

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 amendment to the constitution 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 6<sup>th</sup> day of November, 2018, 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 the name of the city, town or Village in which I live are correctly written after my name.

OFFICIAL BALLOT TITLE AS CERTIFIED  
BY  
SECRETARY OF STATE

Do you want to amend the Missouri Constitution to release all incarcerated individuals convicted only of nonviolent cannabis (marijuana) related crimes; add up to a 5% sales tax on marijuana for personal use to fund public education and veteran care; and remove state prohibitions on:

- marijuana possession for personal use regardless of age;
- growing marijuana for one's own personal or physician recommended (medical) use regardless of age (no plant quantity limitations may be imposed by any other legislation);
- selling marijuana to anyone 21 or older; and
- selling marijuana to anyone 18 or older for medical use?

State revenues could increase by \$17 million annually and the state could avoid costs of \$11 million annually when the proposal is fully implemented, but an annual unknown loss of federal funding could occur. Additional state costs are estimated at \$750,000 annually with one-time costs of \$150,000. Local law enforcement costs could increase.

CIRCULATOR'S AFFIDAVIT STATE OF MISSOURI, COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ being first duly sworn, say (print or type names of signers)

NAME (Signature)	Date Signed	REGISTERED VOTING ADDRESS (Street, No PO Boxes) (City, Town, Village)		Zip Code	Cong. Dist.	NAME (Print or Typed)
1.						
2.						
3.						
4.						
5.						
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7.						
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9.						
10.						
11.						
12.						

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)

\_\_\_\_\_  
Address of Affiant

\_\_\_\_\_  
Printed Name of Affiant

\_\_\_\_\_  
Address of Affiant

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary

Notary Public (Seal)

\_\_\_\_\_  
Address of Notary

My commission expires \_\_\_\_\_

This measure amends the Missouri Constitution by adding Section 54 to Article IV. This amendment implicitly repeals in part or in whole, and amends various statutes and subsections including but not necessarily limited to RSMo 105.1105.1, 105.1108.1, 105.1112.1, 195.0010.1, 196.0100.1, 263.0250.1, 577.0024.1, 579.0015.1, 579.0020.1, 579.0030.1, 579.0055.1, 579.0065.1, 579.0068.1, and 579.0105.1

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

One new section is adopted to be known as Article IV, Section 54 and to read as follows:

1. Cannabis aka marijuana and cannabis hemp shall immediately be removed from Missouri's list of controlled substances and shall no longer be listed among Missouri's drugs schedules.

2. Definitions of terms used in this Act: cannabis and cannabis hemp refer to cannabis marijuana, cannabis sativa, cannabis indica, cannabis ruderalis or any variety of cannabis including any derivative, concentrate, extract, flower, leaf, particle, preparation, resin, root, salt, seed, stalk, stem, or any product thereof.  
a. Medical cannabis refers to a Physician's written recommended use of cannabis or any form of cannabis derivative, concentrate, extract, flower, stem, stalk, root, leaf, or any Cannabis product thereof.  
b. Personal aka recreational use refers to any cannabis product's use not necessarily recommended by a Physician.  
c. Cannabis accessories means any equipment, products or materials of any kind that are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging or storing of cannabis or hemp or for ingesting, inhaling, vaporizing, smoking or otherwise introducing cannabis into or onto the human body with any vehicle or what could be construed as a dangerous device.  
d. Establishment refers to cannabis cultivating facility, a cannabis manufacturing facility or retail store or other entity that cultivates, prepares, manufactures, packages, transports, or sells cannabis or hemp products or accessories.

3. Minors refers to anyone under the age of 21

a. Cannabis or its products shall not be sold to anyone under the age of 21, with the exception of persons falling under the dictates of item 3c.  
b. Anyone under the age of 18 shall have legal access to cannabis through a Physician's written recommendation, and parental or a legal guardian's supervision for medical conditions or diseases that cannabis might help with.  
c. Anyone under the age of 21, but age 18 and over shall have legal access to cannabis through a Physician's written recommendation for medical conditions or diseases that cannabis might help with.

