

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 104

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAKER.

4535H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 2 and 3 of Article VIII of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to elections.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2024, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article VIII of the Constitution of the state of Missouri:

Section A. Sections 2 and 3, Article VIII, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as Sections 2, 3, 24, and 25, to read as follows:

Section 2. ~~[A]~~ **Only** citizens of the United States, including occupants of soldiers' and sailors' homes, over the age of eighteen who are residents of this state and of the political subdivision in which they offer to vote are entitled to vote at all elections by the people, if the election is one for which registration is required if they are registered within the time prescribed by law, or if the election is one for which registration is not required, if they have been residents of the political subdivision in which they offer to vote for thirty days next preceding the election for which they offer to vote: Provided however, no person who has a guardian of his or her estate or person by reason of mental incapacity, appointed by a court of

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.

9 competent jurisdiction and no person who is involuntarily confined in a mental institution
10 pursuant to an adjudication of a court of competent jurisdiction shall be entitled to vote, and
11 persons convicted of felony, or crime connected with the exercise of the right of suffrage may
12 be excluded by law from voting.

Section 3. All elections by the people shall be by **paper** ballot or by any mechanical
2 method prescribed by law. **Voters shall have only a single vote for each issue on which**
3 **such voter is eligible to vote. Voters shall have the same number of votes for an office as**
4 **the number of open seats to be elected to such office at that election.** All election officers
5 shall be sworn or affirmed not to disclose how any voter voted; provided, that in cases of
6 contested elections, grand jury investigations and in the trial of all civil or criminal cases in
7 which the violation of any law relating to elections, including nominating elections, is under
8 investigation or at issue, such officers may be required to testify and the ballots cast may be
9 opened, examined, counted, and received as evidence.

Section 24. 1. The person receiving the greatest number of votes at a primary
2 **election as a party candidate for an office shall be the only candidate for that party for**
3 **the office at the general election. The name of such candidate shall be placed on the**
4 **official ballot at the general election unless removed or replaced as provided by law.**

5 **2. The person receiving the greatest number of votes at the general election shall**
6 **be declared the winner.**

Section 25. 1. In the event that voting machines are used for the purpose of
2 **counting and tabulating results, such machines shall be tested and certified as secure in**
3 **accordance with federal standards prior to each election in which the machines will be**
4 **used.**

5 **2. This section shall not be construed to require any election authority,**
6 **jurisdiction, or any officer administering elections in this state to use voting machines**
7 **for the purpose of counting and tabulating votes in any election conducted in this state**
8 **unless otherwise required by law. The general assembly may, by law, require or**
9 **prohibit the use of any voting machine.**

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

5 "Shall the Missouri Constitution be amended to:

- 6 • Allow only citizens of the United States to vote;
7 • Ensure that voters shall have only one vote per issue or open seat;
8 • Prohibit elections through the ranking of candidates; and

9 • Require the plurality winner of a political party primary to be the single candidate at
10 a general election?"

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