



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

December 5, 2016

OPINION LETTER NO. 169-2016

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 November 23, 2016, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Sean Soendker Nicholson, version 2 (2018-043).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Although we do not suggest it is a basis for rejection, we note that this initiative petition uses the name of current Secretary of State Jason Kander on the signature sheet. Jason Kander will not be the Missouri Secretary of State when this sheet is distributed to voters.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action

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that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

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