

HB 2180 -- Initiative and Referendum Petitions

Sponsor: Nieves

This bill changes the laws regarding initiative and referendum petitions. In its main provisions, the bill:

(1) Requires Article III, Section 49, of the Missouri Constitution to be interpreted to protect all infringements of a person's right to sign petitions. The validity of a person's signature on a petition may not be questioned as long as that person's intent in signing the petition is reasonably clear. Petitions will not be disqualified for mistakes, errors, or omissions in processing by third parties not signing the petition. Changes to official ballot titles resulting from court actions brought later than 10 days after the title is certified by the Secretary of State will have no effect on the validity of signatures collected on petition sheets;

(2) Allows a voter or petition proponent to rectify a mistake or omission of information concerning the county of residence of petition signers by showing proof of the voter's registration and properly identifying the voter's county of residence to the Secretary of State within 30 days of the issuance of the certificate of sufficiency or insufficiency by the Secretary of State;

(3) Creates the crime of intentional misrepresentation of a petition which will be a misdemeanor punishable by a term of imprisonment for up to one year in the county jail, a fine of up to \$10,000, or both. Anyone who knowingly causes a voter to sign a petition other than the one that the person intended to sign or forges or falsifies a signature will be guilty of the crime;

(4) Creates the crime of malicious obstruction of the signing of a petition which will be a misdemeanor punishable by a term of imprisonment for up to one year in the county jail, a fine of up to \$10,000, or both. Anyone who maliciously intimidates, obstructs, or otherwise prevents a voter from signing a petition will be guilty of the crime. Reasonable efforts to inform and educate a potential petition signer will not be construed to be a malicious obstruction;

(5) Specifies the criteria for submitting signature pages to the Secretary of State and that all signatures submitted in substantial compliance with the criteria will be accepted;

(6) Removes the authority of the Attorney General or the Cole County Circuit Court to order the revision of a fiscal note for a ballot measure by the State Auditor;

(7) Allows proponents of ballot measures to intervene in court actions regarding challenges to the ballot title;

(8) Specifies new procedural deadlines for adjudicating ballot title challenges in a circuit court, appellate court, and the Missouri Supreme Court. Any party may appeal a circuit court's decision to a court of appeals and may appeal an appellate court's decision to the Missouri Supreme Court;

(9) Specifies that any portion of a ballot measure approved by the voters that does not conflict with another ballot measure approved by voters at the same time must be adopted;

(10) Imposes a 48-hour deadline for the submission of a copy of the petition sheets by the Secretary of State to the Attorney General and the State Auditor; and

(11) Changes from 30 days to 15 days the deadline for the notice of approval or rejection of a petition by the Secretary of State to the person who submitted the petition.