

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 102

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAKER.

3208H.011

JOSEPH ENGLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article VIII of the Constitution of Missouri, by adopting one new section relating to elections, with penalty provisions.

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 VIII of the Constitution of the state of Missouri:

Section A. Article VIII, Constitution of Missouri, is amended by adopting one new section, to be known as Section 12, to read as follows:

Section 12. 1. This section shall be known as the "Securing Missouri's Future from Foreign Interference in Elections Amendment".

2. The people of the state of Missouri hereby declare that it is the public policy of this state to secure the future of Missouri from foreign interference in elections, political campaigns, state sovereignty, and governance, and find that:

(1) President George Washington, in his Farewell Address to the American people in 1796, warned of foreign powers which "practice the arts of seduction, to mislead public opinion ... Against the insidious wiles of foreign influence ... a free people

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 ought to be constantly awake, since history and experience prove that foreign influence
10 is one of the most baneful foes of republican government".

11 (2) President John Adams, in his Inaugural Speech to the American people in
12 1797, warned of being "unfaithful to ourselves if we should ever lose sight of the danger
13 to our liberties if anything partial or extraneous should infect the purity of our free, fair,
14 virtuous, and independent elections". President Adams noted specifically that through
15 interference "by foreign nations by flattery or menaces, by fraud or violence, by terror,
16 intrigue, or venality, the Government may not be the choice of the American people, but
17 of foreign nations. It may be foreign nations who govern us, and not we, the people, who
18 govern ourselves".

19 (3) Restrictions on foreign election spending or interference of any kind are
20 necessary to secure our borders and keep American democracy safe from foreign
21 adversaries.

22 (4) Limits on illicit foreign campaign contributions can help stop money
23 laundering, vote-buying, bribery, and other attempts to manipulate elections and the
24 voters who participate in them and to corrupt lobbyists and public officials.

25 (5) Restraints on foreign actors and foreign interests, and those conspiring or
26 otherwise acting in concert with them, must be enacted into law to prevent direct or
27 indirect foreign influence on elections, political campaigns, state sovereignty, and
28 governance.

29 3. The general assembly is authorized to enact laws in furtherance of this public
30 policy and these findings. The provisions of this section and any laws enacted under the
31 authority of this section shall be liberally construed to promote this public policy and
32 these findings, which are embedded in the right of suffrage as a fundamental article of
33 republican government, rooted in democratic self- governance, and motivated by the
34 need to protect national and state sovereignty and security.

35 4. It shall be unlawful for a foreign government, a foreign political party, an
36 individual who is not a citizen of the United States of America, or any other foreign
37 national as defined by law to directly or indirectly make a payment, gift, loan, advance,
38 deposit, or donation of money or anything of value for the purpose of:

39 (1) Supporting or opposing the nomination or election of any candidate for
40 public office;

41 (2) Supporting or opposing the drafting, qualification, passage, or defeat of any
42 statewide or local ballot measure;

43 (3) Supporting or opposing the nomination, election or retention of any judicial
44 candidate or judge;

45 **(4) Supporting or opposing the election or appointment of any delegate to a**
46 **constitutional convention, a civil or military officer position, or any other public official**
47 **who is required by this constitution or by the laws of this state to take an oath or**
48 **affirmation to support or uphold the Constitution of the United States and the**
49 **Constitution of Missouri;**

50 **(5) Supporting or opposing any political party, officer or employee of a political**
51 **party, or candidate for or member of a political party committee;**

52 **(6) Supporting any committee that is supporting or opposing candidates, ballot**
53 **measures, judicial candidates, judges, any other public officials or civil or military**
54 **officers, political parties, political party officers or employees, or political party**
55 **committee candidates or members;**

56 **(7) Paying the debts or obligations of any candidate, ballot measure, judicial**
57 **candidate, judge, any other public official or civil or military officer, political party,**
58 **political party officer or employee, political party committee candidate or member, or**
59 **campaign committee previously incurred for the purpose of subdivisions (1) to (6) of this**
60 **subsection; or**

61 **(8) Making an electioneering communication, whether print, broadcast, or**
62 **digital media, or otherwise, in any state or local election.**

63 **5. If any lobbyist knowingly, willfully, corruptly, or fraudulently assists a foreign**
64 **government, a foreign political party, an individual who is not a citizen of the United**
65 **States of America, or any other foreign national as defined by law to violate any of the**
66 **provisions of this section or any law enacted under the authority of this section, then**
67 **such lobbyist's registration shall be revoked or suspended by the state, and such lobbyist**
68 **shall be prohibited from receiving compensation or making expenditures for lobbying.**
69 **If such knowing, willful, corrupt, or fraudulent assistance involved a state sponsor of**
70 **terrorism or a foreign terrorist organization, as defined by law, then such lobbyist shall**
71 **also be guilty of a felony and shall be punished as provided by law enacted by the**
72 **general assembly.**

73 **6. Knowingly, willfully, corruptly, or fraudulently assisting a foreign**
74 **government, a foreign political party, an individual who is not a citizen of the United**
75 **States of America, or any other foreign national to violate any of the provisions of this**
76 **section or any law enacted under the authority of this section, including but not limited**
77 **to accepting or concealing illegal foreign money or bribes from foreign interests, shall be**
78 **an impeachable offense if such public official is liable to impeachment pursuant to**
79 **Article VII, Section 1 of this constitution or if the officer is not liable to impeachment, it**
80 **shall be cause for removal from office in the manner provided by law. Beginning**
81 **January 1, 2027, any such public official who is removed or impeached for such**

82 violation shall be disqualified from receiving any pension and retirement benefits from
83 the state of Missouri. If such knowing, willful, corrupt, or fraudulent assistance
84 involved a state sponsor of terrorism or a foreign terrorist organization, then such
85 public official shall also be guilty of a felony and shall be punished as provided by law
86 enacted by the general assembly.

