

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 law 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)

2024 MAR -7 PM 3:41
MISSOURI SECRETARY OF STATE

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 enacted by the people of the State of Missouri:

Section 196.1131 is enacted to read as follows:

196.1131. 1. For the sole and exclusive purpose of providing funding for treatment and prevention of childhood cancer, on and after January 1, 2025, a tax equal to ten cents before discounts and deals shall be levied and imposed upon the sale of each package of twenty cigarettes, or lesser portion thereof. The tax imposed by this section shall be in addition to other taxes imposed by law on the sale of cigarette packages and shall be collected in the same manner and at the same time as the taxes imposed by law upon the sale of packages of cigarettes.

2. The Childhood Cancer Treatment and Prevention Fund is hereby created within the state treasury which shall consist of funds from the taxes established in subsection 1 of this section, appropriated moneys, gifts, contributions, grants, or bequests.

3. Beginning January 1, 2025, the state treasurer without legislative action shall credit to and place in the Childhood Cancer Treatment and Prevention Fund all moneys collected as a result of the tax imposed by subsection 1 of this section as said moneys are received. All of the moneys from the tax imposed by this section shall be kept separate from the general revenue fund as well as any other funds or accounts in the state treasury and shall be credited to and placed only in the Childhood Cancer Treatment and Prevention Fund and the accounts created within the Childhood Cancer Treatment and Prevention Fund. Any moneys credited to and placed in the Childhood Cancer Treatment and Prevention Fund and any account created by this section shall be appropriated and used only for a purpose authorized by this section and shall not be subject to the provisions of section 33.080, RSMo. The unexpended balances of such moneys shall remain in the Childhood Cancer Treatment and Prevention Fund and in the particular account in which the moneys are placed, and such balances shall not revert to the general revenue fund. All interest which accrues upon the moneys in any account within the Childhood Cancer Treatment and Prevention Fund shall be added to such account and shall not be credited to the general revenue fund. Except as otherwise provided in this section, generally applicable laws concerning use of public funds shall apply to the Childhood Cancer Treatment and Prevention Fund.

4. The Children's Trust Fund Board shall administer the fund. The fund shall be used exclusively for the treatment and prevention of childhood cancers.

5. No funding from the Childhood Cancer Treatment and Prevention Fund shall be used to fund abortion. No funding from the Childhood Cancer Treatment and Prevention Fund shall be used for research which is banned by Missouri law.

6. (1) The actual costs of collecting the tax imposed by this section shall be paid from the moneys in the Childhood Cancer Treatment and Prevention Fund as may be provided by law, not to exceed five percent of the total moneys collected;

(2) The department of revenue shall refund moneys overpaid or erroneously paid pursuant to this section as may be provided by law; and

7. The state auditor shall perform an annual audit of the funds and initiatives undertaken pursuant to this section, which shall include an evaluation of whether pre-existing funding for programs or initiatives has been reduced because of the new funding for such purposes provided through the Childhood Cancer Treatment and Prevention Fund or any of its accounts. Such audit shall be performed on a fiscal year basis. The state auditor shall make copies of each audit available to the public. Every three years the state auditor shall prepare a comprehensive report assessing the work and progress of initiatives undertaken pursuant to this section. Such assessment report shall analyze the impact of the programs, grants, and contracts performed, shall be provided to the governor and the general assembly, and shall be available to the public.

8. The tax imposed by this section shall be imposed on all cigarettes in the possession or under the control of any dealer or distributor on and after 12:01 a.m. on January 1, 2025, as determined by department of revenue rule. The initiatives and programs authorized under this section shall be implemented as soon as reasonably practicable, but at least by July 1, 2025.

9. The net proceeds from the tax imposed by this section shall constitute new and additional funding for the initiatives and programs described in this section and shall not be used to replace existing funding as of July 1, 2025 for the same or similar initiatives and programs.

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