

SECOND REGULAR SESSION

HOUSE BILL NO. 2124

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BANDERMAN.

4264H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 116.030, 116.040, 116.050, 116.080, 116.090, 116.110, 116.130, 116.153, 116.190, 116.200, 116.332, and 116.334, RSMo, and to enact in lieu thereof twelve new sections relating to initiative petitions and referendums, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 116.030, 116.040, 116.050, 116.080, 116.090, 116.110, 116.130, 116.153, 116.190, 116.200, 116.332, and 116.334, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 116.030, 116.040, 116.045, 116.050, 116.080, 116.090, 116.110, 116.130, 116.190, 116.200, 116.332, and 116.334, to read as follows:

116.030. The following shall be substantially the form of each page of referendum petitions on any law passed by the general assembly of the state of Missouri:

County _____

Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section ~~[560.021]~~ **558.002**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

PETITION FOR REFERENDUM

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.

To the Honorable _____, Secretary of State for the state of Missouri:
 We, the undersigned, registered voters of the state of Missouri and _____
 _____ County (or City of St. Louis), respectfully order that the Senate (or
 House) Bill No. _____ entitled (title of law), passed by the _____
 general assembly of the state of Missouri, at the _____ regular (or
 special) session of the _____ general assembly, shall be referred to the
 voters of the state of Missouri, for their approval or rejection, at the
 general election to be held on the _____ day of _____, _____,
 unless the general assembly shall designate another date, and each for
 himself or herself says: I have personally signed this petition; I am a
 registered voter of the state of Missouri and _____ County (or City of
 St. Louis); my registered voting address and the name of the city, town
 or village in which I live are correctly written after my name.

(Official Ballot title) _____

CIRCULATOR'S AFFIDAVIT

State Of Missouri,

County Of _____

I, _____, being first duly sworn, say (print or type names of signers)

REGISTERED

	DATE	VOTING	ZIP	CONGR.	
	NAME	SIGNED	ADDRESS	CODE	DIST. NAME
	(Signature)	(Street)	(City,		(Printed or
		Town or Village)			Typed)

(Here follow numbered lines for signers)

signed this page of the foregoing petition, and each of them signed his
 or her name thereto in my presence; I believe that each has stated his or
 her name, registered voting address and city, town or village correctly,
 and that each signer is a registered voter of the state of Missouri and _____
 _____ County. FURTHERMORE, I HEREBY SWEAR OR AFFIRM
 UNDER PENALTY OF PERJURY THAT ALL STATEMENTS
 MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE
 NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED
 GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I have met the qualifications of section 116.080 and am at least 18
 years of age. I do _____ do not _____ (check one) expect to be paid
 for circulating this petition. If paid, list the payer _____

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65 If this form is followed substantially and the requirements of ~~[section]~~ **sections 116.045,**
 66 116.050, and ~~[section]~~ 116.080 are met, it shall be sufficient, disregarding clerical and merely
 67 technical errors.

116.040. The following shall be substantially the form of each page of each petition
 2 for any law or amendment to the Constitution of the state of Missouri proposed by the
 3 initiative:

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County _____

(Optional) Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions
 of section ~~[560.021]~~ **558.002**, RSMo, to the contrary, for a term of
 imprisonment not to exceed one year in the county jail or a fine not to
 exceed ten thousand dollars or both, for anyone to sign any initiative
 petition with any name other than his or her own, or knowingly to sign
 his or her name more than once for the same measure for the same
 election, or to sign a petition when such person knows he or she is not a
 registered voter.

INITIATIVE PETITION

To the Honorable _____, Secretary of State for the state of Missouri:
 We, the undersigned, registered voters of the state of Missouri and ____
 ____ County (or City of St. Louis), respectfully order that the following
 proposed law (or amendment to the constitution) shall be submitted to

Signature of Affiant

(Person obtaining signatures)

(Printed Name of Affiant)_____
Address of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. _

Signature of Notary

Address of Notary

Notary Public (Seal)

My commission expires _____

the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the _____ day of _____, _____, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or City of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot title) _____

CIRCULATOR'S AFFIDAVIT

State Of Missouri,

County Of _____

I, _____, being first duly sworn, say (print or type names of signers)

