

SAMPLE

Forms must be fill out in person at the City Clerk's Office DECLARATION OF CANDIDATE

STATE OF MISSOURI
County of Taney
City of Branson
To: Lisa Westfall, City Clerk

I, _____ a resident and registered voter of the County of Taney
and the State of Missouri residing at _____,
Address
_____, _____ do announce myself
City State Zip

a candidate for the office of : (Please check one of the following)

- Mayor (2 year term) Ward I (2 year term) Ward II (2 year term)
 Ward III (1 year term) Ward III (2 year term)

of the City of Branson, Missouri of which I am a resident, to be voted for at the General Municipal Election to
be held on the 2nd day of April, 2019, and I further declare that if nominated and elected to such office I will qualify.

NOTE: The information provided for candidate filing is public record.

NOTICE: Print your name **exactly** as you desire it printed on ballot.

Name: _____

Mailing Address (if different from above) _____

Telephone No. _____

AFFIDAVIT

STATE OF MISSOURI
County of Taney

I hereby swear (or affirm) that the information contained in the foregoing declaration of candidacy is, to
the best of my knowledge, true.

Signature of Candidate

Subscribed and sworn to before me this ____ day of _____, 201__ ____ o'clock __. m.

Random Drawing Number
(First Day of Filing Only)

Election Authority Signature
(Per Branson Municipal Code: Sec. 2-181)

SAMPLE

CITY OF BRANSON

MAYOR AND ALDERMEN REQUIREMENTS

BRANSON MUNICIPAL CODE

SEC. 2-24. ASSUMPTION OF OFFICE; TERM; BENEFITS.

(a) The mayor and aldermen shall enter upon the discharge of the duties of their office at the next regular meeting of the board of the city following the certification of the election. They shall hold their offices for two years unless in case of vacancies and until their successors are elected and qualified.

(b) Any person who commences a new term as an alderman for the city or who is elected to the office of mayor shall be eligible to participate in the insurance plans for the city including health insurance, life insurance or dental insurance available to the city's full-time employees. These benefits are also to be provided to the spouses or dependents of the board or mayor, if the spouses or dependents choose to participate, and the city shall provide, if requested, such benefits to the board and mayor at the same costs that are charged for full-time city employees, their spouses and dependents.

(c) Participation in the city's insurance plan by any elected official shall not become effective until the official seeking participation in the plan has commenced a new term as an elected official for the city. The provision of benefits through the city's insurance plan by any elected official shall not become effective until the official seeking participation in the plan has commenced a new term as an elected official for the city.

MISSOURI STATE STATUTE

79.070. ALDERMEN, QUALIFICATIONS.

No person shall be an alderman unless he or she is at least eighteen years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected.

79.080. MAYOR, QUALIFICATIONS.

No person shall be mayor unless he be at least twenty-five years of age, a citizen of the United States and a resident of the city at the time of and for at least one year next preceding his election.

ALL CANDIDATE, QUALIFICATIONS:

79.250. OFFICERS TO BE VOTERS AND RESIDENTS — EXCEPTIONS, APPOINTED OFFICERS.

All officers elected to offices or appointed to fill a vacancy in any elective office under the city government shall be voters under the laws and constitution of this state and the ordinances of the city except that appointed officers need not be voters of the city. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid city taxes, or forfeiture or defalcation in office. All officers, except appointed officers, shall be residents of the city.

130.071. CANDIDATE NOT TO TAKE OFFICE OR FILE FOR SUBSEQUENT ELECTIONS UNTIL DISCLOSURE REPORTS ARE FILED.

1. If a successful candidate, or the treasurer of his candidate committee fails to file the disclosure reports which are required by this chapter, the candidate shall not take office until such reports are filed.

2. In addition to any other penalties provided by law, no person may file for any office in a subsequent election until he or the treasurer of his existing candidate committee has filed all required campaign disclosure reports for all prior elections.

