



JOHN R. ASHCROFT
 SECRETARY OF STATE
 STATE OF MISSOURI

JAMES C. KIRKPATRICK
 STATE INFORMATION CENTER
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ELECTIONS DIVISION
 (573) 751-2301

March 9, 2023

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MAR 10 2023

STATE AUDITOR'S OFFICE

The Honorable Scott Fitzpatrick
 State Auditor
 State Capitol Building
 Jefferson City, MO 65101

RE: Petition approval request from Frederic Steinbach regarding a proposed constitutional amendment to Article VIII, version 4 (2024-096)

Dear Auditor Fitzpatrick:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Frederic Steinbach on March 9, 2023.

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. Andrew Bailey
 Sheri Hoffman
 Trish Vincent

STAPLE
HERE

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 measure 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 5th day of November, 2024, 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.

CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF _____		I, _____		being first duly sworn, say (print names of signers)		
	Signature	Date Signed	Registered Voting Address	Zip Code	Cong. District	Printed First and Last Name
1						
2						
3						
4						
5						
6						
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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: _____

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

(Seal)

NOTICE: The proposed amendment revises Article VIII of the Constitution by adopting six new Sections to be known as Article VIII, Sections 8, 9, 10, 12, 13, and 14.

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 adopting six new Sections to be known as Article VIII, Sections 8, 9, 10, 12, 13, and 14 to read as follows:

Section 8. Ballot titles for ballot measures, whether proposed by the General Assembly or through citizen initiative or referendum, shall be clear, unbiased, fair, sufficient, and to the extent possible shall only include language found in the proposed measure.

Section 9. 1. Subject to appropriation and upon request by an election authority, the secretary of state shall provide technical assistance and recommended guidelines for the management, administration, and accuracy of voter rolls and registrations maintained and used by any election authority, including but not limited to signature reviews and removing deceased individuals from the voter rolls, and may provide funding assistance to election authorities.

2. Subject to appropriation and federal law, election authorities shall update all voter rolls which such election authority has control over, upon the proper notification by a state or federal agency of any voter who is not a qualified registered voter in the jurisdiction of such election authority, including deceased individuals.

Section 10. 1. All established political parties in the state shall have a right to have their designated nominees appear on the general election ballot. For purposes of this Section, "established political party" shall mean a political party which, at either of the last two general elections, has one of its candidates for any statewide office receive more than two percent of the entire vote cast for the office.

2. Any group of persons desiring to form a new political party throughout the state, which shall include being formed for all districts and counties in which the party may have nominations, shall file a petition with the secretary of state which shall be signed by at least ten thousand registered voters of the state obtained at large.

3. All established political parties in the state will retain their established political party status unless such party, at any two consecutive general elections fails to have at least one candidate for any statewide office receive more than two percent of the entire vote cast for the office.

Section 12. 1. In any party primary election, each registered voter shall be entitled to receive the ballot of one and only one political party. Each eligible registered voter who participates in a party primary shall be entitled to vote on all questions and for any nonpartisan candidates submitted by political subdivisions and special districts at the primary election. Each eligible registered voter who does not wish to participate in a party primary may vote on all questions and for any nonpartisan candidates submitted by a political subdivision or special district at the primary election. For purposes of this Section, "nonpartisan candidate" shall mean a candidate who is not a candidate of any political party and who is running for an office for which party candidates may not run.

2. In a contest for nomination for or election to an office of a political subdivision or special district, the requirements of this section shall not apply in any circumstance where it conflicts with a federally mandated voting system or with a law or policy adopted in any election after the year 2014 by a majority of the voters casting votes in such election of the subdivision or district.

3. Nothing in this section shall apply to the election of delegates selected by senate district to a constitutional convention under the provisions of Article XII of this Constitution.

4. Notwithstanding any other provision of this Constitution to the contrary and subject to other provisions of this article relating to primaries, voters shall have the freedom to choose all the candidates they like in each primary, special, and general election race conducted by election authorities in the State of Missouri, including all subdivisions therein, held on or after the enactment of this section.

5. The instructions on every ballot subject to this section shall state, "Choose ALL candidates you like in each race."

6. The candidate who receives the highest number of votes for each office shall be declared the winner of the election for that office. In all elections where multiple candidates are to be elected for the same office or position, the number of candidates receiving the highest number of votes for the respective number of offices or positions appearing on the ballot shall be elected.

7. Nothing in this section shall authorize or allow any voter to assign to a candidate any order, ranking order, or ranking number, indicating a voter's preference for or against any candidate.

Section 13. 1. The chair of the county committee, or the city committee of a city not within a county, of each established political party with a candidate on the ballot shall have the exclusive right to designate an observer for any polling place on any day in which votes are being cast who may be present until all ballots are cast, and an observer for each location at which absentee ballots or ballots cast on election day are counted, who may be present while the ballots are being prepared for counting and counted and may remain until all ballots are counted. No later than four business days

before the election, the chair shall provide signed designation forms with the names of the designated observers to the local election authority for confirmation of eligibility to serve as an observer. The local election authority shall sign off on the designation forms, unless the observer is found not to have the qualifications established by subsection 3 of this section. If the election authority determines that an observer does not meet the qualifications of subsection 3 of this section, the election authority shall notify the designating party chair and such chair may designate a replacement observer and provide the local election authority with the name of the replacement observer before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute observers, who meet the qualifications of subsection 3, at his or her discretion before 5:00 pm on the Monday preceding the election.

2. An independent candidate shall also have the right to designate an observer in the same manner as each political party, except should more than one independent candidate appear on the ballot, the independent candidates shall agree on a single observer per polling place or location referenced in subsection 1 of this section.

3. All persons selected as observers shall only be required to have the same qualifications required by law for election judges.

4. In a nonpartisan election, each nonpartisan candidate on the ballot shall have the right to designate an observer in the same manner as each political party for each polling place or location at which such candidate appears on the ballot, except should more than three nonpartisan candidates appear on the ballot, the nonpartisan candidates shall agree on no more than two observers per polling place or location referenced in subsection 1 of this section. The General Assembly shall enact laws to provide for procedures to carry out this subsection.

5. For purposes of this section, "observer" shall mean a watcher, challenger, or observer of an election as provided by law.

Section 14. If any portion, clause, or phrase of this Amendment is, for any reason, held to be invalid or unconstitutional in a final judgment of a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected, but shall remain in full force and effect.