



A quarterly publication by the Missouri Catholic Conference - The public policy voice of the Catholic Church in Missouri.

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 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

ABORTION INITIATIVE PETITION LANGUAGE

NOTICE: The proposed amendment revises Article I of the Constitution by adopting one new Section to be known as Article I, Section 36.

Be it resolved by the people of the state of Missouri that the Constitution be amended:

Section A. Article I of the Constitution is revised by adopting one new Section to be known as Article I, Section 36 to read as follows:

Section 36. I. This Section shall be known as "The Right to Reproductive Freedom Initiative."

2. The Government shall not deny or infringe upon a person's fundamental right to reproductive freedom, which is the right to make and carry out decisions about all matters relating to reproductive health care, including but not limited to prenatal care, childbirth, postpartum care, birth control, abortion care, miscarriage care, and respectful birthing conditions.

3. The right to reproductive freedom shall not be denied, interfered with, delayed, or otherwise restricted unless the Government demonstrates that such action is justified by a compelling governmental interest achieved by the least restrictive means. Any denial, interference, delay, or restriction of the right to reproductive freedom shall be presumed invalid. For purposes of this Section, a governmental interest is compelling only if it is for the limited purpose and has the limited effect of improving or maintaining the health of a person seeking care, is consistent with widely accepted clinical standards of practice and evidence-based medicine, and does not infringe on that person's autonomous decision-making.

4. Notwithstanding subsection 3 of this Section, the general assembly may enact laws that regulate the provision of abortion after Fetal Viability provided that under no circumstance shall the Government deny, interfere

with, delay, or otherwise restrict an abortion that in the good faith judgment of a treating health care professional is needed to protect the life or physical or mental health of the pregnant person.

5. No person shall be penalized, prosecuted, or otherwise subjected to adverse action based on their actual, potential, perceived, or alleged pregnancy outcomes, including but not limited to miscarriage, stillbirth, or abortion. Nor shall any person assisting a person in exercising their right to reproductive freedom with that person's consent be penalized, prosecuted, or otherwise subjected to adverse action for doing so.

6. The Government shall not discriminate against persons providing or obtaining reproductive health care or assisting another person in doing so.

7. If any provision of this Section or the application thereof to anyone or to any circumstance is held invalid, the remainder of those provisions and the application of such provisions to others or other circumstances shall not be affected thereby.

8. For purposes of this Section, the following terms mean:

(1) "Fetal Viability", the point in pregnancy when, in the good faith judgment of a treating health care professional and based on the particular facts of the case, there is a significant likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.

(2) "Government".

a. the state of Missouri; or
b. any municipality, city, town, village, township, district, authority, public subdivision or public corporation having the power to tax or regulate, or any portion of two or more such entities within the state of Missouri.

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

In January, Missourians for Constitutional Freedom announced which of its 11 filed petitions it was seeking to place on the November 2024 ballot. The proposed amendment, 2024-086, states 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.”

The proposal states that the legislature may regulate abortion after fetal viability. However, it goes on to say that “under no circumstance shall the Government deny, interfere with, delay, or otherwise restrict



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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

an abortion that in the good faith judgment of a treating health care professional is needed to protect the life or physical or **mental health** of the pregnant person.” (emphasis added)

This means that a late-term abortion can still occur as long as a health care provider is willing to state that the abortion is necessary for the woman’s mental health, which can be defined broadly to

include such things as “emotional, psychological, [and] familial” concerns.¹

Missourians for Constitutional Freedom also announced that it has the support of Abortion Action Missouri, the ACLU of Missouri, and Planned Parenthood affiliates in Kansas City and St. Louis. The group stated that it had already raised more than \$2 million in donations in its first week of launch. The group

will begin collecting signatures around the state in early February.

MISSOURI STANDS WITH WOMEN

While pro-abortion groups were announcing their intent to place abortion rights on the ballot, a pro-life coalition announced its intent to fight these ballot initiatives. The group, called [Missouri Stands with](#)

Women, was formed to “protect Missouri’s laws respecting the dignity of life, the safety of women and parental rights.”

“Out-of-state extremists pushing Big Abortion’s agenda are intent on using the initiative petition process to reverse all the pro-life work our state has undertaken to protect the dignity of life, safety of women and parental rights”, said

Stephanie Bell, a spokeswoman for Missouri Stands with Women. “We are united in our efforts to ensure these out-of-state extremists are not allowed to tear the fabric of our constitution by placing unregulated, taxpayer-funded abortions up to the moment of birth, effectively overriding all Missouri’s pro-life laws.”

The MCC will continue to partner

with Missouri Stands with Women and other pro-life and pro-woman advocates to fight this abortion initiative and will continue to provide updates on the campaign. ***At this time, the MCC is asking individuals to not sign any petition to put this amendment on the ballot.***

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. *Doe v. Bolton*, 410 U.S. 179 (1972)

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

“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

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.

