

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 38

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

1055S.01I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 1, 21, 22, 23, and 39 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the powers of the legislature.

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

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2026, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article III of the
7 Constitution of the state of Missouri:

Section A. Sections 1, 21, 22, 23, and 39, article III,
2 Constitution of Missouri, are repealed and five new sections
3 adopted in lieu thereof, to be known as sections 1, 21, 22, 23,
4 and 39, to read as follows:

Section 1. The legislative power shall be vested in a
2 senate and house of representatives to be styled "The
3 General Assembly of the State of Missouri[.]", **subject to**
4 **the limitations on the abuse of that power as enumerated in**
5 **this constitution. Any citizen of this state shall have**
6 **standing to bring an action alleging violation of those**
7 **limitations and shall be awarded appropriate attorney's fees**
8 **as determined by the court if such action is successful.**

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

Section 21. 1. The people of this state declare that sections 21, 22, and 23 of this article are to ensure a transparent, orderly legislative procedure and prevent the passage of legislation that does not truly have the support of a majority of their representatives by prohibiting the practice of combining a number of unrelated amendments in a bill. These sections also serve to defeat surprise within the legislative process by prohibiting a clever legislator from taking advantage of his or her unsuspecting colleagues by surreptitiously inserting unrelated amendments into the body of a pending bill or changing a bill's purpose midway through the legislative process. And these sections are intended to ensure that the people of this state and their representatives are fairly apprised of the legislative process and have a means by which they can hold their elected representatives accountable as they make the laws that affect their lives and liberty.

2. The style of the laws of this state shall be: "Be it enacted by the General Assembly of the State of Missouri, as follows." No law shall be passed except by bill, and no bill shall be so amended in its passage through either house as to change its original purpose.

3. The original purpose and subject of a bill shall be established by the bill's earliest title and contents at the time the bill is introduced. No substantive change to a bill's earliest title shall be permitted. Changes to anything other than those dealing with chapter and sectional references shall be considered substantive.

4. Bills may originate in either house and may be amended or rejected by the other. Every bill shall be read by title on three different days in each house.

Section 22. **1.** Every bill shall be referred to a
2 committee of the house in which it is pending **within**
3 **fourteen calendar days of the introduction of the bill.**

4 **2.** After it has been referred to a committee, [~~one-~~
5 ~~third~~] **a majority** of the elected members of the respective
6 houses shall have power to relieve a committee of further
7 consideration of a bill and place it on the calendar [~~for~~
8 ~~consideration~~] **where it shall be considered by the whole**
9 **house within two legislative days.** Each committee shall
10 keep such record of its proceedings as is required by rule
11 of the respective houses and this record and the recorded
12 vote of the members of the committee shall be filed with all
13 reports on bills.

14 **3.** Each house of the general assembly may provide by
15 rule for such committees of that house as it deems necessary
16 to meet to consider bills or to perform any other necessary
17 legislative function during the interim between the session
18 ending on the thirtieth day of May and the session
19 commencing on the first Wednesday after the first Monday of
20 January.

21 **4.** **After any bill has been placed on a legislative**
22 **calendar, a majority of the elected members of the**
23 **respective houses shall, by petition, have the power to**
24 **order it to be considered by the whole house within the time**
25 **frame specified in the petition.**

Section 23. No bill shall contain more than one
2 subject which shall be clearly expressed in [~~its~~] **a title,**
3 except bills enacted under the third exception in section 37
4 of this article and general appropriation bills, which may
5 embrace the various subjects and accounts for which moneys
6 are appropriated.

Section 39. The general assembly shall not have power,
2 **whether there is a public benefit or purpose or not:**

3 (1) To give or lend or to authorize the giving or
4 lending of the credit of the state in aid or to any person,
5 association, municipal or other corporation;

6 (2) To pledge the credit of the state for the payment
7 of the liabilities, present or prospective, of any
8 individual, association, municipal or other corporation;

9 (3) To grant or to authorize any county or municipal
10 authority to grant any extra compensation, fee or allowance
11 to a public officer, agent, servant or contractor after
12 service has been rendered or a contract has been entered
13 into and performed in whole or in part;

14 (4) To pay or to authorize the payment of any claim
15 against the state or any county or municipal corporation of
16 the state under any agreement or contract made without
17 express authority of law;

18 (5) To release or extinguish or to authorize the
19 releasing or extinguishing, in whole or in part, without
20 consideration, the indebtedness, liability or obligation of
21 any corporation or individual due this state or any county
22 or municipal corporation;

23 (6) To make any appropriation of money for the payment,
24 or on account of or in recognition of any claims audited or
25 that may hereafter be audited by virtue of an act entitled
26 "An Act to Audit and Adjust the War Debts of the State,"
27 approved March 19, 1874, or any act of a similar nature,
28 until the claim so audited shall have been presented to and
29 paid by the government of the United States to this state;

30 (7) To act, when convened in extra session by the
31 governor, upon subjects other than those specially
32 designated in the proclamation calling said session or

33 recommended by special message to the general assembly after
34 the convening of an extra session;

35 (8) To remove the seat of government from the City of
36 Jefferson;

37 (9) Except as otherwise provided in section 39(b),
38 section 39(c), section 39(e) or section 39(f) of this
39 article, to authorize lotteries or gift enterprises for any
40 purpose, and shall enact laws to prohibit the sale of
41 lottery or gift enterprise tickets, or tickets in any scheme
42 in the nature of a lottery; except that, nothing in this
43 section shall be so construed as to prevent or prohibit
44 citizens of this state from participating in games or
45 contests of skill or chance where no consideration is
46 required to be given for the privilege or opportunity of
47 participating or for receiving the award or prize and the
48 term "lottery or gift enterprise" shall mean only those
49 games or contests whereby money or something of value is
50 exchanged directly for the ticket or chance to participate
51 in the game or contest. The general assembly may, by law,
52 provide standards and conditions to regulate or guarantee
53 the awarding of prizes provided for in such games or
54 contests under the provision of this subdivision;

55 (10) To impose a use or sales tax upon the use,
56 purchase or acquisition of property paid for out of the
57 funds of any county or other political subdivision.

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

7 "Shall the Missouri Constitution be amended to:

- 8 • Give citizens standing to sue for violation
9 of Constitutional limitations on the Legislature;
10 • Prohibit changes in a legislative bill's
11 title and original purpose;
12 • Ensure that legislators are afforded the
13 opportunity to introduce bills that can be
14 considered in a timely manner?".

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