

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 115

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TRENT.

5323H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 3 and 7 of Article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to elections.

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, 2020, 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 III of the Constitution of the state of Missouri:

Section A. Sections 3 and 7, Article III, Constitution of Missouri, are repealed and three new sections adopted in lieu thereof, to be known as Sections 3, 7, and 55, to read as follows:

Section 3. ~~[(a) There is hereby established the post of "Nonpartisan State Demographer". The nonpartisan state demographer shall acquire appropriate information to develop procedures in preparation for drawing legislative redistricting maps on the basis of each federal census for presentation to the house apportionment commission and the senatorial apportionment commission.~~

~~———— (b) The nonpartisan state demographer shall be selected through the following process. First, state residents may apply for selection to the state auditor using an application developed by the state auditor to determine an applicant's qualifications and expertise relevant to the position. Second, the state auditor shall deliver to the majority leader and minority leader of the~~

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 senate a list of at least three applicants with sufficient expertise and qualifications, as determined
11 by the state auditor, to perform the duties of the nonpartisan state demographer. Third, if the
12 majority leader and minority leader of the senate together agree that a specific applicant should
13 be selected to be the nonpartisan state demographer, that applicant shall be selected and the
14 selection process shall cease. Fourth, if the majority leader and minority leader of the senate
15 cannot together agree on an applicant, they may each remove a number of applicants on the state
16 auditor's list equal to one-third of the total number of applicants on that list, rounded down to the
17 next integer, and the state auditor shall then conduct a random lottery of the applicants remaining
18 after removal to select the nonpartisan state demographer. The state auditor shall prescribe a
19 time frame and deadlines for this application and selection process that both encourages
20 numerous qualified applicants and avoids delay in selection. The nonpartisan state demographer
21 shall serve a term of five years and may be reappointed. To be eligible for the nonpartisan state
22 demographer position, an individual shall not have served in a partisan, elected position for four
23 years prior to the appointment. The nonpartisan state demographer shall be disqualified from
24 holding office as a member of the general assembly for four years following the date of the
25 presentation of his or her most recent legislative redistricting map to the house apportionment
26 commission or the senatorial apportionment commission.

27 ~~————(e)~~ 1. The house of representatives shall consist of one hundred sixty-three members
28 elected at each general election and apportioned as provided in this section.

29 ~~[(1)]~~ 2. Within ~~[ten]~~ **sixty** days after the population of this state is reported to the
30 President for each decennial census of the United States or, in the event that a reapportionment
31 has been invalidated by a court of competent jurisdiction, within ~~[ten]~~ **sixty** days after such a
32 ruling has been made, the ~~[nonpartisan state demographer]~~ **house independent bipartisan**
33 **citizens commission** shall begin the preparation of legislative districting plans and maps using
34 the following methods, listed in order of priority:

35 a. Districts shall be ~~[established on the basis of total]~~ **as nearly equal as practicable in**
36 **population**. Legislative districts shall each have a total population as nearly equal as practicable
37 ~~to the ideal population for such districts, determined by dividing the number of districts to be~~
38 ~~established into the total population of the state], and districts shall be drawn on the basis of one~~
39 **person, one vote, using data reported in the federal decennial census. Districts are as nearly**
40 **equal in population as practicable if no district deviates by more than one percent from the**
41 **ideal population of the district, as measured by dividing the number of districts into the**
42 **statewide population data being used, except that a district may deviate by up to three**
43 **percent if necessary to follow subdivision lines consistent with paragraph d.;**

44 b. Districts shall be established in a manner so as to comply with all requirements of the
45 United States Constitution and applicable federal laws, including, but not limited to, the Voting

46 Rights Act of 1965 (as amended). [~~Notwithstanding any other provision of this Article, districts~~
47 ~~shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial~~
48 ~~or language minorities to participate in the political process or diminishing their ability to elect~~
49 ~~representatives of their choice, whether by themselves or by voting in concert with other~~
50 ~~persons.] **The following principles shall take precedence over any other part of this**
51 **constitution: no district shall be drawn in a manner which results in a denial or**
52 **abridgment of the right of any citizen of the United States to vote on account of race or**
53 **color; and no district shall be drawn such that members of any community of citizens**
54 **protected by the preceding clause have less opportunity than other members of the**
55 **electorate to participate in the political process and to elect representatives of their choice;**~~

