

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 38

100TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR HEGEMAN.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7, of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

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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, 2020, 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 III of the Constitution of the state of Missouri:

Section A. Sections 2, 3, and 7, article III, Constitution of Missouri, are  
2 repealed and four new sections adopted in lieu thereof, to be known as sections  
3 2, 3, 7, and 10(a), to read as follows:

Section 2. (a) After December 6, 2018, no person serving as a member of  
2 or employed by the general assembly shall act or serve as a paid lobbyist, register  
3 as a paid lobbyist, or solicit prospective employers or clients to represent as a  
4 paid lobbyist during the time of such service until the expiration of two calendar  
5 years after the conclusion of the session of the general assembly in which the  
6 member or employee last served and where such service was after December 6,  
7 2018.

8 (b) No person serving as a member of or employed by the general  
9 assembly shall accept directly or indirectly a gift of any tangible or intangible  
10 item, service, or thing of value from any paid lobbyist or lobbyist principal [in  
11 excess of five dollars per occurrence]. This Article shall not prevent candidates

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

12 for the general assembly, including candidates for reelection, or candidates for  
13 offices within the senate or house from accepting campaign contributions  
14 consistent with this Article and applicable campaign finance law. Nothing in this  
15 section shall prevent individuals from receiving gifts, family support or anything  
16 of value from those related to them within the fourth degree by blood or  
17 marriage. [The dollar limitations of this section shall be increased or decreased  
18 each year by the percentage of increase or decrease from the end of the previous  
19 calendar year of the Consumer Price Index, or successor index as published by the  
20 U.S. Department of Labor, or its successor agency, and rounded to the nearest  
21 dollar amount.]

22 (c) The general assembly shall make no law authorizing unlimited  
23 campaign contributions to candidates for the general assembly, nor any law that  
24 circumvents the contribution limits contained in this Constitution. In addition  
25 to other campaign contribution limitations or restrictions provided for by law, the  
26 amount of contributions made to or accepted by any candidate or candidate  
27 committee from any person other than the candidate in any one election [for the  
28 general assembly] **to the office of state representative or state senator**  
29 shall not exceed [the following:

30 (1) To elect an individual to the office of state senator, two thousand five  
31 hundred dollars; and

32 (2) To elect an individual to the office of state representative,] two  
33 thousand dollars.

34 The contribution limits and other restrictions of this section shall also  
35 apply to any person exploring a candidacy for [a public office listed in this  
36 subsection] **the office of state representative or state senator**.

37 For purposes of this subsection, "base year amount" shall be the  
38 contribution limits prescribed in this section. Contribution limits set forth herein  
39 shall be adjusted on the first day of January in each even-numbered year  
40 hereafter by multiplying the base year amount by the cumulative Consumer Price  
41 Index and rounded to the nearest dollar amount, for all years after 2018.

42 (d) No contribution to a candidate for legislative office shall be made or  
43 accepted, directly or indirectly, in a fictitious name, in the name of another  
44 person, or by or through another person in such a manner as to, or with the  
45 intent to, conceal the identity of the actual source of the contribution. There shall  
46 be a rebuttable presumption that a contribution to a candidate for public office  
47 is made or accepted with the intent to circumvent the limitations on contributions

48 imposed in this section when a contribution is received from a committee or  
49 organization that is primarily funded by a single person, individual, or other  
50 committee that has already reached its contribution limit under any law relating  
51 to contribution limitations. A committee or organization shall be deemed to be  
52 primarily funded by a single person, individual, or other committee when the  
53 committee or organization receives more than fifty percent of its annual funding  
54 from that single person, individual, or other committee.

55 (e) In no circumstance shall a candidate be found to have violated limits  
56 on acceptance of contributions if the Missouri ethics commission, its successor  
57 agency, or a court determines that a candidate has taken no action to indicate  
58 acceptance of or acquiescence to the making of an expenditure that is deemed a  
59 contribution pursuant to this section.

60 (f) No candidate shall accept contributions from any federal political  
61 action committee unless the committee has filed the same financial disclosure  
62 reports that would be required of a Missouri political action committee.

Section 3. (a) [There is hereby established the post of "Nonpartisan State  
2 Demographer". The nonpartisan state demographer shall acquire appropriate  
3 information to develop procedures in preparation for drawing legislative  
4 redistricting maps on the basis of each federal census for presentation to the  
5 house apportionment commission and the senatorial apportionment commission.