SAMPLE

115.306. DISQUALIFICATION AS CANDIDATE FOR ELECTIVE PUBLIC OFFICE, WHEN — FILING OF AFFIDAVIT, CONTENTS — TAX DELINQUENCY, EFFECT OF.

1. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.

2. (1) Any person who files as a candidate for election to a public 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 state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(2) Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

XXXXXXXXXXXXXXXXXX Candidate's Signature

XXXXXXXXXXXXXXXXXX Printed Name of Candidate

(3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.

ACKNOWLEDGEMENT

I, _____, hereby swear (or affirm) that I have received the following:

(initial) **Above written requirements and qualifications**

(initial) **Form 5120 Candidate's Affidavit of Tax Payments and Bonding Requirements**

(initial) **Campaign finance material**

I have read and understand the requirements to declare candidacy for Mayor/Alderman and I further certify that I meet all requirements stated therein.

Signature of Candidate

Date

Witness: _____ **Election Authority**

SAMPLE

Notice to Candidate

Personal Financial Disclosure (PFD) (aka: Financial Interest Statement)

Part One: Candidate Information

Candidate's Name: _____ Political Subdivision: City of Branson
Office Sought: _____ Date of Election: April 2, 2019

Part Two: Filing Status (Election Official: Select Option A or B. If select Option B, complete Sections 1 & 2)

Option A. Candidate does not have to file a PFD/Financial Interest Statement because:

- The political subdivision's annual operating budget (AOB) is \$1 million or under.
- The political subdivision's AOB is over \$1 million and the subdivision has a conflict of interest ordinance on file with MEC that does not require a candidate running for this position (office sought) to file. (NOTE: if candidate has had a business transaction with the subdivision, refer to Option B, Section 1, Item 1)
- The office sought is committeeman or committeewoman.

Option B. Candidate must file a PFD/Financial Interest Statement with MEC because:

Section 1:

- The political subdivision has an AOB over \$1 million and has a conflict of interest ordinance on file with the MEC that specifically 1) requires a candidate running for this position (office sought) to file, **OR** 2) requires a candidate (including spouse, children, parents, or a business in which they owned a substantial interest) that has had a business transaction with the political subdivision in excess of \$500 in the preceding twelve months to file pursuant to §105.485.4(1) RSMo.
- The political subdivision has an AOB over \$1 million and the subdivision does **NOT** have a conflict of interest ordinance on file with the MEC and the candidate is required to file pursuant to §105.483-§105.492 RSMo.
- Candidate is a new Associate Circuit Judge Candidate (all other judicial candidates file with the Supreme Court).

Section 2: Candidates required to file **must be informed** of the following deadlines/penalties:

- If PFD/Financial Interest Statement is not filed by January 29, 2019 (14 days after filing closing date);
PENALTY: Candidate will be assessed a minimum of **\$10 per day late fee** for each day the report is late.
- If PFD/Financial Interest Statement is not filed by February 5, 2019 (21 days after filing closing date);
PENALTY: Candidate will be **disqualified as a candidate** and his/her name will be removed from the ballot.

NOTE: If the political subdivision has a conflict of interest ordinance on file with the MEC:

- And the above filing deadlines are not met; penalties (if any) are assessed by the political subdivision according to its ordinance.
- Candidate must also file a copy of his or her PFD with the governing body/subdivision.

Part Three: Acknowledgement (completed by candidate & witnessed by election official):

I, _____ hereby acknowledge that I have received:
(Print name)

(Initial) **Notice to Candidate**, (written notice of candidate's obligation to file a PFD/Financial Interest Statement, including the consequences for failure to file on time); and

(Initial) **Guide to Ethics Law – A Plain English Summary**, (regarding laws governing candidates for election to office in Missouri) and I hereby acknowledge the authority of the Missouri Ethics Commission, or the political subdivision for which I am filing, in enforcing said laws.

Signature of Candidate

Candidate's Email Address (Optional)

Signature of Election Official (Witness)

Date

08/2017

