



Rules of
Elected Officials
Division 30—Secretary of State
Chapter 1—Organization

Title	Page
15 CSR 30-1.010 General Organization	3
15 CSR 30-1.020 General Organization—Missouri Elections Commission (Rescinded July 11, 1980)	6



Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 1—Organization

15 CSR 30-1.010 General Organization

PURPOSE: This rule describes the general organization and functions of the Office of the Secretary of State to comply with the requirements of section 536.023, RSMo 2000.

(1) The Office of Secretary of State has many diverse responsibilities, all linked by the common theme of information. The office collects, compiles, stores and publishes a variety of state documents. The Missouri secretary of state is the chief elections official. The secretary of state oversees several areas relating to state commerce, such as administration of the Uniform Commercial Code and registration of corporations and securities. In addition, the secretary of state is the keeper of the Great Seal of the State of Missouri and authenticates official acts of the governor. Except where otherwise noted, the general mailing address is: 600 West Main Street, PO Box 1767, Jefferson City, MO 65102. Functions of the office are divided into seven (7) divisions: Elections, Securities, Business Services, Library Services, Records Services, Administrative Rules and Administrative Services. The executive deputy secretary of state is second-in-command and is charged by law with implementing the policies and procedures of the secretary of state and supervising the day-to-day operations of certain phases of the office. The executive deputy secretary of state shall possess all the powers and perform any of the duties prescribed by law to be performed by the secretary of state when and for such period of time as the secretary of state may designate. The divisions of the office are as follows:

(A) State Library. The State Library is composed of the state librarian and three (3) sections: Library Development, Reference Services and Wolfner Library for the Blind and Physically Handicapped. The State Library promotes and encourages library services, continuing education, resource sharing, technology, program planning, needs assessment, and evaluation; provides counsel, advice, and continuing education to library boards; and ensures library and information services to diverse populations through libraries. It also receives federal grants including Library Services and Technology Act (LSTA) program, prepares reports, keeps records, and directs information about federal programs to libraries in the state. Information may be obtained from the state librarian in person on the second floor of the James C.

Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, through the Internet at SOSMain@sos.mo.gov, by fax at (573) 751-3612, or by telephone at (573) 751-3615 or (800) 325-0131.

1. The State Library Development section produces regular and informative publications, brochures, newsletters, and other publications for the Missouri library community, coordinates all activities of the Missouri Center for the Book, works with statewide and local literacy organizations and consults with libraries on the development of literacy programs. It administers federal and state grants and the privately funded grants or projects. Other programs include library automation and technology; library administration and management; state and community partnerships; youth and senior services; and the State Census Data Center. Information may be obtained from this section in person on the second floor of the James C. Kirkpatrick State Information Center, by written request, through the Internet at SOSMain@sos.mo.gov, by fax at (573) 751-3612 or by telephone at (573) 751-3615 or (800) 325-0131.

2. The State Library Reference Services section provides library and information services, reference services and research to government officials, agencies and employees. It also administers the federal and state documents programs. Information may be obtained from this section in person on the second floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, through the Internet at libref@sos.mo.gov, by fax at (573) 526-1142 or by telephone at (573) 751-3615.

3. Wolfner Library for the Blind and Physically Handicapped provides public library services and administers library materials, equipment, and information services to those persons unable to use standard print. Information may be obtained from this section in person on the first floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, through the Internet at Wolfner@sos.mo.gov, by fax at (573) 526-2985 or, by telephone at (573) 751-8720; in-state toll free: (800) 392-2614 or TTY or TTD at (800) 347-1379.

(B) Records Services. The Records Services Division fulfills the constitutional duty of the secretary of state for the management and safekeeping of state records. Under the state and local records law, the secretary of state administers the section providing for the efficient and economical application of man-

agement methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records.

1. The State Archives is the officially designated repository for all state records of permanent value. Its mission is to identify, collect, preserve, and make available to elected officials, state government, historians, students, genealogists, and the general public, the permanent and historically valuable records of Missouri's state and local governments. The Missouri Historical Records Advisory Board (MHRAB) is the central advisory body for historical records planning and for projects relating to historic records, developed and carried out within the state. The MHRAB provides state-level appraisal of grant proposals submitted to the National Historical Publications and Records Commission by Missouri repositories and serves as the review and award panel for grant applications submitted to the Missouri Historical Records Grant Program and the Local Records Preservation Program. Information about these services may be obtained from the State Archives in person in Room 119, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-3280, by fax at (573) 526-7333, or through the Internet at archref@sos.mo.gov.

