

DID YOU READ IT OR...

just sign it?

Missouri and Initiative Petitions

The initiative petition process gives Missouri citizens the opportunity to directly participate in government. Citizens have the opportunity to propose legislation as either a state law or a constitutional amendment. In recent years, citizens have used the initiative petition process to pass Medicaid expansion, medical and recreational marijuana, and "Clean Missouri" which was a campaign finance and redistricting amendment.

Over the last year, more than 170 proposals have been filed for the 2024 election cycle. Among the proposals are 17 that would seek to add abortion rights to the State Constitution in some form. There continue to be questions from Catholics as to what these proposals would do, along with concerns that one will ultimately end up on the November 2024 ballot. In this issue of Messenger, we will provide an overview of the initiative process, a description of what each abortion initiative will do, and an update on where the initiatives are in the process.

THE INITIATIVE PETITION PROCESS IN MISSOURI

Citizens wishing to propose a constitutional amendment must first submit their proposals to the Missouri secretary of state's office. The office approves the petitioner's form and prepares ballot summary language while the state auditor prepares a fiscal note and fiscal note summary for the proposal. The secretary of state's office then certifies the official ballot title. After the official ballot title is certified, petitioners can circulate the proposed petitions which must include the full and complete text of the measure and the official ballot title and begin to collect signatures.

Petitioners must deliver signed petitions to the secretary of state's office no less than six months before the next general election.

For the November 5, 2024 election, signatures must be submitted by May 5, 2024. Petitions proposing constitutional amendments must be signed by eight percent of legal voters in any six of the eight congressional districts. This means that petitioners must collect a minimum of 171,592 signatures. The secretary of state's office will then distribute copies to local election authorities to verify signatures. Once signatures are verified, the secretary of state will determine whether there are enough valid signatures to place the petition on the ballot for the next general election.

PRO-ABORTION INITIATIVE PETITIONS

On March 8, 2023, Dr. Anna Fitz-James filed eleven initiative petitions with the secretary of state's office to add abortion rights

to the state constitution. The proposals, filed by a political action committee called Missourians for Constitutional Freedom, amend the constitution to declare that the government "shall not infringe upon a person's fundamental right to reproductive freedom, which is the right to make and carry out decisions about all matters related to reproductive health care, including but not limited to prenatal care, childbirth, postpartum care, birth control, abortion care, miscarriage care, and respectful birthing conditions." Each proposal states that there must be "a compelling governmental interest" for abortion restrictions to be put in place; however, each differs as to the specifics of what is allowable.

Secretary of State Jay Ashcroft certified the official ballot titles for the 11 initiatives, all of which included this language:

Do you want to amend the Missouri Constitution to:

- allow for dangerous, unregulated, and unrestricted abortions, from conception to live birth, without requiring a medical license or potentially being subject to medical malpractice;
- nullify longstanding Missouri law protecting the right to life, including but not limited to partial-birth abortion;
- require the government not to discriminate against persons providing or obtaining an abortion, potentially including tax-payer funding?

Dr. Fitz-James, represented by the ACLU of Missouri, challenged the ballot summary language drafted by the secretary of state's office for six of the initiatives, claiming that the summary was misleading. Assistant Attorney General Jason

ABORTION INITIATIVE PETITION LANGUAGE

Version 1 below is the original ballot language from July 26, 2023 as certified by Secretary of State Ashcroft. The final ballot language, as seen in Version 9, is what was approved by the court. Catholics should keep in mind that while the language that may be seen on the ballot in November 2024 may have changed the intent is the same.

Constitutional Amendment to Article I, Relating to Reproductive Health Care, version 1

2024-077

[\[full text\]](#) 

Submitted by: Anna Fitz-James

Anna Fitz-James
PO Box 2187
St. Louis, MO 63158

Official ballot title certified by Secretary of State on July 26, 2023.

OFFICIAL BALLOT TITLE AS CERTIFIED BY SECRETARY OF STATE

Do you want to amend the Missouri Constitution to:

- allow for dangerous, unregulated, and unrestricted abortions, from conception to live birth, without requiring a medical license or potentially being subject to medical malpractice;
- nullify longstanding Missouri law protecting the right to life, including but not limited to partial-birth abortion;
- require the government not to discriminate against persons providing or obtaining an abortion, potentially including tax-payer funding; and
- prohibit any municipality, city, town, village, district, authority, public subdivision, or public corporation having the power to tax or regulate or the state of Missouri from regulating abortion procedures?

State governmental entities estimate no costs or savings, but unknown impact. Local governmental entities estimate costs of at least \$51,000 annually in reduced tax revenues. Opponents estimate a potentially significant loss to state revenue.

