

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: \_\_\_\_\_

**INITIATIVE PETITION**

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

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)

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
NAME (Signature)	DATE Signed	REGISTERED VOTING ADDRESS (Number)(Street), (City, Town Or Village)	ZIP CODE	CONG. DIST.	NAME (Printed or Typed)				

2023 SEP 12 PM 2:22  
*[Handwritten Signature]*  
 Notary Public

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 amends Article I by enacting one new section to be known as Section 36 of Article I.

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

Section A. Article I is hereby amended by enacting one new section to be known as Section 36 of Article I, to read as follows:

Section 36. 1. There is hereby established an “Extreme Risk Protection Order” which shall enjoin and prohibit a respondent from possessing, using, purchasing, manufacturing or otherwise receiving a firearm for as long as the order remains in effect.

2. (1) A petition for an extreme risk protection order may be made by the chief law enforcement officer, the chief law enforcement officer’s designee, a city or county attorney, a mental health professional, an official of a school or school system in which the respondent is enrolled or has been enrolled within the preceding one-year period, a family member of the respondent, which shall be understood to mean a parent, spouse, child, or sibling of the respondent, a household member of the respondent, a dating or intimate partner of the respondent, or a guardian of the respondent.

(2) A petition shall allege that the respondent poses a significant risk of causing personal injury or death to the respondent or another person. The petition shall be accompanied by an affidavit or sworn statement providing specific facts and circumstances forming the basis of allegations that an extreme risk protection order should be granted. The court shall take up and decide such application on the day it is submitted, or if review and decision of the application on the same day is not feasible, then as quickly as possible but in no case later than three business days.

(3) A petition for emergency relief shall additionally allege that the respondent presents an immediate and present risk of causing personal injury or death to the respondent or another person.

(4) A petition for relief must describe, to the best of the petitioner’s knowledge, the types and location of any firearms believed to be in the possession of the respondent.

3. An order issued under this section shall:

(1) Prohibit the respondent from possessing, using, purchasing, manufacturing, or otherwise receiving a firearm;

(2) Order the respondent to provisionally surrender any firearms in the respondent’s possession or control, and any license or permit allowing the respondent to possess or acquire a firearm, to any law enforcement officer presenting the order or to a law enforcement officer as directed by the officer or as stated in the order; and

(3) Inform the respondent of the time and place of any hearing to determine whether the respondent will be subject to a continuing prohibition on possessing and acquiring firearms.

4. Any extreme risk protection order or extension of such order shall be forwarded by the court within twenty-four hours to the local law enforcement agency with jurisdiction over the residence of the respondent. Upon receipt of the order, the law enforcement agency shall make the order available to the National Instant Criminal Background Check System and any state system used to identify person who are prohibited from possessing a firearm. When an order expires or is otherwise terminated by the court, the court must submit a request that the order be removed from the National Instant Background Check System. Each law enforcement agency shall make available to other law enforcement officers, through a system for verification, information as to the existence and status of any extreme risk protection order issued under this section.

5. (1) Any person filing an application under this section containing information the petitioner knows to be materially false or for the purpose of harassing the respondent is guilty of a class A misdemeanor.

(2) Any person who knowingly violates an order issued under this section, including by possessing or acquiring a firearm in violation of the order or failing to timely surrender a firearm as required by the order is guilty of a class A misdemeanor.

(3) Any person who knowingly provides the subject of an order issued under this section access to a firearm is guilty of a class A misdemeanor.