Proposed Amendments to the Constitution of Missouri and Statutory Propositions

To be submitted to the qualified voters of the State of Missouri at the General Election to be held on Tuesday, the 5th day of November, 2024.

CONSTITUTIONAL AMENDMENT NO. 2

[Proposed by Initiative Petition]

OFFICIAL BALLOT TITLE:

Do you want to amend the Missouri Constitution to:

- **allow the Missouri Gaming Commission to regulate licensed sports wagering including online sports betting, gambling boats, professional sports betting districts and mobile licenses to sports betting operators;**
- **restrict sports betting to individuals physically located in the state and over the age of 21;**
- **allow license fees prescribed by the Commission and a 10% wagering tax on revenues received to be appropriated for education after expenses incurred by the Commission and required funding of the Compulsive Gambling Prevention Fund; and**
- **allow for the general assembly to enact laws consistent with this amendment?**

State governmental entities estimate onetime costs of $660,000, ongoing annual costs of at least $5.2 million, and initial license fee revenue of $11.75 million. Because the proposal allows for deductions against sports gaming revenues, they estimate unknown tax revenue ranging from $0 to $28.9 million annually. Local governments estimate unknown revenue.

NOTICE: The proposed amendment revises Article III of the Constitution by adopting one new section to be known as Article III, Section 39(g).

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

Section A. Article III of the Constitution is revised by adopting one new Section to be known as Article III, Section 39(g) to read as follows:

Section 39(g) 1. The people of the state of Missouri hereby find and declare that the interests of the public are best served by a well-regulated sports wagering industry that will provide substantial tax revenue to support educational institutions in Missouri.

2. Notwithstanding any other provision of law to the contrary, any entity licensed by the Commission pursuant to Article III, Section 39(g) may offer sports wagering:

a. through an online sports wagering platform to individuals physically located in this state;

b. at excursion gambling boats; and

c. at any location within each sports district, as approved by each applicable professional sports team that plays its home games in such sports district.

3. A licensee shall not offer sports wagering to individuals who are under twenty-one years of age.

4. a. The Commission shall issue not more than one retail license to operate sports wagering in this state to each qualified applicant that is:

(1) an excursion gambling boat or a sports wagering operator operating on behalf of each such excursion gambling boat that has applied for a retail license to offer sports wagering at such excursion gambling boat; or

(2) a professional sports team or a sports wagering operator designated by each such professional sports team that has applied for a retail license to offer sports wagering within the applicable sports district in which such professional sports team plays its home games.

b. The Commission shall issue not more than one mobile license to operate sports wagering in this state to each qualified applicant that is:

(1) an owner of an excursion gambling boat located in this state or a sports wagering operator operating on behalf of each such owner, provided, however, that not more than one sports wagering operator shall be permitted to operate under such mobile license on behalf of any entity, or group of commonly owned or controlled entities, which owns, directly or indirectly, more than one excursion gambling boat located in this state; or

(2) a professional sports team or a sports wagering operator designated by each such professional sports team.

c. The Commission shall issue not more than two mobile licenses to operate sports wagering in this state directly to qualified applicants that are sports wagering operators. Each sports wagering operator shall only be eligible for one mobile license per distinct sports wagering operator brand. For purposes of Article III, Section 39(g) brand shall refer to the name, trade name, licensed trademark, or assumed business name of the sports wagering operator. If there are more than two qualified applicants for a mobile license to be issued by the Commission directly to a sports wagering operator under this section, the Commission shall select the applicant for licensure based on the applicant's ability to satisfy the following criteria:

(1) Expertise in the business of online sports wagering;

(2) Integrity, sustainability, and safety of the applicant's online sports wagering platform;

(3) Past relevant experience of the applicant;

(4) Advertising and promotional plans to increase and sustain revenue;

(5) Ability to generate, maximize, and sustain revenues for the state;

(6) Demonstrated commitment to and plans for the promotion of responsible gaming; and

(7) Capacity to increase the number of bettors on the applicant's online sports wagering platform.

5. An applicant for a license to conduct sports wagering shall apply to the Commission on a form and in the manner prescribed by the Commission. The Commission shall conduct background checks of each applicant or key persons of such applicant and shall not award a license to any applicant if such applicant or key person of such applicant has been convicted of a felony or any gambling offense in any state or federal court of the United States. If a professional sports team designates a sports wagering operator to operate on its behalf, then that sports wagering operator, rather than the professional sports team, shall submit to the Commission for licensure and shall be considered the licensee for all aspects of Commission oversight and regulatory control. In the application, the Commission shall require applicants to disclose the identity of all of the following:

a. The applicant's principal owners who directly own 10% or more of the applicant;

b. Each holding, intermediary, or parent company that directly owns 15% or more of the applicant; and

c. The applicant's board appointed chief executive officer and chief financial officer, or the equivalent individuals, as determined by the Commission.

6. Retail and mobile license applicants shall be required to pay a license fee as follows:

a. An applicant for a retail license shall be required to pay a license fee prescribed by the Commission, not to exceed $250,000. Retail licensees shall be required to pay a license renewal fee every five years, as prescribed by the Commission, not to exceed $250,000.

b. An applicant for a mobile license shall be required to pay a license fee prescribed by the Commission, not to exceed $500,000. Mobile licensees shall be required to pay a license renewal fee every five years, as prescribed by the Commission, not to exceed $500,000.

7. a. A license for sports wagering shall not be assignable or transferable without approval of the Commission. Such approval shall not be unreasonably withheld.

b. A license shall authorize a licensee to offer sports wagering under not more than one sports wagering operator brand, provided, however, that such licensee shall also be permitted, but not required, to use the brand of a professional team or excursion gambling boat pursuant to a partnership with such entity. Notwithstanding any other provision of law to the contrary and subject to approval by the Commission, a person or entity may hold and operate more than one license under distinct sports wagering operator brands, regardless of whether multiple brands are owned by the same parent entity.

c. Commercial agreements between an excursion gambling boat or a professional sports team and a sports wagering operator shall be submitted to the Commission as agreed to by the contracting parties. The Commission shall not prescribe any terms or conditions that are required to be included into such commercial agreements. A sports governing body or professional sports team may enter into commercial agreements with sports wagering operators or other entities in which such sports governing body or professional sports teammay share in the amount wagered on sporting events of such sports governing body or professional sports team. A professional sports team may grant any such rights provided under this paragraph to its affiliate. Neither a sports governing body nor a professional sports team, nor such team's affiliate, is required to obtain a license or any other approval from the Commission to lawfully accept such amounts.

d. Each mobile licensee shall determine, set, and display applicable lines, point spreads, odds, or other information pertaining to online sports wagering.

e. Any submission to the Commission under this section, including all documents, reports, and data submitted therewith, that contain proprietary information, trade secrets, financial information, or personal information about any person or entity shall be treated in the same confidential manner as submissions by other licensees of the Commission and shall not be subject to disclosure pursuant to Chapter 610 RSMo.

8. All sports wagering fees prescribed by the Commission and collected by the state shall be appropriated as follows:

a. to reimburse the reasonable expenses incurred by the Commission to regulate sports wagering; and

b. to the extent all reasonable expenses incurred by the Commission have been reimbursed, the remaining fees shall be deposited in the Compulsive Gaming Prevention Fund.

