

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 46

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHRISTOFANELLI.

2293H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 2, 3, 5, 7, and 19 of Article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the general assembly.

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, 2020, 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 III of the Constitution of the state of Missouri:

Section A. Sections 2, 3, 5, 7, and 19, Article III, Constitution of Missouri, are repealed and five new sections adopted in lieu thereof, to be known as Sections 2, 3, 5, 7, and 19, to read as follows:

Section 2. (a) After December ~~[6, 2018]~~ **4, 2020**, no person serving as a member of or employed by the general assembly shall act or serve as a paid lobbyist, register as a paid lobbyist, or solicit prospective employers or clients to represent as a paid lobbyist during the time of such service until the expiration of ~~[two]~~ **four** calendar years after the conclusion of the session of the general assembly in which the member or employee last served and where such service was after December ~~[6, 2018]~~ **4, 2020**.

(b) No person serving as a member of or employed by the general assembly shall accept directly or indirectly a gift of any tangible or intangible item, service, or thing of value from any paid lobbyist or lobbyist principal ~~[in excess of five dollars per occurrence]~~. This Article shall not prevent candidates for the general assembly, including candidates for reelection, or

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.

11 candidates for offices within the senate or house from accepting campaign contributions
12 consistent with this Article and applicable campaign finance law. Nothing in this section shall
13 prevent individuals from receiving gifts, family support or anything of value from those related
14 to them within the fourth degree by blood or marriage. ~~[The dollar limitations of this section
15 shall be increased or decreased each year by the percentage of increase or decrease from the end
16 of the previous calendar year of the Consumer Price Index, or successor index as published by
17 the U.S. Department of Labor, or its successor agency, and rounded to the nearest dollar
18 amount.]~~

19 (c) The general assembly shall make no law authorizing unlimited campaign
20 contributions to candidates for the general assembly, nor any law that circumvents the
21 contribution limits contained in this Constitution. In addition to other campaign contribution
22 limitations or restrictions provided for by law, the amount of contributions made to or accepted
23 by any candidate or candidate committee from any person other than the candidate in any one
24 election for the general assembly shall not exceed the following:

25 (1) To elect an individual to the office of state senator, two thousand five hundred
26 dollars; and

27 (2) To elect an individual to the office of state representative, two thousand dollars.

28 The contribution limits and other restrictions of this section shall also apply to any person
29 exploring a candidacy for a public office listed in this subsection.

30 For purposes of this subsection, "base year amount" shall be the contribution limits
31 prescribed in this section. Contribution limits set forth herein shall be adjusted on the first day
32 of January in each even-numbered year hereafter by multiplying the base year amount by the
33 cumulative Consumer Price Index and rounded to the nearest dollar amount, for all years after
34 ~~[2018]~~ **2020**.

35 (d) No contribution to a candidate for legislative office shall be made or accepted,
36 directly or indirectly, in a fictitious name, in the name of another person, or by or through another
37 person in such a manner as to, or with the intent to, conceal the identity of the actual source of
38 the contribution. There shall be a rebuttable presumption that a contribution to a candidate for
39 public office is made or accepted with the intent to circumvent the limitations on contributions
40 imposed in this section when a contribution is received from a committee or organization that
41 is primarily funded by a single person, individual, or other committee that has already reached
42 its contribution limit under any law relating to contribution limitations. A committee or
43 organization shall be deemed to be primarily funded by a single person, individual, or other
44 committee when the committee or organization receives more than fifty percent of its annual
45 funding from that single person, individual, or other committee.

46 (e) In no circumstance shall a candidate be found to have violated limits on acceptance
47 of contributions if the Missouri ethics commission, its successor agency, or a court determines
48 that a candidate has taken no action to indicate acceptance of or acquiescence to the making of
49 an expenditure that is deemed a contribution pursuant to this section.

50 (f) No candidate shall accept contributions from any federal political action committee
51 unless the committee has filed the same financial disclosure reports that would be required of
52 a Missouri political action committee.

