

FIRST REGULAR SESSION

# HOUSE BILL NO. 391

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MURPHY.

1286H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 116.160, RSMo, and to enact in lieu thereof one new section relating to constitutional amendments.

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

Section A. Section 116.160, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 116.160, to read as follows:

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. **If the general assembly adopts a joint resolution proposing a constitutional amendment or statutory measure that includes an official summary statement, the statement shall appear on the ballot, and no court shall have the authority to rewrite or edit the summary statement or ballot language. If such summary statement or ballot**

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.

18 **language is challenged in court and the court finds the summary statement or ballot**  
19 **language to be legally flawed, the general assembly shall rewrite or edit the statement or**  
20 **language if the general assembly is in session at the time of the court's ruling. If such a**  
21 **court's ruling is made at a time when the general assembly is not in session, the**  
22 **secretary of state shall rewrite or edit the statement or language.**

23 ~~[2-]~~ 3. The official summary statement shall contain no more than fifty words,  
24 excluding articles. The title shall be a true and impartial statement of the purposes of the  
25 proposed measure in language neither intentionally argumentative nor likely to create  
26 prejudice either for or against the proposed measure.

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