

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

**SENATE JOINT RESOLUTION NO. 40**

**103RD GENERAL ASSEMBLY**

0074S.11C

KRISTINA MARTIN, Secretary

**JOINT RESOLUTION**

Submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri, by adding thereto one new section relating to sheriffs.

*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, 2026, 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 VII of the  
7 Constitution of the state of Missouri:

Section A. Article VII, Constitution of Missouri, is  
2 amended by adding thereto one new section, to be known as  
3 section 15, to read as follows:

**Section 15. 1. Except as provided in subsection 2 of**  
2 **this section, each county shall elect a sheriff for a term**  
3 **of four years by a majority of the qualified voters of the**  
4 **county voting thereon at the time of voting designated for**  
5 **such office provided by law as of the effective date of this**  
6 **section and every four years thereafter.**

7 **2. The provisions of this section shall not apply to:**  
8 **(1) Any county with more than one million inhabitants;**  
9 **(2) Any county with more than four hundred thousand**  
10 **but fewer than five hundred thousand inhabitants; or**  
11 **(3) Any city not within a county.**

12           3. The elected sheriff shall be the chief law  
13 enforcement officer in his or her county. Notwithstanding  
14 article VI section 18(a) or any other article of the  
15 Missouri constitution to the contrary, every sheriff, in  
16 addition to duties as set in law, shall quell and suppress  
17 assaults, batteries, riots, routs, affrays, and  
18 insurrections and shall:

19           (1) Apprehend and commit to jail all felons and  
20 traitors;

21           (2) Attend each division of the circuit court presided  
22 over by a circuit or associate circuit court judge held in  
23 his or her county, when so directed by the court; and

24           (3) Execute process, including writs of replevin,  
25 attachments, and final process issued by circuit and  
26 associate circuit court judges, unless the sheriff of the  
27 county does not perform such duties as of August 28, 2026.

28           4. Every sheriff is a conservator of the peace within  
29 his or her county and shall cause all offenders against law  
30 to appear at the next term of the circuit or associate court  
31 of the county, and to be committed to jail in case of  
32 failure to give the recognizance.

33           5. The sheriff shall hire and appoint such deputies,  
34 assistants, and other employees as the sheriff deems  
35 necessary for the proper discharge of the duties of his or  
36 her office, who shall hold office at the will and pleasure  
37 of the sheriff and may set their compensation within the  
38 limits of the allocations made for that purpose.

39           6. An elected county sheriff shall not be removed from  
40 office except by writ of quo warranto initiated by the  
41 attorney general.

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 require the sheriff in certain counties to be an  
9 elected officer of the county and to prohibit  
10 the removal of a county sheriff except by a writ  
11 of quo warranto?".

✓