

SECOND REGULAR SESSION

# HOUSE BILL NO. 1842

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HOUGHTON.

5640H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 116.080, RSMo, and to enact in lieu thereof one new section relating to initiative petitions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 116.080, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 116.080, to read as follows:

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

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

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.

17           3. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is  
18 guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [~~560.021~~]  
19 **558.002** to the contrary, for a term of imprisonment not to exceed one year in the county jail or  
20 a fine not to exceed ten thousand dollars or both.

21           **4. (1) Each petition circulator who is not paid for the purpose of circulating a**  
22 **petition shall display an identification badge while circulating petitions. Such badge shall**  
23 **include the words "VOLUNTEER CIRCULATOR" in boldfaced type that is clearly**  
24 **legible.**

25           **(2) Each petition circulator who is paid for the purpose of circulating a petition**  
26 **shall display an identification badge while circulating petitions. Such badge shall include**  
27 **the words "PAID CIRCULATOR" in boldfaced type that is clearly legible and the name**  
28 **and telephone number of the individual employing the circulator.**

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

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