

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.

County: \_\_\_\_\_

Page No: \_\_\_\_\_

**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 5<sup>th</sup> day of November, 2024, 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]

**CIRCULATOR'S AFFIDAVIT**

STATE OF MISSOURI, COUNTY OF \_\_\_\_\_, I, \_\_\_\_\_, being first duly sworn, say (print names of signers)

	NAME (Signature)	DATE Signed	REGISTERED VOTING ADDRESS (Number)(Street), (City, Town Or Village)	ZIP CODE	CONG. DIST.	NAME (Printed or Typed)
1.						
2.						
3.						
4.						
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*[Signature]*

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 (or city of St. Louis). 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: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D.

Signature of Affiant (Person obtaining signatures) \_\_\_\_\_ Street Address of Affiant \_\_\_\_\_

Printed Name of Affiant \_\_\_\_\_ City, State and Zip Code of Affiant \_\_\_\_\_

Signature of Notary \_\_\_\_\_

Address of Notary \_\_\_\_\_

(Seal)

NOTICE: The proposed amendment revises Article VIII of the Constitution by adopting eight new Sections to be known as Article VIII, Sections 24, 25, 26, 27, 28, 29, 30, and 31.

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

Section A. Article VIII of the Constitution is revised by adopting eight new Sections to be known as Article VIII, Sections 24, 25, 26, 27, 28, 29, 30, and 31 to read as follows:

Section 24. 1. Every voting machine used to conduct any public election in the State of Missouri shall be tested and certified as secure at least six months prior to each election in which the voting machine will be used. Such testing and certification shall meet all standards established by the United States Election Assistance Commission or independent testing authority designated by the United States Election Assistance Commission. In addition, the Secretary of State shall test and certify voting equipment and/or software necessary to run an instant runoff election at least six months prior to implementation.

2. Every voting machine used to conduct any election in the State of Missouri shall produce an individual, anonymous, permanent paper record for each vote cast, which shall be made available for inspection and verification by the voter at the time the vote is cast. Such individual, anonymous, permanent paper record shall be preserved for use in any election audit.

3. The candidate or their designee shall have the right to be present whenever paper ballots or the permanent paper records produced by electronic voting machines are counted, audited, or placed in storage.

Section 25. 1. Beginning with the 2026 primary election, and notwithstanding any other provision of law to the contrary, primary elections for all state executive branch offices, members of the Missouri General Assembly, county offices, and members of the United States Congress shall be open primaries where the four candidates for each office who receive the most votes advance to the general election.

2. Primary ballots for all offices listed in Subsection 1 of this Section shall meet the following criteria:

(1) All qualified candidates, regardless of party affiliation, shall appear on a single ballot to be used by all qualified voters, regardless of party affiliation.

(2) Primary ballots shall include space for write-in candidates for every office appearing on the ballot.

3. In the primary election for all offices listed in Subsection 1 of this Section, a qualified voter shall be permitted to cast a vote for any candidate for whom that voter is otherwise eligible to vote. A qualified voter shall only vote for one candidate for each office.

4. The four candidates for each office receiving the most votes in the primary election shall advance to the general election for that office. Only those candidates shall appear on the general election ballot.

5. If it cannot be determined which four candidates received the most votes because two or more candidates are tied with an equal number of votes, that tie shall be broken by drawing lots.

Section 26. 1. Beginning with the November 2026 general election, and notwithstanding any other provision of law to the contrary, general elections for all offices listed in Subsection 1 of Section 25 shall be instant runoff elections in which a qualified voter may indicate their preferred candidate Ranking Order on the ballot.

2. In an instant runoff general election conducted under this Section, each ballot shall count as one vote for the highest-ordered, Active Candidate for each office on that ballot, and tabulation shall proceed in rounds.

3. If, at the beginning of any round of tabulation, an Active Candidate receives a majority of the votes cast for an office, that candidate is elected for that office and tabulation is complete.

4. If, after any round of tabulation, no Active Candidate for an office has received a majority of the votes, a new round of tabulation shall begin and proceed as follows:

(1) The Active Candidate receiving the fewest number of votes shall be eliminated.

(2) Each ballot containing a vote cast for the eliminated candidate shall count as a vote for its next highest-ordered Active Candidates.

(3) Votes shall be tabulated pursuant to Subdivisions (1) and (2) of this Subsection until an Active Candidate receives the majority of the remaining votes.

5. If a ballot has a Ranking Order for an office that does not contain any candidate, and there are no Active Candidates at a higher Ranking Order, the ballot shall count as a vote for the highest-ordered Active Candidate after that Ranking Order, if any.

6. Ballots shall not count as a vote for any candidate for a particular office only if:

(1) The ballot does not include an Active Candidate for an office at any Ranking Order; or

(2) The ballot contains an Overvote that includes the highest-ordered Active Candidate for that office.

7. If two or more candidates for an office are tied with equal and lowest number of votes, and the tabulation in Subsection 4 cannot continue until the candidate with the lowest number of votes is eliminated, the candidate to be eliminated shall be determined by drawing lots.

8. General election ballots shall be laid out to allow voters to indicate their preferred candidate Ranking Order. Election officials shall design the ballot to be easy for voters to understand, consistent with accepted best practices in ballot design.

9. A voter's Ranking Order of up to four candidates shall be considered an expression of the voter's intent to indicate candidate preference(s) and shall not be considered an Overvote.

10. Instructions on the general election ballot shall include the following statement: "You may mark up to four choices in order of preference. Do not assign the same ranking number to more than one candidate."

11. Beginning at least one hundred twenty days before the first election utilizing the instant runoff system, the Secretary of State and local election authorities shall conduct a statewide voter education campaign to familiarize voters with the instant runoff voting system.

12. Notwithstanding any other provisions of law to the contrary, the aggregated vote totals from the primary election shall be used, as may be required by any other law, for the purposes of identifying the two major political parties, for a political party to maintain qualified status, or the establishment of a new political party.

Section 27. 1. Beginning after the 2026 general election, and notwithstanding any other provision of law to the contrary, a special election shall be called to fill any vacancy in any office listed in Subsection 1 of Section 25.

2. A special election to fill a vacancy in any such office shall be conducted pursuant to the primary and general election processes described in Sections 25 and 26.

Section 28. 1. For the purposes of Article VIII, the following terms mean:

(1) "Active Candidate", a candidate who has not been eliminated during an instant runoff tabulation.

(2) "Overvote", a vote in which the qualified voter indicated a preference for more than one candidate at the same ranking order.

(3) "Order" or "Ranking Order", the number a qualified voter assigns on their ballot to a candidate indicating that voter's preference, with 1 being the highest ranking order and 4 being the lowest ranking order.

Section 29. The Secretary of State shall issue rules and regulations necessary to implement Sections 24 to 28 of this Article. No rule or portion of a rule promulgated under the authority of such Sections shall become effective unless it has been promulgated pursuant to the requirements provided by law.

Section 30. 1. Nothing in this section shall limit the use of any applicable election law that is not inconsistent with the requirements and systems established in Sections 24 to 28.

2. Nothing in this section shall limit the general assembly from enacting laws consistent with Sections 24 to 28, or otherwise affecting the rights of qualified voters in an instant runoff election. The general assembly shall not enact laws that hinder the establishment of the open primaries and instant runoff voting systems established by Sections 24 to 28.

Section 31. If any provision of Sections 24 to 28 or the application thereof to anyone or to any circumstance is held invalid, the remainder of those provisions and the application of such provisions to others or other circumstances shall not be affected thereby.