

# SENATE JOINT RESOLUTION NO. 42

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

2081S.02I

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, 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 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.**

**2. The provisions of subsection 1 of this section  
8 shall not apply to a county in which the office of sheriff  
9 is not an elected office as of the effective date of this  
10 section. Such county may restore the office of sheriff as  
11 an elected office as provided by law, and such restoration  
12 shall be irrevocable. A county that restores the office of  
13 sheriff as an elected office shall elect a sheriff by a**

majority of the qualified voters of the county voting thereon for a term of four years.

3. The elected office of sheriff shall aid in the administration of justice. The elected sheriff shall be the chief law enforcement officer of his or her county and shall oversee all federal and state investigations in his or her county. Every sheriff shall quell and suppress assaults, batteries, riots, routs, affrays, and insurrections; shall apprehend and commit to jail all felons and traitors; and execute all process directed to him or her by legal authority. Every sheriff is a conservator of the peace within his or her county and shall cause all offenders against law, in his or her view, to enter into recognizance, with security, in order to keep the peace.

4. An elected county sheriff shall not be removed from office except by writ of quo warranto initiated by the attorney general.

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

"Shall the Missouri Constitution be amended to preserve the right of citizens of each county with an elected county sheriff to continue electing the county sheriff and prohibit the removal of an elected county sheriff from office except by writ of quo warranto initiated by the attorney general?".

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