9. Subject to and consistent with the terms of this section, the Commission shall have the power to adopt and enforce commercially reasonable rules, including emergency rules, to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of Chapter 536. The Commission

shall examine the rules implemented in other states where sports wagering is conducted and shall, as far as practicable, adopt a similar regulatory framework, including, but not limited to:

a. Standards governing the security and integrity of sports wagering, including requiring the use of official league data on the terms and conditions set forth below from each applicable sports governing body headquartered in the United States solely for the purposes of determining the outcome of tier two sports wagers on a professional athlete or sporting event, but only if made available to licensees on commercially reasonable terms. Sports wagering operators may use any data source for determining the results of any and all tier one sports wagers on any and all sporting events, and the results of any and all tier two sports wagers on sporting events of an organization that is not headquartered in the United States.

(1) A sports governing body may notify the Commission that it desires sports wagering operators to use official league data to settle tier two sports wagers on sporting events of such sports governing body. Such notification shall be made in the form and manner the Commission may require. The Commission shall notify each sports wagering operator of a sports governing body's notification within five days of the Commission's receipt of such notification. If a sports governing body does not notify the Commission of its desire to supply official league data, a sports wagering operator may use any data source for determining the results of any and all tier two sports wagers on sporting events of such sports governing body.

(2) Within 60 days of the Commission notifying each sports wagering operator of a sports governing body's notification to the Commission, or such longer period as may be agreed between the sports governing body and the applicable sports wagering operator, sports wagering operators shall use only official league data to determine the results of tier two sports wagers on sporting events of that sports governing body, unless:

(a) The sports governing body or its designee cannot provide a feed of official league data to determine the results of a particular type of tier two sports wager, in which case sports wagering operators may use any data source for determining the results of the applicable tier two sports wager until such time as such a data feed becomes available from the sports governing body on commercially reasonable terms and conditions;

(b) A sports wagering operator can demonstrate to the Commission that the sports governing body or its designee will not provide a feed of official league data to the sports wagering operator on commercially reasonable terms and conditions; or

(c) The sports governing body or its designee does not obtain the necessary supplier approvals to provide official league data to sports wagering operators to determine the results of tier two sports wagers, if and to the extent required by law.

(3) The following is a non-exclusive list of factors that the Commission may consider in evaluating official league data is being offered on commercially reasonable terms and conditions for the purposes of paragraphs (a) and (b) of subsection (2):

(a) The availability of a sports governing body's tier two official league data to a sports wagering operator from more than one authorized source;

(b) Market information, including, but not limited to, price and other terms and conditions, regarding the purchase by sports wagering operators of comparable data for the purpose of settling sports wagers in this state and other jurisdictions;

(c) The nature and quantity of data, including the quality and complexity of the process utilized for collecting such data; and

(d) The extent to which sports governing bodies or their designees have made data used to settle tier two bets or wagers available to operators and any terms and conditions relating to the use of that data.

(4) Notwithstanding anything set forth to the contrary herein, including without limitation subparagraph (3), during the pendency of the Commission's determination as to whether a sports governing body or its designee will provide a feed of official league data on commercially reasonable terms, a sports wagering operator may use any data source for determining the results of any and all tier two sports wagers. The Commission's determination shall be made within 120 days of the sports wagering operator notifying the Commission that it desires to demonstrate that the sports governing body or its designee will not provide a feed of official league data to the sports wagering operator on commercially reasonable terms.

b. Standards concerning a licensee's books and financial records relating to sports wagering, including auditing requirements, standards for the daily counting of a licensee's gross receipts from sports wagering, and standards to ensure that internal controls are followed;

c. Standards for the use and distribution of monies from the Compulsive Gaming Prevention Fund shall include, but not be limited to, research, detection, and prevention of compulsive gaming, the implementation of treatment and recovery programs, or services related to compulsive gaming in this state;

d. Standards concerning the detection and prevention of compulsive gaming including, but not limited to, requirements to prominently display information regarding compulsive gaming on all online sports wagering platforms and promotions;

e. Requiring licensees to cooperate with investigations conducted by law enforcement agencies, regulatory bodies, and sports governing bodies;

f. Standards for licensees and sports wagering operators to report to the Commission and the sports governing bodies information related to: abnormal betting activity or patterns that may indicate a concern with the integrity of a sporting event or events; suspicious or illegal betting activities if known to the applicable licensee or sports wagering operator; and any other conduct that corrupts a betting outcome of a sporting event or events for purposes of financial gain, including match fixing;

g. Standards for any sports governing body to submit to the Commission a written request to restrict, limit, or exclude a certain type, form, or category of sports betting with respect to a sporting event of that sports governing body, if the applicable sports governing body believes that such type, form, or category of sports wagering with respect to the sporting event of the sports governing body may undermine the integrity or perceived integrity of the applicable sports governing body or sporting events of the applicable sports governing body.

These standards shall also require the Commission to request comment from sports wagering operators on all requests made pursuant to this paragraph and after giving due consideration to all comments received, the Commission shall, upon a demonstration of good cause from the applicable sports governing body that such type, form, or category of sports betting is likely to undermine the integrity or perceived integrity of such body or sporting events of the applicable sports governing body, grant the request.

These standards shall require the Commission to respond to a request concerning a sporting event before the start of the event, or, if it is not feasible to respond before the start of the event, no later than 7 days after the request is made, and if the Commission determines that the applicable sports governing body is more likely than not to prevail in successfully demonstrating good cause for its request, the Commission may provisionally grant the request of the applicable sports governing body pending the Commission's final determination thereon. Unless the Commission provisionally grants the request, sports wagering operators may continue to offer sports betting and accept bets on the covered sporting event pending a final determination by the Commission;

h. Requiring licensees and sports wagering operators to use commercially and technologically reasonable means to ensure that marketing and advertisements do not purposefully target minors or individuals who have self-excluded from sports wagering, are not false, misleading or deceptive, and clearly disclose the material terms of any offer included in any promotion or advertisement;

i. Standards for the regulation of suppliers of sports wagering goods, services, software, or any other components necessary for the creation of sports wagering markets and determination of wager outcomes;

j. Standards for the implementation of responsible gaming programs, including using commercially reasonable efforts to verify that a person placing a bet on a sporting event is of the legal minimum age for placing such bet, displaying a hyperlink on its online sports wagering platform to responsible gaming information, allowing individuals to voluntarily exclude themselves from placing bets with the operator through a process established by the Commission, and allowing persons to place limits on their time, deposit, or bet limits in a daily, weekly, or monthly manner;

k. Establishing fines, placing licensees on probation, and revoking licenses for violations of this section. The Commission may impose fines upon any person holding, or required to hold, a license or approval under this section or the rules subsequently adopted. Fines shall not exceed $50,000 per violation or $100,000 resulting from violation of the same occurrence of events. The Commission shall promulgate rules relating to procedures for disciplinary hearings, including that any such decision may be appealed to circuit court;

l. Establishing a start date for all sports wagering that is not later than December 1, 2025. No sports wagering, either retail or mobile, shall be offered in the state before such start date established by the Commission. No category of license shall be given an earlier launch date over any other category of license; and

m. Prohibiting all sports wagering activity, including sports wagering promotional and advertising activity, within a sports district, unless approved by the professional sports team that plays its home games within the district, except such rules shall not prohibit any licensee from offering sports wagering through an online sports wagering platform to persons physically located within a sports district.