REGISTERED

DATE	VOTING	ZIP	CONGR.		
NAME	SIGNED	ADDRESS	CODE	DIST.	NAME
(Signature)		(Street) (City,			(Printed or
		Town or			
		Village)			Typed)

(Here follow numbered lines for signers)

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I have met the qualifications of section 116.080 and am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer _____

Signature of Affiant

(Person obtaining signatures)

(Printed Name of Affiant)

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Address of Affiant

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Subscribed and sworn to before me this _____ day of _____, A.D. _

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Signature of Notary

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Address of Notary

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Notary Public (Seal)

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My commission expires _____

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65 If this form is followed substantially and the requirements of ~~[section]~~ **sections 116.045,**
66 **116.050, and [section] 116.080** are met, it shall be sufficient, disregarding clerical and merely
67 technical errors.

116.045. Initiative petition and referendum petition signature pages shall be
2 **printed on a form as prescribed by the secretary of state that shall include all of the**
3 **information and statements required by section 116.030 or 116.040, as applicable, and**
4 **comply with section 116.050. The form shall be made available in electronic format to**
5 **be used for printing petitions for circulating.**

116.050. 1. Initiative and referendum petitions filed under the provisions of this
2 chapter shall consist of pages of a uniform size. Each page, excluding the text of the measure,
3 shall be no larger than eight and one-half by fourteen inches. **The text of the proposed**
4 **measure shall be in a font that is not smaller than twelve-point Times New Roman and**
5 **have a top, bottom, left, and right margin of not less than one inch. Page numbers may**
6 **appear in the bottom margin.** Each page of an initiative petition shall be attached to or shall
7 contain a full and correct text of the proposed measure. Each page of a referendum petition
8 shall be attached to or shall contain a full and correct text of the measure on which the
9 referendum is sought.

10 2. The full and correct text of all initiative and referendum petition measures shall:

11 (1) Contain all matter which is to be deleted included in its proper place enclosed in
12 brackets and all new matter shown underlined;

13 (2) Include all sections of existing law or of the constitution which would be repealed
14 by the measure; and

15 (3) Otherwise conform to the provisions of ~~[Article III, Section 28 and]~~ Article III,
16 ~~[Section]~~ **Sections 28, 49, 50, 51, and 52(a)** of the Constitution of Missouri and those of this
17 chapter.

116.080. 1. Each petition circulator shall be **a citizen of the United States, [at least]**
2 **eighteen years of age or older, a resident of this state or physically present in this state for**
3 **at least thirty consecutive days prior to the collection of signatures,** and registered with
4 the secretary of state. **No petition circulator shall be paid anything of value that is based**
5 **on the number of signatures collected.** Signatures collected by any circulator who has not
6 registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the
7 final day for filing petitions with the secretary of state shall not be counted. A petition
8 circulator shall be deemed registered at the time such circulator delivers a signed circulator's
9 affidavit pursuant to section 116.030, with respect to a referendum petition, or section
10 116.040, with respect to an initiative petition, to the office of the secretary of state. No person
11 shall qualify as a petition circulator who has been convicted of, found guilty of, or pled guilty
12 to an offense involving forgery under the laws of this state or an offense under the laws of any
13 other jurisdiction if that offense would be considered forgery under the laws of this state.

14 2. Each petition circulator shall subscribe and swear to the proper affidavit on each
15 petition page such circulator submits before a notary public commissioned in Missouri.
16 When notarizing a circulator's signature, a notary public shall sign his or her official signature
17 and affix his or her official seal to the affidavit only if the circulator personally appears before
18 the notary and subscribes and swears to the affidavit in his or her presence.

19 3. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is
20 guilty of a class A misdemeanor punishable, notwithstanding the provisions of section
21 ~~[560.021]~~ **558.002** to the contrary, for a term of imprisonment not to exceed one year in the
22 county jail or a fine not to exceed ten thousand dollars or both.

116.090. 1. Any person who commits any of the following actions is guilty of the
2 crime of petition signature fraud:

3 (1) Signs any name other than his or her own to any petition, or who knowingly signs
4 his or her name more than once for the same measure for the same election, or who knows he
5 or she is not at the time of signing or circulating the same a Missouri registered voter and a
6 resident of this state; ~~[or]~~

7 (2) Intentionally submits petition signature sheets with the knowledge that the person
8 whose name appears on the signature sheet did not actually sign the petition; ~~[or]~~

9 (3) Causes a voter to sign a petition other than the one the voter intended to sign; ~~[or]~~

10 (4) Forges or falsifies signatures; or

11 (5) Knowingly accepts or offers money or anything of value to another person in
12 exchange for a signature on a petition.

