for conducting the election of an election via email.

Currently, the filing time for declarations of candidacy for offices in political subdivisions or special districts not otherwise specified in law or charter is from the 17th Tuesday prior to the election through the 14th Tuesday prior to the election.

This bill moves the filing time by one week, from the 16th Tuesday prior to the election to the 13th Tuesday prior to the election. The bill also provides that if the 13th Tuesday prior to the election is a state or federal holiday, the closing filing date shall be the next day that is not a state or federal holiday.

This bill specifies that the election authority for a political subdivision or special district must label taxation-related ballot measures submitted by the political subdivision or special district numerically or alphabetically, and that ballot measures cannot be labeled in any other descriptive manner.

Currently, covered voters eligible to register to vote, interstate former residents, and new residents may vote by absentee ballot for presidential and vice presidential electors. This bill allows such voters to vote at the office of the election authority on election day for such electors.

The bill specifies that lists of absentee voters with permanent disabilities shall be kept confidential and shall not be posted or displayed in an area open to the public nor shown to any unauthorized person.

Currently, each absentee ballot received by the election authority must be marked as received on the list and if any of the statements on any ballot envelope have not been completed, the absentee ballot is rejected. This bill adds that the election authority shall compare the signature on the ballot envelope with the signature of the voter on the voter's registration record and if the signature is inconsistent with the voter's signature on the voter's registration record, the envelope shall be rejected.

Currently, provisional ballots are available at elections where federal or statewide candidates or statewide ballot measures are on the ballot. This bill makes provisional ballots available at any public election.

This bill adds threatening to harm or engaging in conduct reasonably calculated to harass or alarm an election official or member of one's family, attempting to pressure an election official to violate a provision of election law, and doxxing an election official or member of one's family as class three election offenses. If the prohibited activity results in death or bodily injury to an election official or member of the official's family, the offense shall be a class B felony.

Currently, electioneering activities are prohibited within a certain distance of a polling location on election day. This bill applies the same restrictions to locations where in-person absentee voting occurs during the absentee voting period. The bill also adds circulating initiative and referendum petitions to this list of prohibited activities within a certain distance of a polling location.

The bill repeals an existing sunset on a statutory provision granting the Secretary of State's office subpoena power for the purpose of investigating allegations of election offenses.

This bill creates the "Missouri Elections Sovereignty Act". The bill specifies that the State of Missouri reserves the right to determine the time, place, and manner of its own state elections, and declares that any federal laws regulating the same shall apply only to federal elections.

The bill also requires any ballot measure seeking approval to add, change, or modify a tax on real property to express the effect of the proposed change within the ballot language in terms of the change in real dollars owed per \$100,000 of a property's market valuation.

The bill specifies that, if the voters in a political subdivision approve a temporary levy increase prior to the expiration of a previously approved temporary levy increase, the new tax rate ceiling will remain in effect only until the temporary levy increase expires under the terms originally approved by a vote of the people. At that time, the tax rate ceiling will be decreased by the amount of the temporary levy increase unless voters of the political subdivision are asked to approve an additional permanent increase and such increase is approved.

Beginning with the general assessment performed in 2023, when voters in a school district serving a census-designated place with more than 27,000 but fewer than 30,000 inhabitants and located in a county with more than one million inhabitants passes an increase in the school district's tax rate, the school district shall use the current tax rate ceiling and the increase approved by the voters in establishing the rates of levy for the tax year immediately following the election. If the assessed valuation of real property in a school district sees a reduction in value in the tax year immediately following the election, the school district may raise its tax rates so that the revenue received from its local real property tax rates equals the amount the school district would have received from the increased rates of levy had there been no reduction in the assessed valuation of real property in the school district. In the event of an increased tax rate ceiling, such rate shall be revenue neutral as required in Article X, Section 22 of the Constitution of Missouri.