It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable John R. Ashcroft, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and County (or city of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 6th day of November, 2018, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and County (or city of St. Louis); my registered voting address and the name of the city, town or Village in which I live are correctly written after my name.

OFFICIAL BALLOT TITLE AS CERTIFIED BY SECRETARY OF STATE

(Official Ballot Title)

CIRCULATOR’S AFFIDAVIT STATE OF MISSOURI, COUNTY OF

I, ________________________, being first duly sworn, say (print or type names of signers)

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<th>NAME (Signature)</th>
<th>Date Signed</th>
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<th>Zip Code</th>
<th>Cong. Dist.</th>
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signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do ___ do not ___ (check one) expect to be paid for circulating this petition. If paid, list the payer.

Signature of Affiant (Person obtaining signatures)

Printed Name of Affiant

Subscribed and sworn to before me, this ___ day of _______, A.D.

Notary Public (Seal)

My commission expires ____________________

________________________________________
Address of Affiant

________________________________________
Signature of Notary

________________________________________
Address of Notary
This measure amends the Missouri Constitution by adding Section 54 to Article IV. This amendment implicitly repeals in part or in whole, and amends various statutes and subsections including but not necessarily limited to RSMo 105.1105.1, 105.1108.1, 105.1112.1, 159.0010.1, 196.0100.1, 263.0250.1,577.0024.1, 579.0015.1, 579.0020.1, 579.0030.1, 579.0055.1, 579.0065.1, 579.0068.1, and 579.0105.1

Be it resolved by the people of the state of Missouri that the Constitution be amended:

One new section is adopted to be known as Article IV, Section 54 and to read as follows:

1. Cannabis, aka marijuana and cannabis hemp shall immediately be removed from Missouri’s list of controlled substances and shall no longer be listed among Missouri’s drugs schedules.

2. Definitions of terms used in this Act: cannabis and cannabis hemp refer to marijuana, cannabis sativa, cannabis indica, cannabis ruderalis or any variety of cannabis including any derivative, concentrate, extract, flower, leaf, powder, or any product thereof.
   a. Medical cannabis refers to Physician or Veterinarian written recommended use of cannabis or any form of cannabis derivative, concentrate, extract, flower, stem, stalk, root, leaf, or any Cannabis product thereof.
   b. Personal cannabis, aka recreational use refers to cannabis products used for personal or medical purposes and is not sold, offered for sale, transferred, delivered, or received.

3. Minor use refers to anyone under the age of 21.
   a. Cannabis or its products shall not be sold to anyone under the age of 21.
   b. Anyone under the age of 21 shall have legal access to cannabis through a physician’s written recommendation, and parental supervision or a legal guardian for medical conditions or diseases that cannabis might help.

4. The following acts are not unlawful and shall not be an offense under these revised Missouri laws:
   a. Possession or cultivation of cannabis for personal or medical use in an area sufficient to prevent the quantity necessary to address one’s personal or medical needs.
   b. Cultivating, harvesting, processing, manufacturing, packaging, distributing, any possessing cannabis, cannabis accessories, and cannabis products for commercial purposes, provided the person has current applicable license to run a business in Missouri. No special licensing will be required beyond that which is applicable for the cultivation, harvesting, processing, manufacturing, packaging, distribution, transfer, display, or possessing of any non-toxic food or food product.
   c. Providing cannabis, aka marijuana and any part of the cannabis plant thereof to be sold to the public must be tested by an accredited testing facility and all packaging labeled accordingly to reflect said testing.
   d. Leasing or otherwise allowing the use of property owned, occupied or controlled by any person, corporation or other entity for any of the activities conducted lawfully in accordance with paragraphs a through d of this section.

5. Patient’s rights: cannabis shall be available to all patients regardless of age, race, or gender without taxation when recommended by a physician as a medicine.
   a. All patients engaged in cannabis therapy shall be afforded the same rights and privileges afforded to any patient, treated through conventional therapeutic means.

6. All prisoners that have been found guilty in a Missouri Court of a nonviolent cannabis related crime shall immediately be released and all charges for non-violent cannabis crimes shall be expunged from their records.
   a. Within 60 days of passage of this act, the attorney general’s office shall develop and make available to the public a legal document ordering the immediate destruction of all cannabis related nonviolent civil and criminal records in Missouri, to be distributed to all circuit court judges within the state.

7. No Missouri law enforcement personnel, state, county, city employee, state or federal funds shall be used to assist or aid in the enforcement of federal or preexisting Missouri cannabis or hemp laws involving acts which are no longer illegal in the state of Missouri under this amendment to the Missouri constitution.
   a. Any person who impounds the lawful exercise of these provisions is guilty of a class A misdemeanor and is subject to all penalties or fines thereof.
   b. An additional 5% tax will be added to all personal recreational sales of cannabis not to include any Hemp or Hemp products sold within the boundaries of Missouri in addition to any established state, county or city sales tax already set in place to be collected by the State of Missouri sales Taxation Division. The 5% additional sales tax monies collected will be collected by the State of Missouri Sales Taxation Division, divided and distributed as directed in this paragraph on a quarterly basis. The 2.5% will go to Missouri Public Schools that teach Preschool or K through 12 grade or any combination of aforementioned. The remaining 2.5% will be directed to the Missouri Veterans Commission to help with housing, clothing, food and medical needs for our multitude of Missouri veterans.

8. Cannabis farmers, manufacturer’s processors and distributors shall not be subject to any local zoning requirements, licensing fee that is excessive, discriminatory, prohibitive, or in any way contrary to that which is relative to any other commercial or agricultural farmer, manufacturer, processor or distributor of agricultural products.

9. Pursuant to the ninth and tenth amendments to the constitution of the United States, the people of Missouri hereby repudiate and challenge federal cannabis prohibitions that conflict with this act.
   a. The state of Missouri will honor all legally obtained patients medical cards regardless of the state where issued and Missouri shall become reciprocally with all local states where Cannabis is considered legalized by law for medical or recreational use.
   b. Opinions, pertaining to, and willingness, to recommend medical cannabis therapy shall not be a criteria for the licensure of physicians or Veterinarian’s.
   c. Any physician or Veterinarian shall be subject to any professional license review or hearing as a result of recommending or approving medical cannabis therapy.
   d. Medical care, including organ transplants, shall be not be restricted in any way based on a person’s use of cannabis, hemp or any derivatives or cards thereof.

10. All provisions of this section are self-executing and serviceable. Except where otherwise indicated in the text of this document this constitutional amendment shall supersede any and all conflicting city, county, state or federal statutory, local charter, ordinance or resolution and shall be implemented no later than January 31st, following the election that placed this initiative before the people of Missouri.