

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 754, Page 1, Section 115.352, Line 5, by
2 inserting immediately after said line the following:

3 "116.050. 1. Initiative and referendum petitions filed under the provisions of this chapter
4 shall consist of pages of a uniform size. Each page, excluding the text of the measure, shall be no
5 larger than eight and one-half by fourteen inches and the font shall be at least fourteen point and in
6 Times New Roman. Each page of an initiative petition shall be attached to or shall contain a full
7 and correct text of the proposed measure. Each page of a referendum petition shall be attached to or
8 shall contain a full and correct text of the measure on which the referendum is sought.

9 2. The secretary of state shall collect a filing fee of five hundred dollars for each initiative
10 petition filed. Each fee collected under this section shall be placed in a trust fund established by the
11 state treasurer and shall be refunded if the initiative petition qualifies for the ballot within two years
12 after a summary statement has been prepared by the secretary of state under section 116.334. Any
13 fees that are not refunded shall revert to the general revenue.

14 3. The full and correct text of all initiative and referendum petition measures shall:

15 (1) Contain all matter which is to be deleted included in its proper place enclosed in
16 brackets and all new matter shown underlined;

17 (2) Include all sections of existing law or of the constitution which would be repealed by the
18 measure; and

19 (3) Otherwise conform to the provisions of Article III, Section 28 and Article III, Section
20 50 of the Constitution and those of this chapter.

21 4. Initiative petitions shall be filed no earlier than January thirty-first following a general
22 election and no later than nine months prior to the election at which the proposed measure is to be
23 submitted for a vote.

24 5. Any proponent of an initiative or referendum petition who is unable to deposit with the
25 secretary of state the filing fee under subsection 2 of this section shall certify to the secretary of
26 state their inability to pay the costs associated with examination and verification of signatures and
27 shall receive a waiver of costs.

28 116.080. 1. Each petition circulator shall be at least eighteen years of age and registered to
29 circulate petitions with the secretary of state. Signatures collected by any circulator who has not
30 registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the final day
31 for filing petitions with the secretary of state shall not be counted. A petition circulator shall be
32 deemed registered at the time such circulator delivers a signed circulator's affidavit pursuant to
33 section 116.030, with respect to a referendum petition, or section 116.040, with respect to an
34 initiative petition, to the office of the secretary of state. No person shall qualify as a petition
35 circulator who has been convicted of, found guilty of, or pled guilty to an offense involving forgery
36 under the laws of this state or an offense under the laws of any other jurisdiction if that offense

Action Taken _____ Date _____

1 would be considered forgery under the laws of this state.

2 2. Each petition circulator shall subscribe and swear to the proper affidavit on each petition
3 page such circulator submits before a notary public commissioned in Missouri. When notarizing a
4 circulator's signature, a notary public shall sign his or her official signature and affix his or her
5 official seal to the affidavit only if the circulator personally appears before the notary and subscribes
6 and swears to the affidavit in his or her presence.

7 3. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is
8 guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [560.021]
9 558.002 to the contrary, for a term of imprisonment not to exceed one year in the county jail or a
10 fine not to exceed ten thousand dollars or both.

11 4. (1) Each petition circulator who is not paid for the purpose of circulating a petition shall
12 display an identification badge while circulating petitions. Such badge shall include the words
13 "VOLUNTEER CIRCULATOR" in boldfaced type that is clearly legible and the name and state of
14 residence of the volunteer circulator.

15 (2) Each petition circulator who is paid for the purpose of circulating a petition shall display
16 an identification badge while circulating petitions. Such badge shall include the words "PAID
17 CIRCULATOR" in boldfaced type that is clearly legible, the name and state of residence of the paid
18 circulator, and the name and telephone number of the individual employing the paid circulator.

19 5. It shall be unlawful for any individual, campaign committee, as that term is defined in
20 section 130.011, or other organization to pay or offer to pay any petition circulator on a basis related
21 to the number of signatures obtained for circulating a petition.

22 116.332. 1. Before a constitutional amendment petition, a statutory initiative petition, or a
23 referendum petition may be circulated for signatures, a sample sheet must be submitted to the
24 secretary of state in the form in which it will be circulated. When a person submits a sample sheet
25 of a petition he or she shall designate to the secretary of state the name and address of the person to
26 whom any notices shall be sent pursuant to sections 116.140 and 116.180 and, if a committee or
27 person, except the individual submitting the sample sheet, is funding any portion of the drafting or
28 submitting of the sample sheet, the person submitting the sample sheet shall submit a copy of the
29 filed statement of committee organization required under subsection 5 of section 130.021 showing
30 the date the statement was filed. The secretary of state shall refer a copy of the petition sheet to the
31 attorney general for his approval and to the state auditor for purposes of preparing a fiscal note and
32 fiscal note summary. The secretary of state and attorney general must each review the petition for
33 sufficiency as to form and for compliance with the Constitution of the United States and the
34 Constitution of Missouri, and approve or reject [the form of] the petition, stating the reasons for
35 rejection, if any.

36 2. Within two business days of receipt of any such sample sheet, the office of the secretary
37 of state shall conspicuously post on its website the text of the proposed measure, a disclaimer stating
38 that such text may not constitute the full and correct text as required under section 116.050, and the
39 name of the person or organization submitting the sample sheet. The secretary of state's failure to
40 comply with such posting shall be considered a violation of chapter 610 and subject to the penalties
41 provided under subsection 3 of section 610.027. The posting shall be removed within three days of
42 either the withdrawal of the petition under section 116.115 or the rejection for any reason of the
43 petition.

44 3. Upon receipt of a petition from the office of the secretary of state, the attorney general
45 shall examine the petition as to form and determine whether it complies with the Constitution of the
46 United States and the Constitution of Missouri. If the petition is rejected [as to form], the attorney
47 general shall forward his or her comments to the secretary of state within ten days after receipt of
48 the petition by the attorney general. If the petition is approved [as to form], the attorney general

1 shall forward his or her approval [as to form] to the secretary of state within ten days after receipt of
2 the petition by the attorney general.

3 4. The secretary of state shall review the comments and statements of the attorney general
4 [as to form] and make a final decision as to the approval or rejection of [the form of] the petition as
5 to form and constitutionality. The secretary of state shall send written notice to the person who
6 submitted the petition sheet of the approval within fifteen days after submission of the petition
7 sheet. The secretary of state shall send written notice if the petition has been rejected, together with
8 reasons for rejection, within fifteen days after submission of the petition sheet."; and

9
10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.