13 2. Any person who knowingly causes a petition circulator's signatures to be submitted
14 for counting, and who either knows that such circulator has violated subsection 1 of this
15 section or, after receiving notice of facts indicating that such person may have violated

16 subsection 1 of this section, causes the signatures to be submitted with reckless indifference
17 as to whether such circulator has complied with subsection 1 of this section, shall also be
18 deemed to have committed the crime of petition signature fraud.

19 3. A person who violates subsection 1 or 2 of this section, shall, upon conviction
20 thereof, be guilty of a class A misdemeanor punishable, notwithstanding the provisions of
21 section ~~[560.021]~~ **558.002** to the contrary, by a term of imprisonment not to exceed one year
22 in the county jail or a fine not to exceed ten thousand dollars or both.

23 4. Any person employed by or serving as an election authority, that has reasonable
24 cause to suspect a person has committed petition signature fraud, shall immediately report or
25 cause a report to be made to the appropriate prosecuting authorities. Failure to so report or
26 cause a report to be made shall be a class A misdemeanor.

116.110. Any voter who has signed an initiative or referendum petition may withdraw
2 his or her signature from that petition by submitting to the secretary of state, before the
3 petition is filed with the secretary of state, a sworn statement requesting that his or her
4 signature be withdrawn and affirming the name of the petition signed, the name the voter used
5 when signing the petition, the address of the voter and the county of residence. It is a class A
6 misdemeanor punishable, notwithstanding the provisions of section ~~[560.021]~~ **558.002** to the
7 contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to
8 exceed ten thousand dollars or both, to knowingly file a false withdrawal statement with the
9 secretary of state.

116.130. 1. The secretary of state may send copies of petition pages to election
2 authorities to verify that the persons whose names are listed as signers to the petition are
3 registered voters. Such verification may either be of each signature or by random sampling as
4 provided in section 116.120, as the secretary shall direct. If copies of the petition pages are
5 sent to an election authority for verification, such copies shall be sent pursuant to the
6 following schedule:

7 (1) Copies of all pages from not less than one petition shall be received in the office
8 of the election authority not later than two weeks after the petition is filed in the office of **the**
9 secretary of state;

10 (2) Copies of all pages of a total of three petitions shall be received in the office of the
11 election authority not later than three weeks after the petition is filed in the office of the
12 secretary of state;

13 (3) If more than three petitions are filed, all copies of petition pages, including those
14 petitions selected for verification by random sample pursuant to section 116.120, shall be
15 received in the office of the election authority not later than the fourth week after the petition
16 is filed in the office of the secretary of state.

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18 Each election authority shall check the signatures against voter registration records in the
19 election authority's jurisdiction, but the election authority shall count as valid only the
20 signatures of persons registered as voters in the county named in the circulator's affidavit.
21 Signatures shall not be counted as valid if they have been struck through or crossed out.
22 **Signatures shall be recorded using a black or dark ink.**

23 2. If the election authority is requested to verify the petition by random sampling,
24 such verification shall be completed and certified not later than thirty days from the date that
25 the election authority receives the petition from the secretary of state. If the election authority
26 is to verify each signature, such verification ~~[must]~~ **shall** be completed, certified and
27 delivered to the secretary of state by 5:00 p.m. on the last Tuesday in July prior to the
28 election, or in the event of complete verification of signatures after a failed random sample,
29 full verification shall be completed, certified and delivered to the secretary of state by 5:00
30 p.m. on the last Tuesday in July or by 5:00 p.m. on the Friday of the fifth week after receipt
31 of the signatures by the local election authority, whichever is later.

32 3. If the election authority or the secretary of state determines that the congressional
33 district number written after the signature of any voter is not the congressional district of
34 which the voter is a resident, the election authority or the secretary of state shall correct the
35 congressional district number on the petition page. Failure of a voter to give the voter's
36 correct congressional district number shall not by itself be grounds for not counting the voter's
37 signature.

