

**PROPOSED AMENDMENTS TO THE
CONSTITUTION OF MISSOURI**

HJR's 11 & 7 [CCS #2 SS HCS HJR's 11 & 7]

Proposes a constitutional amendment affirming the right of farmers and ranchers to engage in modern farming and ranching practices

CONSTITUTIONAL AMENDMENT NO. 1.—(Proposed by the 97th General Assembly, First Regular Session, HJR's 11 & 7)

Official Ballot Title:

Shall the Missouri Constitution be amended to ensure that the right of Missouri citizens to engage in agricultural production and ranching practices shall not be infringed?

The potential costs or savings to governmental entities are unknown, but likely limited unless the resolution leads to increased litigation costs and/or the loss of federal funding.

Fair Ballot Language:

A "yes" vote will amend the Missouri Constitution to guarantee the rights of Missourians to engage in farming and ranching practices, subject to any power given to local government under Article VI of the Missouri Constitution.

A "no" vote will not amend the Missouri Constitution regarding farming and ranching.

If passed, this measure will have no impact on taxes.

JOINT RESOLUTION Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the right to farm.

SECTION

- A. Enacting clause.
- 35. Right to farm.
- B. Ballot title.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2014, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

SECTION A. ENACTING CLAUSE. — Article I, Constitution of Missouri, is amended by adding thereto one new section, to be known as section 35, to read as follows:

SECTION 35. RIGHT TO FARM. — That agriculture which provides food, energy, health benefits, and security is the foundation and stabilizing force of Missouri's economy. To protect this vital sector of Missouri's economy, the right of farmers and ranchers to engage in farming and ranching practices shall be forever guaranteed in this state, subject to duly authorized powers, if any, conferred by article VI of the Constitution of Missouri.

SECTION B. BALLOT TITLE. — Pursuant to Chapter 116, RSMo, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of a joint resolution to the voters of this state, the official ballot title of the amendment proposed in Section A shall be as follows:

"Shall the Missouri Constitution be amended to ensure that the right of Missouri citizens to engage in agricultural production and ranching practices shall not be infringed?"

HJR 16 [SCS HJR 16]

Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age

CONSTITUTIONAL AMENDMENT NO. 2. — (Proposed by the 97th General Assembly, First Regular Session, HJR 16)

Official Ballot Title:

Shall the Missouri Constitution be amended so that it will be permissible to allow relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age?

If more resources are needed to defend increased prosecutions additional costs to governmental entities could be at least \$1.4 million annually, otherwise the fiscal impact is expected to be limited.

Fair Ballot Language:

A "yes" vote will amend the Missouri Constitution to allow evidence of prior criminal acts, whether charged or uncharged, to be considered by courts in prosecutions of sexual crimes that involve a victim under eighteen years of age. The amendment limits the use of such prior acts to support the victim's testimony or show that the person charged is more likely to commit the crime. Further, the judge may exclude such prior acts if the value of considering them is substantially outweighed by the possibility of unfair prejudice to the person charged with committing the crime.

A "no" vote will not amend the Missouri Constitution regarding the use of evidence of prior criminal acts to prosecute sexual crimes.

If passed, this measure will have no impact on taxes.

JOINT RESOLUTION Submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

SECTION

- A. Enacting clause.
- 18(c). Admissibility of evidence.
- B. Ballot title.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2014, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

SECTION A. ENACTING CLAUSE. — Article I, Constitution of Missouri, is amended by adding one new section, to be known as section 18(c), to read as follows:

SECTION 18(C). ADMISSIBILITY OF EVIDENCE. — Notwithstanding the provisions of sections 17 and 18(a) of this article to the contrary, in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age, relevant evidence of prior criminal acts, whether charged or uncharged, is admissible for the purpose of corroborating the victim's testimony or demonstrating the defendant's propensity to commit the crime with which he or she is presently charged. The court may exclude relevant evidence of prior criminal acts if the probative value of the evidence is substantially outweighed by the danger of unfair prejudice.

SECTION B. BALLOT TITLE. — The official ballot title for section A of this act shall read as follows:

“Shall the Missouri Constitution be amended so that it will be permissible to allow relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age?”

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