

SECOND REGULAR SESSION

SENATE BILL NO. 812

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

4164S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 116.160, RSMo, and to enact in lieu thereof one new section relating to legal challenges to ballot summaries prepared by the general assembly.

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

Section A. Section 116.160, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 116.160,
3 to read as follows:

116.160. 1. If the general assembly adopts a joint
2 resolution proposing a constitutional amendment or a bill
3 without a fiscal note summary, which is to be referred to a
4 vote of the people, after receipt of such resolution or bill
5 the secretary of state shall promptly forward the resolution
6 or bill to the state auditor. If the general assembly
7 adopts a joint resolution proposing a constitutional
8 amendment or a bill without an official summary statement,
9 which is to be referred to a vote of the people, within
10 twenty days after receipt of the resolution or bill, the
11 secretary of state shall prepare and transmit to the
12 attorney general a summary statement of the measure as the
13 proposed summary statement. The secretary of state may seek
14 the advice of the legislator who introduced the
15 constitutional amendment or bill and the speaker of the
16 house or the president pro tem of the legislative chamber
17 that originated the measure. The summary statement may be
18 distinct from the legislative title of the proposed

19 constitutional amendment or bill. The attorney general
20 shall within ten days approve the legal content and form of
21 the proposed statement. **If the general assembly adopts a**
22 **joint resolution proposing a constitutional amendment or**
23 **statutory measure that includes an official summary**
24 **statement, the statement shall appear on the ballot, and no**
25 **court shall have the authority to rewrite or edit the**
26 **summary statement or ballot language.**

27 2. The official summary statement shall contain no
28 more than fifty words, excluding articles. The title shall
29 be a true and impartial statement of the purposes of the
30 proposed measure in language neither intentionally
31 argumentative nor likely to create prejudice either for or
32 against the proposed measure.

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