

SECOND REGULAR SESSION

HOUSE BILL NO. 1479

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ENTLICHER.

4310H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.361, RSMo, and to enact in lieu thereof one new section relating to candidate filing deadlines.

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

Section A. Section 115.361, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.361, to read as follows:

115.361. 1. Except as provided in subsections 2 and 3 of this section, if a candidate for nomination to an office in which the candidate is the incumbent or the only candidate dies, withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may file as a candidate for nomination, and at or before 5:00 p.m. on the eighth Tuesday prior to any primary election, or if any candidate for the position of political party committeeman or committeewoman dies or withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the last day in which a person may file as a candidate for nomination, and at or before 5:00 p.m. on the eighth Tuesday prior to any primary election, leaving less candidates for the available committee positions than the number of available committee positions, filing for the office or position shall be reopened for a period of five working days, excluding holidays and weekends, following the death, withdrawal or disqualification during which period new candidates may file declarations of candidacy.

2. If a candidate for nomination to an office in which the candidate is the only candidate dies, withdraws as provided in subsection 1 or 2 of section 115.359, or is disqualified after 5:00 p.m. on the sixth Tuesday prior to the primary election, the election and canvass shall not proceed, and a vacancy shall exist on the general election ballot to be filled in the manner provided in sections 115.363 to 115.377.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 3. If a candidate for the position of political party committeeman or committeewoman
19 becomes disqualified after the eighth Tuesday prior to the primary election, the election and
20 canvass shall proceed, and the disqualified candidate's name shall be physically eradicated from
21 the ballot so that no vote may be cast for that candidate.

22 4. If after filing a declaration of candidacy, a candidate files a statement of withdrawal
23 within two working days prior to the deadline for the close of filing set forth in section 115.349,
24 the time of filing for that office shall [be extended until 5:00 p.m. of the first Friday following
25 the deadline for the close of filing set forth in section 115.349] **cease at said deadline. There**
26 **shall be a reopening of filing on the first Tuesday after the deadline for the close of filing**
27 **set forth in section 115.349 which shall last until 5:00 p.m. on the Friday immediately**
28 **following the first Tuesday after said deadline.**

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