

SECOND REGULAR SESSION

HOUSE BILL NO. 1999

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAGG.

5558H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 116.040 and 116.080, RSMo, and to enact in lieu thereof two new sections relating to initiative petition circulators.

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

Section A. Sections 116.040 and 116.080, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 116.040 and 116.080, to read as follows:

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

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 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

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.

proposed law (or amendment to the constitution) shall be submitted to 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
(Signature)	(Street) (City,		
	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 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)

54

(Printed Name of Affiant)

55

56

Address of Affiant

57

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

58

59

60

Signature of Notary

61

Address of Notary

62

Notary Public (Seal)

63

My commission expires _____

64

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

116.080. 1. Each petition circulator shall be at least eighteen years of age and
2 registered with the secretary of state. Signatures collected by any circulator who has not
3 registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the
4 final day for filing petitions with the secretary of state shall not be counted. A petition
5 circulator shall be deemed registered at the time such circulator delivers a signed circulator's
6 affidavit pursuant to section 116.030, with respect to a referendum petition, or section
7 116.040, with respect to an initiative petition, to the office of the secretary of state. No person
8 shall qualify as a petition circulator who has been convicted of, found guilty of, or pled guilty
9 to an offense involving forgery under the laws of this state or an offense under the laws of any
10 other jurisdiction if that offense would be considered forgery under the laws of this state.

11 Circulators for initiative petitions shall not be paid.

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

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

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