

HCS HB 1749 -- INITIATIVE PETITIONS AND REFERENDUMS (Haffner)

COMMITTEE OF ORIGIN: Standing Committee on Elections and Elected Officials

This bill requires initiative and referendum petition signature pages to be printed on a form as specified by the Secretary of State. Signature page forms shall be made available in electronic format.

No measure circulating by petition shall claim to nullify or amend Federal law.

The bill provides that initiative and referendum petitions submitted to the Secretary of State shall not be considered open records under the Missouri Sunshine Law. No election authority shall knowingly provide completed petition pages to any entity other than the Secretary of State's office. A violation of this section shall be a class A misdemeanor.

Signatures shall be recorded using black or dark ink.

This bill requires that petition circulators be citizens of the United States, residents of Missouri or physically present in Missouri for at least 30 consecutive days prior to the collection of signatures, and prohibits them from being compensated based on the number of signatures collected.

The bill requires final adjudication relating to a challenge of the official ballot title or fiscal note to occur less than eight weeks before the date of the election.

Currently, the Secretary of State and Attorney General review initiative and referendum petitions for sufficiency as to form and approve or reject them on that basis. This bill changes this to require these officials to review initiative and referendum petitions for compliance with Section 116.050, RSMo and with Article III of the Missouri Constitution.

Currently, any citizen may challenge the official ballot title or fiscal note for a Constitutional amendment, initiative petition, or referendum measure. This bill changes this to only allow any Missouri registered voter to make such a challenge.

This bill requires initiative and referendum petition sample sheets to be submitted to the Secretary of State six months prior to the next general election.

If a court orders a change that substantially alters the content of the official ballot title of an initiative or referendum petition, all signatures gathered before such change occurred shall be invalidated.

This bill repeals the requirement that the Joint Committee on Legislative Research hold a hearing to take public comment on a proposed measure within 30 days of the Secretary of State issuing certification that the petition contains a sufficient number of valid signatures.

This bill is similar to HB 703 (2023).