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June 6, 2016

OPINION LETTER NO. 124-2016

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 May 27, 2016, for our review under § 116.025, RSMo, of a proposed fair ballot language statement for the initiative petition submitted by Edward Greim relating to an amendment to Article IV of the Missouri Constitution (2016-152). The proposed fair ballot language statement is as follows:

A **“yes”** vote will amend the Missouri Constitution to increase taxes on cigarettes each year through 2020, at which point this additional tax will total 60 cents per pack of 20. This amendment also creates a fee paid by cigarette wholesalers of 67 cents per pack of 20 on certain cigarettes. This amendment further provides that the funds generated by these taxes and fees shall be deposited into a newly established Early Childhood Health and Education Trust Fund.

A **“no”** vote will not amend the Missouri Constitution relating to taxes and fees on cigarettes.

If passed, this measure will increase taxes on cigarettes.

Pursuant to § 116.025, RSMo, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the initiative petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General