10. a. Notwithstanding any other provision of law, including Article III Section 39(d), to the contrary, a wagering tax of 10% is imposed on the adjusted gross revenue received from sports wagering conducted by each licensee and each sports wagering operator acting on behalf of a licensee.

b. The annual revenues received from such tax shall be appropriated for institutions of elementary, secondary, and higher education in this state; provided, however, that an appropriation to such educational institutions shall be made only after such annual wagering tax revenues are appropriated as follows:

(1) to reimburse the reasonable expenses incurred by the Commission to regulate sports wagering in the state to the extent that the Commission has not been fully reimbursed for such expenses from the sports wagering fees collected by the state; and

(2) the greater of 10% of such annual tax revenues or $5,000,000 to the Compulsive Gaming Fund.

c. Such revenues shall not be included within the definition of "total state revenues" in Section 17 of Article X of this Constitution.

d. The state auditor shall perform an annual audit of the revenues received and appropriated pursuant to this section to ensure they are being used only for authorized purposes. The state auditor shall make such audit available to the public, the governor, and the general assembly.

11. A mobile licensee shall maintain in this state, or any other location approved by the Commission and consistent with federal law, the computer server or servers used to receive transmissions of requests to place wagers and that transmit confirmation of acceptance of wagers on sports events placed by customers physically present in this state.

12. All wagers authorized under this section must be initiated, made, or otherwise placed by a bettor while physically present within this state. The intermediate routing of electronic data related to lawful intrastate wagers authorized under this section shall not determine the location or locations in which the bet is initiated, transmitted, received, or otherwise made. Each online sports wagering operator shall use commercially reasonable geolocation and geofencing technology to ensure that it accepts bets only from customers who, at the time of placing the bet, are physically present in this state.

13. a. An individual wagering in this state shall establish an online sports wagering account with an online sports wagering operator:

(1) over the Internet;

(2) through an online sports wagering platform; or

(3) through other means approved by the Commission.

b. An individual wagering in this State shall not register more than one account with each online sports wagering platform. Mobile licensees shall use commercially reasonable means to ensure that each customer is limited to one account per platform.

c. Permissible methods of funding and withdrawal for accounts include, but are not limited to, credit cards, debit cards, gift cards, reloadable prepaid cards, free and promotional credit, automated clearing house transfers, online and mobile payment systems that support online money transfers, and wire transfers. The Commission may approve additional funding and withdrawal methods including, but not limited to, cash deposits at approved locations and secure cryptocurrencies.

14. a. A sports wagering operator shall use commercially and technologically reasonable means to ensure marketing and advertisements do not purposefully target individuals who have self- excluded from placing bets on sporting events.

b. A sports wagering operator shall employ commercially reasonable methods to ensure that advertisements for sports betting:

(1) do not purposefully target minors;

(2) are not false, misleading, or deceptive to a reasonable consumer; and

(3) clearly and conspicuously disclose the material terms of any promotional offer in the advertisement. Any promotion or advertisement must provide the consumer with the full and complete terms of a promotion by providing a website, or other location, in the promotional advertisement, that directs the viewer to where the full and complete promotional terms can be viewed. This may be satisfied by the promotional advertisement containing a hyperlink that takes the viewer directly to the full and complete offer and terms.

15. There is hereby created in the state treasury the "Compulsive Gaming Prevention Fund", which shall consist of taxes and fees collected under this section. The state treasurer shall be custodian of the fund, and he or she shall invest monies in the fund in the same manner as other funds are invested. Any interest and monies earned on such investments shall be credited to the fund. Notwithstanding any other provision of law to the contrary, any monies remaining in the fund at the end of a biennium shall not revert to the credit of the general revenue fund. The fund shall be a dedicated fund and shall be utilized by the Commission for the purposes of:

a. providing counseling and other support services for compulsive and problem gamers;

b. developing and implementing problem gaming treatment and prevention programs; and

c. providing grants to supporting organizations that provide assistance to compulsive gamers.

16. As used in this section the following terms shall mean:

a. "Adjusted gross revenue," the total of all cash and cash equivalents received by a licensee from sports wagering minus the total of:

(1) All cash and cash equivalents paid out as winnings to sports wagering customers

(2) The actual costs paid by a licensee for anything of value provided to and redeemed by customers, including merchandise or services distributed to sports wagering customers to incentivize sports wagering;

(3) Voided or cancelled wagers;

(4) The costs of free play or promotional credits provided to and redeemed by the applicable licensee's customers, provided that the aggregate amount of such costs of free play or promotional credits that may be deducted under this paragraph in any calendar month shall not exceed twenty-five percent of the total of all cash and cash equivalents received by the applicable licensee for such calendar month;

(5) Any sums paid as a result of any federal tax, including federal excise tax; and

(6) Uncollectible sports wagering receivables, not to exceed two percent of the total of all sums, less the amount paid out as winnings to sports wagering customers

(7) If the amount of adjusted gross receipts in a calendar month is a negative figure, the licensee shall remit no sports wagering tax for that calendar month. Any negative adjusted gross receipts shall be carried over and calculated as a deduction in the subsequent calendar months until the negative figure has been brought to a zero balance.

b. "Commission." means the Missouri Gaming Commission;

c. "Excursion gambling boat," means an excursion gambling boat or floating facility as described in Article III, Section 39(e);

d. "License." means any retail license or mobile license.

e. "Licensee," means the holder of any retail or mobile license.

f. "Mobile license," means a license, granted by the Commission, authorizing the licensee to offer sports wagering, through an online sports wagering platform, to individuals physically located in this state.

g. "Online sports wagering platform," means an online-enabled application, Internet website, or other electronic or digital technology used to offer, conduct, or operate mobile sports wagering.

h. "Professional sports team," means a team located in this state that is a member of the National Football League, Major League Baseball, the National Hockey League, the National Basketball Association, Major League Soccer, the Women's National Basketball Association, or the National Women's Soccer League.

i. "Retail license," means a license, granted by the Commission, authorizing the licensee to offer sports wagering in person to individuals at such locations described in paragraphs (b) and (c) of Article III, Section 39(g)(2), as applicable.

j. "Sports district," means the premises of a facility located in this state with a capacity of 11,500 people or more, at which one or more professional sports teams plays its home games, and the surrounding area within 400 yards of such premises;

k. "Sports wagering," means wagering on professional or collegiate athletic, sporting, and other competitive events and awards involving human participants including, but not limited to, esports, or any other events as approved by the Commission. The term sports wagering shall include, but not be limited to, bets or wagers made on: portions of athletic and sporting events or on the individual statistics of professional or collegiate athletes in a sporting event or compilation of sporting events.

Sports wagering shall not include:

(1) a fantasy sports contest comprising multiple participants competing against one another in which winning outcomes reflect the relative knowledge and skill of the participants and are predominantly determined by the accumulated statistical performance of athletes or individuals. A fantasy sports contest operator shall not qualify as a "participant" for purposes of this section; and

(2) wagering on the performance or nonperformance of any individual athlete participating in a single game or match of a collegiate sporting event in which a collegiate team from this state is a participant; and

(3) wagering on youth or high school events.

l. "Sports wagering operator," means an entity that offers sports wagering or has been organized for the purpose of offering sports wagering.

m. "Tier one sports wager," means a sports wager that is determined solely by the final score or final outcome of the sporting event and is placed before the sporting event has begun.

n. "Tier two sports wager," means a sports wager that is not a tier one sports wager.

