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JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

ELECTIONS DIVISION
(573) 751-2301

July 1, 2019

RECEIVED

JUL 01 2019

STATE AUDITORS OFFICE

The Honorable Nicole Galloway
State Auditor
State Capitol Building
Jefferson City, MO 65101

RE: Petition approval request from Winston Apple regarding a proposed statutory amendment to Chapters 130 and 143 (2020-099)

Dear Auditor Galloway:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Revised Statutes of Missouri filed by Winston Apple on July 1, 2019.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

John R. Ashcroft

cc: Hon. Eric S. Schmitt
Sheri Hoffman
Trish Vincent

County _____
Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable John R. Ashcroft, Secretary of State for the State of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or city of St. Louis), respectfully order that the following proposed law shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 3rd day of November, 2020, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the State of Missouri and _____ County (or city of St. Louis); my registered voting address and name of the city, town or village in which I live are correctly written after my name.

[OFFICIAL BALLOT TITLE]

CIRCULATOR'S AFFIDAVIT, STATE OF MISSOURI, COUNTY OF _____

I, _____, being first duly sworn, say (print or type names of signers)
(Petition Circulator's Printed Name)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	Zip Code	Congr. Dist.	NAME (Printed or Typed)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do ____ do not ____ (check one) expect to be paid for circulating this petition. If paid, list the payer

_____.

Signature of Affiant (Person obtaining signatures)

Street address of Affiant

Printed Name of Affiant

City, State and Zip Code of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. 20__

Signature of Notary

Notary Public (Seal)

Address of Notary

My commission expires: _____

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

Two new sections of the Missouri Revised Statutes, to be known as sections 130.230 and 143.990, are enacted to read as follows:

130.230. 1. "The Missouri Elections Trust Fund" is hereby created, as a dedicated fund within the Missouri Department of Revenue, to provide public financing in the form of matching funds for candidates for office in Missouri who agree to, accept, and subsequently meet, the following conditions:

(1) Not to accept contributions from corporations or political action committees that accept corporate contributions; and
(2) That at least one-half of the total money raised, including in-kind contributions, by the candidate will come from individual contributors who contribute a total of \$200.00 or less to the candidate during an election cycle. Primary elections and general elections constitute separate election cycles.

2. Candidates must indicate at time of filing to run for office that they intend to meet and comply with the conditions for receiving matching funds. A candidate electing to receive matching funds for the primary election cycle must also agree to comply with the conditions for receiving matching funds during the general election.

3. If it is determined at any time that a candidate who received matching funds was not in compliance with the conditions required for receiving matching funds or fell out of compliance at a later date, said candidate must return any matching funds received within 45 days of the date that it was determined that she or he failed to comply with the conditions for receiving matching funds.

4. A candidate failing to meet the conditions for the primary election cycle, may not receive matching funds as part of the general election cycle.

5. The ratio of the match relative to the amount of money raised by candidates will be determined by the Department of Revenue based on the total amount of money raised during the designated periods by all candidates who have elected to accept matching funds and the designated amount of money available from the fund during each election cycle.

6. Only contributions made during the designated periods by individual contributors, totaling \$200 or less per contributor per election cycle, will be eligible for matching funds. Contributions from businesses other than sole proprietorships, political action committees and other organizations, including other campaign committees, are not eligible for matching funds. Anonymous contributions are not eligible for matching funds. In-kind contributions are not eligible for matching funds.

7. For purposes of qualifying for matching funds and determining the amount of matching funds to be distributed to each candidate the primary election cycle will begin with the date each non-incumbent candidate officially formed a campaign finance committee through the Missouri Ethics Commission; an incumbent candidate with an ongoing campaign finance committee filed for re-election with the Missouri Secretary of State; or an incumbent candidate amended her or his campaign committee by notifying the Missouri Ethics Commission of her or his intention to seek an office other than the office currently held by that candidate. The primary election cycle for purposes of distributing matching funds will end on June 30 of each election year.

8. One-third of the balance of funds in the Missouri Elections Trust Fund will be distributed as expeditiously as possible after each candidate files the required campaign finance report with the Missouri Ethics Commission for the period ending on June 30 of each election year, but no later than seven business days after the date each candidate's report was filed with the Missouri Ethics Commission.

9. Candidates losing a primary election will not receive matching funds for otherwise qualified contributions made between July 1 and the date of the primary election and must return any unused matching funds no later than 45 days after the date of the primary election.

10. For purposes of qualifying for matching funds and determining the amount of matching funds to be distributed to each candidate, the general election cycle will begin on July 1 of each election year and end on September 30 of each election year. Contributions made after September 30 of each election year will not be eligible for matching funds.

11. The full remaining balance of funds in the Missouri Elections Trust Fund will be distributed during the general election cycle to qualified candidates. This distribution of matching funds will be made as expeditiously as possible after a candidate files a campaign finance report with the Missouri Ethics Commission for the period ending on September 30 of each election year, but no later than seven business days after the date each report was filed with the Missouri Ethics Commission.

12. Candidates will not receive matching funds for otherwise qualified contributions made between October 1 and the date of the general election.

13. When a candidate losing a general election files a termination statement and disclosure report with the Missouri Ethics Commission, any and all funds remaining after repaying any debts owed by the campaign committee are to be paid over to the Missouri Elections Trust Fund, up to and including an amount equal to the full amounts of matching funds received by said candidate.

14. The Missouri Elections Trust Fund will be administered by the Missouri Department of Revenue based on reports filed with the Missouri Ethics Commission.

15. All subsections and all clauses of this Section, and the phrases, and the words within them, are severable. If any of the provisions within them are found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted or invalid, the remainder of those provisions shall remain valid and the application of such provisions shall not be affected thereby.

143.990. 1. In each taxable year beginning on or after January 1, 2021, each individual or corporation having paid state income taxes in the amount of twenty-five dollars or more may designate that five dollars of the tax paid shall be paid over to the Missouri elections trust fund as provided in section 130.230. In the case of a husband and wife with a filing status of married filing combined having paid state income tax in the amount of fifty dollars or more, each spouse may separately designate that five dollars shall be paid to the fund.

2. The option to contribute to this fund, as authorized by this section, shall be clearly and unambiguously printed on the same page of each income tax return form provided by the state upon which the amount of the amount of tax owed is indicated, and shall include the following statement: "Contributing to the Missouri Elections Trust Fund will not increase the amount of tax owed or reduce the amount of overpayment to be refunded."

3. The department of revenue shall deposit the contributions made pursuant to this statute into the Missouri Election Trust Fund as created in section 130.230.

4. All subsections and all clauses of this Section, and the phrases, and the words within them, are severable. If any of the provisions within them are found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted or invalid, the remainder of those provisions shall remain valid and the application of such provisions shall not be affected thereby.