

FIRST REGULAR SESSION

SENATE BILL NO. 22

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

0713S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 116.160, RSMo, and to enact in lieu thereof one new section relating to ballot summaries prepared by the general assembly.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 116.160, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 116.160, to read as follows:

116.160. 1. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, after receipt of such resolution or bill the secretary of state shall promptly forward the resolution or bill to the state auditor. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without an official summary statement, which is to be referred to a vote of the people, within twenty days after receipt of the resolution or bill, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure as the proposed summary statement. The secretary of state may seek the advice of the legislator who introduced the constitutional amendment or bill and the speaker of the house or the president pro tem of the legislative chamber that originated the measure. The summary statement may be distinct from the legislative title of the proposed

19 constitutional amendment or bill. The attorney general
20 shall within ten days approve the legal content and form of
21 the proposed statement.

22 **2. If the general assembly adopts a joint resolution**
23 **proposing a constitutional amendment or statutory measure**
24 **that includes an official summary statement, the statement**
25 **shall appear on the ballot, and no court shall have the**
26 **authority to rewrite or edit the summary statement or ballot**
27 **language. If such summary statement is challenged in court**
28 **and the court finds the summary statement to be legally**
29 **flawed, the summary statement shall only be rewritten by the**
30 **secretary of state, provided that the general assembly may,**
31 **by passage of a concurrent resolution, pass a new summary**
32 **statement at any time during a meeting of the general**
33 **assembly prior to the sixth Tuesday before the election at**
34 **which the ballot measure will be voted on by the people.**
35 **Any such summary statement shall comply with section 116.155**
36 **or this section, as applicable.**

37 **3. The official summary statement shall contain no**
38 **more than fifty words, excluding articles. The title shall**
39 **be a true and impartial statement of the purposes of the**
40 **proposed measure in language neither intentionally**
41 **argumentative nor likely to create prejudice either for or**
42 **against the proposed measure.**

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