

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3353H.03T  
Bill No.: Truly Agreed To and Finally Passed HCS for HJR 3  
Subject: General Assembly; Constitutional Amendments  
Type: Original  
Date: September 18, 2025

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Bill Summary: This joint resolution creates the "Protect Missouri Voters" amendment.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>          |                                            |                                      |                |
|--------------------------------------------------------------|--------------------------------------------|--------------------------------------|----------------|
| <b>FUND AFFECTED</b>                                         | <b>FY 2026</b>                             | <b>FY 2027</b>                       | <b>FY 2028</b> |
| General Revenue                                              | \$0 or (More than<br>\$8,000,000)*         | \$0 up to<br>(\$1,000,000)**         | \$0            |
|                                                              |                                            |                                      |                |
| <b>Total Estimated Net<br/>Effect on General<br/>Revenue</b> | <b>\$0 or (More than<br/>\$8,000,000)*</b> | <b>\$0 up to<br/>(\$1,000,000)**</b> | <b>\$0</b>     |

\*The potential fiscal impact “(More than \$8,000,000)” would be realized only if a special election were called by the Governor to submit this joint resolution to voters.

\*\*The estimated cost (\$1 million) to print and mail the full text of the petition would be incurred at least once in each odd-numbered fiscal year, at least one statewide initiative has appeared on the ballot in each election cycle since approximately 1990.

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>                      |                                       |                                       |                                       |
|-----------------------------------------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| <b>FUND AFFECTED</b>                                                  | <b>FY 2026</b>                        | <b>FY 2027</b>                        | <b>FY 2028</b>                        |
| Various State Funds*                                                  | \$0 or Less than<br>\$250,000         | \$0 or Less than<br>\$250,000         | \$0 or Less than<br>\$250,000         |
|                                                                       |                                       |                                       |                                       |
| <b>Total Estimated Net<br/>Effect on <u>Other</u> State<br/>Funds</b> | <b>\$0 or Less than<br/>\$250,000</b> | <b>\$0 or Less than<br/>\$250,000</b> | <b>\$0 or Less than<br/>\$250,000</b> |

\*The court costs for a violation go to various state and local funds.

Numbers within parentheses: () indicate costs or losses.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |            |            |            |
|---------------------------------------------------------------|------------|------------|------------|
| FUND AFFECTED                                                 | FY 2026    | FY 2027    | FY 2028    |
|                                                               |            |            |            |
|                                                               |            |            |            |
| <b>Total Estimated Net Effect on <u>All</u> Federal Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b> |          |          |          |
|-----------------------------------------------------------|----------|----------|----------|
| FUND AFFECTED                                             | FY 2026  | FY 2027  | FY 2028  |
|                                                           |          |          |          |
|                                                           |          |          |          |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b> | <b>0</b> | <b>0</b> |

- ☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |                                   |                                   |                                   |
|--------------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| FUND AFFECTED                              | FY 2026                           | FY 2027                           | FY 2028                           |
|                                            |                                   |                                   |                                   |
|                                            |                                   |                                   |                                   |
| <b>Local Government*/**</b>                | <b>\$0 or Less than \$250,000</b> | <b>\$0 or Less than \$250,000</b> | <b>\$0 or Less than \$250,000</b> |

\*The potential fiscal impact to local election authorities (reimbursed by the state) would be realized only if a special election were called by the Governor to submit this joint resolution to voters.

\*\*The fine revenue for a violation goes to local school districts and court costs go to various state and local funds.

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials from the **Office of the Secretary of State (SOS)** assume, each year, a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2 RSMo requires the state to pay the costs. The cost of the special election has been estimated to be \$8 million based on the cost of the 2022 primary and general election reimbursements.

The Secretary of State's office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. Funding for this item is adjusted each year depending upon the election cycle. A new decision item is requested in odd numbered fiscal years and the amount requested is dependent upon the estimated number of ballot measures that will be approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2014, the General Assembly changed the appropriation so that it was no longer an estimated appropriation.

For the FY27 petitions cycle, the SOS estimates publication costs at \$50,000 per page. This amount is subject to change based on number of petitions received, length of those petitions and rates charged by newspaper publishers.

The Secretary of State's office will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, they reserve the right to request funding to meet the cost of their publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

**Oversight** has reflected, in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2026. This reflects the decision made by the Joint Committee on Legislative Research that the cost of the elections should be shown in the fiscal note. The next scheduled statewide general election is in November 2026 (FY 2027). It is assumed the subject within this proposal could be on this ballot; however, it could also be on a special election called for by the Governor (a

different date). Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2026.

Officials from the **Office of the Secretary of State** assume this joint resolution would require the full text of all statewide ballot measures proposed by the initiative to be made available to each voter at the time they receive a ballot, in addition to the postings and publications already required by law or the constitution. The SOS assumes that the state will be responsible for printing and distributing physical printed copies of the text to all local election authorities statewide to include in each absentee voter's ballot packet, as well as several for each polling place to supplement each jurisdiction's electronic release capabilities. The amount of text varies from election to election, but within the last four election cycles has been as much as 75 legal-sized pages. Using the current standards for legal notice (newspaper print using 6-point type), the cost to produce 200,000 copies of 75 pages each and distribute them across the state could be up to \$1 million per election at which statewide ballot measures are submitted to the people by the initiative.