6 (b) The nonpartisan state demographer shall be selected through the  
7 following process. First, state residents may apply for selection to the state  
8 auditor using an application developed by the state auditor to determine an  
9 applicant's qualifications and expertise relevant to the position. Second, the state  
10 auditor shall deliver to the majority leader and minority leader of the senate a  
11 list of at least three applicants with sufficient expertise and qualifications, as  
12 determined by the state auditor, to perform the duties of the nonpartisan state  
13 demographer. Third, if the majority leader and minority leader of the senate  
14 together agree that a specific applicant should be selected to be the nonpartisan  
15 state demographer, that applicant shall be selected and the selection process shall  
16 cease. Fourth, if the majority leader and minority leader of the senate cannot  
17 together agree on an applicant, they may each remove a number of applicants on  
18 the state auditor's list equal to one-third of the total number of applicants on that  
19 list, rounded down to the next integer, and the state auditor shall then conduct  
20 a random lottery of the applicants remaining after removal to select the  
21 nonpartisan state demographer. The state auditor shall prescribe a time frame

22 and deadlines for this application and selection process that both encourages  
23 numerous qualified applicants and avoids delay in selection. The nonpartisan  
24 state demographer shall serve a term of five years and may be reappointed. To  
25 be eligible for the nonpartisan state demographer position, an individual shall not  
26 have served in a partisan, elected position for four years prior to the  
27 appointment. The nonpartisan state demographer shall be disqualified from  
28 holding office as a member of the general assembly for four years following the  
29 date of the presentation of his or her most recent legislative redistricting map to  
30 the house apportionment commission or the senatorial apportionment  
31 commission.

32 (c) The house of representatives shall consist of one hundred sixty-three  
33 members elected at each general election and [apportioned] **redistricted** as  
34 provided in this section.

35 [(1) (b) [Within ten days after the population of this state is reported  
36 to the President for each decennial census of the United States or, in the event  
37 that a reapportionment has been invalidated by a court of competent jurisdiction,  
38 within ten days after such a ruling has been made, the nonpartisan state  
39 demographer] **The house independent bipartisan citizens commission**  
40 shall [begin the preparation of legislative districting plans and maps] **redistrict**  
41 **the house of representatives** using the following methods, listed in order of  
42 priority:

43 [a.] (1) Districts shall be [established on the basis of total] **as nearly**  
44 **equal as practicable in** population[. Legislative districts shall each have a  
45 total population as nearly equal as practicable to the ideal population for such  
46 districts, determined by dividing the number of districts to be established into the  
47 total population of the state], **and districts shall be drawn on the basis of**  
48 **one person, one vote, using data** reported in the federal decennial  
49 census. **Districts are as nearly equal as practicable in population if no**  
50 **district deviates by more than one percent from the ideal population of**  
51 **the district, as measured by dividing the number of districts into the**  
52 **statewide population data being used, except that a district may**  
53 **deviate by up to three percent if necessary to follow political**  
54 **subdivision lines consistent with subdivision (4) of this subsection;**

55 [b.] (2) Districts shall be established in a manner so as to comply with  
56 all requirements of the United States Constitution and applicable federal laws,  
57 including, but not limited to, the Voting Rights Act of 1965 (as

58 amended). [Notwithstanding any other provision of this Article, districts shall  
59 not be drawn with the intent or result of denying or abridging the equal  
60 opportunity of racial or language minorities to participate in the political process  
61 or diminishing their ability to elect representatives of their choice, whether by  
62 themselves or by voting in concert with other persons.] **The following**  
63 **principles shall take precedence over any other part of this**  
64 **constitution: no district shall be drawn in a manner which results in**  
65 **a denial or abridgment of the right of any citizen of the United States**  
66 **to vote on account of race or color; and no district shall be drawn such**  
67 **that members of any community of citizens protected by the preceding**  
68 **clause have less opportunity than other members of the electorate to**  
69 **participate in the political process and to elect representatives of their**  
70 **choice;**

71 [Districts shall be designed in a manner that achieves both partisan  
72 fairness and, secondarily, competitiveness. "Partisan fairness" means that parties  
73 shall be able to translate their popular support into legislative representation  
74 with approximately equal efficiency. "Competitiveness" means that parties'  
75 legislative representation shall be substantially and similarly responsive to shifts  
76 in the electorate's preferences.

