

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 23

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time February 25, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2091S.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, 7, and 19 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

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

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2020, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 2, 3, 7, and 19, article III, Constitution of Missouri,
2 is repealed and four new sections adopted in lieu thereof, to be known as sections
3 2, 3, 7, and 19, to read as follows:

Section 2. (a) After December [6, 2018] **4, 2020**, no person serving as a
2 member of or employed by the general assembly shall act or serve as a paid
3 lobbyist, register as a paid lobbyist, or solicit prospective employers or clients to
4 represent as a paid lobbyist during the time of such service until the expiration
5 of [two] **four** calendar years after the conclusion of the session of the general
6 assembly in which the member or employee last served and where such service
7 was after December [6, 2018] **4, 2020**.

8 (b) No person serving as a member of or employed by the general
9 assembly shall accept directly or indirectly a gift of any tangible or intangible
10 item, service, or thing of value from any paid lobbyist or lobbyist principal [in
11 excess of five dollars per occurrence]. This Article shall not prevent candidates

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

12 for the general assembly, including candidates for reelection, or candidates for
13 offices within the senate or house from accepting campaign contributions
14 consistent with this Article and applicable campaign finance law. Nothing in this
15 section shall prevent individuals from receiving gifts, family support or anything
16 of value from those related to them within the fourth degree by blood or
17 marriage. [The dollar limitations of this section shall be increased or decreased
18 each year by the percentage of increase or decrease from the end of the previous
19 calendar year of the Consumer Price Index, or successor index as published by the
20 U.S. Department of Labor, or its successor agency, and rounded to the nearest
21 dollar amount.]

22 (c) The general assembly shall make no law authorizing unlimited
23 campaign contributions to candidates for the general assembly, nor any law that
24 circumvents the contribution limits contained in this Constitution. In addition
25 to other campaign contribution limitations or restrictions provided for by law, the
26 amount of contributions made to or accepted by any candidate or candidate
27 committee from any person other than the candidate in any one election for the
28 general assembly shall not exceed the following:

29 (1) To elect an individual to the office of state senator, two thousand five
30 hundred dollars; and

31 (2) To elect an individual to the office of state representative, two
32 thousand dollars.

33 The contribution limits and other restrictions of this section shall also
34 apply to any person exploring a candidacy for a public office listed in this
35 subsection.

36 For purposes of this subsection, "base year amount" shall be the
37 contribution limits prescribed in this section. Contribution limits set forth herein
38 shall be adjusted on the first day of January in each even-numbered year
39 hereafter by multiplying the base year amount by the cumulative Consumer Price
40 Index and rounded to the nearest dollar amount, for all years after 2018.

41 (d) No contribution to a candidate for legislative office shall be made or
42 accepted, directly or indirectly, in a fictitious name, in the name of another
43 person, or by or through another person in such a manner as to, or with the
44 intent to, conceal the identity of the actual source of the contribution. There shall
45 be a rebuttable presumption that a contribution to a candidate for public office
46 is made or accepted with the intent to circumvent the limitations on contributions
47 imposed in this section when a contribution is received from a committee or

48 organization that is primarily funded by a single person, individual, or other
49 committee that has already reached its contribution limit under any law relating
50 to contribution limitations. A committee or organization shall be deemed to be
51 primarily funded by a single person, individual, or other committee when the
52 committee or organization receives more than fifty percent of its annual funding
53 from that single person, individual, or other committee.

54 (e) In no circumstance shall a candidate be found to have violated limits
55 on acceptance of contributions if the Missouri ethics commission, its successor
56 agency, or a court determines that a candidate has taken no action to indicate
57 acceptance of or acquiescence to the making of an expenditure that is deemed a
58 contribution pursuant to this section.

59 (f) No candidate shall accept contributions from any federal political
60 action committee unless the committee has filed the same financial disclosure
61 reports that would be required of a Missouri political action committee.