Section 3. ~~[(a) There is hereby established the post of "Nonpartisan State Demographer".
2 The nonpartisan state demographer shall acquire appropriate information to develop procedures
3 in preparation for drawing legislative redistricting maps on the basis of each federal census for
4 presentation to the house apportionment commission and the senatorial apportionment
5 commission.~~

6 ~~—— (b) The nonpartisan state demographer shall be selected through the following process.
7 First, state residents may apply for selection to the state auditor using an application developed
8 by the state auditor to determine an applicant's qualifications and expertise relevant to the
9 position. Second, the state auditor shall deliver to the majority leader and minority leader of the
10 senate a list of at least three applicants with sufficient expertise and qualifications, as determined
11 by the state auditor, to perform the duties of the nonpartisan state demographer. Third, if the
12 majority leader and minority leader of the senate together agree that a specific applicant should
13 be selected to be the nonpartisan state demographer, that applicant shall be selected and the
14 selection process shall cease. Fourth, if the majority leader and minority leader of the senate
15 cannot together agree on an applicant, they may each remove a number of applicants on the state
16 auditor's list equal to one-third of the total number of applicants on that list, rounded down to the
17 next integer, and the state auditor shall then conduct a random lottery of the applicants remaining
18 after removal to select the nonpartisan state demographer. The state auditor shall prescribe a
19 time frame and deadlines for this application and selection process that both encourages
20 numerous qualified applicants and avoids delay in selection. The nonpartisan state demographer
21 shall serve a term of five years and may be reappointed. To be eligible for the nonpartisan state
22 demographer position, an individual shall not have served in a partisan, elected position for four
23 years prior to the appointment. The nonpartisan state demographer shall be disqualified from
24 holding office as a member of the general assembly for four years following the date of the
25 presentation of his or her most recent legislative redistricting map to the house apportionment
26 commission or the senatorial apportionment commission.~~

27 ~~—— (e)]~~ **The house of representatives shall be apportioned using an independent citizens**
28 **redistricting commission. Within sixty days after the population of this state is reported**
29 **to the President for each decennial census of the United States and, in the event that a**

30 reapportionment has been invalidated by a court of competent jurisdiction, within sixty
31 days after notification by the governor that such a ruling has been made, the congressional
32 district committee of each of the two parties casting the highest vote for governor at the last
33 preceding election shall meet and the members of the committee shall nominate, by a
34 majority vote of the members of the committee present, provided that a majority of the
35 elected members is present, two members of their party, residents in that district, as
36 nominees for reapportionment commissioners. Neither party shall select more than one
37 nominee from any one state legislative district. The congressional committees shall each
38 submit to the governor their list of elected nominees. Within thirty days, the governor shall
39 appoint a commission consisting of one name from each list to reapportion the state into
40 one hundred and sixty-three representative districts and to establish the numbers and
41 boundaries of said districts.

42 If any of the congressional committees fails to submit a list within such time, the
43 governor shall appoint a member of his or her own choice from that district and from the
44 political party of the committee failing to make the appointment.

45 Members of the commission shall be disqualified from holding office as members
46 of the general assembly for four years following the date of the filing by the commission
47 of its final statement of apportionment.

48 For the purposes of this article, the term "congressional district committee" or
49 "congressional district" refers to the congressional district committee or the congressional
50 district from which a congressman was last elected, or, in the event members of congress
51 from this state have been elected at large, the term "congressional district committee"
52 refers to those persons who last served as the congressional district committee for those
53 districts from which congressmen were last elected, and the term "congressional district"
54 refers to those districts from which congressmen were last elected. Any action pursuant
55 to this section by the congressional district committee shall take place only at duly called
56 meetings, shall be recorded in their official minutes, and only members present in person
57 shall be permitted to vote.

