

SENATE JOINT RESOLUTION NO. 86

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

5404S.01I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to limitations placed on state spending.

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

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2024, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article X of the Constitution of the state of Missouri:

Section A. Article X, Constitution of Missouri, is amended by adding thereto one new section, to be known as section 27, to read as follows:

Section 27. 1. As used in this section, the following terms mean:

(1) "Appropriations growth limit", a percentage figure that is the greater of zero or the sum of the annual rate of inflation and the annual percentage change in the population of Missouri;

(2) "Emergency", an event or series of events or a state of affairs that requires the immediate appropriation of moneys for the health, safety, and general welfare of the people;

11 (3) "Inflation", the rate of inflation as measured by
12 the Consumer Price Index for All Urban Consumers for the
13 United States, semi-annual average of the first six months
14 of the current calendar year;

15 (4) "Net general revenue collections", all revenue
16 deposited into the general revenue fund less refunds and
17 revenues originally deposited into the general revenue fund
18 but designated by law for a specific distribution or
19 transfer to another state fund as reported by the office of
20 administration;

21 (5) "Population of Missouri", the number of persons
22 residing in the state of Missouri as determined by the
23 United States Census Bureau in the last decennial census
24 including the most recent calendar year update;

25 (6) "Total state general revenue appropriations", the
26 total of appropriations from net general revenue collections
27 for a fiscal year, including supplemental appropriations
28 from any regular, special, or extraordinary session from the
29 previous fiscal year from net general revenue collections,
30 passed by the general assembly and approved by the governor
31 as reported by the office of administration, except
32 reappropriations, appropriations to pay principal and
33 interest on general obligation bonded indebtedness, and
34 appropriations from general revenue for final court
35 judgments and costs in cases to the extent that the state
36 was not the prevailing party.

37 2. Total state general revenue appropriations for any
38 fiscal year shall not exceed total state general revenue
39 appropriations for the immediately preceding fiscal year by
40 more than the appropriations growth limit, except that new
41 or increased tax revenues or fees that are below the limits
42 in subsection 1 of section 18(e) of this article or receive

43 voter approval shall be exempted from the calculation of the
44 appropriations growth limit for the year in which they are
45 passed.

46 3. For each fiscal year in which net general revenue
47 collections exceed total state general revenue
48 appropriations allowed under subsection 2 of this section by
49 more than one percent of total state general revenue
50 appropriations allowed, an amount equal to such excess net
51 general revenue collections shall be refunded to taxpayers
52 pro rata based on the liability reported on the Missouri
53 state income tax annual returns filed following the close of
54 such fiscal year.

55 4. Total state general revenue appropriations for any
56 fiscal year may exceed total state general revenue
57 appropriations for the immediately preceding fiscal year by
58 more than the appropriations growth limit only under the
59 following conditions:

60 (1) The governor declares an emergency, specifying the
61 nature of the emergency and requesting appropriations to
62 meet the emergency; and

63 (2) The general assembly, by a vote of two-thirds of
64 the members elected to serve in each house, enacts and the
65 governor approves a separate bill or bills appropriating
66 moneys to meet the emergency. Any such appropriation bill
67 or bills shall not be included in total state general
68 revenue appropriations for purposes of compliance with
69 subsection 2 of this section for the next succeeding fiscal
70 year.

71 5. The total state general revenue appropriations
72 limit shall not be reduced or increased if the amount of
73 total state revenues, as defined in section 17 of this

74 **article, for the prior fiscal year is less than the amount**
75 **of total state revenues for the next preceding fiscal year.**

76 **6. The general assembly may enact laws implementing**
77 **this section.**

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

6 "Shall the Missouri Constitution be amended to
7 set an appropriations growth limit formula,
8 based on inflation and population, that
9 restricts total state general revenue
10 appropriations?".

✓