38 4. The election authority shall return the copies of the petition pages to the secretary
39 of state with annotations regarding any invalid or questionable signatures which the election
40 authority has been asked to check by the secretary of state. The election authority shall verify
41 the number of pages received for that county, and also certify the total number of valid
42 signatures of voters from each congressional district which the election authority has been
43 asked to check by the secretary of state.

44 5. The secretary of state is authorized to adopt rules to ensure uniform, complete, and
45 accurate checking of petition signatures either by actual count or random sampling. No rule
46 or portion of a rule promulgated pursuant to this section shall become effective unless it has
47 been promulgated pursuant to the provisions of chapter 536.

48 6. After a period of three years from the time of submission of the petitions to the
49 secretary of state, the secretary of state, if the secretary determines that retention of such
50 petitions is no longer necessary, may destroy such petitions.

116.190. 1. Any ~~[citizen]~~ **Missouri registered voter** who wishes to challenge the
2 official ballot title or the fiscal note prepared for a proposed constitutional amendment
3 submitted by the general assembly, by initiative petition, or by constitutional convention, or
4 for a statutory initiative or referendum measure, may bring an action in the circuit court of

5 Cole County. The action shall be brought within ten days after the official ballot title is
6 certified by the secretary of state in accordance with the provisions of this chapter, in the case
7 of an initiative petition and not later than the twenty-second Tuesday prior to the general
8 election at which the ballot measure will be submitted to the voters, in the case of all other
9 statewide ballot measures.

10 2. The secretary of state shall be named as a party defendant in any action challenging
11 the official ballot title prepared by the secretary of state. When the action challenges the
12 fiscal note or the fiscal note summary prepared by the auditor, the state auditor shall also be
13 named as a party defendant. The president pro tem of the senate, the speaker of the house and
14 the sponsor of the measure and the secretary of state shall be the named party defendants in
15 any action challenging the official summary statement, fiscal note or fiscal note summary
16 prepared pursuant to section 116.155.

17 3. The petition shall state the reason or reasons why the summary statement portion of
18 the official ballot title is insufficient or unfair. Alternatively, the petition shall state the
19 reasons why the fiscal note or the fiscal note summary portion of the official ballot title is
20 insufficient or unfair and shall request a different fiscal note or fiscal note summary portion of
21 the official ballot title.

22 4. (1) The action shall be placed at the top of the civil docket.

23 (2) (a) Insofar as the action challenges the summary statement portion of the official
24 ballot title, the court shall consider the petition, hear arguments, and in its decision certify the
25 summary statement portion of the official ballot title to the secretary of state as originally
26 written if the court finds the summary statement to be sufficient and fair. If the court finds the
27 summary statement to be insufficient or unfair, the court may offer suggested revisions for the
28 summary statement to remedy the legal flaws, but it shall, in its decision, order the secretary
29 of state to write a first revised summary statement that is sufficient and fair.

30 (b) The secretary of state shall submit a first revised summary statement to the court
31 within seven days. If, after submission to the court of a first revised summary statement by
32 the secretary of state, the court finds the first revised summary statement to be sufficient and
33 fair, the court shall certify to the secretary of state that statement and order it to appear on the
34 ballot. If the court finds the first revised summary statement to be insufficient or unfair, the
35 court may offer suggested revisions for the statement to remedy the legal flaws, but it shall, in
36 its decision, order the secretary of state to write a second revised summary statement that is
37 sufficient and fair.

38 (c) The secretary of state shall submit a second revised summary statement to the
39 court within five days. If, after submission to the court of a second revised summary
40 statement by the secretary of state, the court finds the second revised summary statement to
41 be sufficient and fair, the court shall certify to the secretary of state that statement and order it

42 to appear on the ballot. If the court finds the second revised summary statement to be
43 insufficient or unfair, the court may offer suggested revisions for the statement to remedy the
44 legal flaws, but it shall, in its decision, order the secretary of state to write a third revised
45 summary statement that is sufficient and fair.

46 (d) The secretary of state shall submit a third revised summary statement to the court
47 within three days. If, after submission to the court of a third revised summary statement by
48 the secretary of state, the court finds the third revised summary statement to be sufficient and
49 fair, the court shall certify to the secretary of state that statement and order it to appear on the
50 ballot. If the court finds the third revised summary statement to be insufficient or unfair, or if
51 the secretary of state neglects or refuses to submit any of the revised summary statements
52 within the times mandated by this subdivision when so ordered, the court shall revise the
53 summary statement in a manner that is sufficient and fair and order the secretary of state to
54 place that summary statement on the ballot with the measure.