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

6 (b) The nonpartisan state demographer shall be selected through the
7 following process. First, state residents may apply for selection to the state
8 auditor using an application developed by the state auditor to determine an
9 applicant's qualifications and expertise relevant to the position. Second, the state
10 auditor shall deliver to the majority leader and minority leader of the senate a
11 list of at least three applicants with sufficient expertise and qualifications, as
12 determined by the state auditor, to perform the duties of the nonpartisan state
13 demographer. Third, if the majority leader and minority leader of the senate
14 together agree that a specific applicant should be selected to be the nonpartisan
15 state demographer, that applicant shall be selected and the selection process shall
16 cease. Fourth, if the majority leader and minority leader of the senate cannot
17 together agree on an applicant, they may each remove a number of applicants on
18 the state auditor's list equal to one-third of the total number of applicants on that
19 list, rounded down to the next integer, and the state auditor shall then conduct
20 a random lottery of the applicants remaining after removal to select the
21 nonpartisan state demographer. The state auditor shall prescribe a time frame
22 and deadlines for this application and selection process that both encourages

23 numerous qualified applicants and avoids delay in selection. The nonpartisan
24 state demographer shall serve a term of five years and may be reappointed. To
25 be eligible for the nonpartisan state demographer position, an individual shall not
26 have served in a partisan, elected position for four years prior to the
27 appointment. The nonpartisan state demographer shall be disqualified from
28 holding office as a member of the general assembly for four years following the
29 date of the presentation of his or her most recent legislative redistricting map to
30 the house apportionment commission or the senatorial apportionment
31 commission.

32 **(c) The districts of the house of representatives shall be**
33 **apportioned by an Independent Citizens Redistricting Commission.** The
34 house of representatives shall consist of one hundred sixty-three members elected
35 at each general election and apportioned **by the commission** as provided in this
36 section.

37 **[(1) (b) Within sixty days after the population of this state is**
38 **reported to the President for each decennial census of the United**
39 **States and, in the event that a reapportionment plan has been**
40 **invalidated by a court of competent jurisdiction, within sixty days after**
41 **notification by the governor that such a ruling has been made, the**
42 **congressional district committee of each of the two parties casting the**
43 **highest vote for governor at the last preceding election shall meet and**
44 **the members of the committee shall nominate, by a majority vote of the**
45 **members of the committee present, provided that a majority of the**
46 **elected members is present, two members of their party, residents in**
47 **that district, as nominees for reapportionment commissioners. Neither**
48 **party shall select more than one nominee from any one state house of**
49 **representatives district. The congressional committees shall each**
50 **submit to the governor their list of elected nominees. Within thirty**
51 **days the governor shall appoint a commission consisting of one name**
52 **from each list to reapportion the state into one hundred and sixty-three**
53 **representative districts and to establish the numbers and boundaries**
54 **of said districts.**

55 **(c) If either of the congressional district committees fails to**
56 **submit a list within such time the governor shall appoint a member of**
57 **his own choice from that district and from the political party of the**
58 **committee failing to make the appointment.**

59 **(d) Members of the commission and any person related to any**
60 **member by the fourth degree by blood or marriage shall be disqualified**
61 **from holding office as members of the general assembly for four years**
62 **following the date of the filing by the commission of its final statement**
63 **of apportionment.**

64 **(e) For the purposes of this article, the term congressional**
65 **district committee refers to the congressional district committee or the**
66 **congressional district from which a member of congress was last**
67 **elected, or, in the event members of congress from this state have been**
68 **elected at large, the term congressional district committee refers to**
69 **those persons who last served as the congressional district committee**
70 **for those districts from which members of congress were last**
71 **elected. Any action pursuant to this section by the congressional**
72 **district committee shall take place only at duly called meetings, shall**
73 **be recorded in their official minutes, and only members physically**
74 **present shall be permitted to vote.**

75 **(f) The commissioners so selected shall, on the fifteenth day,**
76 **excluding Sundays and state holidays, after all members have been**
77 **selected, meet in the capitol building and proceed to organize by**
78 **electing from their number a chairman, vice chairman, and secretary**
79 **and shall adopt an agenda establishing at least three hearing dates on**
80 **which hearings open to the public shall be held. A copy of the agenda**
81 **shall be filed with the chief clerk of the house of representatives within**
82 **twenty-four hours after its adoption. Executive meetings may be**
83 **scheduled and held as often as the commission deems advisable.**

84 **(g) Within ten days after the population of this state is reported to the**
85 **President for each decennial census of the United States or, in the event that a**
86 **reapportionment has been invalidated by a court of competent jurisdiction, within**
87 **ten days after such a ruling has been made, the [nonpartisan state demographer]**
88 **commission shall begin the preparation of [legislative districting]**
89 **reapportionment plans and maps for the house of representatives using**
90 **the following methods, listed in order of priority:**