2. The Missouri State Archives Local Records Preservation Program, provides assistance to units of local government by advising and educating the local records custodians in the use of sound records management and archival practices. The program's conservation laboratory provides treatment and advisory services on all aspects of records care, preservation, and disaster recovery. The Local Records Grant Program offers local governments, or political subdivisions with taxing authority, grant funding for approved records management or preservation projects. Grants may be funded up to seventy percent (70%) of the total project cost. Information on these services may be obtained from the Local Records Program in person in Room 112, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-9047, by fax at (573) 526-3867, or through the Internet at lorec@sos.mo.gov.

3. The Records Management Program assists state agencies in the development of their records management programs. Such programs include a planned and coordinated set of policies, procedures, and activities needed to ensure the efficient and effective management of an agency's records regardless of the media on which the information is

recorded (i.e., electronic, paper, microfilm, etc.). The State Records Commission determines the retention and disposition of state agency records based on administrative, legal, fiscal, or historical values. Records Management provides a host of services to agencies, including consultation and technical advice, microfilm processing, duplicating and quality control, and off-site storage of documents. Information on the Records Management Program may be obtained in person in Room 153, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-3319, by fax at (573) 526-5327, or through the Internet at recman@sos.mo.gov.

(C) Securities. The Securities Division administers the Missouri Uniform Securities Act through an appointed commissioner of securities. The commissioner also oversees the enforcement and licensing responsibilities of this division of the Office of Secretary of State. Information may be obtained from this division in person in Room 229, James C. Kirkpatrick State Information Center, by written request, through the Internet at SOSMain@sos.mo.gov, by fax at (573) 526-3121, or by telephone at (573) 751-4136 for securities questions.

1. The Securities Division administers the Missouri Uniform Securities Act through an appointed commissioner of securities. The division processes applications for registration and registers securities, broker-dealers, agents and investment advisers.

A. Information may be obtained from the division in person in Room 229, James C. Kirkpatrick State Information Center, by written request to PO Box 1276, Jefferson City, MO 65102.

B. Telephone requests may be directed to (573) 751-4136 for registration of securities; (573) 751-2302 for registration of broker-dealers, agents and investment advisers; and (573) 751-4704 for enforcement, exemptions, exceptions and exclusions or through the Internet at: SOSMain@sos.mo.gov.

2. The Enforcement section of the Securities Division conducts enforcement activities, including responses to suspected violations or complaints. In the case of suspected violations, the Enforcement section may conduct investigations. The Enforcement section may seek administrative sanctions from the commissioner prohibiting or conditioning the further sale of securities; denying, suspending or revoking the registration of broker-dealers, agents, investment advisers, and investment adviser representatives; or censuring any registrant. The commissioner may seek an injunction, writ of mandamus,

the appointment of a receiver or conservator, and other equitable relief in a circuit court. The commissioner may refer cases for criminal prosecution to prosecuting attorneys and the attorney general, and the commissioner or the Enforcement section may assist in those prosecutions. The Enforcement section may coordinate with the enforcement efforts of the attorney general, prosecuting attorneys and any state or federal law enforcement agencies.

3. The Registration section reviews applications for securities registrations, notice filings for state exemptions and federal covered securities and applications for broker-dealers, agents, investment advisers and investment adviser representatives and may recommend action on any such application to the commissioner. It also makes recommendations to the commissioner for determinations of whether a specific security or certain transactions would be exempt from registration. The Registration section may also refer matters to the Enforcement section. The Registration section, upon proper request from any person, shall propose interpretive opinions for issuance by the commissioner.

(D) Business Services. The Business Services Division is composed of three (3) sections. The deputy secretary for business services is responsible for overseeing the day-to-day functions of each section, and for the direct supervision of the management staff of each section. The Business Services Division also oversees branch offices for corporate filings in St. Louis, Kansas City and Springfield.

1. The Corporations section administers the laws and filings of business entities organized under the laws of Missouri and business organizations from other jurisdictions having certificates of authority to do business in the state of Missouri. Corporations are required to file articles of incorporation and amended articles, instruments affecting mergers or consolidations and articles of dissolution and termination. Each corporation must file an annual registration report and pay annual registration fees to remain in good standing. This section processes dissolutions, terminations, and forfeitures. The section also administers all registration of fictitious names and provides certified copies of documents relating to the organization of business entities. In addition to these basic functions, this section handles daily communications from attorneys and individuals requesting information contained in the respective entity files. Another service of this section is to furnish and regulate the availability of entity names so that those names are protected and distinguishable from one another.

