

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 82

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PARKINSON.

5654H.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 4 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to vacancies in elected offices.

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
2 following the first Monday in November, 2016, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to article IV of the Constitution of the state of
5 Missouri:

Section A. Section 4, article IV, Constitution of Missouri, is repealed and one new
2 section adopted in lieu thereof, to be known as section 4, to read as follows:

Section 4. **(a) If a vacancy occurs in the office of United States senator, lieutenant
2 governor, secretary of state, treasurer, attorney general, or auditor, the governor shall
3 notify, without delay and in writing, the chairman of the state central committee of the
4 political party which the last incumbent represented at the time of his or her election or
5 appointment to office. The state central committee shall select and transmit to the
6 governor the names of three persons qualified to fill the vacancy. The governor shall fill
7 the vacancy by temporary appointment of one of the three nominated by the state central
8 committee to hold the office. The appointees shall serve until their successors are duly
9 elected or appointed and qualified.**

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.

10 **(b) In all other instances and unless otherwise provided by law,** the governor shall
11 fill all vacancies in public offices [unless otherwise provided by law,] and his **or her** appointees
12 shall serve until their successors are duly elected or appointed and qualified.

 Section B. Under section 116.155, RSMo, and other applicable constitutional provisions
2 and laws of this state authorizing the general assembly to adopt ballot language for the
3 submission of this act to the voters of this state, the official ballot title of this act shall be as
4 follows:

5 "Shall the Missouri Constitution be amended to require that in cases of vacancies in
6 elected offices, individuals nominated or appointed by the governor must be of the same political
7 party as the last person elected to the office?"

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