17. Notwithstanding any other provision of law, including Article III, Section 39(9), to the contrary, the general assembly may enact laws consistent with this section.

18. All provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.

STATE OF MISSOURI

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Secretary of State

I, John R. Ashcroft, Secretary of State of the state of Missouri, hereby certify that the foregoing is a full, true and complete copy of Constitutional Amendment No. 2, to be submitted to the qualified voters of the State of Missouri at the General Election to be held the fifth day of November, 2024.

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Missouri, done at the City of Jefferson, this 27th day of August, 2024.

CONSTITUTIONAL AMENDMENT NO. 3

[Proposed by Initiative Petition]

OFFICIAL BALLOT TITLE:

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 of that right presumed invalid;**
- **remove Missouri's ban on abortion;**
- **allow regulation of reproductive health care to improve or maintain the health of the patient;**
- **require the government not to discriminate, in government programs, funding, and other activities, against persons providing or obtaining reproductive health care; and**
- **allow abortion to be restricted or banned after Fetal Viability except to protect the life or health of the woman?**

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.

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 stale of Missouri thal 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. 1. 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.

STATE OF MISSOURI

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Secretary of State

I, John R. Ashcroft, Secretary of State of the state of Missouri, hereby certify that the foregoing is a full, true and complete copy of Constitutional Amendment No. 3, to be submitted to the qualified voters of the State of Missouri at the General Election to be held the fifth day of November, 2024.

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Missouri, done at the City of Jefferson, this 27th day of August, 2024.

CONSTITUTIONAL AMENDMENT NO. 5

[Proposed by Initiative Petition]

OFFICIAL BALLOT TITLE:

Do you want to amend the Missouri Constitution to:

- **allow the Missouri Gaming Commission to issue one additional gambling boat license to operate on the portion of the Osage River from the Missouri River to the Bagnell Dam;**
- **require the prescribed location shall include artificial spaces that contain water and are within 500 feet of the 100-year base flood elevation as established by the Federal Emergency Management Agency; and**
- **require all state revenues derived from the issuance of the gambling boat license shall be appropriated to early-childhood literacy programs in public institutions of elementary education?**

State governmental entities estimate one-time costs of $763,000, ongoing costs of $2.2 million annually, initial fee revenue of $271,000, ongoing admission and other fee revenue of $2.1 million annually, and annual gaming tax revenue of $14.3 million. Local governments estimate unknown revenue.

NOTICE: The proposed amendment revises Article III of the Constitution by amending Section 39(e).

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

Section A. Article III of the Constitution is revised by amending Section 39(e) to read as follows:

Section 39(e). 1. The general assembly is authorized to permit upon the Mississippi and Missouri Rivers only, which shall include artificial spaces that contain water and that are within 1000 feet of the closest edge of the main channel of either of those rivers, lotteries, gift enterprises and games of chance to be conducted on excursion gambling boats and floating facilities. Any license issued before or after the adoption date of this amendment for any excursion gambling boat or floating facility located in any such artificial space shall be deemed to be authorized by the General Assembly and to be in compliance with this Section.

2. Notwithstanding any other provision of law to the contrary, lotteries, gift enterprises, and games of chance may be conducted on excursion gambling boats and floating facilities licensed by the Missouri Gaming Commission upon the portion of the Osage River from the Missouri River to the Bagnell Dam, which shall include artificial spaces that contain water and that are within 500 feet of the 100-year base flood elevation as established by the Federal Emergency Management Agency.

3. Notwithstanding any other provision of law to the contrary, in addition to such licenses as have been authorized prior to January 1, 2024, the Missouri Gaming Commission shall issue one additional excursion gambling boat license. Such license shall only be issued to an excursion gambling boat that will operate upon the portion of the Osage River from the Missouri River to the Bagnell Dam.

4. Notwithstanding any other provision of law to the contrary, all state revenues derived from the issuance of excursion gambling boat licenses issued after January 1, 2024 shall only be appropriated to early-childhood literacy programs in public institutions of elementary education and shall not be included within the definition of "total state revenues" in section 17 of article X of this constitution.

5. The state auditor shall perform an annual audit of the revenues received and appropriated pursuant to this section to ensure they are being used only for authorized purposes. The state auditor shall make such audit available to the public, the governor, and the general assembly.

[NOTICE: You are advised that the proposed constitutional amendment may be construed to change, repeal, or modify by implication Article III, Sections 39, 39(9), and 39(e).]

STATE OF MISSOURI

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Secretary of State

I, John R. Ashcroft, Secretary of State of the state of Missouri, hereby certify that the foregoing is a full, true and complete copy of Constitutional Amendment No. 2, to be submitted to the qualified voters of the State of Missouri at the General Election to be held the fifth day of November, 2024.

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Missouri, done at the City of Jefferson, this 27th day of August, 2024.

CONSTITUTIONAL AMENDMENT NO. 6

[Proposed by the 102nd General Assembly (Second Regular Session) SS SCS SJR 71]

OFFICIAL BALLOT TITLE:

Shall the Missouri Constitution be amended to provide that the administration of justice shall include the levying of costs and fees to support salaries and benefits for certain current and former law enforcement personnel?

State and local governmental entities estimate an unknown fiscal impact.

Submitting to the qualified voters of Missouri, an amendment repealing section 14 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the administration of justice.

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 Tuesday next following the first Monday in November, 2024, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

Section A. Section 14, article I, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 14, to read as follows:

Section 14. **1.** That the courts of justice shall be open to every person, and certain remedy afforded for every injury to person, property or character, and that right and justice shall be administered without sale, denial or delay.

2. In order to ensure that all Missourians have access to the courts of justice as guaranteed by this Constitution, the administration of justice shall include the levying of costs and fees to support salaries and benefits for sheriffs, former sheriffs, prosecuting attorneys, former prosecuting attorneys, circuit attorneys, and former circuit attorneys.

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

"Shall the Missouri Constitution be amended to preserve funding of law enforcement personnel for the administration of justice?".

STATE OF MISSOURI

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Secretary of State

I, John R. Ashcroft, Secretary of State of the state of Missouri, hereby certify that the foregoing is a full, true and complete copy of Constitutional Amendment No. 6, to be submitted to the qualified voters of the State of Missouri at the General Election to be held the fifth day of November, 2024.

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Missouri, done at the City of Jefferson, this 27th day of August, 2024.

CONSTITUTIONAL AMENDMENT NO. 7

[Proposed by the 102nd General Assembly (Second Regular Session) SS SJR 78]

OFFICIAL BALLOT TITLE:

Shall the Missouri Constitution be amended to:

- **Make the Constitution consistent with state law by only allowing citizens of the United States to vote;**
- **Prohibit the ranking of candidates by limiting voters to a single vote per candidate or issue; and**
- **Require the plurality winner of a political party primary to be the single candidate at a general election?**

State and local governmental entities estimate no costs or savings.