77 To this end, the nonpartisan state demographer shall calculate the average  
78 electoral performance of the two parties receiving the most votes in the three  
79 preceding elections for governor, for United States Senate, and for President of  
80 the United States. This index shall be defined as the total votes received by each  
81 party in the three preceding elections for governor, for United States Senate, and  
82 for President of the United States, divided by the total votes cast for both parties  
83 in these elections. Using this index, the nonpartisan state demographer shall  
84 calculate the total number of wasted votes for each party, summing across all of  
85 the districts in the plan. "Wasted votes" are votes cast for a losing candidate or  
86 for a winning candidate in excess of the fifty percent threshold needed for victory.  
87 In any plan of apportionment and map of the proposed districts submitted to the  
88 respective apportionment commission, the nonpartisan state demographer shall  
89 ensure the difference between the two parties' total wasted votes, divided by the  
90 total votes cast for the two parties, is as close to zero as practicable.

91 To promote competitiveness, the nonpartisan state demographer shall use  
92 the electoral performance index to simulate elections in which the hypothetical  
93 statewide vote shifts by one percent, two percent, three percent, four percent, and

94 five percent in favor of each party. The vote in each individual district shall be  
95 assumed to shift by the same amount as the statewide vote. The nonpartisan  
96 state demographer shall ensure that, in each of these simulated elections, the  
97 difference between the two parties' total wasted votes, divided by the total votes  
98 cast for the two parties, is as close to zero as practicable;

99 c.] (3) Subject to the requirements of [paragraphs a. and b. of this  
100 subdivision] **subdivisions (1) and (2) of this subsection**, districts shall be  
101 composed of contiguous territory **as compact as may be**. Areas which meet  
102 only at the points of adjoining corners are not contiguous. **In general, compact**  
103 **districts are those which are square, rectangular, or hexagonal in shape**  
104 **to the extent permitted by natural or political boundaries;**

105 [d.] (4) To the extent consistent with [paragraphs a. to c. of this  
106 subdivision, district boundaries shall coincide with the boundaries of political  
107 subdivisions of the state. The number of counties and cities divided among more  
108 than one district shall be as small as possible. When there is a choice between  
109 dividing local political subdivisions, the more populous subdivisions shall be  
110 divided before the less populous, but this preference shall not apply to a  
111 legislative district boundary drawn along a county line which passes through a  
112 city that lies in more than one county] **subdivisions (1) to (3) of this**  
113 **subsection, communities shall be preserved. Districts shall satisfy this**  
114 **requirement if district lines follow political subdivision lines to the**  
115 **extent possible, using the following criteria, in order of priority. First,**  
116 **each county shall wholly contain as many districts as its population**  
117 **allows. Second, if a county wholly contains one or more districts, the**  
118 **remaining population shall be wholly joined in a single district made**  
119 **up of population from outside the county. If a county does not wholly**  
120 **contain a district, then no more than two segments of a county shall be**  
121 **combined with an adjoining county. Third, split counties and county**  
122 **segments, defined as any part of the county that is in a district not**  
123 **wholly within that county, shall each be as few as possible. Fourth, as**  
124 **few municipal lines shall be crossed as possible;**

125 [e. Preference shall be that districts are compact in form, but the  
126 standards established by paragraphs a. to d. of this subdivision take precedence  
127 over compactness where a conflict arises between compactness and these  
128 standards. In general, compact districts are those which are square, rectangular,  
129 or hexagonal in shape to the extent permitted by natural or political boundaries.]

130           **(5) Districts shall be drawn in a manner that achieves both**  
131 **partisan fairness and, secondarily, competitiveness, but the standards**  
132 **established by subdivisions (1) to (4) of this subsection shall take**  
133 **precedence over partisan fairness and competitiveness. "Partisan**  
134 **fairness" means that parties shall be able to translate their popular**  
135 **support into legislative representation with approximately equal**  
136 **efficiency. "Competitiveness" means that parties' legislative**  
137 **representation shall be substantially and similarly responsive to shifts**  
138 **in the electorate's preferences.**

