

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE NO. 3

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE JOINT RESOLUTION NO. 43

Submitting to the qualified voters of Missouri, an amendment repealing Sections 50 and 51 of Article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to procedures for ballot measures submitted to the voters.

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, 2024, 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Section A. Sections 50 and 51, Article III, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as Sections 27(a), 50, 51, and 54, to read as follows:

Section 27(a). Notwithstanding section 27 of this article or section 2(a) of article XII of this constitution to the contrary, no bill proposing an amendment to this constitution shall be finally passed unless a vote by yeas and nays be taken and at least

5 fifty-seven percent of the members serving in each house be
6 recorded as voting favorably.

Section 50. Initiative petitions proposing amendments to the
2 constitution shall be signed by eight percent of the legal voters
3 in each of two-thirds of the congressional districts in the state,
4 and petitions proposing laws shall be signed by five percent of
5 such voters. Every such petition shall be filed with the secretary
6 of state not less than six months before the election and shall
7 contain an enacting clause and the full text of the measure. Legal
8 voters in each congressional district shall have the opportunity
9 to review and comment upon all initiative petitions proposing an
10 amendment to this constitution following the filing of the
11 petition with the secretary of state and not less than fifteen days
12 before the measure appears on the ballot. Such review and comment
13 process shall be administered by the secretary of state in a public
14 forum. Petitions for constitutional amendments shall not contain
15 more than one amended and revised article of this constitution, or
16 one new article which shall not contain more than one subject and
17 matters properly connected therewith, and the enacting clause
18 thereof shall be "Be it resolved by the people of the state of
19 Missouri that the Constitution be amended:". Petitions for laws
20 shall contain not more than one subject which shall be expressed
21 clearly in the title, and the enacting clause thereof shall be "Be
22 it enacted by the people of the state of Missouri:". For purposes
23 of this article, only citizens of the United States of America, who
24 are eighteen years of age or older, who are residents of the State
25 of Missouri and who are properly registered to vote in the State of

26 Missouri shall be considered legal voters.

Section 51. 1. The initiative shall not be used:

2 (1) For the appropriation of money other than of new revenues
3 created and provided for thereby~~[7]~~; or

4 (2) For any other purpose prohibited by this constitution.
5 ~~[Except as provided in this constitution,]~~

6 2. (1) Any measure ~~[proposed]~~ proposing laws shall take
7 effect when approved by a majority of the votes cast thereon.

8 (2) Notwithstanding section 52(b) of this article or section
9 2(b) of article XII of this constitution to the contrary, any
10 measure proposing an amendment to this constitution shall take
11 effect when approved by at least fifty-seven percent of the votes
12 cast by legal voters.

13 (3) When conflicting measures are approved at the same
14 election the one receiving the largest affirmative vote shall
15 prevail.

16 3. The general assembly shall ensure that legal voters who
17 are disabled, including but not limited to those voters who are
18 hearing impaired, speech impaired, or visually impaired, can
19 review, comment on, sign, or decline to sign ballot measures.

Section 54. 1. Notwithstanding section 27 of this article to
2 the contrary, until three years following the effective date of any
3 law approved by the people through the initiative petition
4 process, the general assembly shall not pass any law amending or
5 repealing the substantive law of such measure unless, by a vote of
6 yeas and nays, at least fifty-seven percent of the members serving
7 in each house be recorded as voting favorably.

8 2. The provisions of subsection 1 of this section shall not
9 apply in the case of a law amending or repealing substantive law of
10 a measure approved by the people through the initiative petition
11 process if the general assembly orders a referendum pursuant to
12 section 52(a) of this article. Any such law may be approved by the
13 general assembly as is otherwise permitted by this constitution.

14 3. In the event that a court of competent jurisdiction issues
15 a final judgment that declares a law approved by the people through
16 the initiative petition process unconstitutional or otherwise
17 invalid, in whole or in part, or that otherwise renders the law
18 inoperable and of no force and effect of law, in whole or in part,
19 the provisions of subsection 1 of this section shall not apply and
20 the general assembly may amend or repeal such measure in a manner
21 that is otherwise consistent with this constitution.

22 4. Subsections 1, 2, and 3 of this section shall not apply to
23 any constitutional amendment adopted through the initiative
24 petition process.

Section B. Under chapter 116, and other applicable
2 constitutional provisions and laws of this state allowing the
3 general assembly to adopt ballot language for the submission of a
4 joint resolution to the voters of this state, the official ballot
5 title of the amendment proposed in Section A shall be as follows:

6 "Shall the Missouri Constitution be amended to:

- 7 • Allow only U.S. citizens to vote on ballot measures;
- 8 • Restrict the legislature's power to propose constitutional
9 amendments and undo laws approved by voters;
- 10 • Ensure disabled individuals have access to ballot

11 measures; and

12 • Require that constitutional amendments pass by fifty-seven
13 percent majority statewide?".

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Representative Mike Henderson

Senator Sandy Crawford