

HB 850 -- SUMMARY STATEMENTS

SPONSOR: Wiemann

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elections and Elected Officials by a vote of 7 to 3. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 4.

This bill prohibits the modification of summary statements or ballot language approved by the General Assembly for Constitutional amendments or statutory measures. Courts will not have jurisdiction to rewrite or edit such language prior to placing it on the ballot.

PROPOSERS: Supporters say that judges should not modify ballot language as this violates the separation of powers between the legislative and judicial branches. Ballot language may be reviewed as to form by the Secretary of State and the Attorney General. Courts will retain power to rule on the constitutionality of ballot language, but are restricted only with regard to the remedy of substantially rewriting ballot language that is passed by the legislature.

Testifying for the bill were Representative Wiemann; Harry Roberts, Missouri Secretary of State Office.

OPPONENTS: Those who oppose the bill say that entirely removing the process of judicial review of ballot language could result in unfair language that confuses the general public. It is also possible that the lack of judicial review is unconstitutional.

Testifying against the bill were Arnie C. Dienoff; Jacob Hummel, Missouri AFL-CIO; Missouri NEA; and American Civil Liberties Union of Missouri.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.