139           **To this end, the average electoral performance of the two**  
140 **political parties receiving the most votes in the three preceding general**  
141 **elections for governor, for United States Senate, and for President of**  
142 **the United States shall be calculated. This index shall be defined as the**  
143 **total votes received by each party in the three preceding general**  
144 **elections for governor, for United States Senate, and for President of**  
145 **the United States, divided by the total votes cast for both parties in**  
146 **these elections. Using this index, the total number of wasted votes for**  
147 **each party, summing across all of the districts in the plan shall be**  
148 **calculated. "Wasted votes" are votes cast for a losing candidate or for**  
149 **a winning candidate in excess of the threshold needed for victory. In**  
150 **any redistricting plan and map of the proposed districts, the difference**  
151 **between the two parties' total wasted votes, divided by the total votes**  
152 **cast for the two parties, shall not exceed fifteen percent.**

153           **To promote competitiveness, the electoral performance index**  
154 **shall be used to simulate elections in which the hypothetical statewide**  
155 **vote shifts by one percent, two percent, three percent, four percent, and**  
156 **five percent in favor of each party. The vote in each individual district**  
157 **shall be assumed to shift by the same amount as the statewide vote. In**  
158 **each of these simulated elections, the difference between the two**  
159 **parties' total wasted votes, divided by the total votes cast for the two**  
160 **parties, shall not exceed fifteen percent.**

161           **[(2)] (c) Within [sixty] ten days after the population of this state is**  
162 **reported to the President for each decennial census of the United States or, in the**  
163 **event that a [reapportionment] redistricting plan has been invalidated by a**  
164 **court of competent jurisdiction, within [sixty] ten days that such a ruling has**  
165 **been made, the state committee and the congressional district [committee]**  
166 **committees of each of the two political parties casting the highest vote for**

167 governor at the last preceding **general** election shall meet and the members of  
168 [the] **each** committee shall nominate, by a majority vote of the **elected** members  
169 of the committee present, provided that a majority of the elected members is  
170 present, [two] members of their party, residents in that district, **in the case of**  
171 **a congressional district committee**, as nominees for [reapportionment  
172 commissioners] **the house independent bipartisan citizens**  
173 **commission**. [Neither] **No** party shall select more than one nominee from any  
174 one state legislative district. The congressional **district** committees shall each  
175 submit to the governor their list of **two** elected nominees. **The state**  
176 **committees shall each submit to the governor their list of five elected**  
177 **nominees**. Within thirty days **thereafter**, the governor shall appoint a **house**  
178 **independent bipartisan citizens** commission consisting of one [name]  
179 **nominee** from each list **submitted by each congressional district**  
180 **committee and two nominees from each list submitted by each state**  
181 **committee** to [reapportion] **redistrict** the state into one hundred and  
182 sixty-three representative districts and to establish the numbers and boundaries  
183 of said districts. **No person shall be appointed to both the house**  
184 **independent bipartisan citizens commission and the senate**  
185 **independent bipartisan citizens commission during the same**  
186 **redistricting cycle**.

187 If any [of the congressional committees] **committee** fails to submit a list  
188 within such time, the governor shall appoint a member of his **or her** own choice  
189 [from that district and] from the political party of the committee failing to [make  
190 the appointment] **submit a list, provided that in the case of a**  
191 **congressional district committee failing to submit a list, the person**  
192 **appointed to the commission by the governor shall reside in the**  
193 **congressional district of such committee**.

194 Members of the commission shall be disqualified from holding office as  
195 members of the general assembly for four years following the date of the filing by  
196 the commission of its final [statement of apportionment] **redistricting plan**.

197 For the purposes of this Article, the term congressional district committee  
198 or congressional district refers to the congressional district committee or the  
199 congressional district from which a congressman was last elected, or, in the event  
200 members of congress from this state have been elected at large, the term  
201 congressional district committee refers to those persons who last served as the  
202 congressional district committee for those districts from which congressmen were

203 last elected, and the term congressional district refers to those districts from  
204 which congressmen were last elected. Any action pursuant to this section by the  
205 congressional district committee shall take place only at duly called meetings,  
206 shall be recorded in their official minutes and only members present in person  
207 shall be permitted to vote.

