

Pro-Abortion Initiative Petitions in Missouri

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- **Initiative Petition Process for Proposed Constitutional Amendments.** (Much of this section on Missouri's initiative petition process is from the secretary of state's website, [here](#)):
 - Petitioners must first submit proposed petitions to the Missouri secretary of state's office. The office approves the proposed petition's form and prepares ballot summary language.
 - The proposed petition is posted on the secretary of state's office website for a public comment period.
 - The Missouri state auditor also prepares a fiscal note and fiscal note summary for the proposed petition. The secretary of state's office then certifies the official ballot title for the petition, which consists of the ballot summary language (100 words or less), followed by the fiscal note summary (50 words or less).
 - After the official ballot title is certified, petitioners can circulate their proposed petitions and collect signatures. Any registered Missouri voter can sign an initiative petition.
 - Petition circulators, who must be at least eighteen years of age and registered with the secretary of state's office, collect signatures on petition pages that contain the official ballot title and the full and correct text of the proposed measure.
 - The official ballot title is also what voters will read when they go to polls to vote on the measure – if it makes it on the ballot.
 - Petitions proposing constitutional changes must be signed by eight percent of legal voters in any six of the eight congressional districts. That is a minimum of 171,592 signatures.
 - Next, petitioners submit these signatures to the secretary of state's office. The deadline to submit signatures is six months before the next general election date – which in this case would be May 5, 2024.
 - The office distributes copies of the petition pages to local election authorities to verify that the signatures are those of registered Missouri voters in the correct Congressional district.
 - Finally, the secretary of state's office receives the verified signatures and determines whether the petition contains a sufficient number of valid signatures. If so, the secretary of state's office issues a certificate of sufficiency, stating that the petition shall be placed on the ballot for the general election – which in this case would be November 5, 2024.
- **The 11 Pro-Abortion Initiative Petitions to Amend Missouri's Constitution:**
 - On March 8, 2023, Dr. Anna Fitz-James – a retired pediatrician with a newly-formed group called Missourians for Constitutional Freedom – filed 11 similar pro-abortion initiative petitions with the Missouri secretary of state.
 - The 11 initiative petitions would amend Missouri's Constitution to provide in part that:

- The Government shall not deny or infringe upon a person’s fundamental right to reproductive freedom, which entails 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.
 - In addition, each petition would provide in this or very similar language that:
 - 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.
 - The 11 petitions vary in other ways – some would allow Missouri to require parental consent before an abortion – while others would not. Some would allow restrictions on government funding of abortion, while others would not. Some purport to restrict abortions after 24 weeks of pregnancy or after viability, while others do not – but only as long as the government does not deny or restrict an abortion “to protect the life or physical or mental health of the pregnant person.”
- **Current Status of the 11 Pro-Abortion Initiative Petitions:**
 - The secretary of state certified official ballot titles (ballot summary language of 100 words or less followed by the fiscal note summary of 50 words or less) for all 11 initiative petitions.
 - Dr. Fitz-James – represented by the ACLU of Missouri – challenged in Cole County Circuit Court the ballot summary language of the secretary of state as being “argumentative against adoption of the Initiative ... misleading as to the Initiative’s probable effects, and prejudicial to [the] Initiative.” The lawsuit is against six of the 11 ballot summary statements – all of which include this summary language by the secretary of state:
 - Do you want to amend the Missouri Constitution to:
 - allow for dangerous, unregulated, and unrestricted abortions, from conception to live birth, without requiring a medical license or potentially being subject to medical malpractice;
 - nullify longstanding Missouri law protecting the right to life, including but not limited to partial-birth abortion;
 - require the government not to discriminate against persons providing or obtaining an abortion, potentially including tax-payer funding?
 - Meanwhile, three pro-life advocates also filed suit against the state auditor, claiming he understated the financial cost to Missourians if any one of the initiative petitions passes.
 - Thus, with litigation currently pending, no signatures have been collected yet by supporters of the pro-abortion initiative petitions.