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February 24, 2014

OPINION LETTER NO. 64-2014

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

Dear Secretary Kander:

This opinion letter responds to your request dated February 14, 2014, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Marc Ellinger regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (2014-118). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- create a fee on certain cigarettes and materials used in electronic cigarettes or similar products;
- prohibit any future additional local taxes, licenses, fees or special assessments on electronic cigarettes or similar products and materials used in electronic cigarettes or similar products; and
- use the revenue created by this measure to reduce the individual income tax rate?

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

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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,

A handwritten signature in blue ink that reads "Chris Koster" with a long horizontal flourish extending to the right.

**CHRIS KOSTER**  
Attorney General