56 [~~Districts shall be designed in a manner that achieves both partisan fairness and,~~
57 ~~secondarily, competitiveness. "Partisan fairness" means that parties shall be able to translate~~
58 ~~their popular support into legislative representation with approximately equal efficiency.~~
59 ~~"Competitiveness" means that parties' legislative representation shall be substantially and~~
60 ~~similarly responsive to shifts in the electorate's preferences.~~

61 ~~———— To this end, the nonpartisan state demographer shall calculate the average electoral~~
62 ~~performance of the two parties receiving the most votes in the three preceding elections for~~
63 ~~governor, for United States Senate, and for President of the United States. This index shall be~~
64 ~~defined as the total votes received by each party in the three preceding elections for governor,~~
65 ~~for United States Senate, and for President of the United States, divided by the total votes cast~~
66 ~~for both parties in these elections. Using this index, the nonpartisan state demographer shall~~
67 ~~calculate the total number of wasted votes for each party, summing across all of the districts in~~
68 ~~the plan. "Wasted votes" are votes cast for a losing candidate or for a winning candidate in~~
69 ~~excess of the fifty percent threshold needed for victory. In any plan of apportionment and map~~
70 ~~of the proposed districts submitted to the respective apportionment commission, the nonpartisan~~
71 ~~state demographer shall ensure the difference between the two parties' total wasted votes, divided~~
72 ~~by the total votes cast for the two parties, is as close to zero as practicable.~~

73 ~~———— To promote competitiveness, the nonpartisan state demographer shall use the electoral~~
74 ~~performance index to simulate elections in which the hypothetical statewide vote shifts by one~~
75 ~~percent, two percent, three percent, four percent, and five percent in favor of each party. The~~
76 ~~vote in each individual district shall be assumed to shift by the same amount as the statewide~~
77 ~~vote. The nonpartisan state demographer shall ensure that, in each of these simulated elections,~~
78 ~~the difference between the two parties' total wasted votes, divided by the total votes cast for the~~
79 ~~two parties, is as close to zero as practicable;]~~

80 c. Subject to the requirements of paragraphs a. and b. of this subdivision, districts shall
81 be composed of contiguous territory **as compact as may be**. Areas which meet only at the

82 points of adjoining corners are not contiguous. **In general, compact districts are those which**
83 **are square, rectangular, or hexagonal in shape to the extent permitted by natural or**
84 **political boundaries;**

85 d. To the extent consistent with paragraphs a. to c. of this subdivision, district boundaries
86 shall coincide with the boundaries of political subdivisions of the state. The number of counties
87 and cities divided among more than one district shall be as small as possible. When there is a
88 choice between dividing local political subdivisions, the more populous subdivisions shall be
89 divided before the less populous, but this preference shall not apply to a legislative district
90 boundary drawn along a county line which passes through a city that lies in more than one
91 county;

92 e. ~~[Preference shall be that districts are compact in form, but the standards established~~
93 ~~by paragraphs a. to d. of this subdivision take precedence over compactness where a conflict~~
94 ~~arises between compactness and these standards. In general, compact districts are those which~~
95 ~~are square, rectangular, or hexagonal in shape to the extent permitted by natural or political~~
96 ~~boundaries.]~~ **Districts shall be designed in a manner that achieves both partisan fairness**
97 **and, secondarily, competitiveness, but the standards established by paragraphs a. to d. of**
98 **this subdivision shall take precedence over partisan fairness and competitiveness where a**
99 **conflict arises. "Partisan fairness" means that parties shall be able to translate their**
100 **popular support into legislative representation with approximately equal efficiency.**
101 **"Competitiveness" means that parties' legislative representation shall be substantially and**
102 **similarly responsive to shifts in the electorate's preferences.**

103 **To this end, the average electoral performance of the two parties receiving the most**
104 **votes in the three preceding elections for governor, for United States Senate, and for**
105 **President of the United States shall be calculated. This index shall be defined as the total**
106 **votes received by each party in the three preceding elections for governor, for United States**
107 **Senate, and for President of the United States, divided by the total votes cast for both**
108 **parties in these elections. Using this index, the total number of wasted votes for each party,**
109 **summing across all of the districts in the plan shall be calculated. "Wasted votes" are votes**
110 **cast for a losing candidate or for a winning candidate in excess of the fifty percent**
111 **threshold needed for victory. In any plan of apportionment and map of the proposed**
112 **districts, the difference between the two parties' total wasted votes, divided by the total**
113 **votes cast for the two parties, shall be as close to zero as practicable.**

