

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 97

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EGGLESTON.

4747H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 49, 50, and 52(b) of Article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to initiative petitions proposing amendments to the constitution.

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Section A. Sections 49, 50, and 52(b), Article III, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as Sections 49, 50, 50(a), and 52(b), to read as follows:

Section 49. The people reserve power to propose and enact or reject laws and amendments to the constitution by the initiative~~[, independent of the general assembly,]~~ and also reserve power to approve or reject by referendum any act of the general assembly, except as hereinafter provided.

Section 50. Initiative petitions proposing amendments to the constitution shall be signed by eight percent of the legal voters in each ~~[of two-thirds]~~ of the congressional districts in the state, and petitions proposing laws shall be signed by five percent of such voters. ~~[Every such petition shall be filed with the secretary of state not less than six months before the election and shall contain an enacting clause and the full text of the measure.]~~ Petitions for constitutional amendments shall not contain more than one amended and revised article of this constitution,

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.

7 or one new article which shall not contain more than one subject and matters properly connected
8 therewith, and the enacting clause thereof shall be "Be it resolved by the people of the state of
9 Missouri that the Constitution be amended:". Petitions for laws shall contain not more than one
10 subject which shall be expressed clearly in the title, and the enacting clause thereof shall be "Be
11 it enacted by the people of the state of Missouri:".

Section 50(b). Initiative petitions proposing amendments to the Constitution of
2 **Missouri shall be subject to approval by the general assembly after the initiative petition**
3 **has received the requisite number of signatures but before it is placed on the ballot. An**
4 **initiative petition shall be submitted to the general assembly no later than March first of**
5 **the first or second session of the general assembly immediately prior to the general election**
6 **when the petition shall appear on the ballot. The general assembly shall vote on the**
7 **initiative petition as submitted or amend the initiative petition no later than the first Friday**
8 **following the second Monday in May of the second regular session of the general assembly**
9 **prior to the general election. Initiative petitions submitted to the general assembly under**
10 **this section shall not require the governor's signature. The initiative petition shall be**
11 **returned to its sponsors after 6:00 p.m. on the first Friday following the second Monday**
12 **in May. The sponsors of the initiative petition shall have until May thirtieth to submit the**
13 **initiative petition to the secretary of state. If the initiative petition passes in both houses**
14 **of the general assembly as proposed, it shall become law when approved by a majority of**
15 **the votes cast thereon, and not otherwise. If the general assembly amended the initiative**
16 **petition, the sponsors shall choose to submit either the original or amended version to the**
17 **secretary of state as provided in this section. If the sponsors submit the original initiative**
18 **petition, it shall become law when approved by two-thirds of the votes cast thereon, and**
19 **not otherwise. If the sponsors submit the initiative petition as amended by the general**
20 **assembly, it shall become law when approved by a majority of the votes cast thereon, and**
21 **not otherwise. If one or both houses of the general assembly fails to pass the initiative**
22 **petition as proposed or as amended, the sponsors may submit the original or amended**
23 **initiative petition to the secretary of state. All initiative petitions that fail to pass the**
24 **general assembly but are submitted to the secretary of state shall become law when**
25 **approved by two-thirds of the votes cast thereon, and not otherwise.**

Section 52(b). The veto power of the governor shall not extend to measures referred to
2 the people. All elections on measures referred to the people shall be had at the general state
3 elections, except when the general assembly shall order a special election. Any measure referred
4 to the people, **except as otherwise provided by this Constitution**, shall take effect when
5 approved by a majority of the votes cast thereon, and not otherwise. This section shall not be
6 construed to deprive any member of the general assembly of the right to introduce any measure.