

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 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 5th 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 or type names of signers)

2023 NOV 13 AM 11:48
[Handwritten signature]

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

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:

(Name of payer)

Signature of Affiant (Person obtaining signatures)

Printed Name of Affiant

Address of Affiant (Street, City, State & Zip Code)

Subscribed and sworn to before me this ___ day of _____, A.D. 202__.

Notary Public (Seal)

Signature of Notary

My commission expires _____

Address of Notary (Street, City, State & Zip Code)

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

One new section in Article X to be known as Section 27 is enacted as follows:

Section 27

1. This section shall be known as the “Local Voters’ Right and Option to Set Tobacco Taxes Initiative.”

2. Notwithstanding section 1 of this article or any other law to the contrary, local voters shall have the right and option to set tobacco taxes in counties.

3. As used in this initiative, the following terms have the following meanings:

(1) “Local voters” shall not mean the General Assembly nor the local governing body in a county, but shall only mean a majority of the qualified voters casting ballots in an election in a county on a county-wide tobacco tax measure, whether submitted to local voters by the local governing body or by initiative petition.

(2) “Right and option to set tobacco taxes” means the right, power, and authority to set, control, impose, establish, levy, collect, fix, reduce, eliminate, or change the rate, base, or dedicated use of a county excise tax on cigarettes or tobacco products, or other tax on cigarettes or tobacco products, or on the selling of cigarettes or tobacco products, or on the business of selling cigarettes or tobacco products.

4. All existing local tobacco taxes in place on the effective date of this initiative shall remain in effect provided, however, that the rate, base, or dedicated use of such local tobacco taxes may only be modified with the approval of local voters.

5. The provisions of this initiative are self-executing. Governing bodies in counties are authorized, but not mandated, to submit measures to local voters to set local tobacco taxes at authorized elections. In addition, the people are authorized, but not mandated, to submit measures to local voters by initiative petition to set local tobacco taxes at authorized elections occurring after the date this initiative is approved by voters. The people may submit measures under existing county initiative petition procedures where otherwise available or, under this subsection, by filing with the appropriate local election authority or authorities a petition signed by five percent of the qualified voters of the county as measured by the total number of votes cast for governor in such county at the last general gubernatorial election prior to the filing of the petition. Any initiative petition submitted under the process created by this subsection that has a deficient number of valid signatures shall have thirty days after notification of such deficiency to submit additional valid signatures and cure the petition. Initiative petitions submitted under the process created by this subsection shall include the rate, base, and any dedicated use of tax revenue, but only if the tax rate is increased or tax base broadened, along with related administrative provisions. The ballot title for initiative petitions submitted under the provisions created by this subsection shall be fifty words or less, excluding articles, shall be prepared by the local election authority or authorities, and shall be a true and impartial statement of the purposes of the proposed measure in language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure. Both the adequacy of signatures and the formulation of the ballot title shall be subject to judicial review. If approved by local voters, the proposal shall carry the force of law. For purposes of this subsection, “authorized election” means any election day after January 1, 2026. However, where the people submit a measure to set local tobacco taxes through the initiative petition provisions established under this subsection, the authorized election shall be the earliest available election day, whether a general, primary, general municipal, or other established election day, after sufficient valid signatures are submitted that is also after January 1, 2025.

7. All of the provisions of this initiative are severable. If any provision of this initiative is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions shall be and remain valid.