Submitting to the qualified voters of Missouri, an amendment repealing section 2 and 3 of article VIII of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to elections.

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 Tuesday next following the first Monday in November, 2024, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article VIII of the Constitution of the state of Missouri:

Section A. Sections 2 and 3, article VIII, Constitution of Missouri, are repealed and three new sections adopted in lieu thereof, to be known as sections 2, 3, and 24, to read as follows:

Section 2. **[**All**]** **Only** citizens of the United States, including occupants of soldiers' and sailors' homes, over the age of eighteen who are residents of this state and of the political subdivision in which they offer to vote are entitled to vote at all elections by the people, if the election is one for which registration is required if they are registered within the time prescribed by law, or if the election is one for which registration is not required, if they have been residents of the political subdivision in which they offer to vote for thirty days next preceding the election for which they offer to vote: Provided however, no person who has a guardian of his or her estate or person by reason of mental incapacity, appointed by a court of competent jurisdiction and no person who is involuntarily confined in a mental institution pursuant to an adjudication of a court of competent jurisdiction shall be entitled to vote, and persons convicted of felony, or crime connected with the exercise of the right of suffrage may be excluded by law from voting.

Section 3. **1.** All elections by the people shall be by **paper** ballot or by any mechanical method prescribed by law.

2. Voters shall have only a single vote for each issue on which such voter is eligible to vote. Voters shall have the same number of votes for an office as the number of open seats to be elected to such office at that election. Under no circumstance shall a voter be permitted to cast a ballot in a manner that results in the ranking of candidates for a particular office. Notwithstanding any provision of this subsection to the contrary, this subsection shall not apply to any nonpartisan municipal election held in a city that had an ordinance in effect as of November 5, 2024, that permits voters to cast more than a single vote for each issue or candidate on which such voter is eligible to vote.

3. All election officers shall be sworn or affirmed not to disclose how any voter voted; provided, that in cases of contested elections, grand jury investigations and in the trial of all civil or criminal cases in which the violation of any law relating to elections, including nominating

elections, is under investigation or at issue, such officers may be required to testify and the ballots cast may be opened, examined, counted, and received as evidence.

Section 24. 1. The person receiving the greatest number of votes at a primary election as a party candidate for an office shall be the only candidate for that party for the office at the general election. The name of such candidate shall be placed on the official ballot at the general election unless removed or replaced as provided by law.

2. The person receiving the greatest number of votes at the general election shall be declared the winner.

3. Notwithstanding any provision of this section to the contrary, this section shall not apply to any nonpartisan municipal election held in a city that had an ordinance in effect as of November 5, 2024, that requires a preliminary election at which more than one candidate advances to a subsequent election.

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for he submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

"Shall the Missouri Constitution be amended to:

- Make the Constitution consistent with state law by only allowing citizens of the United States to vote;
- Prohibit the ranking of candidates by limiting voters to a single vote per candidate or issue; and
- Require the plurality winner of a political party primary to be the single candidate at a general election?".

STATE OF MISSOURI

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Secretary of State

I, John R. Ashcroft, Secretary of State of the state of Missouri, hereby certify that the foregoing is a full, true and complete copy of Constitutional Amendment No. 7, to be submitted to the qualified voters of the State of Missouri at the General Election to be held the fifth day of November, 2024.

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Missouri, done at the City of Jefferson, this 27th day of August, 2024.

PROPOSITION A

[Proposed by Initiative Petition]

OFFICIAL BALLOT TITLE:

Do you want to amend Missouri law to:

- **increase minimum wage January 1, 2025 to $13.75 per hour, increasing $1.25 per hour each year until 2026, when the minimum wage would be $15.00 per hour;**
- **adjust minimum wage based on changes in the Consumer Price Index each January beginning in 2027;**
- **require all employers to provide one hour of paid sick leave for every thirty hours worked;**
- **allow the Department of Labor and Industrial Relations to provide oversight and enforcement; and**
- **exempt governmental entities, political subdivisions, school districts and education institutions?**

State governmental entities estimate one-time costs ranging from $0 to $53,000, and ongoing costs ranging from $0 to at least $256,000 per year by 2027. State and local government tax revenue could change by an unknown annual amount depending on business decisions.

Be it enacted by the people of the state of Missouri:

Chapter 290, RSMo, is amended by amending section 290.502 and enacting fifteen new sections to be known as sections 290.600, 290.603, 290.606, 290.609, 290.612, 290.615, 290.618, 290.621, 290.624, 290.627, 290.630, 290.633, 290.636, 290.639, and 290.642, to read as follows:

290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of $6.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the previling federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the

U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.

3. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, and notwithstanding subsection 1 of this section, effective January 1, [2019] 2025, every employer shall pay to each employee wages at the rate of not less than [$8.60] $13.75 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher. Thereafter, the minimum wage established by this subsection shall be increased [each year] by [$.85] $1.25 per hour, [effective January 1 of each of the next four years, until it reaches $12.00 per hour] to $15.00 per hour, effective January 1, [2023] 2026. Thereafter, the minimum wage established by this subsection shall be increased or decreased on January 1, [2024] 2027, and on January 1 of successive years, per the method set forth in subsection 2 of this section. If at any time the federal minimum wage rate is above or is thereafter increased above the minimum wage then in effect under this subsection, the minimum wage required by this subsection shall continue to be increased pursuant to this subsection 3, but the higher federal rate shall immediately become the minimum wage required by this subsection and shall be increased or decreased per the method set forth in subsection 2 for so long as it remains higher than the state minimum wage required and increased pursuant to this subsection.

4. For purposes of this section, the term "public employer" means an employer that is the state or a political subdivision of the state, including a department, agency, officer, bureau, division, board, commission, or instrumentality of the state, or a city, county, town, village, school district, or other political subdivision of the state. Subsection 3 of this section shall not apply to a public employer with respect to its employees. Any public employer that is subject to subsections 1 and 2 of this section shall continue to be subject to those subsections.

290.600. As used in sections 290.600 through 290.642:

(1) "Department", Department of Labor and Industrial Relations.

(2) "Director", Director of the Department of Labor and Industrial Relations.

(3) "Domestic violence", as such term is defined in section 455.010.

(4) "Earned paid sick time", time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee normally earns during hours worked and is provided by an employer to an employee for the purposes described in section 290.606, but in no case shall this hourly amount be less than that provided under section 290.502.

(5) "Employee", any individual employed in this state by an employer, but does not include:

(A) Any individual engaged in the activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to the organization are on a voluntary basis;

(B) Any individual standing in loco parentis to foster children in their care;

(C) Any individual employed for less than four months in any year in a resident or day camp for children or youth, or any individual employed by an educational conference center operated by an educational, charitable or not-for-profit organization;

(D) Any individual engaged in the activities of an educational organization where employment by the organization is in lieu of the requirement that the individual pay the cost of tuition, housing or other educational fees of the organization or where earnings of the individual employed by the organization are credited toward the payment of the cost of tuition, housing or other educational fees of the organization;

(E) Any individual employed on or about a private residence on an occasional basis for six hours or less on each occasion;

(F) Any individual employed on a casual basis to provide baby-sitting services;

(G) Any individual employed by an employer subject to the provisions of part A of subtitle IV of title 49, United States Code, 49 U.S.C. §§ 10101et seq.;

(H) Any individual employed on a casual or intermittent basis as a golf caddy, newsboy, or in a similar occupation;

(I) Any individual who is employed in any government position defined in 29 U.S.C. §§ 203(e)(2)(C)(i)-(ii);

(J) Any individual employed by a retail or service business whose annual gross volume sales made or business done is less than five hundred thousand dollars;

(K) Any individual who is an offender, as defined in section 217.010, who is incarcerated in any correctional facility operated by the department of corrections, including offenders who provide labor or services on the grounds of such correctional facility pursuant to section 217.550; or,

(L) Any individual described by the provisions of section 29 U.S.C. 213(a)(8).