114 **To promote competitiveness, the electoral performance index shall be used to**
115 **simulate elections in which the hypothetical statewide vote shifts by one percent, two**
116 **percent, three percent, four percent, and five percent in favor of each party. The vote in**
117 **each individual district shall be assumed to shift by the same amount as the statewide vote.**

118 **In each of these simulated elections, the difference between the two parties' total wasted**
119 **votes, divided by the total votes cast for the two parties, shall be as close to zero as**
120 **practicable.**

121 ~~[(2)]~~ 3. Within ~~[sixty]~~ **ten** days after the population of this state is reported to the
122 President for each decennial census of the United States or, in the event that a reapportionment
123 has been invalidated by a court of competent jurisdiction, within ~~[sixty]~~ **ten** days that such a
124 ruling has been made, **the state committee and** the congressional district ~~[committee]~~
125 **committees** of each of the two **political** parties casting the highest vote for governor at the last
126 preceding election shall meet and the members of ~~[the]~~ **each** committee shall nominate, by a
127 majority vote of the members of the committee present, provided that a majority of the elected
128 members is present, ~~[two]~~ members of their party, residents in that district, **in the case of a**
129 **congressional district committee**, as nominees for ~~[reapportionment commissioners]~~ **the house**
130 **independent bipartisan citizens commission.** ~~[Neither]~~ **No** party shall select more than one
131 nominee from any one state legislative district. The congressional **district** committees shall each
132 submit to the governor their list of **two** elected nominees. **The state committees shall each**
133 **submit their list of five nominees to the governor.** Within thirty days the governor shall
134 appoint a **house independent bipartisan citizens** commission consisting of one name from each
135 list **submitted by each congressional district committee and two names from each list**
136 **submitted by each state committee** to reapportion the state into one hundred and sixty-three
137 representative districts and to establish the numbers and boundaries of said districts. **No person**
138 **shall be appointed to both the house independent bipartisan citizens commission and the**
139 **senate independent bipartisan citizens commission during the same reapportionment cycle.**

140 If any ~~[of the congressional committees]~~ **committee** fails to submit a list within such
141 time, the governor shall appoint a member of his **or her** own choice ~~[from that district and]~~ from
142 the political party of the committee failing to ~~[make the appointment]~~ **submit a list, provided**
143 **that in the case of a congressional district committee failing to submit a list, the person**
144 **appointed to the commission by the governor shall reside in the congressional district of**
145 **such committee.**

146 Members of the commission shall be disqualified from holding office as members of the
147 general assembly for four years following the date of the filing by the commission of its final
148 statement of apportionment.

149 For the purposes of this Article, the term congressional district committee or
150 congressional district refers to the congressional district committee or the congressional district
151 from which a congressman was last elected, or, in the event members of congress from this state
152 have been elected at large, the term congressional district committee refers to those persons who
153 last served as the congressional district committee for those districts from which congressmen

154 were last elected, and the term congressional district refers to those districts from which
155 congressmen were last elected. Any action pursuant to this section by the congressional district
156 committee shall take place only at duly called meetings, shall be recorded in their official
157 minutes and only members present in person shall be permitted to vote.

158 ~~[(3) Within six months after the population of this state is reported to the President for
159 each decennial census of the United States or, in the event that a reapportionment has been
160 invalidated by a court of competent jurisdiction, within six months after such a ruling has been
161 made, the nonpartisan state demographer shall make public and file with the secretary of state
162 and with the house apportionment commission a tentative plan of apportionment and map of the
163 proposed districts, as well as all demographic and partisan data used in the creation of the plan
164 and map.]~~

165 **4.** The commissioners so selected shall, ~~[within ten days of receiving the tentative plan
166 of apportionment and map of the proposed districts,]~~ **on the fifteenth day, excluding Sundays
167 and state holidays, after all members have been appointed,** meet in the capitol building and
168 proceed to organize by electing from their number a chairman, vice chairman and secretary. The
169 commission shall adopt an agenda establishing at least three hearing dates on which hearings
170 open to the public shall be held to hear objections or testimony from interested persons. A copy
171 of the agenda shall be filed with the clerk of the house of representatives within twenty-four
172 hours after its adoption. Executive meetings may be scheduled and held as often as the
173 commission deems advisable.

