

FIRST REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 1

97TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR LAGER.

Pre-filed December 1, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

0076S.011

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 22(a) of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to noneconomic damage awards in civil cases.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2014, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article I of the Constitution of the state of Missouri:

Section A. Section 22(a), article I, Constitution of Missouri, is repealed  
2 and one new section adopted in lieu thereof, to be known as section 22(a), to read  
3 as follows:

Section 22(a). That the right of trial by jury as heretofore enjoyed shall  
2 remain inviolate; provided that a jury for the trial of criminal and civil cases in  
3 courts not of record may consist of less than twelve citizens as may be prescribed  
4 by law, and a two-thirds majority of such number concurring may render a verdict  
5 in all civil cases; that in all civil cases in courts of record, three-fourths of the  
6 members of the jury concurring may render a verdict; [and] that in every criminal  
7 case any defendant may, with the assent of the court, waive a jury trial and  
8 submit the trial of such case to the court, whose finding shall have the force and  
9 effect of a verdict of a jury; **and that in all civil cases an award of**  
10 **noneconomic damages may be limited as prescribed by law.**

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**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**