58 The commissioners so selected shall on the fifteenth day, excluding Sundays and
59 holidays, after all members have been selected, meet in the capitol building and proceed
60 to organize by electing from their number a chair, vice chair, and secretary and shall adopt
61 an agenda establishing at least three hearing dates on which hearings open to the public
62 shall be held. A copy of the agenda shall be filed with the chief clerk of the house of
63 representatives within twenty-four hours after its adoption. Executive meetings may be
64 scheduled and held as often as the commission deems advisable.

65 The house of representatives shall consist of one hundred sixty-three members elected
66 at each general election ~~[and apportioned as provided in this section].~~

67 **[(1)] The commission shall reapportion the house of representatives as follows:**

68 Within ten days after the population of this state is reported to the President for each
69 decennial census of the United States or, in the event that a reapportionment has been invalidated
70 by a court of competent jurisdiction, within ten days after such a ruling has been made, the
71 ~~[nonpartisan state demographer]~~ **commission** shall begin the preparation of legislative districting
72 plans and maps using the following methods, listed in order of priority:

73 a. Districts shall be established on the basis of total population. Legislative districts shall
74 each have a total population as nearly equal as practicable to the ideal population for such
75 districts, determined by dividing the number of districts to be established into the total
76 population of the state reported in the federal decennial census; **consist of contiguous territory;**
77 **and, to the extent possible, keep together communities of interest including, but not limited**
78 **to, cities and counties. For the purposes of redistricting, areas that meet only at points of**
79 **adjoining corners shall not be considered contiguous;**

80 b. Districts shall be established in a manner so as to comply with all requirements of the
81 United States Constitution and applicable federal laws, including, but not limited to, the Voting
82 Rights Act of 1965 (as amended). Notwithstanding any other provision of this Article, districts
83 shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial
84 or language minorities to participate in the political process or diminishing their ability to elect
85 representatives of their choice, whether by themselves or by voting in concert with other persons.

86 c. Districts shall be designed in a manner that achieves both partisan fairness and,
87 secondarily, competitiveness. "Partisan fairness" means that parties shall be able to translate
88 their popular support into legislative representation with approximately equal efficiency.
89 "Competitiveness" means that parties' legislative representation shall be substantially and
90 similarly responsive to shifts in the electorate's preferences.

91 ~~[To this end, the nonpartisan state demographer shall calculate the average electoral~~
92 ~~performance of the two parties receiving the most votes in the three preceding elections for~~
93 ~~governor, for United States Senate, and for President of the United States. This index shall be~~
94 ~~defined as the total votes received by each party in the three preceding elections for governor,~~
95 ~~for United States Senate, and for President of the United States, divided by the total votes cast~~
96 ~~for both parties in these elections. Using this index, the nonpartisan state demographer shall~~
97 ~~calculate the total number of wasted votes for each party, summing across all of the districts in~~
98 ~~the plan. "Wasted votes" are votes cast for a losing candidate or for a winning candidate in~~
99 ~~excess of the fifty percent threshold needed for victory. In any plan of apportionment and map~~
100 ~~of the proposed districts submitted to the respective apportionment commission, the nonpartisan~~

state demographer shall ensure the difference between the two parties' total wasted votes, divided by the total votes cast for the two parties, is as close to zero as practicable.

~~———— To promote competitiveness, the nonpartisan state demographer shall use the electoral performance index to simulate elections in which the hypothetical statewide vote shifts by one percent, two percent, three percent, four percent, and five percent in favor of each party. The vote in each individual district shall be assumed to shift by the same amount as the statewide vote. The nonpartisan state demographer shall ensure that, in each of these simulated elections, the difference between the two parties' total wasted votes, divided by the total votes cast for the two parties, is as close to zero as practicable;~~

~~———— c. Subject to the requirements of paragraphs a. and b. of this subdivision, districts shall be composed of contiguous territory. Areas which meet only at the points of adjoining corners are not contiguous;~~

~~———— d. To the extent consistent with paragraphs a. to c. of this subdivision, district boundaries shall coincide with the boundaries of political subdivisions of the state. The number of counties and cities divided among more than one district shall be as small as possible. When there is a choice between dividing local political subdivisions, the more populous subdivisions shall be divided before the less populous, but this preference shall not apply to a legislative district boundary drawn along a county line which passes through a city that lies in more than one county;~~

