

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE JOINT RESOLUTION NO. 5**  
99TH GENERAL ASSEMBLY

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Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 13, 2017, with recommendation that the Senate Committee Substitute do pass.

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ADRIANE D. CROUSE, Secretary.

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**JOINT RESOLUTION**

Submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

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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, 2018, 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 VII of the Constitution of the state of Missouri:

Section A. Section 2, article VII, Constitution of Missouri, is repealed and  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

Section 2. The house of representatives shall have the sole power of  
2 impeachment. All impeachments shall be tried before the supreme court, except  
3 that the governor or a member of the supreme court shall be tried by a special  
4 commission of seven eminent jurists to be elected by the senate. The supreme  
5 court or special commission shall take an oath to try impartially the person  
6 impeached, and no person shall be convicted without the concurrence of  
7 five-sevenths of the court or special commission. **Beginning January 1, 2019,**  
8 **all impeachments shall be tried by the senate; and when sitting for that**  
9 **purpose, the senators shall be on oath or affirmation to do justice**  
10 **according to law and the evidence. When the governor shall be tried,**  
11 **the chief justice of the supreme court shall preside; and no person shall**  
12 **be convicted without the concurrence of two-thirds of all the senators**  
13 **elected.**

Section B. Pursuant to chapter 116, and other applicable constitutional

2 provisions and laws of this state allowing the general assembly to adopt ballot  
3 language for the submission of this joint resolution to the voters of this state, the  
4 official summary statement of this resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to provide that,  
6 beginning January 1, 2019, all impeachment trials are tried by the  
7 senate, and when the Governor is being tried, the Chief Justice of  
8 the Missouri Supreme Court shall preside; and no person shall be  
9 convicted without the concurrence of two-thirds of all senators  
10 elected?"

Unofficial ✓

Bill

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