

HOUSE JOINT RESOLUTION NO. 49

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STACY.

4287H.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

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, 2018, 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 VII of the Constitution of the state of Missouri:

Section A. Section 2, article VII, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 2, to read as follows:

Section 2. The house of representatives shall have the sole power of impeachment. All impeachments shall be tried before the supreme court, except that the governor or a member of the supreme court shall be tried by a special commission of seven eminent jurists to be elected by the senate. The supreme court or special commission shall take an oath to try impartially the person impeached, and no person shall be convicted without the concurrence of five-sevenths of the court or special commission. **Beginning January 1, 2021, all impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be on oath or affirmation to do justice according to law and the evidence. When the governor shall be tried, the chief justice of the supreme court shall preside. No person shall be convicted without the concurrence of two-thirds of all the senators elected.**

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.

Section B. Pursuant to chapter 116 and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

"Shall the Missouri Constitution be amended to provide that, beginning January 1, 2021, all impeachment trials are tried by the senate, and when the Governor is being tried, the Chief Justice of the Missouri Supreme Court shall preside; and no person shall be convicted without the concurrence of two-thirds of all senators elected?"

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