

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE JOINT RESOLUTION NO. 87

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

4330S.02P

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 a charter form of government
9 adjacent to a city not within a county; or

10 (2) Any county with a charter form of government which
11 has a population greater than four hundred thousand
12 inhabitants and that is adjacent to a county with a
13 population greater than nine hundred thousand inhabitants.

14 3. Except as provided in subsection 2 of this section,
15 the elected sheriff shall be the chief law enforcement
16 officer in his or her county. Notwithstanding Article VI,
17 Section 18(a) or any other article of the Missouri
18 Constitution to the contrary, every sheriff, except as
19 provided in subsection 2 of this section, in addition to
20 duties as set in law, shall quell and suppress assaults,
21 batteries, riots, routs, affrays, and insurrections and
22 shall:

23 (1) Apprehend and commit to jail all felons and
24 traitors;

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

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

32 4. Except as provided in subsection 2 of this section,
33 every sheriff is a conservator of the peace within his or
34 her county and shall cause all offenders against law to
35 appear at the next term of the circuit or associate court of
36 the county, and to be committed to jail in case of failure
37 to give the recognizance.

38 5. Except as provided in subsection 2 of this section,
39 the sheriff shall hire and appoint such deputies,

40 assistants, and other employees as the sheriff deems
41 necessary for the proper discharge of the duties of his or
42 her office, who shall hold office at the will and pleasure
43 of the sheriff and may set their compensation within the
44 limits of the allocations made for that purpose.

45 6. Except as provided in subsection 2 of this section,
46 an elected county sheriff shall not be removed from office
47 except by writ of quo warranto initiated by the attorney
48 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 support law enforcement by preserving the right
9 of citizens to elect a county sheriff,
10 prohibiting the removal of a county sheriff
11 except by a writ of quo warranto, and
12 recognizing the office of sheriff as part of the
13 administration of justice?".

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