

FIRST REGULAR SESSION

[PERFECTED]

HOUSE JOINT RESOLUTION NO. 16

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MCCAHERTY (Sponsor), SWAN, HIGDON,
CROSS, HINSON AND RICHARDSON (Co-sponsors).

0895H.01P

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2013, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding one new section, to be known as section 18(c), to read as follows:

Section 18(c). Notwithstanding the provisions of sections 17 and 18(a) of this article to the contrary, in prosecutions for crimes of a sexual nature involving a victim under sixteen years of age, relevant evidence of prior criminal acts, whether charged or uncharged, is admissible for the purpose of corroborating the victim's testimony or demonstrating the defendant's propensity to commit the crime with which he or she is presently charged. The court may exclude relevant evidence of prior criminal acts if the probative value of the evidence is substantially outweighed by the danger of unfair prejudice.

Section B. The official ballot title for section A of this act shall read as follows:

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.

- 2 “Shall the Missouri Constitution be amended so that it will be permissible to allow relevant
- 3 evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature
- 4 involving a victim under eighteen years of age?"

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