208       [(3) Within six months after the population of this state is reported to the  
209 President for each decennial census of the United States or, in the event that a  
210 reapportionment has been invalidated by a court of competent jurisdiction, within  
211 six months after such a ruling has been made, the nonpartisan state demographer  
212 shall make public and file with the secretary of state and with the house  
213 apportionment commission a tentative plan of apportionment and map of the  
214 proposed districts, as well as all demographic and partisan data used in the  
215 creation of the plan and map.]

216       **(d)** The commissioners so selected shall, [within ten days of receiving the  
217 tentative plan of apportionment and map of the proposed districts,] **on the**  
218 **fifteenth day, excluding Sundays and state holidays, after all members**  
219 **have been appointed,** meet in the capitol building and proceed to organize by  
220 electing from their number a chairman, vice chairman and secretary. The  
221 commission shall adopt an agenda establishing at least three hearing dates on  
222 which hearings open to the public shall be held to hear objections or testimony  
223 from interested persons. A copy of the agenda shall be filed with the clerk of the  
224 house of representatives within twenty-four hours after its adoption. Executive  
225 meetings may be scheduled and held as often as the commission deems advisable.

226       [The commission may make changes to the tentative plan of apportionment  
227 and map of the proposed districts received from the nonpartisan state  
228 demographer provided that such changes are consistent with this section and  
229 approved by a vote of at least seven-tenths of the commissioners. If no changes  
230 are made or approved as provided for in this subsection, the tentative plan of  
231 apportionment and map of proposed districts shall become final. Not later than  
232 two months of receiving the tentative plan of apportionment and map of the  
233 proposed districts, the commission shall file with the secretary of state a final  
234 statement of the numbers and the boundaries of the districts together with a map  
235 of the districts.]

236       **(e)** **Not later than five months after the appointment of the**  
237 **commission, the commission shall file with the secretary of state a**  
238 **tentative redistricting plan and map of the proposed districts and**

239 **during the ensuing fifteen days shall hold such public hearings as may**  
240 **be necessary to hear objections or testimony of interested persons. The**  
241 **commission shall make public the tentative redistricting plan and map**  
242 **of the proposed districts, as well as all demographic and partisan data**  
243 **used in the creation of the plan and map.**

244 **(f) Not later than six months after the appointment of the**  
245 **commission, the commission shall file with the secretary of state a final**  
246 **statement of the numbers and the boundaries of the districts together**  
247 **with a map of the districts, and no statement shall be valid unless**  
248 **approved by at least seven-tenths of the members.**

249 **(g) After the final statement is filed, members of the house of**  
250 **representatives shall be elected according to such districts until a new**  
251 **redistricting plan is made as provided in this section, except that if the**  
252 **final statement is not filed within six months of the time fixed for the**  
253 **appointment of the commission, the commission shall stand discharged**  
254 **and the house of representatives shall be redistricted using the same**  
255 **methods and criteria as described in subsection (b) of this section by**  
256 **a commission of six members appointed from among the judges of the**  
257 **appellate courts of the state of Missouri by the state supreme court, a**  
258 **majority of whom shall sign and file its redistricting plan and map with**  
259 **the secretary of state within ninety days of the date of the discharge of**  
260 **the house independent bipartisan citizens commission. The judicial**  
261 **commission shall make public the tentative redistricting plan and map**  
262 **of the proposed districts, as well as all demographic and partisan data**  
263 **used in the creation of the plan and map. Thereafter, members of the**  
264 **house of representatives shall be elected according to such districts**  
265 **until a redistricting plan is made as provided in this section.**

266 **(h) Each member of the commission shall receive as compensation fifteen**  
267 **dollars a day for each day the commission is in session but not more than one**  
268 **thousand dollars, and, in addition, shall be reimbursed for his or her actual and**  
269 **necessary expenses incurred while serving as a member of the commission.**

270 **(i) No [reapportionment] redistricting plan shall be subject to the**  
271 **referendum.**

272 **(j) Any action expressly or implicitly alleging that a redistricting**  
273 **plan violates this Constitution, federal law, or the United States**  
274 **Constitution shall be filed in the circuit court of Cole County and shall**  
275 **name the body that approved the challenged redistricting plan as a**

276 defendant. Only an eligible Missouri voter who sustains an individual  
277 injury by virtue of residing in a district that exhibits the alleged  
278 violation, and whose injury is remedied by a differently drawn district,  
279 shall have standing. If the court renders a judgment in which it finds  
280 that a completed redistricting plan exhibits the alleged violation, its  
281 judgment shall adjust only those districts, and only those parts of  
282 district boundaries, necessary to bring the map into compliance. The  
283 supreme court shall have exclusive appellate jurisdiction upon the  
284 filing of a notice of appeal within ten days after the judgment has  
285 become final.