4. The following acts are not unlawful and shall not be an offense under these revised Missouri law's

a. Possession or cultivation of cannabis for personal or medical use in an area sufficient to produce the quantity necessary to address one's personal or medical needs. No plant limitations may be imposed by any other legislation.  
b. Cultivating, harvesting, processing, manufacturing, packaging, distributing, transferring, displaying, or possessing cannabis, cannabis accessories, and cannabis products for commercial purposes, provided the person has current applicable licenses to run a business in Missouri. No special licensing will be required beyond that which is applicable for the cultivation, harvesting, processing, manufacturing, packaging, distribution, transferal, display, or possessing of any non-toxic food or food product.  
c. Providing cannabis, aka marijuana and or any part of the cannabis plant thereof to be sold to the public must be tested by an accredited testing facility and all packaging labeled accordingly to reflect said testing.  
d. Leasing or otherwise allowing the use of property owned, occupied or controlled by any person, corporation or other entity for any of the activities conducted lawfully in accordance with paragraphs a through d of this section

5. Patient's rights: cannabis shall be available to all patients regardless of age, race, or gender without taxation when recommended by a physician as a medicine.

a. All patients engaged in cannabis therapy shall be afforded the same rights and privileges afforded to any patient treated through conventional therapeutic means.

6. All prisoners that have been found guilty in a Missouri Court of law for a nonviolent cannabis related crime shall immediately be released. This shall not apply to those prisoners that have any additional charges other than a nonviolent cannabis related crime. All charges for nonviolent cannabis related crimes shall be immediately expunged from all prisoner's records.

a. Within 60 days of passage of this act, the attorney general's office shall develop and make available to the public a legal document ordering the immediate destruction of all cannabis related nonviolent civil and criminal records in Missouri, to be distributed to all circuit court judges within the state.

7. No Missouri law enforcement personnel, state, county, or city employees, state or federal funds shall be used to assist or aid in the enforcement of federal or preexisting Missouri cannabis or hemp laws involving acts which are no longer illegal in the state of Missouri under this amendment to the Missouri Constitution.

a. Any person who impedes the lawful exercise of these provisions is guilty of a class A misdemeanor and is subject to all penalties or fines thereof.  
b. An additional tax, not to exceed 5% without additional voter approval, will be added to all personal / recreational sales of Cannabis not to include any Hemp or Hemp by products sold within the boundaries of Missouri in addition to any established state, county or city sales tax already set in place to be collected by the State of Missouri Sales Taxation Division. Cannabis products sold under the guidelines listed in Section 3b and 3c of this document shall be exempt from this tax. The additional sales tax monies collected will be collected by the State of Missouri Sales Taxation Division, divided and distributed as directed in this paragraph on a quarterly basis as follows: 1/2 will go to Missouri Public Schools that teach Preschool or K through 12 grade or any combination of the Aforementioned. The remaining 1/2 will be directed to the Missouri Veterans Commission to help with housing, clothing, food and medical needs for our multitude of Missouri veterans as the Missouri Veterans Commission sees fit to best utilize those funds.

8. Cannabis farmers, manufacturer's, processors, and distributors shall not be subjected to any special zoning requirements, licensing fee that is excessive, discriminatory, prohibitive, or in any way contrary to that which is relative to any other commercial or agricultural farmer, manufacturer, processor or distributor of agricultural products.

9. Pursuant to the ninth and tenth amendments to the constitution of the United States, the people of Missouri hereby repudiate and challenge federal cannabis prohibitions that conflict with this act.

a. The state of Missouri will honor all legally obtained patients medical cards regardless of the state where issued and Missouri shall become reciprocity with all legal states where Cannabis is considered legalized by law for medical or recreational use.  
b. Opinions pertaining to, and willingness to recommend medical cannabis therapy shall not be a criteria for the licensure of Physicians or Veterinarians. No Physician or Veterinarian shall be subject to any professional license review or hearing as a result of recommending or approving medical cannabis therapy.  
c. Medical care, including organ transplants, shall not be restricted in any way based on a person's use of cannabis, hemp or any derivatives or parts thereof.

10. All provisions of this section are self-executing and serviceable. Except where otherwise indicated in the text of this document this constitutional amendment shall supersede any and all conflicting city, county, state or federal statutory, local charter, ordinance or resolution and shall be implemented no later than January 31st, following the election that placed this initiative before the people of Missouri.