(6) "Employer", any person acting directly or indirectly in the interest of an employer in relation to an employee; provided, however, that for the purposes of sections 290.600 through 290.642 "employer" does not include the United States Government, the state, or a political subdivision of the state, including a department, agency, officer, bureau, division, board, commission, or instrumentality of the state, or a city, county, town, village, school district, public higher education institution, or other political subdivision of the state.

(7) "Family member", any of the following individuals:

(A) Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco parentis, or an individual to whom the employee stood in loco parentis when the individual was a minor;

(B) A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or an individual who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;

(C) An individual to whom the employee is legally married under the laws of any state, or a domestic partner who is registered as such under the laws of any state or political subdivision, or an individual with whom the employee is in a continuing social relationship of a romantic or intimate nature;

(D) A grandparent, grandchild, or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or

(E) A person for whom the employee is responsible for providing or arranging health or safety-related care, including but not limited to helping that individual obtain diagnostic, preventative, routine, or therapeutic health treatment or ensuring the person is safe following domestic violence, sexual assault, or stalking.

(8) "Health care professional," any individual licensed under federal or any state law to provide medical or emergency services, including but not limited to doctors, nurses, certified nurse midwives, mental health professionals, and emergency room personnel.

(9) "Person", any individual, partnership, association, corporation, business, business trust, legal representative, or any organized group of persons.

(10) "Retaliatory personnel action", denial of any right guaranteed under sections 290.600 through 290.642, or any threat, discharge, suspension, demotion, reduction of hours, or any other adverse action against an employee for the exercise of any right guaranteed herein. "Retaliatory personnel action" shall also include interference with or punishment for in any manner participating in or assisting an investigation, proceeding, or hearing under sections 290.600 through 290.642.

(11) "Same hourly rate", means the following:

(A) For employees paid on the basis of a single hourly rate, the same hourly rate shall be the employee's regular hourly rate.

(B) For employees who are paid multiple hourly rates of pay from the same employer, the same hourly rate shall be either:

(i) the wages the employee would have been paid for the hours absent during use of earned paid sick time if the employee had worked; or,

(ii) the weighted average of all hourly rates of pay during the previous pay period.

Whatever method the employer uses, the employer must use a consistent method for each employee throughout a year.

(C) For employees who are paid a salary, the same hourly rate shall be determined by dividing the wages the employee earns in the previous pay period by the total number of hours worked during the previous pay period. For determining total number of hours worked during the previous pay period, employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(l), the Fair Labor Standards Act, shall be assumed to work 40 hours in each work week unless their normal work week is less than 40 hours, in which case earned paid sick time shall accrue and the same hourly rate shall be calculated based on the employee's normal work week. Regardless of the basis used, the same hourly rate shall not be less than the effective minimum wage specified in section 290.502.

(D) For employees paid on a piece rate or a fee-for-service basis, the same hourly rate shall be a reasonable calculation of the wages or fees the employee would have received for the piece work, service, or part thereof, if the employee had worked. Regardless of the basis used, the same hourly rate shall not be less than the effective minimum wage specified in section 290.502.

(E) For employees who are paid on a commission basis (whether base wage plus commission or commission only), the same hourly rate shall be the greater of the base wage or the effective minimum wage specified in section 290.502.

(F) For employees who receive and retain compensation in the form of gratuities in addition to wages, the same hourly rate shall be the greater of the employee's regular hourly rate or 100% of the effective minimum wage specified in section 290.502 without deduction of any tips as a credit.

(12) "Sexual assault", as such term is defined in section 455.010.

(13) "Stalking", as such term is defined in section 455.010.

(14) "Year", a regular and consecutive twelve-month period as determined by the employer; except that for the purposes of section 290.615 and section 290.627, "year" shall mean a calendar year.

290.603. 1. Employees of an employer with fifteen or more employees shall accrue a minimum of one hour of earned paid sick time for every thirty hours worked, but such employees shall not be entitled to use more than fifty-six hours of earned paid sick time per year, unless the employer selects a higher limit.

2. Employees of an employer with fewer than fifteen employees shall accrue a minimum of one hour of earned paid sick time for every thirty hours worked, but such employees shall not be entitled to use more than forty hours of earned paid sick time per year, unless the employer selects a higher limit.

3. In determining the number of employees of an employer, all employees performing work in the state for an employer for compensation on a full-time, part-time, or temporary basis shall be counted. In situations in which the number of employees performing work in the state for an employer for compensation per week fluctuates above and below 15 employees per week over the course of a year, an employer is required to provide earned paid sick time pursuant to subsection (1) of this section if it maintained fifteen or more employees in the state on the payroll for some portion of a working day in each of twenty or more different calendar weeks, including any periods of leave, and whether or not the weeks were consecutive, in either the current or the preceding year (irrespective of whether the same individuals were in employment in each working day).

4. All employees shall accrue earned paid sick time as follows:

(A) Earned paid sick time as provided in this section shall begin to accrue at the commencement of employment or May 1, 2025, whichever is later. An employee shall be entitled to use earned paid sick time as it is accrued. An employer may provide all earned paid sick time that an employee is expected to accrue in a year at the beginning of the year.

(B) Employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(1) of the Federal Fair Labor Standards Act will be assumed to work forty hours in each work week for purposes of earned paid sick time accrual unless their normal work week is less than forty hours, in which case earned paid sick time accrues based upon that normal work week.

(C) Up to 80 hours of earned paid sick time shall be carried over to the following year if the employee has any unused accrued earned paid sick time at the end of the year, but this law does not require an employer to permit an employee to use more than the applicable number of hours of earned paid sick time per year as set forth in subsection (1) and (2) of this section. Alternatively, in lieu of carryover of unused earned paid sick time from one year to the next, an employer may pay an employee for unused earned paid sick time at the end of a year which could be carried over and provide the employee with an amount of paid sick time that meets or exceeds the requirements of sections 290.600 through 290.642 that is available for the employee's immediate use at the beginning of the subsequent year.

(D) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all earned paid sick time accrued at the prior division, entity, or location andis entitled to use all earned paid sick time as provided in this section. When there is a separation from employment and the employee is rehired within nine months of separation by the same employer, previously accrued earned paid sick time that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued earned paid sick time and accrue additional earned paid sick time at the re-commencement of employment.

(E) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all earned paid sick time they accrued when employed by the original employer, and are entitled to use earned paid sick time previously accrued.

(F) At its discretion, an employer may loan earned paid sick time to an employee in advance of accrual by such employee.