It should also be noted that absentee ballot postage costs could also increase by an unknown amount if paper copies of the ballot text must be included, due to the increased weight of the ballot packets in those cases. The SOS will review the absentee ballot process during rulemaking to ensure that voters are able to request access in the format most convenient to them, whether paper or digital. The increase in ballot postage will be mitigated to a degree based on the number of absentee voters requesting digital access, but since voter preferences cannot be predicted ahead of time, the SOS will still assume for the purposes of printing that the state may need to distribute paper text to 100% of absentee voters.

Upon further inquiry, the **SOS** stated the word “individual” was removed from the “each voter” phrase and the SOS was granted rulemaking authority to best determine how the policy is to be implemented. As such, they are considering that they no longer need to print a full physical copy for every voter.

The 200,000 comes from 180,000 copies for mail-in absentee voters (based on ballot count from the 2024 general election) and then the remaining 20,000 works out to about five per polling place across the state that can be placed in voting booths or other prominent locations.

Additionally, (the original FTE cost) was based on the need to have hundreds of hearings for every petition sample submitted. The new wording only requires hearings for petitions after signatures are submitted, which is a much lower number and can be done with existing staff (hundreds of hearings versus five or less).

**Oversight** will reflect the estimated impact by the SOS in the fiscal note.

In response to the previous version, officials from the **Office of the State Public Defender** stated that by creating the new offense petition signature fraud, a class A misdemeanor, a person charged with this crime, who qualifies for the Public Defender, will require representation. Per

the National Public Defense Workload Study, the new charge contemplated by this amendment to Article III would take approximately twenty-two hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel and litigation expenses. However, if the charge was classified as a class D misdemeanor no jail time would be authorized, and the cases would not qualify for SPD representation.

**Oversight** assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

**Oversight** also notes the provisions of Section 54 create a violation that shall be punishable by imprisonment for up to one year or a fine of up to one thousand dollars or both plus an amount equal to three times the illegal contributions. The fine revenue for the offense goes to local school funds and court costs go to various state and local funds. Oversight assumes there will be some (less than \$250,000) amount of fine revenue from violations of the statute. Therefore, the impact to various state funds and local governments will be presented as less than \$250,000. For simplicity, Oversight will not reflect the possibility that fine revenue paid to school districts may act as a subtraction in the foundation formula.

Below are examples of some of the state and local funds which court costs are distributed:

| <b>Fee/Fund Name</b>                                    | <b>Fee Amount</b>                   |
|---------------------------------------------------------|-------------------------------------|
| Basic Civil Legal Services Fund                         | \$8.00                              |
| Clerk Fee                                               | \$15.00 (\$12 State/\$3 County)     |
| County Fee                                              | \$25.00                             |
| State Court Automation Fund                             | \$7.00                              |
| Crime Victims' Compensation Fund                        | \$7.50                              |
| DNA Profiling Analysis Fund                             | \$15.00                             |
| Peace Officer Standards and Training (POST) Fund        | \$1.00                              |
| Motorcycle Safety Trust Fund                            | \$1.00                              |
| Brain Injury Fund                                       | \$2.00                              |
| Independent Living Center Fund                          | \$1.00                              |
| Sheriff's Fee                                           | \$10.00 (County)                    |
| Prosecuting Attorney and Circuit Attorney Training Fund | \$4.00                              |
| Prosecuting Attorney Training Fund                      | \$1.00 (\$0.50 State/\$0.50 County) |
| Spinal Cord Injury Fund                                 | \$2.00                              |

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Ethics Commission**, the **Missouri Senate**, the **Missouri House of Representatives**, the **Office of the State Courts Administrator**, the **St. Louis County Board of Elections**, and the **Kansas City Election Board** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to the previous version, officials from the **Platte County Board of Elections** and the **Jackson County Election Board** both assumed the proposal would have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **Missouri Office of Prosecution Services** did not respond to **Oversight's** request for fiscal impact for this proposal.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, various county officials were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

#### Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what their office can sustain with their core budget.

Therefore, they reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

| <u>FISCAL IMPACT – State Government</u>                                                                                                     | FY 2026<br>(10 Mo.)                       | FY 2027                               | FY 2028                               |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------|---------------------------------------|
| <b>GENERAL REVENUE FUND</b>                                                                                                                 |                                           |                                       |                                       |
| <u>Transfer out</u> – SOS – reimbursement of local election authority election costs <u>if</u> a special election is called by the Governor | \$0 or (More than<br>\$8,000,000)         | \$0                                   | \$0                                   |
| <u>Cost</u> – SOS – printing and mailing full text                                                                                          | \$0                                       | \$0 up to<br>(\$1,000,000)*           | \$0                                   |
| <b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>                                                                                     | <b>\$0 or (More than<br/>\$8,000,000)</b> | <b>\$0 up to<br/>(\$1,000,000)*</b>   | <b>\$0</b>                            |
| *This cost would be incurred at least once in each odd-numbered fiscal year.                                                                |                                           |                                       |                                       |
|                                                                                                                                             |                                           |                                       |                                       |
| <b>VARIOUS STATE FUNDS</b>                                                                                                                  |                                           |                                       |                                       |
| <u>Revenue</u> – (Section 54) Court costs                                                                                                   | \$0 or Less than<br>\$250,000             | \$0 or Less than<br>\$250,000         | \$0 or Less than<br>\$250,000         |
| <b>ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS</b>                                                                                          | <b>\$0 or Less than<br/>\$250,000</b>     | <b>\$0 or Less than<br/>\$250,000</b> | <b>\$0 or Less than<br/>\$250,000</b> |

