

BOARD BILL NO. 12 INTRODUCED BY: ALDERMAN JOE VACCARO

1 An ordinance repealing Section One of Ordinance No. 68605, approved March 16,
2 2010, and codified as 2.08.430 in the City of St. Louis Revised Code of Ordinances, which
3 pertains to election rules and procedures relating to the payment of taxes by candidates for
4 elective office in the City of St. Louis, and replacing said section of Ordinance No. 68605
5 with a new Section One requiring all candidates for elective public office in the City of St.
6 Louis to have paid in full at the time of their filing the those taxes and bills for services set
7 forth herein and to provide evidence thereof in a sworn affidavit at said time.

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9 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

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11 **SECTION ONE.** In accordance with Board of Aldermen Rule 54, Section Two of this
12 ordinance notes the section of Ordinance No. 68605, approved March 16, 2010, and codified
13 as 2.08.430 in the City of St. Louis Revised Code of Ordinances, sought to be deleted
14 hereunder with brackets, boldface type, and underlines.

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16 **SECTION TWO.** Section One of Ordinance No. 68605, approved March 16, 2010, and
17 codified as 2.08.430 in the City of St. Louis Revised Code of Ordinances, is hereby repealed
18 and replaced with a new Section One of Ordinance No. 68605 to be and read as follows:

19

1 SECTION ONE. Payment of All Taxes and Bills for Services by Candidates for Elective
2 Office

3 1. Any individual who is delinquent in the payment of any of the following taxes or
4 bills for services shall be prohibited from filing as a candidate for elected public office in the
5 City of St. Louis:

6 (1) Personal property tax;

7 (2) Real property tax on properties located in the City of St. Louis that are
8 wholly or partially owned by the individual filing for elected office;

9 (3) City of St. Louis earnings taxes; and

10 (5) City of St. Louis water and refuse bills

11 2. Any individual filing as a candidate for elected public office in the City of St. Louis
12 shall, at the time of their filing, provide the Board of Election Commissioners with proof they
13 are not delinquent in the payment of any of the taxes or bills for services set forth in
14 subsection 1 of this Section One, which proof shall be provided in the form and manner
15 specified in subsections 3 and 4 of this Section One.

16 3. Any individual filing as a candidate for elected public office in the City of St. Louis
17 shall, at the time of their filing, file an affidavit with the Board of Election Commissioners
18 in substantially the same form as set forth in subsection 4 of this Section One of, and shall
19 attach thereto:

1 (1) Official copies of receipts or statements of no tax due from the Collector of
2 Revenue evidencing the individual is not delinquent in the payment of any of
3 the taxes set forth in Section 1, A of this Ordinance; and

4 (2) Official statements from the Collector of Revenue evidencing the
5 individual is not delinquent in the payment of any of the bills for services set
6 forth in subsection 1 of this Section One.

7 4. Affidavit.

8 **AFFIRMATION OF PAYMENT OF TAXES AND BILLS FOR SERVICES**

9 I, [full legal name of candidate], hereby declare and affirm under penalties of
10 perjury that I am not delinquent in the payment of any personal property tax,
11 real property tax on properties located in the City of St. Louis that are wholly
12 or partially owned by me, City of St. Louis earnings tax, and City of St. Louis
13 water and refuse bills.

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15 As evidence of the forgoing, I have attached hereto: official copies of receipts
16 or statements of no tax due from the Collector of Revenue evidencing that I am
17 not delinquent in the payment of any personal property tax, real property tax
18 on properties located in the City of St. Louis that are wholly or partially owned
19 by me, and City of St. Louis earnings tax; and official statements from the
20 Collector of Revenue evidencing that I am not delinquent in the payment of
21 City of St. Louis water and refuse bills.

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Date:

Candidate’s Signature

Printed Name

5. Any individual who fails to comply with the requirements of this ordinance shall be prohibited from filing as a candidate for elected public office in the City of St. Louis until they have met said requirements, and subject to City of St. Louis ordinances governing the timing for candidates to file for elected public office in the City of St. Louis.

