

May 19, 1972

OPINION LETTER NO. 103  
Answer by Letter - Paden

Honorable Phil Snowden,  
Representative District 86  
6218 N. Bales  
Kansas City, Missouri 64119



Dear Representative Snowden:

This is in response to your request for an opinion on the question of whether a City or School Election held on April 4, 1972 qualifies as a general election within the meaning of Section 311.110 RSMo 1969. Specifically you have asked:

- " 1. Does a city or school election held April 4, 1972 qualify as a general election within the meaning of RSMo 311.110?
2. If the answer to 1 above is yes then what dates would be available between April 4, 1972 and August 8, 1972 whereby a special election for liquor by the drink could be held in the City of North Kansas City, Missouri?"

Please find enclosed opinion of the Attorney General Roy McKittrick to Hon. R. B. Snow, Jr., March 9, 1934 holding that a city or school election is not a general election under the Constitution of the Laws of Missouri and that an election to determine whether or not intoxicating liquor should be sold in the city must be a special election and must not take place within sixty days of any general election.

See also enclosed Opinion of Attorney General Roy McKittrick to Hon. Robert W. Hawkins of January 31, 1934 also holding that a city election is not a general election within the meaning of the constitution.

This office reaffirms the holdings of these opinions and believe them to adequately answer the question you present.

Very truly yours,

JOHN C. DANFORTH,  
Attorney General

Enclosures: Op. No. 38,  
1-31-34, Hawkins

Op. No. 87,  
3-9-34, Snow.