

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 322**  
**100TH GENERAL ASSEMBLY**

0264H.05C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 116.155, 116.160, 116.180, and 116.230, RSMo, and to enact in lieu thereof four new sections relating to ballot summaries for initiatives and referendums.

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

Section A. Sections 116.155, 116.160, 116.180, and 116.230, RSMo, are repealed and  
2 four new sections enacted in lieu thereof, to be known as sections 116.155, 116.160, 116.180,  
3 and 116.230, to read as follows:

116.155. 1. The general assembly may include the official summary statement and a  
2 fiscal note summary in any statewide ballot measure that it refers to the voters.

3 2. The official summary statement approved by the general assembly shall, taken  
4 together with the approved fiscal note summary, be the official ballot title and such summary  
5 statement shall contain no more than fifty words, excluding articles. The title shall be a true and  
6 impartial statement of the purposes of the proposed measure in language neither intentionally  
7 argumentative nor likely to create prejudice either for or against the proposed measure.

8 3. The fiscal note summary approved by the general assembly shall contain no more than  
9 fifty words, excluding articles, which shall summarize the fiscal note prepared for the measure  
10 in language neither argumentative nor likely to create prejudice for or against the proposed  
11 measure.

12 4. **The phrase "The word count of the bill underlying this ballot measure is:"**  
13 **followed by the word count of the bill that referred the ballot measure to voters shall**  
14 **appear in bold letters immediately following the summary statement and fiscal note**  
15 **summary on the ballot. The general assembly shall provide the total number of words in**  
16 **the bill to the secretary of state. This phrase shall not count toward the word limit for the**  
17 **summary statement and fiscal note summary.**

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.

116.160. 1. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, after receipt of such resolution or bill the secretary of state shall promptly forward the resolution or bill to the state auditor. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without an official summary statement, which is to be referred to a vote of the people, within twenty days after receipt of the resolution or bill, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure as the proposed summary statement. The secretary of state may seek the advice of the legislator who introduced the constitutional amendment or bill and the speaker of the house or the president pro tem of the legislative chamber that originated the measure. The summary statement may be distinct from the legislative title of the proposed constitutional amendment or bill. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. The official summary statement shall contain no more than fifty words, excluding articles. The title shall be a true and impartial statement of the purposes of the proposed measure in language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure.

3. **The phrase "The word count of the bill underlying this ballot measure is:" followed by the word count of the bill that referred the ballot measure to voters shall appear in bold letters immediately following the summary statement and fiscal note summary on the ballot. The general assembly shall provide the total number of words in the bill to the secretary of state. This phrase shall not count toward the word limit for the summary statement and fiscal note summary.**

116.180. Within three days after receiving the official summary statement, the approved fiscal note summary, and the fiscal note relating to any statewide ballot measure, the secretary of state shall certify the official ballot title in separate paragraphs with the fiscal note summary immediately following the summary statement of the measure ~~and~~. **The phrase "The word count of the bill or petition underlying this ballot measure is:" followed by the word count of the bill or petition that referred the ballot measure to voters shall appear in bold letters immediately following the summary statement and fiscal note summary on the ballot. The general assembly or the proponent of a petition shall provide the total number of words in the bill or petition to the secretary of state. This phrase shall not count toward the word limit for the summary statement and fiscal note summary. Failure of the general assembly or a petition proponent to submit the word count required under this section and sections 116.155 and 116.160 shall justify a refusal to accept the proposed petition by the secretary of state. The secretary of state shall deliver a copy of the official ballot title and the fiscal note**

14 to the speaker of the house or the president pro tem of the legislative chamber that originated the  
15 measure or, in the case of initiative or referendum petitions, to the person whose name and  
16 address are designated under section 116.332. Persons circulating the petition shall affix the  
17 official ballot title to each page of the petition prior to circulation and signatures shall not be  
18 counted if the official ballot title is not affixed to the page containing such signatures.

116.230. 1. The secretary of state shall prepare sample ballots in the following form.

2 2. The top of the ballot shall read:

3  
4 "OFFICIAL BALLOT STATE OF MISSOURI"

5 3. When constitutional amendments are submitted, the first heading shall read:

6  
7 "CONSTITUTIONAL AMENDMENTS"

8  
9 There shall follow the numbers assigned under section 116.210 the official ballot titles prepared  
10 under section 116.160 or 116.334, and the fiscal note summaries prepared under section 116.170.  
11 Constitutional amendments proposed by the general assembly shall be designated as "Proposed  
12 by the general assembly". Constitutional amendments proposed by initiative petition shall be  
13 designated "Proposed by initiative petition". Constitutional amendments proposed by  
14 constitutional convention shall be designated as "Proposed by constitutional convention".

15 4. When statutory measures are submitted, the next heading shall read:

16  
17 "STATUTORY MEASURES"

18  
19 There shall follow the letters assigned under section 116.220, the official ballot titles prepared  
20 under section 116.160 or 116.334, and the fiscal note summaries prepared under section 116.170.  
21 Statutory initiative measures shall be designated "Proposed by initiative petition". Referendum  
22 measures shall be designated "Referendum ordered by petition".

23 **5. Sample ballots shall include, for every constitutional amendment and statutory**  
24 **measure on the ballot, the phrase "The word count of the bill or petition underlying this**  
25 **ballot measure is:" followed by the word count of the bill or petition that referred the**  
26 **ballot measure to voters shall appear in bold letters immediately following the summary**  
27 **statement and fiscal note summary. This phrase shall not count toward the word limit for**  
28 **the summary statement and fiscal note summary.**

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