

HB 2124 -- INITIATIVE PETITIONS AND REFERENDUMS

SPONSOR: Banderman

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elections by a vote of 6 to 3.

This bill requires initiative and referendum petition signature pages to be printed on a form as specified by the Secretary of State. Signature page forms will be made available in electronic format (Sections 116.045 and 116.050, RSMo).

The bill requires petition circulators to be citizens of the United States and either residents of Missouri or physically present in Missouri for at least 30 consecutive days prior to the collection of signatures, and prohibits them from being compensated based on the number of signatures collected. Circulator affidavits are updated to reflect these requirements (Sections 116.030, 116.040, 116.080).

Signatures must be recorded using black or dark ink (Section 116.130).

Currently, any citizen can challenge the official ballot title or fiscal note for a Constitutional amendment, initiative petition, or referendum measure, or the certification of a petition as sufficient or insufficient. This bill changes this to allow only a Missouri registered voter to make these challenges (Sections 116.190 and 116.200).

The bill requires final adjudication relating to a challenge of the official ballot title or fiscal note to occur at least eight weeks before the date of the election (Section 116.190).

Currently, the Secretary of State and Attorney General review initiative and referendum petitions for sufficiency as to form, and approve or reject them on that basis. This bill changes this to require these officials to review initiative and referendum petitions for compliance with Section 116.050 and with Article III of the Missouri Constitution (Section 116.332).

The bill repeals the requirement that the Joint Committee on Legislative Research hold a hearing to take public comment on a proposed measure within 30 days of the Secretary of State issuing certification that the petition contains a sufficient number of valid signatures (Section 116.153).

This bill is similar to HB 575 (2025) and HB 1749 (2024).

PROPOSERS: Supporters say that this bill is a collection of legitimate attempts to prohibit fraud, not violate free speech. The State has a compelling interest in preserving the integrity of elections. Many states have enacted similar provisions that have withstood legal challenges. The bill prevents fraud and improves transparency in the initiative process.

Testifying in person for the bill were Representative Banderman; Fred Perkins; and Campaign Life Missouri.

OPPOSERS: Those who oppose the bill say that many of these provisions have been enacted in other states and have been found unconstitutional by courts. They question whether some of these provisions would really prevent fraud. Some allege that the real purpose of this legislation is to make it harder to collect signatures for an initiative.

Testifying in person against the bill were Cara Mengwasser; American Civil Liberties Union of Missouri; Kay Park, League of Women Voters of Missouri; Arnie Dienoff; Jobs With Justice Voter Action; Missouri Voter Protection Coalition; and Planned Parenthood Great Rivers Action.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.