~~———— e. Preference shall be that districts are compact in form, but the standards established by paragraphs a. to d. of this subdivision take precedence over compactness where a conflict arises between compactness and these standards. In general, compact districts are those which are square, rectangular, or hexagonal in shape to the extent permitted by natural or political boundaries.~~

~~———— (2) Within sixty days after the population of this state is reported to the President for each decennial census of the United States or, in the event that a reapportionment has been invalidated by a court of competent jurisdiction, within sixty days that such a ruling has been made, the congressional district committee of each of the two parties casting the highest vote for governor at the last preceding election shall meet and the members of the committee shall nominate, by a majority vote of the members of the committee present, provided that a majority of the elected members is present, two members of their party, residents in that district, as nominees for reapportionment commissioners. Neither party shall select more than one nominee from any one state legislative district. The congressional committees shall each submit to the governor their list of elected nominees. Within thirty days the governor shall appoint a commission consisting of one name from each list to reapportion the state into one hundred and sixty-three representative districts and to establish the numbers and boundaries of said districts.~~

137 ~~———— If any of the congressional committees fails to submit a list within such time the governor~~
138 ~~shall appoint a member of his own choice from that district and from the political party of the~~
139 ~~committee failing to make the appointment.~~

140 ~~———— Members of the commission shall be disqualified from holding office as members of the~~
141 ~~general assembly for four years following the date of the filing by the commission of its final~~
142 ~~statement of apportionment.~~

143 ~~———— For the purposes of this Article, the term congressional district committee or~~
144 ~~congressional district refers to the congressional district committee or the congressional district~~
145 ~~from which a congressman was last elected, or, in the event members of congress from this state~~
146 ~~have been elected at large, the term congressional district committee refers to those persons who~~
147 ~~last served as the congressional district committee for those districts from which congressmen~~
148 ~~were last elected, and the term congressional district refers to those districts from which~~
149 ~~congressmen were last elected. Any action pursuant to this section by the congressional district~~
150 ~~committee shall take place only at duly called meetings, shall be recorded in their official~~
151 ~~minutes and only members present in person shall be permitted to vote.~~

152 ~~———— (3) Within six months after the population of this state is reported to the President for~~
153 ~~each decennial census of the United States or, in the event that a reapportionment has been~~
154 ~~invalidated by a court of competent jurisdiction, within six months after such a ruling has been~~
155 ~~made, the nonpartisan state demographer shall make public and file with the secretary of state~~
156 ~~and with the house apportionment commission a tentative plan of apportionment and map of the~~
157 ~~proposed districts, as well as all demographic and partisan data used in the creation of the plan~~
158 ~~and map.~~

159 ~~———— The commissioners so selected shall, within ten days of receiving the tentative plan of~~
160 ~~apportionment and map of the proposed districts, meet in the capitol building and proceed to~~
161 ~~organize by electing from their number a chairman, vice chairman and secretary. The~~
162 ~~commission shall adopt an agenda establishing at least three hearing dates on which hearings~~
163 ~~open to the public shall be held to hear objections or testimony from interested persons. A copy~~
164 ~~of the agenda shall be filed with the clerk of the house of representatives within twenty-four~~
165 ~~hours after its adoption. Executive meetings may be scheduled and held as often as the~~
166 ~~commission deems advisable.~~

167 ~~———— The commission may make changes to the tentative plan of apportionment and map of~~
168 ~~the proposed districts received from the nonpartisan state demographer provided that such~~
169 ~~changes are consistent with this section and approved by a vote of at least seven-tenths of the~~
170 ~~commissioners. If no changes are made or approved as provided for in this subsection, the~~
171 ~~tentative plan of apportionment and map of proposed districts shall become final. Not later than~~
172 ~~two months of receiving the tentative plan of apportionment and map of the proposed districts,~~

