

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 124

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOK.

4519H.011

JOSEPH ENGLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article VII of the Constitution of Missouri, by adopting one new section relating to sheriffs.

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
2 following the first Monday in November, 2026, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to Article VII of the Constitution of the state
5 of Missouri:

Section A. Article VII, Constitution of Missouri, is amended by adopting one new
2 section, to be known as Section 15, to read as follows:

**Section 15. 1. Except as provided in subsection 2 of Article VII, Section 15, each
2 county shall elect a sheriff for a term of four years by a majority of the qualified voters
3 of the county voting thereon at the time of voting designated for such office provided by
4 law as of the effective date of this section and every four years thereafter.**

2. The provisions of Article VII, Section 15 shall not apply to:

(1) Any city not within a county;

**(2) Any county with a charter form of government adjacent to a city not within a
8 county; or**

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 **(3) Any county with a charter form of government which has a population**
10 **greater than four hundred thousand inhabitants and that is adjacent to a county with a**
11 **population greater than nine hundred thousand inhabitants.**

12 **3. Except as provided in subsection 2 of Article VII, Section 15, the elected**
13 **sheriff shall be the chief law enforcement officer in his or her county. Notwithstanding**
14 **Article VI, Section 18(a) or any other article of the Missouri Constitution to the**
15 **contrary, every sheriff, except as provided in subsection 2 of Article VII, Section 15, in**
16 **addition to duties as set in law, shall quell and suppress assaults, batteries, riots, routs,**
17 **affrays, and insurrections and shall:**

18 **(1) Apprehend and commit to jail all felons and traitors;**

19 **(2) Attend each division of the circuit court presided over by a circuit or**
20 **associate circuit court judge held in his or her county, when so directed by the court;**
21 **and**

22 **(3) Execute process, including writs of replevin, attachments, and final process**
23 **issued by circuit and associate circuit court judges, unless the sheriff of the county does**
24 **not perform such duties as of August 28, 2026.**

25 **4. Except as provided in subsection 2 of Article VII, Section 15, every sheriff is a**
26 **conservator of the peace within his or her county and shall cause all offenders against**
27 **law to appear at the next term of the circuit or associate court of the county, and to be**
28 **committed to jail in case of failure to give the recognizance.**

29 **5. Except as provided in subsection 2 of Article VII, Section 15, the sheriff shall**
30 **hire and appoint such deputies, assistants, and other employees as the sheriff deems**
31 **necessary for the proper discharge of the duties of his or her office, who shall hold office**
32 **at the will and pleasure of the sheriff and may set their compensation within the limits of**
33 **the allocations made for that purpose.**

34 **6. Except as provided in subsection 2 of Article VII, Section 15, an elected county**
35 **sheriff shall not be removed from office except by writ of quo warranto initiated by the**
36 **attorney general.**

 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 support law enforcement by
6 preserving the right of citizens to elect a county sheriff, prohibiting the removal of a

7 county sheriff except by a writ of quo warranto, and recognizing the office of sheriff
8 as part of the administration of justice?".

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