

SECOND REGULAR SESSION

# SENATE BILL NO. 774

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Read 1st time February 9, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5692S.02I

## AN ACT

To repeal section 116.332, RSMo, and to enact in lieu thereof one new section relating to the initiative and referendum process.

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

Section A. Section 116.332, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 116.332, to read as follows:

116.332. 1. Before a constitutional amendment petition, a statutory  
2 initiative petition, or a referendum petition may be circulated for signatures, a  
3 sample sheet must be submitted to the secretary of state in the form in which it  
4 will be circulated. When a person submits a sample sheet of a petition he or she  
5 shall designate to the secretary of state the name and address of the person to  
6 whom any notices shall be sent pursuant to sections 116.140 and 116.180. The  
7 secretary of state shall refer a copy of the petition sheet to the attorney general  
8 for his approval and to the state auditor for purposes of preparing a fiscal note  
9 and fiscal note summary. The secretary of state and attorney general must each  
10 review the petition for sufficiency as to form and approve or reject the form of the  
11 petition, stating the reasons for rejection, if any.

12       **2. Within two days of receipt of any such petition, the secretary**  
13 **of state shall conspicuously post the petition on its website with the full**  
14 **text of the proposed measure, a disclaimer stating that such text may**  
15 **not constitute the full and correct text as required by section 116.050,**  
16 **and the name of the individual or organization submitting the**  
17 **petition. The secretary of state's failure to comply with this section**  
18 **shall be considered a violation under subsection 3 of section 610.027.**

19       **3. Upon receipt of a petition from the office of the secretary of state, the**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 attorney general shall examine the petition as to form. If the petition is rejected  
21 as to form, the attorney general shall forward his or her comments to the  
22 secretary of state within ten days after receipt of the petition by the attorney  
23 general. If the petition is approved as to form, the attorney general shall forward  
24 his or her approval as to form to the secretary of state within ten days after  
25 receipt of the petition by the attorney general.

26 [3.] 4. The secretary of state shall review the comments and statements  
27 of the attorney general as to form and make a final decision as to the approval  
28 or rejection of the form of the petition. The secretary of state shall send written  
29 notice to the person who submitted the petition sheet of the approval within  
30 thirty days after submission of the petition sheet. The secretary of state shall  
31 send written notice if the petition has been rejected, together with reasons for  
32 rejection, within thirty days after submission of the petition sheet.

✓

Bill

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