55 (e) During all revisions as provided in this subdivision, the case shall remain open.

56 (f) Any nonprevailing party may make appeals as provided by law only following:

57 a. The finding of the circuit court that a summary statement was sufficient and fair; or

58 b. The circuit court ordering its own summary statement to be placed on the ballot
59 pursuant to paragraph (d) of this subdivision.

60 (g) Any action brought pursuant to this section challenging a statewide ballot measure
61 appearing on the ballot at an election called by the governor pursuant to Article XII, Section 2
62 (b), Missouri Constitution, whether at the primary election or at a special election, or at a
63 special election for a referendum petition measure called by the general assembly pursuant to
64 Article III, Section 52(b), Missouri Constitution, shall be expedited by the court to bring a
65 resolution of the matter prior to the printing of ballots. The court may shorten any timeframe
66 under this section to achieve this purpose.

67 (3) Insofar as the action challenges the fiscal note or the fiscal note summary portion
68 of the official ballot title, the court shall consider the petition, hear arguments, and in its
69 decision, either certify the fiscal note or the fiscal note summary portion of the official ballot
70 title to the secretary of state or remand the fiscal note or the fiscal note summary to the auditor
71 for preparation of a new fiscal note or fiscal note summary pursuant to the procedures set
72 forth in section 116.175. Any party to the suit may appeal ~~[to the supreme court]~~ within ten
73 days after ~~[a circuit court decision]~~ **the entry of the judgment by the circuit court** pursuant
74 to this subdivision.

75 5. Any action brought under this section that is not fully and finally adjudicated
76 within one hundred eighty days of filing, and more than seventy days prior to **the** election in
77 which the measure is to appear, including all appeals, shall be extinguished, unless a court,
78 **before the expiration of the foregoing periods**, extends such period upon ~~[a]~~ **an express**

79 finding of good cause for such extension, **but no extension shall cause the final**
80 **adjudication to occur less than eight weeks before the date of the election.** Such good
81 cause shall consist only of court-related scheduling issues and shall not include requests for
82 continuance by the parties. **No court, including any appellate court, shall have the**
83 **authority to issue any form of relief after the expiration of the foregoing periods.**

116.200. 1. After the secretary of state certifies a petition as sufficient or insufficient,
2 any ~~[citizen]~~ **Missouri registered voter** may apply to the circuit court of Cole County to
3 compel ~~[him]~~ **the secretary of state** to reverse his **or her** decision. The action must be
4 brought within ten days after the certification is made. All such suits shall be advanced on the
5 court docket and heard and decided by the court as quickly as possible.

6 2. If the court decides the petition is sufficient, the secretary of state shall certify it as
7 sufficient and attach a copy of the judgment. If the court decides the petition is insufficient,
8 the court shall enjoin the secretary of state from certifying the measure and all other officers
9 from printing the measure on the ballot.

10 3. **Any party may appeal** within ten days after ~~[a decision is rendered, any party may~~
11 ~~appeal it to the supreme court]~~ **the entry of the judgment by the circuit court.**

116.332. 1. Before a constitutional amendment petition, a statutory initiative petition,
2 or a referendum petition may be circulated for signatures, a sample sheet ~~[must]~~ **shall** be
3 submitted to the secretary of state in the form in which it will be circulated. **Sample sheets**
4 **may be submitted to the secretary of state any time after a general election until six**
5 **months prior to the next general election.** When a person submits a sample sheet of a
6 petition he or she shall designate to the secretary of state the name and address of the person
7 to whom any notices shall be sent pursuant to sections 116.140 and 116.180 and, if a
8 committee or person, except the individual submitting the sample sheet, is funding any
9 portion of the drafting or submitting of the sample sheet, the person submitting the sample
10 sheet shall submit a copy of the filed statement of committee organization required under
11 subsection 5 of section 130.021 showing the date the statement was filed. The secretary of
12 state shall refer a copy of the petition sheet to the attorney general for his approval and to the
13 state auditor for purposes of preparing a fiscal note and fiscal note summary. The secretary of
14 state and attorney general ~~[must]~~ **shall** each review the petition for ~~[sufficiency as to form]~~
15 **compliance with section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the**
16 **Constitution of Missouri** and approve or reject the form of the petition, stating the reasons
17 for rejection, if any.

