

# SENATE JOINT RESOLUTION NO. 78

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

3502S.01I

KRISTINA MARTIN, Secretary

## 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 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, 2024, 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 VIII of the  
7 Constitution of the state of Missouri:

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2 of Missouri, are repealed and four new sections adopted in lieu  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

Section 2. **[All]** **Only** citizens of the United States,  
2 including occupants of soldiers' and sailors' homes, over  
3 the age of eighteen who are residents of this state and of  
4 the political subdivision in which they offer to vote are  
5 entitled to vote at all elections by the people, if the  
6 election is one for which registration is required if they  
7 are registered within the time prescribed by law, or if the  
8 election is one for which registration is not required, if  
9 they have been residents of the political subdivision in  
10 which they offer to vote for thirty days next preceding the  
11 election for which they offer to vote: Provided however, no

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

12 person who has a guardian of his or her estate or person by  
13 reason of mental incapacity, appointed by a court of  
14 competent jurisdiction and no person who is involuntarily  
15 confined in a mental institution pursuant to an adjudication  
16 of a court of competent jurisdiction shall be entitled to  
17 vote, and persons convicted of felony, or crime connected  
18 with the exercise of the right of suffrage may be excluded  
19 by law from voting.

Section 3. All elections by the people shall be by  
2 **paper** ballot or by any mechanical method prescribed by law.  
3 **Voters shall have only a single vote for each issue on which**  
4 **such voter is eligible to vote. Voters shall have the same**  
5 **number of votes for an office as the number of open seats to**  
6 **be elected to such office at that election. Under no**  
7 **circumstance shall a voter be permitted to cast a ballot in**  
8 **a manner that results in the ranking of candidates for a**  
9 **particular office.** All election officers shall be sworn or  
10 affirmed not to disclose how any voter voted; provided, that  
11 in cases of contested elections, grand jury investigations  
12 and in the trial of all civil or criminal cases in which the  
13 violation of any law relating to elections, including  
14 nominating elections, is under investigation or at issue,  
15 such officers may be required to testify and the ballots  
16 cast may be opened, examined, counted, and received as  
17 evidence.

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

8           2. The person receiving the greatest number of votes at  
9 the general election shall be declared the winner.

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

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

          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           • Allow only citizens of the United States to  
9           vote;  
10          • Ensure that voters shall have only one vote  
11          per issue or open seat;  
12          • Prohibit elections through the ranking of  
13          candidates; and  
14          • Require the plurality winner of a political  
15          party primary to be the single candidate at a  
16          general election?".

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