A. The public may obtain information from this section in person in Room 322 of the James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, Missouri, or by fax at (573) 751-5841; or Room 225, Wainwright State Office Building, St. Louis, Missouri, or by fax at (314) 340-7500; or Room 513, Kansas City State Office Building, Kansas City, Missouri, or by fax at (816) 889-2879; or the Landers State Office Building, Springfield, Missouri, or by fax at (417) 895-6537, or through the Internet at SOSMain@sos.mo.gov.

B. The public may also obtain information from this section by written request to PO Box 778, Jefferson City, MO 65102.

C. Telephone inquiries may be directed as follows: corporate and fictitious name information, (573) 751-4153; new corporation filings, (573) 751-2359 or (573) 751-4544; amendments, (573) 751-4609; mergers and rescissions, (573) 751-4178; certified copies, (573) 751-4100; dissolutions, liquidations and withdrawals, (573) 751-3230; corporate forms, (573) 751-3827; cashier, (573) 751-2793; annual registration forms, (573) 751-2300; and registration of fictitious names, name availability and name reservation, (573) 751-3317; or, through the Internet at SOSMain@sos.mo.gov, by fax at (573) 751-5841.

2. The Uniform Commercial Code (UCC) section has the duty of perfecting liens or security interests for many loans in Missouri. These loans are perfected by the filing of a financing statement which when filed shows the date, hour and file number.

A. The public may obtain information from this section in person in Room 322, James C. Kirkpatrick State Information Center, Jefferson City, Missouri.

B. The public may also obtain information from this section by written request to PO Box 1159, Jefferson City, MO 65102.

C. Telephone inquiries may be directed to (573) 751-4179, or, through the Internet at SOSMain@sos.mo.gov, or by fax at (573) 522-2057.

3. The Commissions section performs the constitutional duties of the secretary of state relating to affixing the Great Seal of the State of Missouri and authenticating all official acts of the governor, except the approval of laws. The section maintains a record of the governor's proclamations, executive orders, commissions and appointments, extraditions, domestic requisitions, commutations and restorations of citizenship and also prepares certificates of appointments and commissions. Commissions staff of the secretary of state's office sign and seal requests for extradition, domestic requisitions, commutations



and restoration of citizenship. Commissions also receives, reviews and maintains all notary public applications, oaths, bonds and commissions. This section processes trademark and service mark registrations, furnishes certificates of registration and maintains a register of the marks. Service of process is received, processed and forwarded from this section.

A. Information may be obtained from the section by written request to PO Box 784, Jefferson City, MO 65102, by telephone at (573) 751-2783, by fax at (573) 751-8199, or through the Internet at SOSMain@sos.mo.gov, in person in Room 367, James C. Kirkpatrick State Information Center, Jefferson City, Missouri.

(E) Elections. The Elections Division administers all statewide elections for both candidates and issues. The division administers the filing of candidates for governor, lieutenant governor, secretary of state, auditor, treasurer, attorney general, United States senators and congressmen, Missouri state senators and representatives and certain judicial candidates. The division also prepares ballots, certifies lists of candidates for primary elections to the county clerks and election boards, certifies nominees following the primary election, prepares ballots for the general election, canvasses returns, and publishes returns. Also initiative and referendum petitions and petitions to place new political parties on the ballot are filed with the secretary of state. The division and the secretary determine if the petitions have a sufficient number of qualified signatures to be placed on the ballot. Before the convening of each general assembly the division prepares a list of the duly elected members for the secretary of state to present to the speaker of the house and the secretary of the senate. The division accepts and maintains a file of annual reports from county clerks on fees and salaries of elected county officials, coordinates the implementation of the National Voter Registration Act in Missouri, and administers the centralized voter registration database. The operations of this division are supervised by two (2) co-directors, one (1) republican and one (1) democrat. Information may be obtained from this division in person in Room 337, James C. Kirkpatrick State Information Center, by written request to PO Box 1767, Jefferson City, MO 65102, through the Internet at Elections@sos.mo.gov, by fax at (573) 526-3242 or by telephone at (573) 751-2301.

(F) Administrative Services. The Administrative Services Division is responsible for certain statutory and public service requirements of the secretary of state's office.

1. The Budget Office section supports the secretary of state's office in matters involving budgets and funding for expense and equipment and personal service appropriations.

2. The Fiscal Office processes payments to vendors, and administers the requirements of contracts for purchase and lease of equipment established by the office.

3. The Human Resources Office supports the following functions: staff payroll processing, employee benefits, training, performance evaluation and personnel recruitment.

4. Information may be obtained from the division by written request to PO Box 1767, Jefferson City, MO 65102, by telephone at (573) 751-3246, through the Internet at SOSMain@sos.mo.gov, by fax at (573) 522-6289 or in person in Room 337, James C. Kirkpatrick State Information Center.

