

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 71

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HIGDON.

5558H.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 15 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to government access to electronic data.

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, 2014, 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Section A. Section 15, article I, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 15, to read as follows:

Section 15. That the people shall be secure in their persons, papers, homes [and] , effects, **and electronic communications and data** from unreasonable searches and seizures; and no warrant to search any place, or seize any person or thing, **or access electronic data or communication**, shall issue without describing the place to be searched, or the person or thing to be seized, **or the data or communication to be accessed**, as nearly as may be; nor without probable cause, supported by written oath or affirmation.

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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.