Section 7. (a) [Within ten days after the population of this state is  
2 reported to the President for each decennial census of the United States or, in the  
3 event that a reapportionment has been invalidated by a court of competent  
4 jurisdiction, within ten days after such a ruling has been made, the nonpartisan  
5 state demographer authorized in Article III, Section 3 shall begin the preparation  
6 of senatorial districting plans and maps using the same methods and criteria as  
7 those required by Article III, Section 3 for the establishment of districts for the  
8 house of representatives.

9 (b) Within [sixty] **ten** days after the population of this state is reported  
10 to the President for each decennial census of the United States, or within [sixty]  
11 **ten** days after a [reapportionment] **redistricting plan** has been invalidated by  
12 a court of competent jurisdiction, the state committee **and the congressional**  
13 **district committees** of each of the two political parties casting the highest vote  
14 for governor at the last preceding **general** election shall[, at a committee meeting  
15 duly called, select by a vote of the individual committee members, and thereafter  
16 submit to the governor a list of ten persons, and] **meet and the members of**  
17 **each committee shall nominate, by a majority vote of the elected**  
18 **members of the committee present, provided that a majority of the**  
19 **elected members is present, members of their party, residents in that**  
20 **district, in the case of a congressional district committee, as nominees**  
21 **for the senate independent bipartisan citizens commission. No party**  
22 **shall select more than one nominee from any one state legislative**  
23 **district. The congressional district committees shall each submit to the**  
24 **governor their list of two elected nominees. The state committees shall**  
25 **each submit to the governor their list of five elected nominees. Within**  
26 thirty days thereafter the governor shall appoint a **senate independent**

27 **bipartisan citizens** commission **consisting** of [ten members, five] **two**  
28 **nominees** from each list **submitted by each state committee and one**  
29 **nominee from each list submitted by each congressional district**  
30 **committee**, to [reapportion] **redistrict** the thirty-four senatorial districts and  
31 to establish the numbers and boundaries of said districts. **No person shall be**  
32 **appointed to both the house independent bipartisan citizens**  
33 **commission and the senate independent bipartisan citizens commission**  
34 **during the same redistricting cycle.**

35 If [either of the party committees] **any committee** fails to submit a list  
36 within such time, the governor shall appoint [five members] **a member** of his **or**  
37 **her** own choice from the **political** party of the committee [so] failing to [act]  
38 **submit a list, provided that in the case of a congressional district**  
39 **committee failing to submit a list, the person appointed to the**  
40 **commission by the governor shall reside in the congressional district**  
41 **of such committee.**

42 Members of the commission shall be disqualified from holding office as  
43 members of the general assembly for four years following the date of the filing by  
44 the commission of its final [statement of apportionment] **redistricting plan.**

45 [(c) Within six months after the population of this state is reported to the  
46 President for each decennial census of the United States or in the event that a  
47 reapportionment has been invalidated by a court of competent jurisdiction, within  
48 six months after such a ruling has been made, the nonpartisan state demographer  
49 shall file with the secretary of state and with the senatorial apportionment  
50 commission a tentative plan of apportionment and map of the proposed districts.]

51 **(b)** The commissioners so selected shall [within ten days of receiving the  
52 tentative plan of apportionment and map of the proposed districts required by  
53 this subsection], **on the fifteenth day, excluding Sundays and state**  
54 **holidays, after all members have been appointed,** meet in the capitol  
55 building and proceed to organize by electing from their number a chairman, vice  
56 chairman and secretary. The commission shall adopt an agenda establishing at  
57 least three hearing dates on which hearings open to the public shall be held to  
58 hear objections or testimony from interested persons. A copy of the agenda shall  
59 be filed with the secretary of the senate within twenty-four hours after its  
60 adoption. Executive meetings may be scheduled and held as often as the  
61 commission deems advisable. [The commission may make changes to the  
62 tentative plan of apportionment and map of the proposed districts received from

63 the nonpartisan state demographer provided that such changes are consistent  
64 with this section and the methods and criteria required by Section 3 of this  
65 Article for the establishment of districts for the house of representatives and  
66 approved by a vote of at least seven-tenths of the commissioners. If no changes  
67 are made or approved as provided for in this subsection, the tentative plan of  
68 apportionment and map of proposed districts shall become final. Not later than  
69 two months after receiving the tentative plan of apportionment and map of the  
70 proposed districts, the commission shall file with the secretary of state a final  
71 statement of the numbers and the boundaries of the districts together with a map  
72 of the districts.]