91 **[a.] (1) Districts shall:**

92 **a. Be established on the basis of total population[. Legislative districts**
93 **shall];**

94 **b. Each have a total population as nearly equal as practicable to the ideal**
95 **population for such districts, determined by dividing the number of districts to**

96 be established into the total population of the state reported in the federal
97 decennial census;

98 **c. Consist of contiguous territory; and**

99 **d. To the extent possible, keep together communities of interest,**
100 **including but not limited to cities and counties. Areas which meet only**
101 **at the points of adjoining corners shall not be considered contiguous;**

102 [b.] (2) Districts shall be established in a manner so as to comply with
103 all requirements of the United States Constitution and applicable federal laws,
104 including, but not limited to, the Voting Rights Act of 1965 (as
105 amended). Notwithstanding any other provision of this Article, districts shall not
106 be drawn with the intent or result of denying or abridging the equal opportunity
107 of racial or language minorities to participate in the political process or
108 diminishing their ability to elect representatives of their choice, whether by
109 themselves or by voting in concert with other persons.

110 (3) Districts shall be designed in a manner that achieves both partisan
111 fairness and, secondarily, competitiveness. "Partisan fairness" means that parties
112 shall be able to translate their popular support into legislative representation
113 with approximately equal efficiency. "Competitiveness" means that parties'
114 legislative representation shall be substantially and similarly responsive to shifts
115 in the electorate's preferences.

116 [To this end, the nonpartisan state demographer shall calculate the
117 average electoral performance of the two parties receiving the most votes in the
118 three preceding elections for governor, for United States Senate, and for President
119 of the United States. This index shall be defined as the total votes received by
120 each party in the three preceding elections for governor, for United States Senate,
121 and for President of the United States, divided by the total votes cast for both
122 parties in these elections. Using this index, the nonpartisan state demographer
123 shall calculate the total number of wasted votes for each party, summing across
124 all of the districts in the plan. "Wasted votes" are votes cast for a losing
125 candidate or for a winning candidate in excess of the fifty percent threshold
126 needed for victory. In any plan of apportionment and map of the proposed
127 districts submitted to the respective apportionment commission, the nonpartisan
128 state demographer shall ensure the difference between the two parties' total
129 wasted votes, divided by the total votes cast for the two parties, is as close to zero
130 as practicable.

131 To promote competitiveness, the nonpartisan state demographer shall use

132 the electoral performance index to simulate elections in which the hypothetical
133 statewide vote shifts by one percent, two percent, three percent, four percent, and
134 five percent in favor of each party. The vote in each individual district shall be
135 assumed to shift by the same amount as the statewide vote. The nonpartisan
136 state demographer shall ensure that, in each of these simulated elections, the
137 difference between the two parties' total wasted votes, divided by the total votes
138 cast for the two parties, is as close to zero as practicable;

139 c. Subject to the requirements of paragraphs a. and b. of this subdivision,
140 districts shall be composed of contiguous territory. Areas which meet only at the
141 points of adjoining corners are not contiguous;

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

150 e. Preference shall be that districts are compact in form, but the
151 standards established by paragraphs a. to d. of this subdivision take precedence
152 over compactness where a conflict arises between compactness and these
153 standards. In general, compact districts are those which are square, rectangular,
154 or hexagonal in shape to the extent permitted by natural or political boundaries.

155 (2) Within sixty days after the population of this state is reported to the
156 President for each decennial census of the United States or, in the event that a
157 reapportionment has been invalidated by a court of competent jurisdiction, within
158 sixty days that such a ruling has been made, the congressional district committee
159 of each of the two parties casting the highest vote for governor at the last
160 preceding election shall meet and the members of the committee shall nominate,
161 by a majority vote of the members of the committee present, provided that a
162 majority of the elected members is present, two members of their party, residents
163 in that district, as nominees for reapportionment commissioners. Neither party
164 shall select more than one nominee from any one state legislative district. The
165 congressional committees shall each submit to the governor their list of elected
166 nominees. Within thirty days the governor shall appoint a commission consisting
167 of one name from each list to reapportion the state into one hundred and

168 sixty-three representative districts and to establish the numbers and boundaries
169 of said districts.

170 If any of the congressional committees fails to submit a list within such
171 time the governor shall appoint a member of his own choice from that district and
172 from the political party of the committee failing to make the appointment.