Constitutional Amendment to Article I, Relating to Reproductive Health Care, version 9

2024-085

[\[full text\]](#) 

Submitted by: Anna Fitz-James

Anna Fitz-James
PO Box 2187
St. Louis, MO 63158

Official ballot title certified by Secretary of State on November 28, 2023.

OFFICIAL BALLOT TITLE AS CERTIFIED BY SECRETARY OF STATE

Do you want to amend the Missouri Constitution to:

- establish a right to make decisions about reproductive health care, including abortion and contraceptives, with any governmental interference presumed invalid;
- remove Missouri's ban on abortion;
- allow regulation of reproductive health care to improve or maintain health of patient;
- prohibit government discrimination against persons providing or obtaining reproductive health care;
- allow abortion to be restricted or banned after Fetal Viability except to protect life or health of the woman;
- allow General Assembly to enact parental consent requirements for abortions involving minors, with exceptions; and
- declare government funding of abortion is not required?

State governmental entities estimate no costs or savings, but unknown impact. Local governmental entities estimate costs of at least \$51,000 annually in reduced tax revenues. Opponents estimate a potentially significant loss to state revenue.

Krol Lewis, representing Secretary of State Ashcroft, argued that the petitions accurately “convey to voters the massive loopholes in the initiative petition that would bring access to effectively unregulated and unrestricted abortion in Missouri.” In addition, three pro-life advocates—Rep. Hannah Kelly (R-Mountain Grove), Sen. Mary Elizabeth Coleman (R-Arnold), and Kathy Forck—filed suit against the state auditor, claiming that his fiscal summary ignores potential costs, including a possible loss of federal Medicaid funding and future tax revenue.

Cole County Circuit Judge Jon Beetem ruled that certain phrases included in the secretary of state’s summary statements were “problematic” because they were “either argumentative or do not fairly describe the purposes or probably effect of the initiative,” including:

- “without requiring a medical license”
- “the right to life”
- “unborn child”
- “including a minor”
- “end the life”
- “at any time

Judge Beetem also ruled that while the proposals would immediately impact abortion, the summaries should have also included references to “reproductive health care beyond abortion.” As a result, Beetem rewrote the six summary statements as had been requested by the plaintiff in the case. Judge Beetem also ruled against plaintiffs who had challenged the fiscal note summary of the initiatives. The Western District Court of Appeals upheld Beetem’s decision and the Missouri Supreme Court declined to hear Ashcroft’s appeal.

Six new pro-abortion initiative petitions were filed on August 30, 2023 by Jamie Corley, representing the Missouri Women and Family Research Fund. All six petitions add exceptions to the state’s abortion ban and, in three versions, explicitly legalize abortion in the first 12

weeks of pregnancy. However, all of the versions state that abortion is a “fundamental right” when there is a risk to a woman’s “health or safety.” While supporters of the proposals claim they offer a middle ground, vague language in the petitions would seemingly allow abortions for any reason and at any time. Specifically “health” and “safety” are not defined in any proposal, and there is no discussion as to who makes the determination of when either are at risk.

The secretary of state’s office released its summary for the six petitions in October. Corley quickly filed suit, claiming that Ashcroft used false and biased statements in his summaries. That suit is ongoing at the time of publication.

CURRENT STATUS OF ABORTION INITIATIVE PETITIONS

Both initiative campaigns can begin to collect signatures on any of the 17 proposals. However, there is a question as to whether either campaign has enough time and funding to mount a successful campaign. It appears that—unlike in other states where abortion advocates ran successful initiative campaigns—abortion groups cannot agree on the best strategy in Missouri.¹ Missourians for Constitutional Freedom has yet to decide on which of its 11 initiatives to pursue and the six proposals filed by the Missouri Women and Family Research Fund have drawn criticism from both pro-choice and pro-life groups.² With two opposing campaigns, 17 proposals, and a fractured abortion-rights movement in the state, there is no guarantee that any constitutional amendment will even make it to the November 2024 ballot.

Although no abortion initiative has made it to the ballot at this time, the Bishops of Missouri remind the faithful to remain alert, and

to continue to do what they can to safeguard the fundamental principles of the right to life. This means being active and informed citizens, guided by well-formed consciences.

