

**BOARD BILL NO. 12CS 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 an  
4 elective office ~~in~~ of the City of St. Louis, and replacing said section of Ordinance No. 68605  
5 with a new Section One requiring all candidates for an elective public office ~~in~~ of the City of  
6 St. Louis to have paid in full at the time of their filing those taxes and bills for services set  
7 forth herein and to provide evidence thereof in a sworn affidavit at said time; and requiring  
8 the Collector of Revenue to notify the Board of Election Commissioners on the day  
9 immediately following the last day to file as a candidate if any candidates are delinquent in  
10 the payment of any of the forgoing taxes and bills, and in the event a candidate is delinquent  
11 he or she shall be barred from participating in the current election and, if said election is a  
12 primary election, barred from refiling as a candidate for any elective public office of the City  
13 of St. Louis in the subsequent general election; and containing a severability clause.

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

15 **SECTION ONE.** In accordance with Board of Aldermen Rule 54, Section Two of this  
16 ordinance notes with brackets, bold type, and strike-through the section of Ordinance No.  
17 68605, approved March 16, 2010, and codified as 2.08.430 in the City of St. Louis Revised  
18 Code of Ordinances, that is repealed by this ordinance.

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20 codified as 2.08.430 in the City of St. Louis Revised Code of Ordinances, is hereby repealed  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

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

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

5 (1) Personal property tax;

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

8 (3) City of St. Louis earnings tax; and

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

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

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

20 (1) Official copies of receipts or statements of no taxes due from the Collector  
21 of Revenue evidencing the individual is not delinquent in the payment of any  
22 of the taxes set forth in subsection 1 of this Section One; and

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

4 4. Affidavit.

5 AFFIRMATION OF PAYMENT OF TAXES AND BILLS FOR SERVICES

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

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

18 \_\_\_\_\_ Date:  
19 Candidate's Signature

20 \_\_\_\_\_  
21 Printed Name  
22  
23

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

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

10           7. On the day immediately following the last day on which individuals may file as  
11 candidates for an elective public office of the City of St. Louis the Collector of Revenue shall  
12 notify the Board of Election Commissioners in writing if any candidates are delinquent in the  
13 filing or payment of any personal property taxes, real property taxes on any real property  
14 located within the City of St. Louis and owned in whole or in part by the candidate, earnings  
15 taxes, or the payment of City of St. Louis water and refuse bills. In the event that a candidate  
16 is delinquent in the payment of any of the foregoing taxes or bills such candidate's name shall  
17 not be placed on the ballot, and such candidate shall be barred from participating in the  
18 current election and, if the current election is a primary election, barred from refile as a  
19 candidate for the same office or any other elected office of the City of St. Louis in the  
20 subsequent general election and shall not have recourse to the remedial actions provided  
21 under subsection 8 of this Section One.

1           8.       At any time, upon receipt of a written complaint alleging a delinquency of a  
2 candidate in the filing or payment of any personal property taxes, real property taxes on any  
3 real property located within the City and owned in whole or in part by the candidate, earnings  
4 taxes, or in the payment of City of St. Louis water and refuse bills the Board of Election  
5 Commissioners shall investigate such candidate to verify the claims contained in the  
6 complaint. If the Board of Election Commissioners finds such claims to be true, they shall  
7 notify the candidate in writing of the outstanding taxes or bills for City of St. Louis water and  
8 refuse services due and give the candidate seven (7) days following the candidate's receipt of  
9 notice to remit payment in full of any such outstanding taxes or bills owed which were not  
10 theretofore the documented subject of dispute between the respective department and the  
11 candidate, and provide the Board of Election Commissioners with proof thereof in the form of  
12 official receipts or statements of no taxes due from the Collector of Revenue evidencing  
13 payment of such taxes or bills. The notice shall be sent via U.S. Postal Service certified  
14 mail return receipt requested to the address provided by the candidate on the candidate's  
15 declaration of candidacy and shall be deemed received seventy-two (72) hours after mailing.  
16 If the candidate fails to remit payment in full of such amounts within the seven (7) day period,  
17 the candidate shall be disqualified from participating in the current election and, if the current  
18 election is a primary election, barred from refiling as a candidate for the same office or any  
19 other elected office of the City of St. Louis in the subsequent general election even if the  
20 candidate pays all outstanding taxes or bills owed that were the subject of the complaint. Any  
21 such complaint must be filed no later than two (2) weeks prior to the election, provided that  
22 any complaint filed later than seven (7) weeks before the election that is later found to be true

1 will result in disqualification of the candidate but may not necessarily result in the candidate's  
2 name being physically removed from the ballot.

3 9. Nothing herein shall either preclude or require an independent investigation by the  
4 Board of Election Commissioners of all candidates in any given election to determine if any  
5 such candidates are delinquent in the filing or payment of any personal property taxes, real  
6 property taxes on any real property located within the City and owned in whole or in part by  
7 any candidate, earnings taxes, or in the payment of City of St. Louis water and refuse bills. If  
8 the Board of Election Commissioners commences such an investigation and discovers that  
9 any candidate is delinquent in the filing or payment of any personal property taxes, real  
10 property taxes on any real property located within the City and owned in whole or in part by  
11 the candidate, earnings taxes, or in the payment of City of St. Louis water and refuse bills the  
12 Board of Election Commissioners shall notify the candidate in writing of the outstanding  
13 taxes or bills due and give the candidate seven (7) days following the candidate's receipt of  
14 said notice to remit payment in full of any outstanding taxes or water or refuse bills due which  
15 were not theretofore the documented subject of dispute between the respective department  
16 and the candidate, and provide the Board of Election Commissioners with proof thereof in the  
17 form of official receipts or statements of no taxes due from the Collector of Revenue  
18 evidencing payment of such taxes or bills. The notice shall be sent via U.S. Postal Service  
19 certified mail return receipt requested to the address provided by the candidate on the  
20 candidate's declaration of candidacy and shall be deemed received seventy-two (72) hours  
21 after mailing. If the candidate fails to remit payment in full for such amounts within said  
22 seven (7) day period the candidate shall be disqualified from participating in the current

1 election and, if the current election is a primary election, barred from refiling as a candidate  
2 for the same office or any other elected office of the City of St. Louis in the subsequent  
3 general election even if the individual pays all outstanding taxes or bills that were the subject  
4 of the complaint.

5 **SECTION THREE.** Severability

6 The sections, subsections and clauses of this ordinance shall be severable. In the event that  
7 any section, subsection or clause of this ordinance is found by a court of competent  
8 jurisdiction to be invalid, the remaining sections, subsections, or clauses of this ordinance are  
9 valid, unless the court finds the valid sections of the ordinance are so essential and  
10 inseparably connected with and dependent upon the void section that it cannot be presumed  
11 that this Board of Aldermen would have enacted the valid section without the void ones, or  
12 unless the court finds that the valid sections standing alone are incomplete and incapable of  
13 being executed in accordance with the legislative intent.