

February 21, 1962



Honorable James P. Landis  
Representative, Newton County  
605 West Hickory Street  
Neosho, Missouri

Dear Mr. Landis:

This is in response to your request for an opinion which reads as follows:

"I respectfully request your opinion as to whether, in view of the changed character of use of Fort Crowder and the fact that it is no longer being operated as an army camp, Fort Crowder residents are now entitled to exercise the right to vote in state and county elections."

The United States accepted this land by cession from this state under the statutory provisions which are now 12.040, RSMo 1959, as a military reservation. Within this statute is a proviso that the jurisdiction ceded to the United States continue no longer than the period during which the land ceded is used for the purpose or purposes for which it is acquired.

If a factual determination can be made on a local level that any part of the area in question is no longer used for military purposes, either temporarily or permanently, then by virtue of the statute cited, exclusive jurisdiction therein is no longer in the United States and the jurisdiction of the state has reverted. In such case persons residing in these areas may acquire the status of electors if otherwise qualified.

Yours very truly,

HLM:BJ

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THOMAS F. EAGLETON  
Attorney General