

2016 PRESIDENTIAL PREFERENCE PRIMARY IN MISSOURI QUESTIONS AND ANSWERS

- **Which political parties can participate in the Presidential Preference Primary?**

Only established political parties, as defined in Section 115.013, RSMo. can participate. In Missouri, those parties are the Democratic, Republican, Libertarian and Constitution Parties. (Section 115.761, RSMo.)

- **Must Presidential Preference Primary candidates file in person to be included on the primary ballot?**

No. Presidential preference primary candidates file a written request (original, signed, and notarized) to be included on the presidential primary ballot with the Secretary of State's office. The only exception is the random drawing on the first day which requires either the candidate or the candidate's representative to be present. (Sections 115.761 and 115.765, RSMo.)

- **Can a person file a request to be included on the Presidential Preference Primary ballot and file a declaration of candidacy for another office in Missouri?**

Yes. Section 115.351, RSMo., specifically permits this. A person may not, however, accept the nomination for President or Vice-President of the United States and appear on the general election ballot as a candidate for another office in Missouri.

- **Will the Secretary of State accept requests to be included on the Presidential Preference Primary ballot prior to 8:00 a.m. on December 1, 2015?**

No. Section 115.761, RSMo. requires the Secretary of State to certify a list of candidates who have filed a request "on or after 8:00 a.m. on the fifteenth Tuesday prior to the presidential primary, and on or before 5:00 p.m., on the eleventh Tuesday prior to the presidential primary." Filings received prior to 8:00 a.m. on December 1, 2015 or after 5:00 p.m. on December 29, 2015 will be returned.

- **How does the Secretary of State determine the order in which candidate names will appear on the ballot?**

Candidates who file a request on the first day and who are present, either in person or through a representative, will participate in a random drawing to determine ballot position. After the first day, candidates' names will be listed in the order in which their requests are received in the office of the Secretary of State. (Section 115.765, RSMo.)

- **What is the role of a candidate representative and how is one designated?**

A candidate may authorize a representative to draw a random number to determine the candidate's ballot position on the first day of filing or have the candidate's name removed from the ballot. Candidates must first submit [a form](#) to the Secretary of State's office, which must be an original, signed, and notarized, designating their representative. There is no requirement that a candidate designate a representative. (Sections 115.761 and 115.765, RSMo.)

- **Can one person act as a representative for more than one candidate?**

Yes.

- **What if a candidate's request is received on the first day of filing, and neither the candidate nor a representative is available to draw a random number to determine ballot position?**

The request will be treated as if it had arrived at 5:01 p.m. That candidate's name will appear on the ballot after those of the same party who are present to participate in the drawing.

- **Does Chapter 115 apply to the Presidential Preference Primary?**

Section 115.770, RSMo. states that "the conduct of the presidential preference primary election and the count and canvass of the votes cast therein shall conform as nearly as is practicable to that prescribed for the conduct of the primary election for state officers."

- **Do any of the withdrawal and replacement provisions of sections 115.359-379 apply to the Presidential Preference Primary?**

No. Sections 115.359-115.379, RSMo. apply only to those who have filed a declaration of candidacy. Presidential Primary candidates instead file a request to be included on the ballot pursuant to Section 115.761, RSMo.

- **What is the last day to withdraw as a candidate from the Presidential Preference Primary and is there any way for a candidate's name to be removed from the ballot after that date?**

*Section 115.761, RSMo. requires that any candidate desiring to do so must withdraw **on or before 5:00 p.m. on December 29, 2015.***

- **Can a person cast a write-in vote in the Presidential Preference Primary pursuant to the provisions of section 115.453?**

No. Write-in votes are not permitted in a primary election where votes are cast with a party designation. See Section 115.453.5, RSMo.

- **Are absentee ballots permitted in the Presidential Preference Primary?**

Yes. Absentee balloting will be permitted. (See Section 115.770, RSMo.) Voters will be required to state on the absentee ballot application which party ballot they wish to receive. (Section 115.279.2, RSMo.)

- **Are challengers and watchers permitted in the polling place during the Presidential Preference Primary?**

Yes, challengers "may collect information about the party ballot selected by the voter and may disclose party affiliation information after the polls close." (Section 115.105.4, RSMo.)

- **Will the Board of State Canvassers convene following the Presidential Preference Primary election?**

Yes. The Board will convene to canvass the vote just as in a state primary.

- **What will the Secretary of State do with the results of the Presidential Preference Primary election?**

The Secretary of State's duty under Section 115.511, RSMo. is to announce the results of a

primary election, and under Section 115.773, RSMo., to “notify the state chair of each of the established political parties for whom a candidate was listed” of the results of the election.

(Last updated 1/15)