

SENATE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE JOINT RESOLUTION NO. 43  
JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 50 and 51 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to procedures for ballot measures submitted to the voters.

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*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, 2024, 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 III of the  
7 Constitution of the state of Missouri:

Section A. Sections 50 and 51, article III, Constitution  
2 of Missouri, are repealed and four new sections adopted in lieu  
3 thereof, to be known as sections 27(a), 50, 51, and 54, to read  
4 as follows:

Section 27(a). Notwithstanding section 27 of this  
2 article or section 2(a) of article XII of this constitution  
3 to the contrary, no bill proposing an amendment to this  
4 constitution shall be finally passed unless a vote by yeas  
5 and nays be taken and at least fifty-seven percent of the  
6 members serving in each house be recorded as voting  
7 favorably.

Section 50. Initiative petitions proposing amendments  
2 to the constitution shall be signed by eight percent of the

3 legal voters in each of two-thirds of the congressional  
4 districts in the state, and petitions proposing laws shall  
5 be signed by five percent of such voters. Every such  
6 petition shall be filed with the secretary of state not less  
7 than six months before the election and shall contain an  
8 enacting clause and the full text of the measure. Legal  
9 voters in each congressional district shall have the  
10 opportunity to review and comment upon all initiative  
11 petitions proposing an amendment to this constitution  
12 following the filing of the petition with the secretary of  
13 state and not less than fifteen days before the measure  
14 appears on the ballot. Such review and comment process  
15 shall be administered by the secretary of state in a public  
16 forum. Petitions for constitutional amendments shall not  
17 contain more than one amended and revised article of this  
18 constitution, or one new article which shall not contain  
19 more than one subject and matters properly connected  
20 therewith, and the enacting clause thereof shall be "Be it  
21 resolved by the people of the state of Missouri that the  
22 Constitution be amended:". Petitions for laws shall contain  
23 not more than one subject which shall be expressed clearly  
24 in the title, and the enacting clause thereof shall be "Be  
25 it enacted by the people of the state of Missouri:". For  
26 purposes of this article, only citizens of the United States  
27 of America, who are eighteen years of age or older, who are  
28 residents of the State of Missouri and who are properly  
29 registered to vote in the State of Missouri shall be  
30 considered legal voters.

Section 51. 1. The initiative shall not be used:

2 (1) For the appropriation of money other than of new  
3 revenues created and provided for thereby[, ]; or

4 (2) For any other purpose prohibited by this  
5 constitution. [Except as provided in this constitution,]

6           2. (1) Any measure [proposed] proposing laws shall  
7 take effect when approved by a majority of the votes cast  
8 thereon.

9           (2) Notwithstanding section 2(b) of article XII of  
10 this constitution to the contrary, any measure proposing an  
11 amendment to this constitution shall take effect when  
12 approved either:

13           (a) By a majority of the votes cast thereon statewide  
14 by legal voters and also a majority of votes cast thereon in  
15 each of more than half of the congressional districts by  
16 legal voters; or

17           (b) By at least fifty-seven percent of the votes cast  
18 thereon statewide.

19           (3) When conflicting measures are approved at the same  
20 election the one receiving the largest affirmative vote  
21 shall prevail.

22           3. The general assembly shall ensure that legal voters  
23 who are disabled, including but not limited to those voters  
24 who are hearing impaired, speech impaired, or visually  
25 impaired, can review, comment on, sign, decline to sign, or  
26 vote on ballot measures.

Section 54. 1. Notwithstanding section 27 of this  
2 article to the contrary, until five years following the  
3 effective date of any law approved by the people through the  
4 initiative petition process, the general assembly shall not  
5 pass any law amending or repealing the substantive law of  
6 such measure unless, by a vote of yeas and nays, at least  
7 fifty-seven percent of the members serving in each house be  
8 recorded as voting favorably.

9           2. The provisions of subsection 1 of this section  
10 shall not apply in the case of a law amending or repealing  
11 substantive law of a measure approved by the people through  
12 the initiative petition process if the general assembly

13 orders a referendum pursuant to section 52(a) of this  
14 article. Any such law may be approved by the general  
15 assembly as is otherwise permitted by this constitution.

16 3. In the event that a court of competent jurisdiction  
17 issues a final judgment that declares a law approved by the  
18 people through the initiative petition process  
19 unconstitutional or otherwise invalid, in whole or in part,  
20 or that otherwise renders the law inoperable and of no force  
21 and effect of law, in whole or in part, the provisions of  
22 subsection 1 of this section shall not apply and the general  
23 assembly may amend or repeal such measure in a manner that  
24 is otherwise consistent with this constitution.

25 4. If any initiative petition proposing a  
26 constitutional amendment that is approved by the people is  
27 found by a court of competent jurisdiction to be  
28 unconstitutional or otherwise invalid, in whole or in part,  
29 the remaining provisions of the amendment shall also be  
30 invalid.

31 5. Subsections 1, 2, and 3 of this section shall not  
32 apply to any constitutional amendment adopted through the  
33 initiative petition process.

Section B. Under chapter 116, RSMo, 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 a joint resolution to the voters of this  
5 state, the official ballot title of the amendment proposed  
6 in Section A shall be as follows:

7 "Shall the Missouri Constitution be amended to:

- 8 • Allow only U.S. citizens to vote on initiatives;  
9 • Restrict legislative power to undo laws approved  
10 by voters; and  
11 • Pass initiatives by a majority of voters in a  
12 majority of congressional districts and a majority

13 of votes cast statewide or by a fifty-seven percent  
14 majority statewide?"