1. Abortion rights won big on the ballot in Ohio. But in Missouri, advocates remain divided; <https://missouriindependent.com/2023/11/17/abortion-rights-won-big-on-the-ballot-in-ohio-but-in-missouri-advocates-remain-divided/>

2. "New initiative petitions draw criticism from both sides of Missouri abortion debate; <https://missouriindependent.com/2023/09/05/new-initiative-petitions-draw-criticism-from-both-sides-of-missouri-abortion-debate/>

SUBMITTING A PROPOSED PETITION

Step 1: A petitioner submits a proposed petition, in the form in which it will be circulated, and a petition submission cover sheet to the secretary of state's office, which issues a receipt to the petitioner. If a person or committee, other than the petitioner, is funding a portion of the drafting or submission of the sample sheet, the petitioner must also attach to the proposed petition a copy of the filed statement of committee organization required under Section 130.021.5, RSMo, showing the date the statement was filed.

Step 2: The secretary of state's office sends a copy of the proposed petition to the attorney general's office and the auditor's office.

Step 3: The proposed petition is posted on the secretary of state's office website for a public comment period.

Step 4: The attorney general's office reviews the form and forwards its comments to the secretary of state's office within 10 days after receiving the proposed

petition. The auditor's office prepares a fiscal note and fiscal note summary and forwards it to the attorney general's office within 20 days after receiving the proposed petition.

Step 5: The secretary of state's office approves or rejects the form of the proposed petition within 15 days after receiving the proposed petition from the petitioner. The petitioner is informed of the approval or rejection.

Step 6: The secretary of state's office prepares a proposed ballot

summary statement and forwards it to the attorney general's office for review within 23 days after the approval of the proposed petition's form.

Step 7: The attorney general's office forwards its review to the secretary of state's office within 10 days after receiving the proposed ballot summary statement. The attorney general's office also forwards its approval or rejection of the fiscal note and fiscal note summary to the auditor's office within 10 days after receiving the proposed fiscal note and fiscal note summary. The

auditor's office then forwards the fiscal note and fiscal note summary to the secretary of state's office.

Step 8: Within 3 days after receiving the ballot summary statement, approved fiscal note summary and fiscal note, the secretary of state's office certifies the official ballot title, which consists of the ballot summary statement and fiscal note summary. The official ballot title is then posted on the secretary of state's website.



Contact:
600 Clark Avenue
Jefferson City, MO 65102
P: (573) 635-7239
mocatholic@mocatholic.org
www.mocatholic.org

Missouri Bishops Encourage Missourians to Safeguard Sanctity of Human Life

December 11, 2023, JEFFERSON CITY, MO - We, the Catholic Bishops of Missouri, are committed to promoting the sanctity of human life in every circumstance, from conception until natural death. In Missouri, the dignity of life in its earliest stages is being threatened by proposed amendments to the state constitution that would remove legal protections for women and preborn children.

Though several initiatives are being contemplated and none have yet to be finalized for the November 2024 ballot, we encourage all Catholics and people of good will to safeguard as much as possible the fundamental principle of the right to life. We also support efforts that seek to reduce or eliminate the underlying social causes for abortion by expanding care and resources available to mothers. Even with legal protections for the unborn, as we have in our state today, more can still be done to build a culture of life.

The Missouri Catholic Conference will continue to collaborate with diocesan pro-life offices and with other pro-life groups to protect the health and safety of women and their children. As we stated after Roe v. Wade was overturned, the Catholic Church stands ready to continue providing spiritual and material support to expectant mothers and their families through our parishes and ministries, and to advocate on their behalf and on behalf of their unborn children at the state and federal levels. We look forward to the day when every child, born and unborn, has the love and support needed to thrive and reach his or her full potential. Let us pray for a greater recognition of the gift of each and every human life in our society.

CATHOLIC BISHOPS OF MISSOURI



+ Mitchell T. Rozanski

Most Reverend Mitchell T. Rozanski
General Chairman
Archbishop of St. Louis



+ James V. Johnston, Jr.

Most Reverend James V. Johnston, Jr.
Vice Chairman
Bishop of Kansas City-St. Joseph



+ Shawn McKnight

Most Reverend W. Shawn McKnight
Executive Chairman
Bishop of Jefferson City



+ Edward M. Rice

Most Reverend Edward M. Rice
Bishop of Springfield-Cape Girardeau



“This Is My Body”

THE SHOCKING TRUTH

Jesus said, “Whoever eats my flesh and drinks my blood has eternal life.” This teaching was so shocking that many of his followers left at that moment! Jesus did not call them back to clarify, because he knew they understood correctly. He was actually telling them to eat his flesh and drink his blood.

As Catholics, we believe Jesus’ words literally, not symbolically. The substance of the bread and wine transform into the Body, Blood, Soul, and Divinity of Jesus Christ at every Mass. We call this miracle the Eucharist.



Scan to explore Church teaching on the Eucharist!

eucharisticrevival.org