174 ~~[The commission may make changes to the tentative plan of apportionment and map of
175 the proposed districts received from the nonpartisan state demographer provided that such
176 changes are consistent with this section and approved by a vote of at least seven-tenths of the
177 commissioners. If no changes are made or approved as provided for in this subsection, the
178 tentative plan of apportionment and map of proposed districts shall become final. Not later than
179 two months of receiving the tentative plan of apportionment and map of the proposed districts,
180 the commission shall file with the secretary of state a final statement of the numbers and the
181 boundaries of the districts together with a map of the districts.]~~

182 **5.** **Not later than five months after the appointment of the commission, the
183 commission shall file with the secretary of state a tentative plan of apportionment and map
184 of the proposed districts and during the ensuing fifteen days shall hold such public
185 hearings as may be necessary to hear objections or testimony of interested persons. The
186 commission shall make public the tentative plan of apportionment and map of the
187 proposed districts, as well as all demographic and partisan data used in the creation of the
188 plan and map.**

189 **6. Not later than six months after the appointment of the commission, the**
190 **commission shall file with the secretary of state a final statement of the numbers and the**
191 **boundaries of the districts together with a map of the districts, and no statement shall be**
192 **valid unless approved by at least seven-tenths of the members.**

193 **7. After the final statement is filed, members of the house of representatives shall**
194 **be elected according to such districts until a reapportionment is made as provided in this**
195 **section, except that if the statement is not filed within six months of the time fixed for the**
196 **appointment of the commission, the commission shall stand discharged and the house of**
197 **representatives shall be apportioned by a commission of six members appointed from**
198 **among the judges of the appellate courts of the state of Missouri by the state supreme**
199 **court, a majority of whom shall sign and file its apportionment plan and map with the**
200 **secretary of state within ninety days of the date of the discharge of the house independent**
201 **bipartisan citizens commission. The judicial commission shall make public the tentative**
202 **plan of apportionment and map of the proposed districts, as well as all demographic and**
203 **partisan data used in the creation of the plan and map. Thereafter, members of the house**
204 **of representatives shall be elected according to such districts until the house of**
205 **representatives is reapportioned as provided in this section.**

206 **8. Each member of the commission shall receive as compensation fifteen dollars a day**
207 **for each day the commission is in session but not more than one thousand dollars, and, in**
208 **addition, shall be reimbursed for his or her actual and necessary expenses incurred while serving**
209 **as a member of the commission.**

210 **9. No reapportionment shall be subject to the referendum.**

211 **10. Any action alleging a violation of this section shall be filed in the circuit court**
212 **of Cole County and shall name the body that approved the challenged plan of**
213 **apportionment as a defendant. Only an eligible Missouri voter who sustains an individual**
214 **injury by virtue of living in a district drawn in violation of this constitution, and whose**
215 **injury is remedied by a differently drawn district, shall have standing. If the court renders**
216 **a judgment in which it finds that a completed plan of apportionment violates this**
217 **constitution, its judgment shall adjust only those districts, and only those parts of district**
218 **boundaries, necessary to bring the map into compliance. The supreme court shall have**
219 **exclusive appellate jurisdiction upon the filing of a notice of appeal within ten days after**
220 **the judgment has become final.**

 Section 7. ~~[(a) Within ten days after the population of this state is reported to the~~
2 ~~President for each decennial census of the United States or, in the event that a reapportionment~~
3 ~~has been invalidated by a court of competent jurisdiction, within ten days after such a ruling has~~
4 ~~been made, the nonpartisan state demographer authorized in Article III, Section 3 shall begin the~~

5 preparation of senatorial districting plans and maps using the same methods and criteria as those
6 required by Article III, Section 3 for the establishment of districts for the house of
7 representatives.

8 ~~——(b)~~ **1.** Within ~~[sixty]~~ **ten** days after the population of this state is reported to the
9 President for each decennial census of the United States, or within ~~[sixty]~~ **ten** days after a
10 reapportionment has been invalidated by a court of competent jurisdiction, the state committee
11 **and the congressional district committees** of each of the two political parties casting the
12 highest vote for governor at the last preceding election shall~~], at a committee meeting duly called,~~
13 ~~select by a vote of the individual committee members, and thereafter submit to the governor a~~
14 ~~list of ten persons, and]~~ **meet and the members of each committee shall nominate, by a**
15 **majority vote of the members of the committee present, provided that a majority of the**
16 **elected members is present, members of their party, residents in that district, in the case**
17 **of a congressional district committee, as nominees for the senate independent bipartisan**
18 **citizens commission. No party shall select more than one nominee from any one state**
19 **legislative district. The congressional district committees shall each submit their list of two**
20 **elected nominees to the governor. The state committees shall each submit their list of five**
21 **elected nominees to the governor.** Within thirty days thereafter the governor shall appoint a
22 **senate independent bipartisan citizens** commission ~~consisting of [ten members, five]~~ **two**
23 **names from each list submitted by each state committee and one name from each list**
24 **submitted by each congressional district committee, to reapportion the thirty-four senatorial**
25 **districts and to establish the numbers and boundaries of said districts. No person shall be**
26 **appointed to both the house independent bipartisan citizens commission and the senate**
27 **independent bipartisan citizens commission during the same reapportionment cycle.**

