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February 2, 2012

OPINION LETTER NO. 90-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 8). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county;
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before any funds in escrow can be refunded to the tobacco product manufacturer?

OP-2012-0058

The Honorable Robin Carnahan
Page 2

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General