

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 5

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0413S.011

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.

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Section A. Section 2, article VII, Constitution of Missouri, is repealed and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 **present.**

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 present?"

Unofficial

Bill

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