28 If ~~[either of the party committees]~~ **any committee** fails to submit a list within such time,
29 the governor shall appoint ~~[five members]~~ **a member** of his **or her** own choice from the **political**
30 party of the committee ~~[sø]~~ **failing to [æt] submit a list, provided that in the case of a**
31 **congressional district committee failing to submit a list, the person appointed to the**
32 **commission by the governor shall reside in the congressional district of such committee.**

33 Members of the commission shall be disqualified from holding office as members of the
34 general assembly for four years following the date of the filing by the commission of its final
35 statement of apportionment.

36 ~~[(c) Within six months after the population of this state is reported to the President for~~
37 ~~each decennial census of the United States or in the event that a reapportionment has been~~
38 ~~invalidated by a court of competent jurisdiction, within six months after such a ruling has been~~
39 ~~made, the nonpartisan state demographer shall file with the secretary of state and with the~~

40 senatorial apportionment commission a tentative plan of apportionment and map of the proposed
41 districts.]

42 **2.** The commissioners so selected shall ~~[within ten days of receiving the tentative plan~~
43 ~~of apportionment and map of the proposed districts required by this subsection]~~, **on the fifteenth**
44 **day, excluding Sundays and state holidays, after all members have been appointed,** meet
45 in the capitol building and proceed to organize by electing from their number a chairman, vice
46 chairman and secretary. The commission shall adopt an agenda establishing at least three
47 hearing dates on which hearings open to the public shall be held to hear objections or testimony
48 from interested persons. A copy of the agenda shall be filed with the secretary of the senate
49 within twenty-four hours after its adoption. Executive meetings may be scheduled and held as
50 often as the commission deems advisable. ~~[The commission may make changes to the tentative~~
51 ~~plan of apportionment and map of the proposed districts received from the nonpartisan state~~
52 ~~demographer provided that such changes are consistent with this section and the methods and~~
53 ~~criteria required by Section 3 of this Article for the establishment of districts for the house of~~
54 ~~representatives and approved by a vote of at least seven-tenths of the commissioners. If no~~
55 ~~changes are made or approved as provided for in this subsection, the tentative plan of~~
56 ~~apportionment and map of proposed districts shall become final. Not later than two months after~~
57 ~~receiving the tentative plan of apportionment and map of the proposed districts, the commission~~
58 ~~shall file with the secretary of state a final statement of the numbers and the boundaries of the~~
59 ~~districts together with a map of the districts.]~~

60 **3.** The senate independent bipartisan citizens commission shall reapportion the
61 thirty-four senatorial districts using the same methods and criteria as those required by
62 Article III, Section 3, Subsection 2, of this constitution for the establishment of districts for
63 the house of representatives.

64 **4.** Not later than five months after the appointment of the senate independent
65 bipartisan citizens commission, the commission shall file with the secretary of state a
66 tentative plan of apportionment and map of the proposed districts and during the ensuing
67 fifteen days shall hold such public hearings as may be necessary to hear objections or
68 testimony of interested persons. The commission shall make public the tentative plan of
69 apportionment and map of the proposed districts, as well as all demographic and partisan
70 data used in the creation of the plan and map.

71 **5.** Not later than six months after the appointment of the commission, the
72 commission shall file with the secretary of state a final statement of the numbers and the
73 boundaries of the districts together with a map of the districts, and no statement shall be
74 valid unless approved by at least seven-tenths of the members.

