

FIRST REGULAR SESSION

SENATE BILL NO. 389

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time February 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0254S.02I

AN ACT

To repeal section 116.080, RSMo, and to enact in lieu thereof one new section relating to initiative petitions, with existing penalty provisions.

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

Section A. Section 116.080, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 116.080, to read as follows:

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

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

20 3. Any circulator who falsely swears to a circulator's affidavit knowing it

21 to be false is guilty of a class A misdemeanor punishable, notwithstanding the
22 provisions of section 560.021 to the contrary, for a term of imprisonment not to
23 exceed one year in the county jail or a fine not to exceed ten thousand dollars or
24 both.

25 **4. (1) Each petition circulator who is not paid for the purpose**
26 **of circulating a petition shall display an identification badge while**
27 **circulating petitions. Such badge shall include the words "VOLUNTEER**
28 **CIRCULATOR" in bold-faced type that is clearly legible.**

29 **(2) Each petition circulator who is paid for the purpose of**
30 **circulating a petition shall display an identification badge while**
31 **circulating petitions. Such badge shall include the words "PAID**
32 **CIRCULATOR" in bold-faced type that is clearly legible and the name**
33 **and telephone number of the individual employing the circulator.**

34 **5. It shall be unlawful for any individual, campaign committee,**
35 **as that term is defined in section 130.011, or other organization to pay**
36 **or offer to pay any petition circulator on a basis related to the number**
37 **of signatures obtained for circulating a petition.**

Bill ✓

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