73 **(c) The senate independent bipartisan citizens commission shall**  
74 **redistrict the senate using the same methods and criteria as those**  
75 **required by subsection (b), section 3 of this article for the redistricting**  
76 **of the house of representatives.**

77 **(d) Not later than five months after the appointment of the**  
78 **senate independent bipartisan citizens commission, the commission**  
79 **shall file with the secretary of state a tentative redistricting plan and**  
80 **map of the proposed districts and during the ensuing fifteen days shall**  
81 **hold such public hearings as may be necessary to hear objections or**  
82 **testimony of interested persons. The commission shall make public the**  
83 **tentative redistricting plan and map of the proposed districts, as well**  
84 **as all demographic and partisan data used in the creation of the plan**  
85 **and map.**

86 **(e) Not later than six months after the appointment of the**  
87 **commission, the commission shall file with the secretary of state a final**  
88 **statement of the numbers and the boundaries of the districts together**  
89 **with a map of the districts, and no statement shall be valid unless**  
90 **approved by at least seven-tenths of the members.**

91 **(f) After the final statement is filed, senators shall be elected**  
92 **according to such districts until a new redistricting plan is made as**  
93 **provided in this section, except that if the final statement is not filed**  
94 **within six months of the time fixed for the appointment of the**  
95 **commission, the commission shall stand discharged and the senate shall**  
96 **be redistricted using the same methods and criteria as described in**  
97 **subsection (b) of section 3 of this article by a commission of six**  
98 **members appointed from among the judges of the appellate courts of**  
99 **the state of Missouri by the state supreme court, a majority of whom**

100 shall sign and file its redistricting plan and map with the secretary of  
 101 state within ninety days of the date of the discharge of the senate  
 102 independent bipartisan citizens commission. The judicial commission  
 103 shall make public the tentative redistricting plan and map of the  
 104 proposed districts, as well as all demographic and partisan data used  
 105 in the creation of the plan and map. Thereafter, senators shall be  
 106 elected according to such districts until a redistricting plan is made as  
 107 provided in this section.

108 (g) Each member of the commission shall receive as compensation fifteen  
 109 dollars a day for each day the commission is in session, but not more than one  
 110 thousand dollars, and, in addition, shall be reimbursed for his or her actual and  
 111 necessary expenses incurred while serving as a member of the commission.

112 (h) No [reapportionment] redistricting plan shall be subject to the  
 113 referendum.

114 (i) Any action expressly or implicitly alleging that a redistricting  
 115 plan violates this Constitution, federal law, or the United States  
 116 Constitution shall be filed in the circuit court of Cole County and shall  
 117 name the body that approved the challenged redistricting plan as a  
 118 defendant. Only an eligible Missouri voter who sustains an individual  
 119 injury by virtue of residing in a district that exhibits the alleged  
 120 violation, and whose injury is remedied by a differently drawn district,  
 121 shall have standing. If the court renders a judgment in which it finds  
 122 that a completed redistricting plan exhibits the alleged violation, its  
 123 judgment shall adjust only those districts, and only those parts of  
 124 district boundaries, necessary to bring the map into compliance. The  
 125 supreme court shall have exclusive appellate jurisdiction upon the  
 126 filing of a notice of appeal within ten days after the judgment has  
 127 become final.

Section 10(a). The general assembly may enact laws ensuring the  
 2 public availability of all records relating to the redistricting process  
 3 under sections 3 and 7 of this article.

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:

6 • Ban lobbyist gifts to legislators and their employees;

- 7 • Reduce campaign contribution limits;
- 8 • Create citizen-led independent bipartisan commissions to
- 9 draw state legislative districts based on equal population,
- 10 following the U.S. Constitution, federal law, and other
- 11 criteria, including preserving communities, compactness,
- 12 fairness, and competitiveness?"



Unofficial

Bill

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