| <u>FISCAL IMPACT – Local Government</u>                                                                               | FY 2026<br>(10 Mo.)                      | FY 2027                                  | FY 2028                                  |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------|------------------------------------------|------------------------------------------|
| <b>LOCAL POLITICAL SUBDIVISIONS</b>                                                                                   |                                          |                                          |                                          |
|                                                                                                                       |                                          |                                          |                                          |
| <u>Revenue</u> – (Section 54) Court costs                                                                             | \$0 or Less than<br>\$250,000            | \$0 or Less than<br>\$250,000            | \$0 or Less than<br>\$250,000            |
|                                                                                                                       |                                          |                                          |                                          |
| <u>Revenue</u> – Schools (Section 54) Fine revenue                                                                    | \$0 or Less than<br>\$250,000            | \$0 or Less than<br>\$250,000            | \$0 or Less than<br>\$250,000            |
|                                                                                                                       |                                          |                                          |                                          |
| <u>Transfer in</u> – Local Election Authorities – reimbursement of election costs by the State for a special election | \$0 or (More than<br>\$8,000,000)        | \$0                                      | \$0                                      |
|                                                                                                                       |                                          |                                          |                                          |
| <u>Cost</u> – Local Election Authorities – cost of a special election <b>if</b> called for by the Governor            | \$0 or (More than<br>\$8,000,000)        | <u>\$0</u>                               | <u>\$0</u>                               |
|                                                                                                                       |                                          |                                          |                                          |
| <b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>                                                           | <b><u>\$0 or Less than \$250,000</u></b> | <b><u>\$0 or Less than \$250,000</u></b> | <b><u>\$0 or Less than \$250,000</u></b> |
|                                                                                                                       |                                          |                                          |                                          |

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Upon voter approval, this constitutional amendment establishes the "Protect Missouri Voters" amendment.

This constitutional amendment would prohibit political committees that make expenditures relating to a Statewide ballot measure from knowingly receiving, soliciting, or accepting contributions from a foreign adversary of the United States or a foreign national, as those phrases are defined in the amendment. A foreign adversary of the United States or foreign national would be prohibited under this amendment from making any contribution in support of or opposition to a Statewide ballot measure. Any violation of this provision would be punishable by imprisonment for up to one year or a fine of up to one thousand dollars or both, plus an amount equal to three times the illegal contributions. The Attorney General will have exclusive criminal jurisdiction.



This constitutional amendment would permit the General Assembly to enact further restrictions relating to these provisions, enact restrictions on foreign support or opposition to Statewide ballot measures, enact reporting requirements relating to foreign support for persons or committees in support of or opposition to ballot measures, and provide for the investigation and enforcement of such provisions.

Any person who commits certain acts specified in the constitutional amendment would be guilty of the crime of petition signature fraud; this crime would be punishable by imprisonment for up to one year or a fine of up to one thousand dollars or both. The Attorney General will have exclusive criminal jurisdiction.

This constitutional amendment would require the Secretary of State or a designee thereof, at a reasonable time and place after an initiative petition is submitted with signatures and before a petition is placed on a ballot to conduct at least one in-person or web-based hearing to receive additional public comment regarding the purpose and effect of the initiative petition. Transcripts or summaries of the hearings must be made available to the public no more than seven days after the hearing is conducted and before the petition is placed on the ballot.

This constitutional amendment would require any Statewide ballot measure proposed by initiative petition to amend the constitution to receive a majority of affirmative votes in each congressional district in order to go into effect.

This constitutional amendment would require the full text of any Statewide ballot measure proposed by initiative petition to be made available to each voter at the time a ballot is made available to the voter for voting. The Secretary of State will have rule making authority for the implementation of this provision.

The provisions of this constitutional amendment are self-executing, and all provisions of this constitutional amendment are severable.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State  
Attorney General's Office  
Missouri Ethics Commission  
Department of Public Safety - Missouri Highway Patrol  
Office of the State Public Defender  
Missouri House of Representatives  
Office of the State Courts Administrator  
Joint Committee on Administrative Rules  
Platte County Board of Elections  
St. Louis County Board of Elections  
Kansas City Election Board  
Jackson County Election Board



Julie Morff  
Director  
September 18, 2025



Jessica Harris  
Assistant Director  
September 18, 2025