173 ~~the commission shall file with the secretary of state a final statement of the numbers and the~~
174 ~~boundaries of the districts together with a map of the districts.]~~

175 **No later than five months after the appointment of the commission, the commission**
176 **shal file with the secretary of state a tentative plan of apportionment and map of the**
177 **proposed districts and during the ensuing fifteen days shall hold public hearings as**
178 **necessary to hear objections or testimony of interested persons.**

179 **No later than six months after the appointment of the commission, the commission**
180 **shall file with the secretary of state a final statement of the numbers and the boundaries**
181 **of the districts together with a map of the districts, and no statement shall be valid unless**
182 **approved by at least seven-tenths of the members.**

183 **After the statement is filed, members of the house of representatives shall be elected**
184 **according to such districts until a reapportionment is made as herein provided, except that**
185 **if the statement is not filed within six months of the time fixed for the appointment of the**
186 **commission, it shall stand discharged and the house of representatives shall be apportioned**
187 **by a commission of six members appointed from among the judges of the appellate courts**
188 **of the state of Missouri by the supreme court, a majority of whom shall sign and file its**
189 **apportionment plan and map with the secretary of state within ninety days of the date of**
190 **the discharge of the apportionment commission. Thereafter, members of the house of**
191 **representatives shall be elected according to such districts until a reapportionment is made**
192 **as herein provided.**

193 Each member of the commission shall receive as compensation fifteen dollars a day for
194 each day the commission is in session but not more than one thousand dollars, and, in addition,
195 shall be reimbursed for his actual and necessary expenses incurred while serving as a member
196 of the commission.

197 No reapportionment shall be subject to the referendum.

Section 5. The senate shall consist of thirty-four members elected by the qualified voters
2 of the senatorial districts for a term of four years. ~~[-Senatorial districts shall be apportioned as~~
3 ~~provided for in Article III, Section 7]~~ **For the election of senators, the state shall be divided**
4 **into convenient districts of contiguous territory, as compact and nearly equal in**
5 **population.**

Section 7. ~~[(a) Within ten days after the population of this state is reported to the~~
2 ~~President for each decennial census of the United States or, in the event that a reapportionment~~
3 ~~has been invalidated by a court of competent jurisdiction, within ten days after such a ruling has~~
4 ~~been made, the nonpartisan state demographer authorized in Article III, Section 3 shall begin the~~
5 ~~preparation of senatorial districting plans and maps using the same methods and criteria as those~~

6 required by Article III, Section 3 for the establishment of districts for the house of
7 representatives:

8 ~~—— (b) Within sixty days after the population of this state is reported to the President for~~
9 ~~each decennial census of the United States, or within sixty days after a reapportionment has been~~
10 ~~invalidated by a court of competent jurisdiction, the state committee of each of the two political~~
11 ~~parties casting the highest vote for governor at the last preceding election shall, at a committee~~
12 ~~meeting duly called, select by a vote of the individual committee members, and thereafter submit~~
13 ~~to the governor a list of ten persons, and within thirty days thereafter the governor shall appoint~~
14 ~~a commission of ten members, five from each list, to reapportion the thirty-four senatorial~~
15 ~~districts and to establish the numbers and boundaries of said districts.~~

16 ~~—— If either of the party committees fails to submit a list within such time the governor shall~~
17 ~~appoint five members of his own choice from the party of the committee so failing to act.~~

18 ~~—— Members of the commission shall be disqualified from holding office as members of the~~
19 ~~general assembly for four years following the date of the filing by the commission of its final~~
20 ~~statement of apportionment.~~

21 ~~—— (c) Within six months after the population of this state is reported to the President for~~
22 ~~each decennial census of the United States or in the event that a reapportionment has been~~
23 ~~invalidated by a court of competent jurisdiction, within six months after such a ruling has been~~
24 ~~made, the nonpartisan state demographer shall file with the secretary of state and with the~~
25 ~~senatorial apportionment commission a tentative plan of apportionment and map of the proposed~~
26 ~~districts.~~