5. Any employer with a paid leave policy, such as a paid time off policy, who makes available an amount of paid leave sufficient to meet the accrual requirements of this section that may be used for the same purposes and under the same conditions as earned paid sick time under sections 290.600 through 290.642 is not required to provide additional paid sick time under this section.

6. Except as specifically provided in this section, nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued earned paid sick time that has not been used.

7. Employees shall not accrue earned paid sick time before May 1, 2025. Employees who are employed or who commence employment on or after May 1, 2025 shall accrue earned paid sick time and be entitled to use earned paid sick time as it is accrued in accordance with sections 290.600 through 290.642. The Department may develop model posters and notices, engage in rule-making, initiate outreach programs, and engage in other activities for implementation of the provisions of sections 290.600 through 290.642 as authorized by those sections before May 1, 2025.

290.606. 1. Earned paid sick time shall be provided to an employee by an employer for:

(A) An employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; an employee's need for preventative medical care;

(B) Care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; care of a family member who needs preventative medical care;

(C) Closure of the employee's place of business by order of a public official due to a public health emergency, or an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of his or her exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease; or

(D) Absence necessary due to domestic violence, sexual assault, or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member:

(i) Medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking;

(ii) Services from a victim services organization;

(iii) Psychological or other counseling;

(iv) Relocation or taking steps to secure an existing home due to the domestic violence, sexual assault, or stalking; or

(v) Legal services, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, sexual assault, or stalking.

2. Earned paid sick time shall be provided upon the request of an employee. Such request may be made orally, in writing, by electronic means, or by any other means acceptable to the employer. When possible, the request shall include the expected duration of the absence.

3. When the use of earned paid sick time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the earned paid sick time and shall make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt the operations of the employer. Where such need is not foreseeable, an employer may require an employee to provide notice of the need for the use of earned paid sick time as soon as practicable.

4. An employer that requires notice of the need to use earned paid sick time where the need is not foreseeable shall provide a written policy that contains procedures for the employee to provide notice. An employer that has not provided to the employee a copy of its written policy for providing such notice shall not deny earned paid sick time to the employee based on non-compliance with such a policy.

5. An employer may not require, as a condition of an employee's taking earned paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned paid sick time.

6. Earned paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

7. For earned paid sick time of three or more consecutive work days, an employer may require reasonable documentation that the earned paid sick time has been used for a purpose covered by subsection (1) of this section.

(A) Documentation signed by a heath care professional indicating that earned paid sick time is necessary shall be considered reasonable documentation for purposes of this section.

(B) In cases of domestic violence, sexual assault, or stalking, if the employer requests, one of the following types of documentation selected by the employee shall be considered reasonable documentation: (i) a police report indicating that the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking, (ii) a written statement from an employee or agent of a victim service provider affirming that the employee or employee's family member is or was receiving services from a victim service provider; (iii) documentation signed by a health care professional from whom the employee or employee's family member sought assistance relating to domestic violence, sexual assault, or stalking or the effects thereof; (vi) a court document indicating that an employee or employee's family member is or was involved in a legal action related to domestic violence, sexual assault, or stalking; or (v) a written statement from the employee affirming that the employee or employee's family member is taking or took earned paid sick time for a qualifying purpose of subsection (1) of this section.

(C) An employer may not require that the documentation explain the nature of the illness, details of the underlying health needs, or the details of the domestic violence, sexual assault, or stalking, unless otherwise required by law.

290.609. 1. It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise,any right protected under sections 290.600 through 290.642.

2. An employer shall not take retaliatory personnel action or discriminate against an employee or former employee because the individual has exercised rights protected under sections 290.600 through 290.642. Such rights include, but are not limited to, the right to request or use earned paid sick time pursuant to sections 290.600 through 290.642; the right to file a complaint or inform any person about any employer's alleged violation of sections 290.600 through 290.642; the right to participate in any investigation, hearing, or proceeding or cooperate with or assist the Department in any investigations of alleged violations of sections 290.600 through 290.642; and the right to inform any person of his or her potential rights under sections 290.600 through 290.642.

3. It shall be unlawful for an employer's absence control policy to count earned paid sick time taken under sections 290.600 through 290.642 as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

4. Protections of this section shall apply to any individual who mistakenly but in good faith alleges violations of sections 290.600 through 290.642.

290.612. 1. Employers shall give employees a written notice about earned paid sick time within fourteen calendar days of the commencement of employment or on April 15, 2025, whichever is later, which must include the following information: (1) beginning May 1, 2025, employees accrue and are entitled to earned paid sick time at the rate one hour of earned paid sick time for every 30 hours of work, and may use earned paid sick time, subject to the limits and terms under sections 290.600 through 290.642 of Missouri law, (2) it is prohibited for

an employer to take retaliatory personnel action against employees who request or use earned paid sick time as allowed by law. (3) each employee has the right to bring a civil action if earned paid sick time as required by sections 290.600 through 290.642 is denied by the employer or the employee is subjected to retaliatory personnel action by the employer for exercising the employee's rights under sections 290.600 through 290.642; and, (4) the contact information for the Department. Notice shall be provided by the Employer to the employee on a single piece of paper, at least 8.5 x 11, in no less than 14-point font.

2. Beginning April 15, 2025, employers shall display a poster that contains the information required in subsection (1) of this section in a conspicuous and accessible place in each establishment where such employees are employed, provided that such poster has been made available by the Department.

3. The Department may create and make available to employers, model notices and posters that contain the information required under subsection (1) of this section for employers' use in complying with subsections (ll and (2) of this section. Nothing in this subsection shall be interpreted or applied, either expressly or through practical necessity, to require the Department to create or make available notices or posters if it requires the appropriation of funds to cover the costs of such acts.

290.615. 1. Employers shall retain records documenting hours worked by employees and earned paid sick time taken by employees, for a period of not less than three years, and shall allow the Department access to such records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of sections 290.600 through 290.642.

2. To the extent permitted by law, the Director may inspect such records, and the records shall be open for inspection by the Director by appointment. Where the records required under this section are kept outside the state, the records shall be made available to the Director upon demand. Every such employer shall furnish to the Director on demand a sworn statement of time records and information upon forms prescribed or approved by the Director. All the records and information obtained by the Department are confidential and shall be disclosed only on order of a court of competent jurisdiction.

3. Nothing in this section shall be interpreted or applied, either expressly or through practical necessity, to require the Department or Director to access or inspect records or to create forms relating to the inspection of records if it requires the appropriation of funds to cover the costs of such acts.

290.618. 1. The Department may, in accordance with chapter 536, promulgate rules for the implementation, enforcement, and administration of sections 290.600 through 290.642. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after November 5, 2024, shall be invalid and void.

2. Nothing in this section shall be interpreted or applied, either expressly or through practical necessity, to require the promulgation or adoption of rules if it requires the appropriation of funds to cover the costs of such acts.

290.621. 1. The Department may investigate and ascertain compliance with sections 290.600 through 290.642, establish and implement a system to receive complaints regarding non-compliance with sections 290.600 through 290.642 and to investigate and attempt to resolve complaints between the complainant and the subject of the complaint, and establish additional means of enforcement, including requiring by subpoena the testimony of witnesses and production of books, records, and other evidence relative to any matter under investigation or hearing, issuing notices of violation, holding hearings on notices of violation, making determinations, recovering unpaid earned sick time, and imposing fines for willful violations of up to $500 per day of each day of a continuing violation. A final decision of the department is subject to review in accordance with the provisions of chapter 536.