(G) Administrative Rules. The Administrative Rules Division is the central filing office for the administrative rules of all state agencies. Chapter 536, RSMo, mandates that this division of the Office of Secretary of State publish the *Missouri Register*, which contains the text of all new proposed rules, amendments and rescissions. This publication is currently published twice-monthly. Once finalized and adopted, the rule becomes part of the permanent volumes of the *Code of State Regulations*, which is a compilation of the final rules and consists of printed loose-leaf volumes containing all of the Titles and Divisions of all state agencies. The updates to the *Code of State Regulations* are published once a month. Additionally, section 536.023, RSMo requires the Administrative Rules Division to set forth in writing the policies and procedures for the uniform standards for preparing and filing rules. The Administrative Rules Division publishes a guide to administrative rulemaking, commonly known as *Rulemaking 1-2-3, Missouri Style*.

1. Information may be obtained from the division by written request to PO Box 1767, Jefferson City, MO 65102, or by telephone at (573) 751-4015, through the Internet at rules@sos.mo.gov, by fax at (573) 751-3032, or in person in Room 337, James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, Missouri.

2. All rules filed are open to public inspection during normal business hours. Copying service and certified copies of rules are available for a fee as set forth in the statutes.

3. The *Code of State Regulations* and the *Missouri Register* are also posted,

free of charge, on the Internet at <http://www.sos.mo.gov/moreg/moreg.asp> (*Missouri Register*) or <http://www.sos.mo.gov/csr/csr.asp> (*Code of State Regulations*), and the uniform standards and procedures for rulemaking, *Rulemaking 1-2-3, Missouri Style* at: <http://www.sos.mo.gov/adrules/manual/manual.asp>.

(H) The Publications section publishes the *Constitution of Missouri*, the *Official Manual State of Missouri* and *Missouri Election Laws*. It also publishes and distributes official returns of primary and general elections; a roster of state, district and county officers; a roster of democratic and republican party candidates and committee members; corporation laws, securities laws, *Uniform Commercial Code Manual*; and laws relating to notaries public and other bulletins. The section prepares materials for publication and awards printing and binding contracts on a competitive basis. All publications are available for distribution to the general public on request.

1. Requests for publications may be made by written request to Room 112, James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, MO 65101, by telephone request to Publications section at (573) 526-4218, through the Internet at SOSMain@sos.mo.gov, or by fax at (573) 526-2970.

2. Publications generally are available free of charge, or in some cases, for the cost of printing and mailing.

(I) The Information Technology section provides computer hardware, software, and network support, new system development, web development, and technology planning, implementation, support and maintenance for computer and information systems throughout the Office of Secretary of State. Information may be obtained from this section in person in Room 262, James C. Kirkpatrick State Information Center, by written request or through the Internet at SOSMain@sos.mo.gov, by fax at (573) 751-3612 by telephone at (573) 751-3005.

(J) Mailroom and Office Support section: This unit is responsible for opening and distributing mail, shipping and receiving for the entire office, messenger service, keeping office supplies, and vehicle maintenance and reservations. Information may be obtained from this unit in person in Room 281, James C. Kirkpatrick State Information Center, by written request to PO Box 778, Jefferson City, MO 65102 or through the Internet at SOSMain@sos.mo.gov, by fax at (573) 522-1945.



(2) All divisions and sections of the Office of the Secretary of State make every effort to insure program accessibility to those with disabilities. The secretary of state's Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan is available for inspection in the Administrative Services Division. All divisions and sections are accessible by telephone to those with speech or hearing impairments by contacting Missouri Relay at (800) 735-2466 and using the telephone numbers listed above. In addition, the Wolfner Library for the Blind and Physically Handicapped is equipped with either TTD or TTY equipment and may be contacted at (800) 347-1379.

AUTHORITY: section 536.023.3, RSMo 2000. Original rule filed Dec. 5, 1975, effective Dec. 31, 1975. Amended: Filed July 15, 1985, effective Dec. 26, 1985. Amended: Filed Nov. 15, 1989, effective March 11, 1990. Amended: Filed Feb. 16, 1995, effective Sept. 30, 1995. Rescinded and readopted: Filed Oct. 28, 2003, effective May 30, 2004.

**Original authority: 536.023, RSMo 1975, amended 1976, 1997.*

**15 CSR 30-1.020 General Organization—
Missouri Elections Commission**
(Rescinded July 11, 1980)

AUTHORITY: section 536.023, RSMo 1978. Original rule filed Dec. 31, 1975, effective Jan. 10, 1976. Rescinded: Filed April 11, 1980, effective July 11, 1980.