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

176 For the purposes of this Article, the term congressional district committee
177 or congressional district refers to the congressional district committee or the
178 congressional district from which a congressman was last elected, or, in the event
179 members of congress from this state have been elected at large, the term
180 congressional district committee refers to those persons who last served as the
181 congressional district committee for those districts from which congressmen were
182 last elected, and the term congressional district refers to those districts from
183 which congressmen were last elected. Any action pursuant to this section by the
184 congressional district committee shall take place only at duly called meetings,
185 shall be recorded in their official minutes and only members present in person
186 shall be permitted to vote.

187 (3) Within six months after the population of this state is reported to the
188 President for each decennial census of the United States or, in the event that a
189 reapportionment has been invalidated by a court of competent jurisdiction, within
190 six months after such a ruling has been made, the nonpartisan state demographer
191 shall make public and file with the secretary of state and with the house
192 apportionment commission a tentative plan of apportionment and map of the
193 proposed districts, as well as all demographic and partisan data used in the
194 creation of the plan and map.

195 The commissioners so selected shall, within ten days of receiving the
196 tentative plan of apportionment and map of the proposed districts, meet in the
197 capitol building and proceed to organize by electing from their number a
198 chairman, vice chairman and secretary. The commission shall adopt an agenda
199 establishing at least three hearing dates on which hearings open to the public
200 shall be held to hear objections or testimony from interested persons. A copy of
201 the agenda shall be filed with the clerk of the house of representatives within
202 twenty-four hours after its adoption. Executive meetings may be scheduled and
203 held as often as the commission deems advisable.

204 The commission may make changes to the tentative plan of apportionment
205 and map of the proposed districts received from the nonpartisan state
206 demographer provided that such changes are consistent with this section and
207 approved by a vote of at least seven-tenths of the commissioners. If no changes
208 are made or approved as provided for in this subsection, the tentative plan of
209 apportionment and map of proposed districts shall become final. Not later than
210 two months of receiving the tentative plan of apportionment and map of the
211 proposed districts, the commission shall file with the secretary of state a final
212 statement of the numbers and the boundaries of the districts together with a map
213 of the districts.]

214 **(h) Not later than five months after the appointment of the**
215 **member of the commission, the commission shall file with the secretary**
216 **of state a tentative plan of apportionment and map of the proposed**
217 **districts and during the ensuing fifteen days shall hold such public**
218 **hearings as may be necessary to hear objections or testimony of**
219 **interested persons.**

220 **(i) Not later than six months after the appointment of the**
221 **commission, the commission shall file with the secretary of state a final**
222 **statement of the numbers and the boundaries of the districts together**
223 **with a map of the districts, provided that no statement shall be valid**
224 **unless approved by at least seven-tenths of the members.**

225 **(j) After the statement is filed with the secretary of state,**
226 **members of the house of representatives shall be elected according to**
227 **such districts until a reapportionment plan is made as provided in this**
228 **section, except that if the statement is not filed within six months of**
229 **the time fixed for the appointment of the commission, it shall stand**
230 **discharged and the house of representatives shall be apportioned by a**
231 **commission of six members appointed from among the judges of the**
232 **appellate courts of the state of Missouri by the state supreme court, a**
233 **majority of whom shall sign and file its apportionment plan and map**
234 **with the secretary of state within ninety days of the date of the**
235 **discharge of the apportionment commission. Thereafter members of the**
236 **house of representatives shall be elected according to such districts**
237 **until a reapportionment is made as provided in this section.**

238 **(k) Each member of the commission shall receive as compensation fifteen**
239 **dollars a day for each day the commission is in session but not more than one**
240 **thousand dollars, and, in addition, shall be reimbursed for his or her actual and**

241 necessary expenses incurred while serving as a member of the commission.

242 (I) No reapportionment shall be subject to the referendum.

Section 7. (a) [Within ten days after the population of this state is
2 reported to the President for each decennial census of the United States or, in the
3 event that a reapportionment has been invalidated by a court of competent
4 jurisdiction, within ten days after such a ruling has been made, the nonpartisan
5 state demographer authorized in Article III, Section 3 shall begin the preparation
6 of senatorial districting plans and maps using the same methods and criteria as
7 those required by Article III, Section 3 for the establishment of districts for the
8 house of representatives.

