

FIRST REGULAR SESSION

# HOUSE BILL NO. 863

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DEMPSEY (Sponsor), SCHNEIDER, DAY, YATES, PEARCE, NIEVES, RICHARD, FUNDERBURK, JONES (89), SCHAD, WOOD, FAITH, CUNNINGHAM (145), SATER, QUINN (7), COOPER (120) AND SCHARNHORST (Co-sponsors).

Read 1st time February 14, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 116.080, RSMo, and to enact in lieu thereof one new section relating to qualifications of initiative petition circulators, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 116.080, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 116.080, to read as follows:

- 116.080. 1. Each petition circulator shall be at least eighteen years of age and registered with the secretary of state. Signatures collected by any circulator who has not registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the final day for filing petitions with the secretary of state shall not be counted.
2. Each petition circulator shall supply the following information to the secretary of state's office:
- (1) Name of petition;
  - (2) Name of circulator;
  - (3) Residential address, including street number, city, state and zip code;
  - (4) Mailing address, if different;
  - (5) Have you been or do you expect to be paid for soliciting signatures for this petition?  
☐ YES ☐ NO
  - (6) If the answer to subdivision (5) is yes, then identify the payor;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (7) Signature of circulator.

15 3. The circulator information required in subsection 2 of this section shall be submitted  
16 to the secretary of state's office with the following oath and affirmation:

17 I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL  
18 STATEMENTS MADE BY ME ARE TRUE AND CORRECT.

19 4. Each petition circulator shall subscribe and swear to the proper affidavit on each  
20 petition page such circulator submits before a notary public commissioned in Missouri. When  
21 notarizing a circulator's signature, a notary public shall sign his or her official signature and affix  
22 his or her official seal to the affidavit only if the circulator personally appears before the notary  
23 and subscribes and swears to the affidavit in his or her presence.

24 5. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is  
25 guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [560.021]  
26 **560.016**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county  
27 jail or a fine not to exceed ten thousand dollars or both.

28 **6. No petition circulator shall receive any compensation for collecting signatures**  
29 **under this chapter.**

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