

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 78

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SIMMONS.

2294H.02I

JOSEPH ENGLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 50, 51, and 52(b) of Article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to ballot measures submitted to 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, 2026, 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Section A. Sections 50, 51, and 52(b), Article III, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as Sections 50, 51, 52(b), and 54, to read as follows:

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. **Voters in each congressional district shall have the opportunity to review and comment upon all initiative petitions proposing amendments to the constitution following the filing of the petition with the secretary of state and not less than fifteen days before the measure**

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.

9 **appears on the ballot. Such review and comment process shall be administered by the**
10 **secretary of state in a public forum.** Petitions for constitutional amendments shall not
11 contain more than one amended and revised article of this constitution, or one new article
12 which shall not contain more than one subject and matters properly connected therewith, and
13 the enacting clause thereof shall be "Be it resolved by the people of the state of Missouri that
14 the Constitution be amended:". Petitions for laws shall contain not more than one subject
15 which shall be expressed clearly in the title, and the enacting clause thereof shall be "Be it
16 enacted by the people of the state of Missouri:". **For the purposes of this article, only**
17 **citizens of the United States of America who are residents of the state of Missouri and**
18 **who are properly registered to vote in the state of Missouri shall be considered legal**
19 **voters.**

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

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

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

6 2. It shall be unlawful for:

7 (1) A government of a foreign country, a foreign political party, or a registered
8 foreign agent to sponsor an initiative petition for any purpose whatsoever;

9 (2) A government of a foreign country, a foreign political party, or a registered
10 foreign agent to directly or indirectly make:

11 (a) A contribution or donation of money or other thing of value, or make an
12 express or implied promise to make a contribution or donation, in connection with an
13 initiative petition;

14 (b) A contribution or donation to a political committee or a political party
15 favoring or opposing an initiative petition; or

16 (c) An expenditure, independent expenditure, or disbursement for an
17 electioneering communication whether print, broadcast, or digital media, or
18 otherwise, related to an initiative petition; or

19 (3) A person to solicit, accept, or receive a contribution or donation from a
20 government of a foreign country, a foreign political party, or a registered foreign agent
21 in connection with an initiative petition.

22 3. (1) Any statutory measure [~~proposed~~] shall take effect when approved by a
23 majority of the votes cast thereon.

24 (2) Notwithstanding Section 2(b) of Article XII of this constitution, any
25 constitutional amendment referred to the people shall take effect when approved by
26 sixty percent of the votes cast thereon statewide by legal voters.

27 **(3)** When conflicting measures are approved at the same election the one receiving
28 the largest affirmative vote shall prevail.

 Section 52(b). **1.** The veto power of the governor shall not extend to measures
2 referred to the people. All elections on measures referred to the people shall be had at the
3 general state elections, except when the general assembly shall order a special election. Any
4 **statutory** measure referred to the people shall take effect when approved by a majority of the
5 votes cast thereon, and not otherwise. **Notwithstanding Section 2(b) of Article XII of this**
6 **constitution, any constitutional amendment referred to the people shall take effect when**
7 **approved by sixty percent of the votes cast thereon statewide by legal voters.** This
8 section shall not be construed to deprive any member of the general assembly of the right to
9 introduce any measure.

10 **2.** **Notwithstanding Section 51 of this article and Section 2(b) of Article XII of**
11 **this constitution, any ballot measure proposing an amendment solely to repeal an**
12 **amendment that was approved prior to November 3, 2026, shall take effect when**
13 **approved by a majority of the votes cast thereon.**

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

6 **2.** **In the event that a court of competent jurisdiction issues a final judgment that**
7 **declares a law approved by the people through the initiative petition process**
8 **unconstitutional or otherwise invalid, in whole or in part, or that otherwise renders**
9 **the law inoperable and of no force and effect of law, in whole or in part, the provisions of**
10 **subsection 1 of this section shall not apply and the general assembly may amend or**
11 **repeal such measure in a manner that is otherwise consistent with this constitution.**

12 **3.** **If any initiative petition proposing a constitutional amendment that is**
13 **approved by the people is found by a court of competent jurisdiction to be**
14 **unconstitutional or otherwise invalid, in whole or in part, the remaining provisions of**
15 **the amendment shall also be invalid.**

16 **4.** **Subsections 1 and 2 of this section shall apply only to any law adopted through**
17 **the initiative petition process.**

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