



JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
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ELECTIONS DIVISION
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November 6, 2019

RECEIVED

NOV 06 2019

STATE AUDITORS OFFICE

The Honorable Nicole Galloway
State Auditor
State Capitol Building
Jefferson City, MO 65101

RE: Petition approval request from Mary Anne Sedey regarding a proposed constitutional amendment to Article VIII, version 9 (2020-137)

Dear Auditor Galloway:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Mary Anne Sedey on November 6, 2019.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

John R. Ashcroft

cc: Hon. Eric S. Schmitt
Sheri Hoffman
Trish Vincent

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same election, or to sign a petition when such person knows he or she is not a registered voter.

County: _____

INITIATIVE PETITION

Page No: _____

To the Honorable John R. Ashcroft, Secretary of State for the state of Missouri:
We, the undersigned, registered voters of the state of Missouri and _____ County (or City of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 3rd day of November, 2020, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or City of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

[OFFICIAL BALLOT TITLE]



CIRCULATOR'S AFFIDAVIT
STATE OF MISSOURI, COUNTY OF _____ I, _____ being first duly sworn, say (print names of signers)

NAME (Signature)	DATE Signed	REGISTERED VOTING ADDRESS (Number)(Street), (City, Town Or Village)	ZIP CODE	CONG. DIST.	FIRST NAME (Printed or Typed)	MIDDLE NAME (Printed or Typed)	LAST NAME (Printed or Typed)
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County (or city of St. Louis). FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY. I am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer: _____ day of _____, A.D.

Subscribed and sworn to before me this _____ day of _____, A.D.
Signature of Affiant (Person obtaining signatures) _____ Street Address of Affiant _____
Printed Name of Affiant _____ City, State and Zip Code of Affiant _____
Signature of Notary _____ Address of Notary _____
(Seal)

NOTICE: You are advised that the proposed constitutional amendment may change, repeal, or modify by implication or may be construed by some persons to change, repeal, or modify by implication, the following Sections of the Missouri Revised Statutes: Sections 115.003 through 115.960. The proposed amendment revises Article VIII of the Constitution by amending Sections 5 and 22, and adopting two new sections to be known as Article VIII, Sections 24 and 25.

Be it resolved by the people of the state of Missouri that the Constitution be amended:

Section A. Article VIII of the Constitution is revised by amending Sections 5 and 22, and adopting two new sections to be known as Article VIII, Sections 24 and 25 to read as follows:

Section 5. Registration of voters [may be provided for by law] shall occur as specified herein. All laws governing registration shall be interpreted liberally to ensure, to the extent possible all eligible citizens are registered to vote. Only American citizens who are residents of Missouri and meet all other legal criteria established under general election law shall be allowed to register to vote or to vote.

2. The secretary of state shall establish a process to conduct automatic voter registration of all eligible citizens subject to the following provisions.

(1) The department of revenue shall, on at least a weekly basis, provide the secretary of state with a list of eligible citizens who have applied for, applied to renew, or changed the address related to a driver's license or state issued nondriver's license, are citizens of the United States, residents of Missouri, and meet the legal criteria to be eligible to vote in Missouri. Such list shall contain any information required to register to vote under applicable law, and any available electronic signature information.

(2) Based on the list received under this subsection, the secretary of state shall provide lists of citizens who are presumptively eligible to vote to local election authorities. These lists shall be sent to local election authorities as often as required by law, but at least every thirty days, and fourteen days prior to any election. These lists shall include the names of presumptively eligible voters, the information required to determine whether an individual is eligible to vote, and any available electronic signature information. The local election authorities shall include such presumptively eligible voters on voter registration lists subject to existing verification procedures for determining whether an individual is eligible to vote. Local election authorities shall retain full jurisdiction and power to decline to register individuals not verified to be eligible to vote, and in accordance with applicable state and federal law, may remove the names of individuals who are no longer eligible to vote from voter registration lists.

(3) Regardless of the amount of time it takes to process the registration, an individual shall be deemed registered to vote on the day the local election authority receives the information from the secretary of state provided that such individual is later determined eligible to vote by the local election authority. Within seven business days of the local election authority receiving an individual's information from the secretary of state, the local election authority shall update its list of eligible voters and send notice of automatic registration to newly registered voters and provide the opportunity to decline registration. Such notice may be sent in the same manner and at the same time as voter identification cards or other communication required by law. If, after a period of thirty days, a voter has not declined registration by the method provided, the individual's name shall remain on the voter registration list. Any time an individual declines registration the individual's name shall be removed from the voter registration list. This subsection shall not be construed to prevent removal from voter registration lists by any other method allowed under state and federal law.

(4) No individual who does not meet the legal criteria to be eligible to vote shall be considered to have caused a false or fictitious voter registration if the record of such individual is transmitted by the secretary of state to a local election authority pursuant to this section without the individual's affirmative consent. If such an individual is added to the voter registration list, the individual shall not be subject to any penalty under law. Upon determining such individual is not eligible to vote, the local election authority shall remove the individual from the voter registration list.

(5) In no case shall any agency or the secretary of state be required to provide lists of eligible voters who did not conduct a transaction with said agency or secretary of state in the week prior to the production of the list.

3. Methods of voter registration other than those provided for in subsection 2 of this section may be provided for by law. Nothing in this section shall invalidate methods of voter registration that existed prior to its adoption.

4. In order to vote in any election for which registration is required, the deadline for a person to be registered to vote in the jurisdiction of his or her residence shall be no earlier than 5:00 p.m. on the second Tuesday prior to the election, except with regard to covered voters and intrastate voters as defined by general election law. Intrastate voters may vote in their new jurisdiction if they are registered to vote in Missouri.

5. Nothing in this section shall be interpreted to conflict with the Voting Rights Act of 1965, The National Voter Registration Act of 1993, The Help America Vote Act of 2002, or any other applicable federal law or regulation.

Section 22. If any portion, clause, or phrase of this Article [Amendment] is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected, but shall remain in full force and effect.

Section 24. An absentee ballot of an overseas or uniformed services voter, as defined by general election law, shall be counted by the local election authority so long as the ballot is dated on or before election day and received by the local election authority within seven days of election day.

Section 25. In order to prevent voter fraud and election tampering, the secretary of state in conjunction with the state auditor shall provide a recommendation to local election authorities for the best method to conduct a risk-limiting audit of election returns. Each local election authority shall adopt a method of risk-limiting audit for auditing election returns.