

SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE JOINT RESOLUTION NO. 43
JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 50 and 51 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to procedures for ballot measures submitted to the voters.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2024, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article III of the
7 Constitution of the state of Missouri:

Section A. Sections 50 and 51, article III, Constitution
2 of Missouri, are repealed and four new sections adopted in lieu
3 thereof, to be known as sections 27(a), 50, 51, and 54, to read
4 as follows:

Section 27(a). Notwithstanding section 27 of this
2 article or section 2(a) of article XII of this constitution
3 to the contrary, no bill proposing an amendment to this
4 constitution shall be finally passed unless a vote by yeas
5 and nays be taken and at least four-sevenths of the members
6 serving in each house, less any vacancies, be recorded as
7 voting favorably.

Section 50. Initiative petitions proposing amendments
2 to the constitution shall be signed by eight percent of the
3 legal voters in each of two-thirds of the congressional

4 districts in the state, and petitions proposing laws shall
5 be signed by five percent of such voters. Every such
6 petition shall be filed with the secretary of state not less
7 than six months before the election and shall contain an
8 enacting clause and the full text of the measure. Legal
9 voters in each congressional district shall have the
10 opportunity to review and comment upon all initiative
11 petitions proposing an amendment to this constitution
12 following the filing of the petition with the secretary of
13 state and not less than fifteen days before the measure
14 appears on the ballot. Such review and comment process
15 shall be administered by the secretary of state in a public
16 forum. Petitions for constitutional amendments shall not
17 contain more than one amended and revised article of this
18 constitution, or one new article which shall not contain
19 more than one subject and matters properly connected
20 therewith, and the enacting clause thereof shall be "Be it
21 resolved by the people of the state of Missouri that the
22 Constitution be amended:". Petitions for laws shall contain
23 not more than one subject which shall be expressed clearly
24 in the title, and the enacting clause thereof shall be "Be
25 it enacted by the people of the state of Missouri:". For
26 purposes of this article, only citizens of the United States
27 of America, who are eighteen years of age or older, who are
28 residents of the State of Missouri and who are properly
29 registered to vote in the State of Missouri shall be
30 considered legal voters.

Section 51. 1. The initiative shall not be used:

2 (1) For the appropriation of money other than of new
3 revenues created and provided for thereby[,];

4 (2) To raise, expand, or impose any taxes or fees on
5 real estate, real estate transactions, or real or personal
6 property; or

7 (3) For any other purpose prohibited by this
8 constitution. [Except as provided in this constitution,]

9 2. It shall be unlawful for:

10 (1) A government of a foreign country or a foreign
11 political party to sponsor an initiative petition;

12 (2) A government of a foreign country or a foreign
13 political party to directly or indirectly make:

14 (a) A contribution or donation of money or other thing
15 of value, or make an express or implied promise to make a
16 contribution or donation, in connection with an initiative
17 petition;

18 (b) A contribution or donation to a political
19 committee or a political party favoring or opposing an
20 initiative petition; or

21 (c) An expenditure, independent expenditure, or
22 disbursement for an electioneering communication, whether
23 print, broadcast, or digital media, or otherwise, related to
24 an initiative petition; or

25 (3) A person to solicit, accept, or receive a
26 contribution or donation from a government of a foreign
27 country or a foreign political party, in connection with an
28 initiative petition.

29 3. (1) Any measure [proposed] proposing laws shall
30 take effect when approved by a majority of the votes cast
31 thereon.

32 (2) Notwithstanding section 2(b) of article XII of
33 this constitution to the contrary, any measure proposing an
34 amendment to this constitution shall take effect when
35 approved either:

36 (a) By a majority of the votes cast statewide
37 by legal voters and also a majority of votes cast thereon in
38 each of more than half of the congressional districts by
39 legal voters; or

40 (b) By at least four-sevenths of the votes cast
41 thereon statewide.

42 (3) When conflicting measures are approved at the same
43 election the one receiving the largest affirmative vote
44 shall prevail.

45 4. The general assembly shall have exclusive authority
46 to enact laws enforcing provisions in this constitution
47 relating to ballot measures.

48 5. The general assembly shall ensure that legal voters
49 who are disabled, including but not limited to those voters
50 who are hearing impaired, speech impaired, or visually
51 impaired, can review, comment on, sign, decline to sign, or
52 vote on ballot measures.

Section 54. 1. Notwithstanding section 27 of this
2 article to the contrary, until five years following the
3 effective date of any law approved by the people through the
4 initiative petition process, the general assembly shall not
5 pass any law amending or repealing such measure unless, by a
6 vote of yeas and nays, at least four-sevenths of the members
7 serving in each house, less any vacancies, be recorded as
8 voting favorably.

9 2. The provisions of subsection 1 of this section
10 shall not apply in the case of a law amending or repealing a
11 measure approved by the people through the initiative
12 petition process if the general assembly orders a referendum
13 pursuant to section 52(a) of this article. Any such law may
14 be approved by the general assembly as is otherwise
15 permitted by this constitution.

16 3. In the event that a court of competent jurisdiction
17 issues a final judgment that declares a law approved by the
18 people through the initiative petition process
19 unconstitutional or otherwise invalid, in whole or in part,
20 or that otherwise renders the law inoperable and of no force

21 and effect of law, in whole or in part, the provisions of
22 subsection 1 of this section shall not apply and the general
23 assembly may amend or repeal such measure in a manner that
24 is otherwise consistent with this constitution.

25 4. If any initiative petition proposing a
26 constitutional amendment that is approved by the people is
27 found by a court of competent jurisdiction to be
28 unconstitutional or otherwise invalid, in whole or in part,
29 the remaining provisions of the amendment shall also be
30 invalid.

31 5. Subsections 1 and 2 of this section shall not apply
32 to any constitutional amendment adopted through the
33 initiative petition process.

Section B. Under chapter 116, RSMo, and other
2 applicable constitutional provisions and laws of this state
3 allowing the general assembly to adopt ballot language for
4 the submission of a joint resolution to the voters of this
5 state, the official ballot title of the amendment proposed
6 in Section A shall be as follows:

7 "Shall the Missouri Constitution be amended to:
8 • Allow only U.S. citizens to vote on initiatives;
9 • Forbid foreign countries from sponsoring or
10 funding initiatives;
11 • Restrict legislative power to undo laws approved
12 by voters;
13 • Pass initiatives by a majority of voters in a
14 majority of congressional districts or by a four-
15 sevenths majority statewide."