27 ~~—— The commissioners so selected shall within ten days of receiving the tentative plan of~~
28 ~~apportionment and map of the proposed districts required by this subsection, meet in the capitol~~
29 ~~building and proceed to organize by electing from their number a chairman, vice chairman and~~
30 ~~secretary. The commission shall adopt an agenda establishing at least three hearing dates on~~
31 ~~which hearings open to the public shall be held to hear objections or testimony from interested~~
32 ~~persons. A copy of the agenda shall be filed with the secretary of the senate within twenty-four~~
33 ~~hours after its adoption. Executive meetings may be scheduled and held as often as the~~
34 ~~commission deems advisable. The commission may make changes to the tentative plan of~~
35 ~~apportionment and map of the proposed districts received from the nonpartisan state~~
36 ~~demographer provided that such changes are consistent with this section and the methods and~~
37 ~~criteria required by Section 3 of this Article for the establishment of districts for the house of~~
38 ~~representatives and approved by a vote of at least seven-tenths of the commissioners. If no~~
39 ~~changes are made or approved as provided for in this subsection, the tentative plan of~~
40 ~~apportionment and map of proposed districts shall become final. Not later than two months after~~
41 ~~receiving the tentative plan of apportionment and map of the proposed districts, the commission~~

42 ~~shall file with the secretary of state a final statement of the numbers and the boundaries of the~~
43 ~~districts together with a map of the districts.]~~

44 **The senate shall be apportioned using an independent citizens redistricting**
45 **commission. Within sixty days after the population of this state is reported to the President**
46 **for each decennial census of the United States, and within sixty days after notification by**
47 **the governor that a reapportionment has been invalidated by a court of competent**
48 **jurisdiction, the state committee of each of the two political parties casting the highest vote**
49 **for governor at the last preceding election shall, at a committee meeting duly called, select**
50 **by a vote of the individual committee members, and thereafter submit to the governor a**
51 **list of ten persons, and within thirty days thereafter the governor shall appoint a**
52 **commission of ten members, five from each list, to reapportion the thirty-four senatorial**
53 **districts and to establish the numbers and boundaries of said districts.**

54 **If either of the party committees fails to submit a list within such time, the governor**
55 **shall appoint five members of his or her own choice from the party of the committee so**
56 **failing to act.**

57 **Members of the commission shall be disqualified from holding office as members**
58 **of the general assembly for four years following the date of the filing by the commission**
59 **of its final statement of apportionment.**

60 **The commissioners so selected shall on the fifteenth day, excluding Sundays and**
61 **holidays, after all members have been selected, meet in the capitol building and proceed**
62 **to organize by electing from their number a chair, vice chair, and secretary and shall adopt**
63 **an agenda establishing at least three hearing dates on which hearings open to the public**
64 **shall be held. A copy of the agenda shall be filed with the secretary of the senate within**
65 **twenty-four hours after its adoption. Executive meetings may be scheduled and held as**
66 **often as the commission deems advisable.**

67 **The senate shall consist of thirty-four members elected at each general election. The**
68 **commission shall reapportion the senate as follows:**

69 **Within ten days after the population of this state is reported to the President for**
70 **each decennial census of the United States or, in the event that a reapportionment has been**
71 **invalidated by a court of competent jurisdiction, within ten days after such a ruling has**
72 **been made, the commission shall begin the preparation of legislative districting plans and**
73 **maps using the following methods, listed in order of priority:**

74 **a. Districts shall be established on the basis of total population. Senate districts**
75 **shall each have a total population as nearly equal as practicable to the ideal population for**
76 **such districts, determined by dividing the total population of the state reported in the**
77 **federal decennial census by thirty-four; however, no county lines shall be crossed except**

