



January 12, 2024

## Capitol Report

Hi All,

I'm excited to announce more new opportunities this week. I was appointed to the Special Committee on Property Tax Reform and I filed House Bill 2383, which will protect Missourians from excessive surcharges for their financial transactions. I'm thankful to be in a position to help my constituents save their hard-earned money.

Next week, the Committee on Emerging Issues will hear seven pieces of legislation targeting the LGBTQ community. I will always stand up to those who try to disenfranchise innocent people I am committed to protecting the rights of everyone. I will be prepared to defend those rights next Wednesday.

Enjoy your Martin Luther King Weekend, stay warm, and I'll keep you posted.

Sincerely,

  
Jamie J. Johnson

State Representative - District 12

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## **This Week in Jefferson City**

### **Ashcroft threatens to keep President Biden off MO ballot**

Secretary of State Jay Ashcroft said in a Jan. 6 social media post that Missouri and other Republican-led states should keep President Joe Biden off the ballot this year if the U.S. Supreme Court rules former President Donald Trump is ineligible to again seek the office under the Insurrection Clause of the 14th Amendment to the U.S. Constitution. Ashcroft, a Republican, cited no legal justification for excluding Biden, a Democrat, from the ballot this November and lacks the authority under state law to do so even if there was one.

Officials in Colorado and Maine have concluded the Insurrection Clause prevents Trump, a Republican, from appearing on presidential ballots in those states due to his role in fomenting the Jan. 6, 2021, attack on the U.S. Capitol as part of his failed attempt to remain in office after losing the 2020 election to Biden. The Insurrection Clause bars anyone who has taken an oath to uphold the Constitution and subsequently “engaged in insurrection or rebellion against” the United States from again holding public office. The conservative-dominated Supreme Court has agreed to hear Trump’s appeal of Colorado’s decision.

In a post on Twitter, now officially known as X, Ashcroft said: “What has happened in Colorado & Maine is disgraceful & undermines our republic. While I expect the Supreme Court to overturn this, if not, Secretaries of State will step in & ensure the new legal standard for (Trump) applies equally to (Biden).” In subsequent media interviews, Ashcroft reaffirmed his position that he could unilaterally keep Biden off of Missouri’s ballot.

In a Jan. 8 interview on CNN, Ashcroft struggled to come up with a legal justification for excluding Biden from the ballot when pressed by anchor Boris Sanchez. At one point Ashcroft said, referring to Biden, that there are “allegations that he engaged in insurrection,” but Ashcroft could not back up his claim with any allegation and ended up shouting at Sanchez.

As secretary of state, Ashcroft oversees elections in the state but has no authority to unilaterally remove a candidate from the ballot. In fact, as the Missouri Independent noted in a Jan. 11 story, the Missouri Court of Appeals Western District ruled in 2014 that secretary of state can’t even strike a candidate from the ballot who isn’t legally qualified to run for office unless a court first orders the removal.

In the intervening day between the original post and the CNN interview, Ashcroft and his family were victims of a “swatting” incident when Jefferson City police arrived at their home after receiving a false report of a shooting. No one was harmed as a result of the Jan. 7 incident, and the St. Louis Post-Dispatch reported police are continuing to investigate it. Making a false police report is a class B misdemeanor punishable by up to six months in jail and a \$1,000 fine.

## **House committee hears bill to further weaken state gun laws**

The House General Laws Committee on Jan. 9 heard Republican legislation that would further weaken Missouri's already lax gun laws to allow firearms to be carried on mass transit and in churches, expand conceal-carry rights to 18-year-olds and restore conceal-carry rights to people who pleaded guilty to certain crimes, including violent misdemeanors. All of those proposals have cleared the House of Representatives in recent years in various forms but failed to win Senate approval.

Under existing law, concealed weapons are prohibited on public buses and light rail, and also in houses of worship without the permission of church officials. House Bill 1708 would lift those prohibitions for people with a conceal-carry permit, although the bill's sponsor said church leaders could still bar guns on church property by posting a sign declaring that weapons aren't allowed. Firearms would still be prohibited on Amtrak trains.

Other provisions of HB 1708 would lower the minimum age for applying for a concealed weapons permit from 19 to 18, lift the prohibition on obtaining a conceal-carry permit for people who have pleaded guilty or no contest to certain crimes, and authorize retired judges and current or former lawmakers who are permit-holders to carry weapons in places where guns are otherwise prohibited by law.

The committee also heard separate legislation, House Bill 2291, that would exempt guns and ammunition from all state and local sales taxes. Democrats on the panel noted that under the bill necessities like food would still be taxed but weapons and ammunition would not. The bill's fiscal estimate says it would cost the state about \$31 million a year in lost revenue and local governments up to \$65.4 million annually. The committee took no immediate action on either HB 2291 or HB 1708.

## **House panel considers public school open enrollment**

The House Elementary and Secondary Education Committee on Jan. 10 heard legislation that would authorize children to transfer to public school districts other than the one in which they reside. The committee took no immediate action on the bill.

Under House Bill 1989, the open enrollment program would begin with the 2025-2026 school year. As currently written, while districts largely couldn't stop students from transferring, participation would be voluntary among receiving districts. However, skeptics of the legislation are concerned that if open enrollment becomes law, the voluntary nature of the program wouldn't long last as lawmakers would be under pressure to require districts to accept transfers.

Proponents of the bill say open enrollment would expand the public school options available to Missouri children and their families. Since the tax dollars would follow a student from his or her home district to the receiving district, opponents say it would shift resources from less

wealthy districts to the more affluent ones that students are likely seek to transfer to under the bill, putting further financial strain on struggling school systems.

## State general revenue down 1.7 percent in first half of FY 24

Year-to-date net state general revenue collections decreased 1.7 percent through the first half of the 2024 fiscal year, going from \$6.24 billion last year to \$6.13 billion this year. Collections had been down 2.2 percent through the first five months of the fiscal year.

Net general revenue collections in December 2024 increased 0.6 percent compared to those for December 2022, going from \$1.08 billion last year to \$1.09 billion this year. The continuing decline in individual and corporate income taxes resulting from significant tax cuts enacted by the Republican-controlled legislature was largely responsible for the anemic collections in December.

### REP. JAMIE JOHNSON

Kansas City

#### 2023-24 COMMITTEE ASSIGNMENTS

- Administration and Accounts
- Consent and House Procedure, Ranking Minority Member
- Emerging Issues
- Special Committee on Government Accountability
- Special Committee on Property Tax Reform



# Learn More About My New Legislation



State Representative

**JAMIE JOHNSON**

District 12 - Kansas City

## **HOUSE BILL 2383**

This bill protects consumers from excessive surcharges on credit and debit transactions and payment application services. A surcharge amount can't be greater than the amount the business pays to process the transaction and it requires transparency on convenience fees.





State Representative  
**JAMIE JOHNSON**  
District 12 - Kansas City

## **HOUSE RESOLUTION 33**

Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution, affirming equality of rights under the law shall not be denied or abridged by the United States or by any state on account of gender.



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Feel free to contact my office with your questions or requests.

573-751-9760