87 7. In addition to the restrictions on the use of the initiative and referendum in
88 other provisions of this constitution, an initiative or referendum petition shall not be
89 used to:

90 (1) Permit foreign interference in elections;

91 (2) Repeal, supersede, or subvert any laws of the United States, provisions of this
92 constitution, or laws of this state that prohibit a person who is not a citizen of the United
93 States from voting in elections in this state;

94 (3) Repeal, supersede, or subvert any provisions of this constitution or laws of
95 this state that prohibit a person who is not a citizen of the United States from being
96 elected or appointed to any civil or military office in this state;

97 (4) Eliminate, reduce, deny, or withhold the appropriation of money or other
98 public funds to any law enforcement agency, the Missouri Department of the National
99 Guard, first responders, or any governmental agency of this state that functions to
100 protect Missouri's borders or to otherwise keep the peace and provide internal security
101 within the borders of this state;

102 (5) Allow the purchase of farmland in Missouri by foreign interests;

103 (6) Authorize the sale, exchange, purchase, rental, or lease of any real estate by
104 or to foreign interests that is near a military installation that is located within the state
105 or outside the state but close to Missouri's borders; or

106 (7) Pose a threat to national or state security, weakening the borders of the
107 United States or Missouri, or damaging or destroying the future, growth, or safety of the
108 state, the citizens or residents of the state, or the children within the state, as set forth by
109 concurrent resolution approved by the general assembly, which need not be presented to
110 the governor for approval, or by law enacted by the general assembly.

111 8. To the greatest extent possible, election infrastructure used in state and local
112 elections, including but not limited to voter registration databases, voting machines,
113 voting tabulation equipment, and equipment for the secure transmission of election
114 results shall be sourced, manufactured, and assembled in the United States. This is to
115 promote election integrity and help restore public trust in elections by ensuring that
116 election information and information systems are immune from unauthorized access,
117 use, disclosure, disruption, modification, or destruction by foreign adversaries or others.
118 The general assembly shall enact such laws and may make such appropriations

119 necessary to enforce and assist in these and other state and local election integrity
120 efforts.

121 **9. The secretary of state shall determine and declare for each statewide initiative**
122 **and referendum petition whether it complies with the provisions of this section or other**
123 **provisions of this constitution, law, or concurrent resolution restricting the use of the**
124 **initiative and referendum. If a proposed statewide initiative or referendum petition**
125 **does not comply, the secretary of state shall remove it from consideration for signature**
126 **gathering and placement on the ballot, stating the reason or reasons why it was**
127 **removed. If a proposed constitutional amendment submitted by initiative petition or a**
128 **proposed law submitted by an initiative or referendum petition has been approved for**
129 **placement on the ballot, and if based on information that the secretary of state obtains**
130 **or receives after such placement that it does not comply with the provisions of this**
131 **section or other provisions of this constitution, law, or concurrent resolution restricting**
132 **the use of the initiative and referendum, then the secretary of state shall remove such**
133 **proposed constitutional amendment or law from the ballot prior to it being voted on,**
134 **stating the reason or reasons why it was removed. Any local initiative or referendum**
135 **measure that does not comply with the provisions of this section or other provisions of**
136 **this constitution, law, or concurrent resolution restricting the use of the initiative and**
137 **referendum shall be removed as provided by law enacted by the general assembly.**

138 **10. For all constitutional amendments submitted by initiative petition or laws**
139 **submitted by an initiative or referendum petition which were enacted into this**
140 **constitution or law on or after the general election held in November, 2024, and on or**
141 **before thirty-one days after this section is approved by the voters of Missouri, the**
142 **secretary of state shall determine and declare whether a foreign government, a foreign**
143 **political party, an individual who is not a citizen of the United States of America, or any**
144 **other foreign national as defined by law directly or indirectly made a significant**
145 **payment, gift, loan, advance, deposit, or donation of money or anything of value for the**
146 **purpose of supporting the drafting, qualification, or passage of such initiative or**
147 **referendum measure. If the secretary of state determines that such significant support**
148 **did occur, then the secretary of state shall declare that such constitutional amendment**
149 **or law is annulled and repealed. If such constitutional amendment or law, in whole or in**
150 **part, was the repeal and reenactment of a previously enacted provision or provisions of**
151 **this constitution or law, then the previously enacted provision or provisions of this**
152 **constitution or law shall be reinstated and shall be in full force and effect.**

153 **11. The general assembly shall have exclusive authority to enact laws enforcing**
154 **provisions in this constitution relating to election integrity, foreign interference in**

155 **elections and campaigns, and voting only by citizens of the United States in elections in**
156 **this state.**

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this joint resolution to the voters of this state, the official summary statement of this
4 resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to:

6 • Prevent foreign election interference;

7 • Punish lobbyists and public officials who take money or bribes from foreign
8 adversaries or assist them;

9 • Protect election integrity by using U.S.-made election equipment and allowing only
10 U.S. citizens to hold public office; and

11 • Prohibit foreign-funded ballot measures?"

Section C. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this joint resolution to the voters of this state, the official fiscal note statement of this
4 resolution shall be as follows:

5 • "State and local governmental entities might have costs when safeguarding election
6 integrity and infrastructure from foreign attacks. Governmental entities might have savings by
7 not paying pensions and retirement to public officials who unlawfully took money or bribes
8 from foreign adversaries. There are unknown costs or savings in securing Missouri's
9 borders.".

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