9 (b) Within sixty days after the population of this state is reported to the
10 President for each decennial census of the United States, or within sixty days
11 after a reapportionment has been invalidated by a court of competent jurisdiction,
12 the state committee of each of the two political parties casting the highest vote
13 for governor at the last preceding election shall, at a committee meeting duly
14 called, select by a vote of the individual committee members, and thereafter
15 submit to the governor a list of ten persons, and within thirty days thereafter the
16 governor shall appoint a commission of ten members, five from each list, to
17 reapportion the thirty-four senatorial districts and to establish the numbers and
18 boundaries of said districts.

19 If either of the party committees fails to submit a list within such time the
20 governor shall appoint five members of his own choice from the party of the
21 committee so failing to act.

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

25 (c) Within six months after the population of this state is reported to the
26 President for each decennial census of the United States or in the event that a
27 reapportionment has been invalidated by a court of competent jurisdiction, within
28 six months after such a ruling has been made, the nonpartisan state demographer
29 shall file with the secretary of state and with the senatorial apportionment
30 commission a tentative plan of apportionment and map of the proposed districts.

31 The commissioners so selected shall within ten days of receiving the
32 tentative plan of apportionment and map of the proposed districts required by
33 this subsection, meet in the capitol building and proceed to organize by electing
34 from their number a chairman, vice chairman and secretary. The commission

35 shall adopt an agenda establishing at least three hearing dates on which hearings
36 open to the public shall be held to hear objections or testimony from interested
37 persons. A copy of the agenda shall be filed with the secretary of the senate
38 within twenty-four hours after its adoption. Executive meetings may be
39 scheduled and held as often as the commission deems advisable. The commission
40 may make changes to the tentative plan of apportionment and map of the
41 proposed districts received from the nonpartisan state demographer provided that
42 such changes are consistent with this section and the methods and criteria
43 required by Section 3 of this Article for the establishment of districts for the
44 house of representatives and approved by a vote of at least seven-tenths of the
45 commissioners. If no changes are made or approved as provided for in this
46 subsection, the tentative plan of apportionment and map of proposed districts
47 shall become final. Not later than two months after receiving the tentative plan
48 of apportionment and map of the proposed districts, the commission shall file
49 with the secretary of state a final statement of the numbers and the boundaries
50 of the districts together with a map of the districts.] **The districts of the**
51 **senate shall be apportioned by an Independent Citizens Redistricting**
52 **Commission. Within sixty days after the population of this state is**
53 **reported to the President for each decennial census of the United**
54 **States, and in the event that a reapportionment plan has been**
55 **invalidated by a court of competent jurisdiction, within sixty days after**
56 **notification by the governor that such a ruling has been made, the state**
57 **committee of each of the two political parties casting the highest vote**
58 **for governor at the last preceding election shall, at a committee**
59 **meeting duly called, select by a vote of the individual committee**
60 **members, and thereafter submit to the governor a list of ten persons,**
61 **and within thirty days thereafter the governor shall appoint a**
62 **commission of ten members, five from each list, to reapportion the**
63 **thirty-four senatorial districts and to establish the numbers and**
64 **boundaries of said districts.**

65 **(b) If either of the party committees fails to submit a list within**
66 **such time, the governor shall appoint five members of his own choice**
67 **from the party of the committee so failing to act.**

68 **(c) Members of the commission and any person related to any**
69 **member by the fourth degree by blood or marriage shall be disqualified**
70 **from holding office as members of the general assembly for four years**

71 following the date of the filing by the commission of its final statement
72 of apportionment.

73 (d) The commissioners so selected shall on the fifteenth day,
74 excluding Sundays and state holidays, after all members have been
75 selected, meet in the capitol building and proceed to organize by
76 electing from their number a chairman, vice chairman, and secretary
77 and shall adopt an agenda establishing at least three hearing dates on
78 which hearings open to the public shall be held. A copy of the agenda
79 shall be filed with the secretary of the senate within twenty-four hours
80 after its adoption. Executive meetings may be scheduled and held as
81 often as the commission deems advisable.