75 **6. After the statement is filed, senators shall be elected according to such districts**
76 **until a reapportionment is made as provided in this section, except that if the statement is**
77 **not filed within six months of the time fixed for the appointment of the commission, it shall**
78 **stand discharged and the senate shall be apportioned by a commission of six members**
79 **appointed from among the judges of the appellate courts of the state of Missouri by the**
80 **state supreme court, a majority of whom shall sign and file its apportionment plan and**
81 **map with the secretary of state within ninety days of the date of the discharge of the senate**
82 **independent bipartisan citizens commission. The judicial commission shall make public**
83 **the tentative plan of apportionment and map of the proposed districts, as well as all**
84 **demographic and partisan data used in the creation of the plan and map. Thereafter,**
85 **senators shall be elected according to such districts until a reapportionment is made as**
86 **provided in this section.**

87 **7. Each member of the commission shall receive as compensation fifteen dollars a day**
88 **for each day the commission is in session, but not more than one thousand dollars, and, in**
89 **addition, shall be reimbursed for his actual and necessary expenses incurred while serving as a**
90 **member of the commission.**

91 **8. No reapportionment shall be subject to the referendum.**

92 **9. For purposes of this subsection, the following terms and phrases shall mean:**

93 **(1) "Bipartisan citizens commission" the independent citizens commissions defined**
94 **under Article III, Sections 3 and 7 of the Constitution of Missouri;**

95 **(2) "Redistricting process", the process of preparing and drawing legislative maps**
96 **pursuant to Article III, Sections 3 and 7 of the Constitution of Missouri;**

97 **(3) "Redistricting public comment portal", the website established under this**
98 **subsection for the purpose of allowing the bipartisan citizens commission to publicly**
99 **receive comments, records, documents, maps, data files, communication, or information**
100 **of any kind relating to the redistricting process;**

101 **(4) "Redistricting records", any comments, records, documents, maps, or**
102 **information of any kind accepted from a person or entity that is not the bipartisan citizens**
103 **commission and any comments, records, documents, maps, data files, communication, or**
104 **information created by such commission as part of the redistricting process.**

105 **10. (1) The bipartisan citizens commission shall establish a website, to be known**
106 **as the "Redistricting Public Comment Portal", for the purpose of allowing the public**
107 **acceptance of comments, records, documents, maps, data files, communication, or**
108 **information of any kind relating to the redistricting process.**

109 **(2) The commission shall accept public comments, records, documents, maps, data**
110 **files, communication, and information of any kind relating to the redistricting process**
111 **solely through the redistricting public comment portal.**

112 **(3) Any comments, records, documents, maps, data files, communication, or**
113 **information of any kind submitted through the redistricting public comment portal by any**
114 **person or entity shall be accompanied by a disclosure form that indicates whether:**

115 **(a) The person or entity making the submission was responsible in whole or in part**
116 **for such submission; or**

117 **(b) A person or entity other than the person or entity making the submission**
118 **contributed money that was intended to fund the preparation of the submission and, if so,**
119 **the disclosure form shall additionally identify each such person or entity.**

120 **11. Any action alleging a violation of this section shall be filed in the circuit court**
121 **of Cole County and shall name the body that approved the challenged plan of**
122 **apportionment as a defendant. Only an eligible Missouri voter who sustains an individual**
123 **injury by virtue of living in a district drawn in violation of this constitution, and whose**
124 **injury is remedied by a differently drawn district, shall have standing. If the court renders**
125 **a judgment in which it finds that a completed plan of apportionment violates this**
126 **constitution, its judgment shall adjust only those districts, and only those parts of district**
127 **boundaries, necessary to bring the map into compliance. The supreme court shall have**
128 **exclusive appellate jurisdiction upon the filing of a notice of appeal within ten days after**
129 **the judgment has become final.**

130 **Section 55. Only citizens of the United States, including occupants of soldiers' and**
131 **sailors' homes, over the age of eighteen who are residents of this state and of the political**
132 **subdivision in which they offer to vote are entitled to vote at all elections by the people, if**
133 **the election is one for which registration is required if they are registered within the time**
134 **prescribed by law, or if the election is one for which registration is not required, if they**
135 **have been residents of the political subdivision in which they offer to vote for thirty days**
136 **next preceding the election for which they offer to vote: Provided however, no person who**
137 **has a guardian of his or her estate or person by reason of mental incapacity, appointed by**
138 **a court of competent jurisdiction and no person who is involuntarily confined in a mental**
139 **institution pursuant to an adjudication of a court of competent jurisdiction shall be entitled**
140 **to vote, and persons convicted of felony, or crime connected with the exercise of the right**
141 **of suffrage may be excluded by law from voting.**

 Section B. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of

3 this joint resolution to the voters of this state, the official summary statement of this resolution
4 shall be as follows:

5 "Shall the Missouri Constitution be amended to:

- 6 • Ensure that only American citizens can vote in Missouri elections; and
7 • Ensure that the independent bipartisan citizens commissions prepare state
8 legislative district maps that are equal in population, follow the U.S.
9 Constitution and federal law, and are as compact and contiguous as possible?"

✓