18 2. Within two business days of receipt of any such sample sheet, the office of the
19 secretary of state shall conspicuously post on its website the text of the proposed measure, a
20 disclaimer stating that such text may not constitute the full and correct text as required under
21 section 116.050, and the name of the person or organization submitting the sample sheet. The

22 secretary of state's failure to comply with such posting shall be considered a violation of
23 chapter 610 and subject to the penalties provided under subsection 3 of section 610.027. The
24 posting shall be removed within three days of either the withdrawal of the petition under
25 section 116.115 or the rejection for any reason of the petition.

26 3. Upon receipt of a petition from the office of the secretary of state, the attorney
27 general shall examine the petition ~~[as to form]~~ **and determine whether it complies with**
28 **section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the Constitution of**
29 **Missouri.** If the petition is rejected ~~[as to form]~~, the attorney general shall forward his or her
30 comments to the secretary of state within ten days after receipt of the petition by the attorney
31 general. If the petition is approved ~~[as to form]~~, the attorney general shall forward his or her
32 approval ~~[as to form]~~ to the secretary of state within ten days after receipt of the petition by
33 the attorney general.

34 4. The secretary of state shall review the comments and statements of the attorney
35 general ~~[as to form]~~ and make a final decision as to the approval or rejection ~~[of the form]~~ of
36 the petition. The secretary of state shall send written notice to the person who submitted the
37 petition sheet of the approval within fifteen days after submission of the petition sheet. The
38 secretary of state shall send written notice if the petition has been rejected, together with
39 reasons for rejection, within fifteen days after submission of the petition sheet.

116.334. 1. If the petition ~~[form]~~ is approved **under section 116.332**, the secretary of
2 state shall make a copy of the sample petition available on the secretary of state's website.
3 For a period of fifteen days after the petition is approved ~~[as to form]~~ **under section 116.332**,
4 the secretary of state shall accept public comments regarding the proposed measure and
5 provide copies of such comments upon request. Within twenty-three days of receipt of such
6 approval, the secretary of state shall prepare and transmit to the attorney general a summary
7 statement of the measure which shall be a concise statement not exceeding one hundred
8 words. This statement shall ~~[be in the form of a question using]~~ **use** language neither
9 intentionally argumentative nor likely to create prejudice either for or against the proposed
10 measure. The attorney general shall within ten days approve the legal content and form of the
11 proposed statement.

12 2. Signatures obtained prior to the date the official ballot title is certified by the
13 secretary of state shall not be counted. Once the secretary of state certifies the official ballot
14 title, signatures may be collected, even if the ballot title is subject to an action in court
15 challenging the sufficiency and fairness of the ballot title. If a court orders a change that
16 alters the content of the official ballot title, then all signatures gathered before such change
17 occurred shall not be invalidated based upon the fact that one or more signatures were
18 gathered prior to the alteration of the official ballot title, regardless of whether those
19 signatures were gathered on petition pages that displayed what was previously the official

20 ballot title as certified by the secretary of state. Nothing in this subsection shall prohibit the
21 invalidation of a signature for a reason otherwise allowed by this chapter.

22 3. Signatures for statutory initiative petitions shall be filed not later than six months
23 prior to the general election during which the petition's ballot measure is submitted for a vote,
24 and shall also be collected not earlier than the day after the day upon which the previous
25 general election was held.

2 ~~[116.153. Within thirty days of issuing certification that the petition~~
3 ~~contains a sufficient number of valid signatures pursuant to section 116.150,~~
4 ~~the joint committee on legislative research shall hold a public hearing in~~
5 ~~Jefferson City to take public comments concerning the proposed measure.~~
6 ~~Such hearing shall be a public meeting under chapter 610. Within five~~
7 ~~business days after the end of the public hearing, the joint committee on~~
8 ~~legislative research shall provide a summary of the hearing to the secretary of~~
9 ~~state or his or her designee and the secretary of state shall post a copy of the~~
 ~~summary on the website of the office of the secretary of state.]~~

✓