

HJR 23 -- IMPEACHMENT TRIALS

SPONSOR: Emery

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 6 to 3 with 1 present.

This proposed constitutional amendment requires, upon voter approval, impeachments to be tried by the Senate. If the Governor is to be tried, the Chief Justice of the Missouri Supreme Court will preside. No person will be convicted without a two-thirds vote by all senators present. Currently, impeachments are tried before the Missouri Supreme Court or a special commission of seven jurists selected by the Senate.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that they are concerned that the current constitution is a violation of the system of checks and balances between the branches of government. Holding impeachment trials in the Supreme Court removes the process from the people because the court is less accountable to the public than the Senate.

Testifying for the bill were Representatives Emery and Cooper (158); Missouri First; and American Asleep No More.

OPPOSERS: There was no opposition voiced to the committee.

Amy Woods, Senior Legislative Analyst