78 when necessary to add sufficient population to a multi-district county or city to complete
79 only one district which lies partly within such multi-district county or city so as to be as
80 nearly equal as practicable in population and any county with a population in excess of the
81 quotient obtained by dividing the population of the state by thirty-four is hereby declared
82 to be a multi-district county; consist of contiguous territory; and, to the extent possible,
83 keep together communities of interest including, but not limited to, cities and counties. For
84 the purposes of redistricting, areas that meet only at points of adjoining corners shall not
85 be considered contiguous;

86 b. Districts shall be established in a manner so as to comply with all requirements
87 of the United States Constitution and applicable federal laws, including, but not limited to,
88 the Voting Rights Act of 1965 (as amended). Notwithstanding any other provision of this
89 Article, districts shall not be drawn with the intent or result of denying or abridging the
90 equal opportunity of racial or language minorities to participate in the political process or
91 diminishing their ability to elect representatives of their choice, whether by themselves or
92 by voting in concert with other persons.

93 c. Districts shall be designed in a manner that achieves both partisan fairness and,
94 secondarily, competitiveness. "Partisan fairness" means that parties shall be able to
95 translate their popular support into legislative representation with approximately equal
96 efficiency. "Competitiveness" means that parties' legislative representation shall be
97 substantially and similarly responsive to shifts in the electorate's preferences.

98 No later than five months after the appointment of the commission, the commission
99 shall file with the secretary of state a tentative plan of apportionment and map of the
100 proposed districts and during the ensuing fifteen days shall hold public hearings as
101 necessary to hear objections or testimony of interested persons.

102 No later than six months after the appointment of the commission, the commission
103 shall file with the secretary of state a final statement of the numbers and the boundaries
104 of the districts together with a map of the districts, and no statement shall be valid unless
105 approved by at least seven-tenths of the members.

106 After the statement is filed, members of the senate shall be elected according to such
107 districts until a reapportionment is made as herein provided, except that if the statement
108 is not filed within six months of the time fixed for the appointment of the commission, it
109 shall stand discharged and the senate shall be apportioned by a commission of six members
110 appointed from among the judges of the appellate courts of the state of Missouri by the
111 supreme court, a majority of whom shall sign and file its apportionment plan and map with
112 the secretary of state within ninety days of the date of the discharge of the apportionment

113 **commission. Thereafter, members of the senate shall be elected according to such districts**
114 **until a reapportionment is made as herein provided.**

115 Each member of the commission shall receive as compensation fifteen dollars a day for
116 each day the commission is in session, but not more than one thousand dollars, and, in addition,
117 shall be reimbursed for his actual and necessary expenses incurred while serving as a member
118 of the commission.

119 No reapportionment shall be subject to the referendum.
120 as possible.

Section 19. (a) Senators and representatives shall, in all cases except treason, felony,
2 offenses under this Article, or breach of the peace, be privileged from arrest during the session
3 of the general assembly, and for the fifteen days next before the commencement and after the
4 termination of each session; and they shall not be questioned for any speech or debate in either
5 house in any other place.

6 (b) Legislative records shall be public records and subject to generally applicable state
7 laws governing public access to public records, including the Sunshine Law, **except where such**
8 **records include personally identifiable information of Missouri residents. Legislative**
9 **records with such identifiable information shall be deemed closed records.** Legislative
10 records include, but are not limited to, all records, in whatever form or format, of the official acts
11 of the general assembly, of the official acts of legislative committees, of the official acts of
12 members of the general assembly, of individual legislators, their employees and staff, of the
13 conduct of legislative business and all records that are created, stored or distributed through
14 legislative branch facilities, equipment or mechanisms, including electronic. Each member of
15 the general assembly is the custodian of legislative records under the custody and control of the
16 member, their employees and staff. The chief clerk of the house or the secretary of the senate
17 are the custodians for all other legislative records relating to the house and the senate,
18 respectively.

19 (c) Legislative proceedings, including committee proceedings, shall be public meetings
20 subject to generally applicable law governing public access to public meetings, including the
21 Sunshine Law. Open public meetings of legislative proceedings shall be subject to recording by
22 citizens, so long as the proceedings are not materially disrupted.

✓