

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 786

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KRAUS.

Offered March 30, 2016.

Senate Substitute adopted, March 30, 2016.

Taken up for Perfection March 30, 2016. Bill declared Perfected and Ordered Printed, as amended.

ADRIANE D. CROUSE, Secretary.

4093S.05P

AN ACT

To amend chapter 115, RSMo, by adding thereto one new section relating to the prosecution of election offenses.

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

Section A. Chapter 115, RSMo, is amended by adding thereto one new section, to be known as section 115.642, to read as follows:

115.642. 1. Any person may file a complaint with the secretary of state stating the name of any person who has violated any of the provisions of sections 115.629 to 115.641 and stating the facts of the alleged offense. Within thirty days of receiving a complaint, the secretary of state shall notify the person filing the complaint whether or not the secretary has dismissed the complaint or will commence an investigation. If reasonable grounds appear that the alleged offense was committed, the secretary of state may issue a probable cause statement. If the secretary of state issues a probable cause statement, he or she may refer the offense to the appropriate prosecuting attorney.

2. Notwithstanding the provisions of sections 27.060, 56.060, or 56.430 to the contrary, the secretary of state may, upon referral from a prosecuting attorney, commence and prosecute election offenses as provided in sections 115.629 to 115.641.

3. The secretary of state may investigate any suspected violation of any of the provisions of sections 115.629 to 115.641.

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