

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

SENATE COMMITTEE SUBSTITUTE FOR

HOUSE JOINT RESOLUTION NO. 16

97TH GENERAL ASSEMBLY

0895S.02T

2013

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
2 following the first Monday in November, 2014, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to article I of the Constitution of the state of
5 Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding one new section,
2 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
2 to the contrary, in prosecutions for crimes of a sexual nature involving a victim under
3 eighteen years of age, relevant evidence of prior criminal acts, whether charged or
4 uncharged, is admissible for the purpose of corroborating the victim's testimony or
5 demonstrating the defendant's propensity to commit the crime with which he or she is
6 presently charged. The court may exclude relevant evidence of prior criminal acts if the
7 probative value of the evidence is substantially outweighed by the danger of unfair
8 prejudice.**

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.

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

- 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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