

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 31

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CUNNINGHAM (86) (Sponsor), BEARDEN, BROWN (30),
ERVIN, McGHEE AND WILDBERGER (Co-sponsors).

Pre-filed December 1, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3615L.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 3 of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to state court jurisdiction.

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

That at the next general election to be held in the state of Missouri, on Tuesday next
2 following the first Monday in November, 2006, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to article V of the Constitution of the state of
5 Missouri:

Section A. Section 3, article V, Constitution of Missouri, is repealed and one new section
2 adopted in lieu thereof, to be known as section 3, to read as follows:

Section 3. The supreme court shall have exclusive appellate jurisdiction in all cases
2 involving the validity of a treaty or statute of the United States, or of a statute or provision of the
3 constitution of this state, the construction of the revenue laws of this state, the title to any state
4 office and in all cases where the punishment imposed is death. The court of appeals shall have
5 general appellate jurisdiction in all cases except those within the exclusive jurisdiction of the
6 supreme court. **Neither the supreme court nor any inferior court of the state shall have the
7 power to instruct or order the state or any county, city, or political subdivision thereof, or
8 an official of the state or of any county, city, or political subdivision thereof, to levy or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 **increase taxes. Neither the supreme court nor any inferior court of the state shall have the**
10 **power to instruct or order the state or any county, city, or political subdivision thereof, or**
11 **an official of the state or of any county, city, or political subdivision thereof, on how to**
12 **spend, allocate, or budget fiscal resources or to make any instruction or order not**
13 **specifically covered by the provisions of this constitution or by law.**

✓