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

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 five new Sections to be known as Article VIII, Sections 24, 25, 26, 27, and 28 to read as follows:

Section 24. 1. Every voting machine used to conduct an election in the State of Missouri shall be tested and certified as secure prior to each election in which the machine will be used. Such testing and certification shall meet all federal standards.

2. Every voting machine used to conduct an election in the State of Missouri shall produce an individual, 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, 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. For the purposes of this section, 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 has indicated a preference for more than one candidate at the same placement order.

(3) “Order” or “Placement Order”, the number a qualified voter assigns to a candidate indicating that voter's preference, with 1 being the highest placement order and 4 being the lowest placement order.

2. Beginning at the November 2024 general election, notwithstanding any other provision of law to the contrary, general elections for all statewide offices, members of the Missouri General Assembly, members of the United States Congress, circuit and associate circuit judges who are not selected pursuant to Article V, Section 25(a) or 25(b) of the Missouri Constitution, and public offices within any political subdivision that are filled through partisan elections shall be instant runoff elections in which a qualified voter may indicate their preferred candidate order on the ballot.

3. In a general election conducted under this section, each ballot shall count as one vote for the highest-ordered, Active Candidate on that ballot.

4. If, after the initial tabulation, an Active Candidate receives a majority of the votes cast, that candidate is elected and tabulation is complete.

5. If, after the initial tabulation, an Active Candidate has not received a majority of the highest-ordered votes cast, votes shall be tabulated as follows:

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

(2) For each ballot cast for an eliminated candidate, the official conducting the tabulation shall determine the highest-ordered, Active Candidate on the ballot. The vote cast on that ballot shall be added to the total number of votes received by that Active Candidate.

6. Votes shall be tabulated pursuant to subdivisions (1) and (2) of this subsection until an Active Candidate receives the majority of the remaining votes.

7. If a ballot has a placement order that does not contain any candidate, and there are no Active Candidates at a higher placement order, the ballot shall count as a vote for the highest-ordered Active Candidate listed after that placement order, if any.

8. Ballots shall not be included in the tabulation process in subsection 5 only if:

(1) The ballot does not include an Active Candidate at any placement order; or

(2) The ballot contains an Overvote that includes the highest-ordered, Active Candidate at any point during the tabulation process.

9. If two or more candidates are tied with an equal and lowest number of votes, and the tabulation in subsection 5 cannot continue until the candidate with the lowest number of votes is eliminated, the candidate to be eliminated shall be determined by such candidates or their designees drawing lots to determine who shall be eliminated. Should a candidate decline to participate, the election authority shall draw lots on their behalf.

10. Ballots shall be laid out to allow voters to indicate their preferred candidate order. The ballot shall be simple and easy to understand, consistent with best practices.

11. Instructions on the general election ballot shall include the following statement: “You may mark up to four choices in order of preference. Marking a second choice cannot help defeat your first choice. Marking a subsequent choice cannot help defeat your higher-ordered choices.”

12. 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 voter education campaign to familiarize voters with the instant runoff voting system.

13. Notwithstanding any other provision of law to the contrary, the aggregated vote totals from the initial tabulation shall be used, as may be required by any other law, for the purposes of identifying the two major political parties.

Section 26. 1. Beginning August 1, 2024, and notwithstanding any other provision of law to the contrary, a special election shall be called to fill any vacancy in a statewide office, office of member of the Missouri General Assembly, office of member of the United States Congress, office of circuit judge not selected pursuant to Article V, Section 25(a) or 25(b), office of associate circuit judge not selected pursuant to Article V, Section 25(a) or 25(b) of the Missouri Constitution, and public offices within any political subdivision that are filled through partisan elections.

2. A special election to fill a vacancy in any such office shall be conducted pursuant to the general election process described in Section 25 of this Article.
Section 27. The Secretary of State shall issue rules and regulations necessary to implement Sections 24 to 26 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 28. If any provision of Sections 24, 25, 26, or 27 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.