2. The Department may develop and implement an outreach program to inform employees, parents, and persons who are under the care of a health care provider about the availability of earned paid sick time under sections 290.600 through 290.642. This program may include the distribution of notices and other written materials to child care and elder care providers, domestic violence shelters, schools, hospitals, community health centers and other health care providers in Missouri.

3. A municipality, county, city, town, or village may adopt ordinances, rules, and regulations to investigate and ascertain compliance with sections 290.600 through 290.642, establish and implement a system to receive complaints regarding non-compliance with sections 290.600 through 290.642 and to investigate and attempt to resolve complaints between the complainant and the subject of the complaint, and establish additional means of enforcement, with respect to employers within, or employees performing work while physically present in, the geographic boundaries of the municipality, county, city, town, or village. Any such ordinance, rule, or regulation shall be consistent with this law and any Department rules or regulations and system for compliance and enforcement. The municipality, county, city, town, or village may exercise such powers as allowed by any applicable charter or ordinance, including requiring by subpoena the testimony of witnesses and production of books, records, and other evidence relative to any matter under investigation or hearing, issuing notices of violation, holding hearings on notices of violation, making determinations, recovering unpaid earned sick time, and imposing fines for willful violations of up to the maximum allowed for an ordinance violation. Before investigating or seeking to resolve any complaint between the complainant and the subject of the complaint, the municipality, county, city, town, or village shall give notice to the Department with a copy of the complaint and, within 14 days of such notice, the Department may intervene as of right and participate in the matter to ensure that the complaint is being investigated and resolved in the interest of effective enforcement of sections 290.600 through 290.642 or, alternatively, the Department may institute its own

proceedings in which case the municipality, county, city, town, or village shall refrain from acting on the matter so long as the complaint is being investigated and resolved in the interest of effective enforcement of sections 290.600 through 290.642. If the Department does not, within 14 days, intervene or instigate its own proceedings, the municipality, county, city, town, or village may, without the Department, investigate and attempt to resolve the complaint and take other additional means within its power to enforce sections 290.600 through 290.642 against the subject of the complaint. In no event shall an employer be subject to compliance proceedings arising out of a single set of facts after having already been subjected to a final compliance order by another governmental entity.

4. Nothing in this section shall be interpreted or applied, either expressly or through practical necessity, to require the Department, a municipality, county, city, town, or village to conduct investigations and ascertain compliance with sections 290.600 through 290.642, to establish and implement a system to receive or resolve complaints, to establish additional means of enforcement, or to conduct outreach and education, including the creation of notices and other written materials, concerning sections 290.600 through 290.642, if it requires the appropriation of funds to cover the costs of such acts.

290.624. 1. Any employer who willfully violates or fails to comply with any of the provisions and requirements of sections 290.600 through 290.642 shall be guilty of a class C misdemeanor; provided, however, that an employer who willfully violates the notice and posting requirements of section 290.612 shall be guilty of an infraction.

2. For purposes of this section, each day of violation or failure to comply and each employee affected shall constitute a separate offense.

290.627. 1. Any individual who claims to have been aggrieved by a failure of an employer to comply with any portion of sections 290.600 through 290.642, including but not limited to the failure to provide earned paid sick time or to allow employees to use such time consistent with sections 290.600 through 290.642, or who claims to have suffered a retaliatory personnel action, shall have a right of action and may commence a civil action in the appropriate court of jurisdiction within three years of the accrual of the cause of action, to obtain appropriate relief with respect to such unlawful violation. Such action may be brought without first filing an administrative complaint.

2. In a civil action under this section, if the court finds a violation has occurred, the court may grant as relief, as it deems appropriate and to the extent permitted by law, any permanent or temporary injunction, the full amount of any unpaid earned sick time plus any actual damages suffered as the result of the employer's violation of sections 290.600 through 290.642, an additional amount equal to twice any unpaid earned sick time as liquidated damages, costs, and reasonable attorney's fees as may be allowed by the court, and other legal or equitable relief as may be appropriate to remedy the violation, including, without limitation, reinstatement to employment and back pay.

290.630. 1. Except as otherwise required by law, an employer may not require disclosure of details relating to an employee's or an employee's family member's health information, domestic violence, sexual assault, or stalking as a condition of providing earned paid sick time under sections 290.600 through 290.642.

2. Unless as otherwise required by law, any health or safety information possessed by an employer regarding an employee or employee's family member must:

(A) be maintained on a separate form and in a separate file from other personnel information;

(B) be treated as confidential medical records; and

(C) not be disclosed except to the affected employee or with the express written permission of the affected employee.

290.633. 1. With respect to employees covered by a valid collective bargaining agreement in effect on November 5, 2024, no provisions of sections 290.600 through 290.642 shall apply until the stated expiration date in the collective bargaining agreement; however, further the provisions of sections 290.600 through 290.642 shall apply upon any such agreement's renewal, extension, amendment, or modification in any respect after November 5, 2024.

2. Nothing in sections 290.600 through 290.642 shall be deemed to interfere, impede, or otherwise diminish the right of employees to bargain collectively through representatives of their own choosing in order to establish earned paid sick time or other conditions of work in excess of the applicable minimum standards under the provisions of sections 290.600 through 290.642.

3. Any waiver by an employee of rights under sections 290.600 through 290.642 shall be deemed contrary to public policy and shall be void.

290.636. 1. Nothing in sections 290.600 through 290.642 shall be construed to discourage or prohibit an employer from the adoption or retention of an earned paid sick time policy more generous than the one required herein.

2. Nothing in sections 290.600 through 290.642 shall be construed as diminishing the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous paid sick time to an employee than required herein. Nothing in sections 290.600 through 290.642 shall be construed as diminishing the rights of public employees regarding paid sick time or use of paid sick time as provided in the laws of Missouri and ordinances of political subdivisions pertaining to public employees.

290.639. 1. Sections 290.600 through 290.642 provide minimum requirements pertaining to earned paid sick time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for greater accrual or use by employees of earned paid sick time or that extends other protections to employees.

2. Nothing in sections 290.600 through 290.642 shall be interpreted or applied to create a power or obligation contrary to any federal law, rule, or regulation.

290.642. Except as detailed in section 290.618, all of the provisions of sections 290.600 through 290.642 are severable, and if any provision, including any section, subsection, subdivision, paragraph, sentence, or clause, or the application thereof to any person or circumstance, is found by a court of competent jurisdiction to be invalid, unconstitutional, or unconstitutionally enacted, such decision shall not affect other provisions or applications of sections 290.600 through 290.642 that can be given effect without the invalid, unconstitutional, or unconstitutionally enacted provision or application, and to this end the provisions of sections 290.600 through 290.642 are declared severable.

STATE OF MISSOURI

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Secretary of State

I, John R. Ashcroft, Secretary of State of the state of Missouri, hereby certify that the foregoing is a full, true and complete copy of Proposition A, to be submitted to the qualified voters of the State of Missouri at the General Election to be held the fifth day of November, 2024.

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Missouri, done at the City of Jefferson, this 27th day of August, 2024.