82 (e) Within ten days after the population of this state is reported
83 to the President for each decennial census of the United States or, in
84 the event that a reapportionment has been invalidated by a court of
85 competent jurisdiction, within ten days after such a ruling has been
86 made, the commission shall begin the preparation of senate districting
87 plans and maps using the following methods, listed in order of priority:

88 (1) Districts shall:

89 a. Be established on the basis of total population;

90 b. Each have a total population as nearly equal as practicable to
91 the ideal population for such districts, determined by dividing the total
92 population of the state reported in the federal decennial census by
93 thirty-four; provided that, no county lines shall be crossed except when
94 necessary to add sufficient population to a multi-district county or city
95 to complete only one district which lies partly within such
96 multi-district county or city so as to be as nearly equal as practicable
97 in population and any county with a population in excess of the
98 quotient obtained by dividing the population of the state by the number
99 thirty-four is hereby declared to be a multi-district county;

100 c. Consist of contiguous territory; and

101 d. To the extent possible, keep together communities of interest,
102 including but not limited to cities and counties. Areas which meet only
103 at the points of adjoining corners are not contiguous;

104 (2) Districts shall be established in a manner so as to comply
105 with all requirements of the United States Constitution and applicable
106 federal laws, including, but not limited to, the Voting Rights Act of
107 1965, as amended. Notwithstanding any other provision of this article

108 to the contrary, districts shall not be drawn with the intent or result of
109 denying or abridging the equal opportunity of racial or language
110 minorities to participate in the political process or diminishing their
111 ability to elect representatives of their choice, whether by themselves
112 or by voting in concert with other persons;

113 (3) Districts shall be designed in a manner that achieves both
114 partisan fairness and, secondarily, competitiveness. "Partisan fairness"
115 means that parties shall be able to translate their popular support into
116 legislative representation with approximately equal
117 efficiency. "Competitiveness" means that parties' legislative
118 representation shall be substantially and similarly responsive to shifts
119 in the electorate's preferences.

120 (f) Not later than five months after the appointment of the
121 commission, the commission shall file with the secretary of state a
122 tentative plan of apportionment and map of the proposed districts and
123 during the ensuing fifteen days shall hold such public hearings as may
124 be necessary to hear objections or testimony of interested persons.

125 (g) Not later than six months after the appointment of the
126 commission, the commission shall file with the secretary of state a final
127 statement of the numbers and the boundaries of the districts together
128 with a map of the districts, and no statement shall be valid unless
129 approved by at least seven members.

130 (h) After the statement is filed senators shall be elected
131 according to such districts until a reapportionment is made as provided
132 in this section, except that if the statement is not filed within six
133 months of the time fixed for the appointment of the commission, it shall
134 stand discharged and the senate shall be apportioned by a commission
135 of six members appointed from among the judges of the appellate
136 courts of the state of Missouri by the state supreme court, a majority
137 of whom shall sign and file its apportionment plan and map with the
138 secretary of state within ninety days of the date of the discharge of the
139 apportionment commission. Thereafter senators shall be elected
140 according to such districts until a reapportionment is made as provided
141 in this section.

142 (i) Each member of the commission shall receive as compensation fifteen
143 dollars a day for each day the commission is in session, but not more than one
144 thousand dollars, and, in addition, shall be reimbursed for his actual and

145 necessary expenses incurred while serving as a member of the commission.

146 (j) No reapportionment shall be subject to the referendum.

Section 19. (a) Senators and representatives shall, in all cases except
2 treason, felony, offenses under this Article, or breach of the peace, be privileged
3 from arrest during the session of the general assembly, and for the fifteen days
4 next before the commencement and after the termination of each session; and
5 they shall not be questioned for any speech or debate in either house in any other
6 place.

7 (b) Legislative records shall be public records and subject to generally
8 applicable state laws governing public access to public records, including the
9 Sunshine Law, **except where such records include personally identifiable**
10 **information of Missouri residents, in which case such records shall be**
11 **closed.** Legislative records include, but are not limited to, all records, in
12 whatever form or format, of the official acts of the general assembly, of the official
13 acts of legislative committees, of the official acts of members of the general
14 assembly, of individual legislators, their employees and staff, of the conduct of
15 legislative business and all records that are created, stored or distributed through
16 legislative branch facilities, equipment or mechanisms, including electronic. Each
17 member of the general assembly is the custodian of legislative records under the
18 custody and control of the member, their employees and staff. The chief clerk of
19 the house or the secretary of the senate are the custodians for all other legislative
20 records relating to the house and the senate, respectively.

21 (c) Legislative proceedings, including committee proceedings, shall be
22 public meetings subject to generally applicable law governing public access to
23 public meetings, including the Sunshine Law. Open public meetings of legislative
24 proceedings shall be subject to recording by citizens, so long as the proceedings
25 are not materially disrupted.

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