

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 135

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURRAY.

5150H.011

JOSEPH ENGLER, Chief Clerk

## JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article III of the Constitution of Missouri, by adopting four new sections relating to measures proposed by the people.

*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. Article III, Constitution of Missouri, is amended by adopting four new sections, to be known as Sections 54, 55, 56, and 57, to read as follows:

**Section 54. Ballot summaries, including summary statements and fiscal note summaries, shall be clear, unbiased, fair, accurate, and easy to understand. Ballot summaries shall not seek to mislead voters. No current or future law passed by the legislature shall prevent the circuit court or appellate courts, including the supreme court, from immediately adjudicating and rewriting ballot summaries in whole or in part.**

**Section 55. 1. The legislature shall be prohibited from weakening citizens' initiative or referendum powers; no law passed by the legislature and no legislatively referred law or constitutional amendment shall weaken citizens' initiative 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.

4 referendum powers, notwithstanding Article XII, Sections 2(a) and 2(b) of this  
5 Constitution, Article III, Section 1 of this Constitution, and any other provision or law  
6 or of this Constitution to the contrary. The phrase "weaken citizens' initiative or  
7 referendum powers" shall be construed broadly including, but not limited to, raising  
8 signature thresholds, shortening the time allowed for signature collection, narrowing  
9 allowable subject matter, imposing additional requirements on petitioners, preventing  
10 or delaying judicial revision of misleading ballot titles, prohibiting or nullifying  
11 severability clauses in initiated measures, rendering a simple statewide majority of votes  
12 cast on the measure insufficient to enact a law or constitutional amendment proposed by  
13 citizen initiative, or otherwise impeding or restricting citizens' powers of initiative or  
14 referendum. Any law or constitutional amendment that weakens citizens' direct  
15 lawmaking power, which is or has been proposed by the legislature after January 1,  
16 2025, is hereby prohibited.

17       2. The rights of initiative and referendum as set forth in this Constitution are  
18 fundamental rights. Any registered voter or the state of Missouri has a right to propose  
19 laws and constitutional amendments by initiative petition and to propose the rejection of  
20 acts by the legislature by referendum petition, to sign such petitions, to circulate such  
21 petitions, and to vote on such petitions; however, no person shall qualify as a petition  
22 circulator who has been convicted of, found guilty of, or pled guilty to an offense  
23 involving forgery under the laws of this state or an offense under the law of any other  
24 jurisdiction if that offense would be considered forgery under the laws of this state.

25       3. Except as specifically set forth in this Constitution, any law affecting  
26 governmental regulation of or governmental action taken pertaining to, the  
27 fundamental rights of initiative and referendum as set forth in this Constitution is  
28 subject to strict scrutiny and shall be narrowly tailored to achieve a compelling  
29 governmental interest.

Section 56. 1. For the purposes of this section, the following terms mean:

2       (1) "Changing a citizen-initiated law" or "changing a citizen-initiated  
3 amendment", passing, proposing, or referring a law or constitutional amendment  
4 which, if enacted, would modify, repeal, supersede, or undermine any part of a citizen-  
5 initiated law or citizen-initiated amendment, whether explicitly or by implication;

6       (2) "Citizen-initiated amendment", any section or article of this Constitution, or  
7 any portion thereof, that the people have proposed and enacted by the initiative as a  
8 constitutional amendment;

9       (3) "Citizen-initiated law", a law that the people have proposed and enacted by  
10 the initiative;

11           (4) "Referendum petition vetoes", laws passed by the legislature that are  
12 rejected by the citizens by referendum petition;

13           (5) "Rejected by referendum petition", a law which has been passed by the  
14 legislature and subsequently rejected by the people by way of a referendum ordered by  
15 petition.

16           2. Beginning December 3, 2026, the legislature shall be prohibited from changing  
17 any citizen-initiated law, changing any citizen-initiated amendment, or passing,  
18 proposing, or referring any law or constitutional amendment similar in effect to a  
19 law rejected by referendum petition, unless eighty percent of the house of  
20 representatives and senate refer the change to a vote of the people, notwithstanding  
21 any provision of law or of this Constitution to the contrary.

22           3. The prohibitions of this section shall be construed to protect laws and  
23 constitutional provisions enacted by citizen initiative after January 1, 2010, including  
24 both those enacted before and after the effective date of this section, and to protect  
25 referendum petition vetoes after January 1, 2010, including both those before and after  
26 the effective date of this section, from an action by the legislature on or after the  
27 effective date of this section.

28           4. This section shall not be construed to deprive any member of the legislature of  
29 the right to introduce any bill or measure, but passage, proposal, or referral thereof by  
30 the legislature is subject to the prohibitions and requirements of this section.

          Section 57. Notwithstanding any other provision or law or of this Constitution to  
2 the contrary, preexisting signature and vote requirements shall be maintained, as  
3 follows: a simple statewide majority of votes cast on the measure by individual legal  
4 voters shall be sufficient to enact any law or constitutional amendment proposed by  
5 initiative petition; a simple statewide majority of votes cast on the measure by individual  
6 legal voters shall be sufficient to reject any law upon which a referendum is ordered by  
7 referendum petition; signatures from five percent of individual legal voters in each of  
8 two-thirds of Missouri's congressional districts shall be sufficient to propose a law;  
9 signatures from eight percent of the individual legal voters in each of two-thirds of  
10 Missouri's congressional districts shall be sufficient to propose a constitutional  
11 amendment; signatures from five percent of the individual legal voters in each of  
12 two-thirds of Missouri's congressional districts shall be sufficient to order a  
13 referendum; and the number of signatures required shall be calculated based on the  
14 total vote for governor at the general election last preceding the filing of any petition.  
15 Notwithstanding any other provision of law or of this Constitution to the contrary, any

16 law or constitutional amendment referred to voters by petition shall be decided when  
17 approved or rejected by a majority of the votes cast thereon, and not otherwise.

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