

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE JOINT RESOLUTION NO. 78

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

3502S.03P

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 3 of article VIII of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to elections.

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 VIII of the
7 Constitution of the state of Missouri:

Section A. Sections 2 and 3, article VIII, Constitution
2 of Missouri, are repealed and three new sections adopted in
3 lieu thereof, to be known as sections 2, 3, and 24, to read as
4 follows:

Section 2. **[All]** **Only** citizens of the United States,
2 including occupants of soldiers' and sailors' homes, over
3 the age of eighteen who are residents of this state and of
4 the political subdivision in which they offer to vote are
5 entitled to vote at all elections by the people, if the
6 election is one for which registration is required if they
7 are registered within the time prescribed by law, or if the

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

8 election is one for which registration is not required, if
9 they have been residents of the political subdivision in
10 which they offer to vote for thirty days next preceding the
11 election for which they offer to vote: Provided however, no
12 person who has a guardian of his or her estate or person by
13 reason of mental incapacity, appointed by a court of
14 competent jurisdiction and no person who is involuntarily
15 confined in a mental institution pursuant to an adjudication
16 of a court of competent jurisdiction shall be entitled to
17 vote, and persons convicted of felony, or crime connected
18 with the exercise of the right of suffrage may be excluded
19 by law from voting.

Section 3. **1.** All elections by the people shall be by
2 **paper** ballot or by any mechanical method prescribed by law.

3 **2. Voters shall have only a single vote for each issue**
4 **on which such voter is eligible to vote. Voters shall have**
5 **the same number of votes for an office as the number of open**
6 **seats to be elected to such office at that election. Under**
7 **no circumstance shall a voter be permitted to cast a ballot**
8 **in a manner that results in the ranking of candidates for a**
9 **particular office. Notwithstanding any provision of this**
10 **subsection to the contrary, this subsection shall not apply**
11 **to any nonpartisan municipal election held in a city that**
12 **had an ordinance in effect as of November 5, 2024, that**
13 **permits voters to cast more than a single vote for each**
14 **issue or candidate on which such voter is eligible to vote.**

15 **3.** All election officers shall be sworn or affirmed
16 not to disclose how any voter voted; provided, that in cases
17 of contested elections, grand jury investigations and in the
18 trial of all civil or criminal cases in which the violation
19 of any law relating to elections, including nominating
20 elections, is under investigation or at issue, such officers

21 may be required to testify and the ballots cast may be
22 opened, examined, counted, and received as evidence.

**Section 24. 1. The person receiving the greatest
2 number of votes at a primary election as a party candidate
3 for an office shall be the only candidate for that party for
4 the office at the general election. The name of such
5 candidate shall be placed on the official ballot at the
6 general election unless removed or replaced as provided by
7 law.**

8 **2. The person receiving the greatest number of votes
9 at the general election shall be declared the winner.**

10 **3. Notwithstanding any provision of this section to
11 the contrary, this section shall not apply to any
12 nonpartisan municipal election held in a city that had an
13 ordinance in effect as of November 5, 2024, that requires a
14 preliminary election at which more than one candidate
15 advances to a subsequent election.**

Section B. Pursuant to chapter 116, 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 this joint resolution to the voters of
5 this state, the official summary statement of this
6 resolution shall be as follows:

7 "Shall the Missouri Constitution be amended to:

- 8 • Make the Constitution consistent with state
9 law by only allowing citizens of the United
10 States to vote;
- 11 • Prohibit the ranking of candidates by
12 limiting voters to a single vote per candidate
13 or issue; and

14 • Require the plurality winner of a political
15 party primary to be the single candidate at a
16 general election?".