6. The Board of Election Commissioners shall take affirmative steps to ensure that individuals who do not meet the requirements of this Ordinance are not allowed to file as candidates for elected public office in the City of St. Louis until said requirements have been met, and subject to City of St. Louis ordinances governing the timing for candidates to file for elected public office in the City of St. Louis.

SECTION ONE. Payment of all taxes by candidates for elective City offices.

1. Any person who files as a candidate for elective City office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any personal property taxes, real property taxes on any real property located within the City and owned in whole or in part by the candidate,

1 earnings taxes, or city income taxes on the day that such person files their declaration of
2 candidacy for their respective office, so long as the person has failed to take remedial
3 action as detailed in subsections 3 and 4 below. This subsection does not include taxes
4 owed by any corporation, limited liability company, professional corporation, or other
5 corporate entity unless any such corporation, limited liability company, professional
6 corporation, or other corporate entity is owned one hundred percent (100%) by the
7 candidate.

8 2. Each potential candidate for elective City office shall file an affidavit with the
9 Board of Election Commissioners at the time the potential candidate files his or her
10 declaration of candidacy. Such affidavit shall be in substantially the following form:

11 “AFFIRMATION OF TAX PAYMENTS:

12 I hereby declare under penalties of perjury that I am not currently aware of any
13 delinquency in the filing or payment of any personal property taxes, real property taxes
14 on any real property located within the City and owned in whole or in part by the
15 candidate, earnings taxes, or city income taxes.

16 _____ Candidate’s Signature

17 _____ Printed Name of Candidate.”

18 3. Upon written receipt of a [written] complaint alleging a delinquency of the
19 candidate in the filing or payment of any personal property taxes, real property taxes on
20 any real property located within the City and owned in whole or in part by the
21 candidate, earnings taxes, or city income taxes, the Board of Election Commissioners

1 shall investigate such potential candidate to verify the claim(s) contained in the
2 complaint. If the Board of Election Commissioners finds such claim to be true, they
3 shall notify the candidate of the outstanding tax(es) or fee(s) due and give the candidate
4 seven (7) days to remit any such outstanding tax(es) or fee(s) owed which were not
5 heretofore the documented subject of dispute between the respective department and the
6 candidate. If the candidate fails to remit such amounts in full within seven (7) days, the
7 candidate shall be disqualified from participating in the current election and barred
8 from refilling for an entire election cycle, even if the individual pays all outstanding
9 tax(es) or fee(s) that were the subject of the complaint. Any such complaint must be
10 filed no later than two (2) weeks prior to the election, provided that any complaint filed
11 later than seven (7) weeks before the election that is later found to be true will result in
12 disqualification of the candidate but may not necessarily result in the candidate's name
13 being physically removed from the ballot.

14 4. Nothing herein shall either preclude or require the Board of Election
15 Commissioners from independently investigating all candidates in any given election to
16 determine if any such candidates are delinquent in the filing or payment of any personal
17 property taxes, real property taxes on any real property located within the City and
18 owned in whole or in part by any candidate, earnings taxes, or city income taxes. If the
19 Board of Election Commissioners commences such an investigation and discovers that
20 any candidates are delinquent in the filing or payment of any personal property taxes,
21 real property taxes on any real property located within the City and owned in whole or
22 in part by the candidate, earnings taxes, or city income taxes, the Board of Election

1 **Commissioners shall notify the candidate of the outstanding tax(es) or fee(s) due and**
2 **give the candidate seven (7) days to remit any such outstanding tax(es) or fee(s) owed**
3 **which were not heretofore the documented subject of dispute between the respective**
4 **department and the candidate. If the candidate fails to remit such amounts in full**
5 **within seven (7) days, the candidate shall be disqualified from participating in the**
6 **current election and barred from refilling for an entire election cycle, even in the**
7 **individual pays all outstanding taxes that were the subject of the complaint.]**