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OPINION LETTER NO. 174-2017

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


Dear Secretary Ashcroft:

This opinion letter responds to your request dated February 27, 2017, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Timothy Gilio regarding a proposed constitutional amendment to amend Article IV of the Missouri Constitution, version 3 (2018-130). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to release all criminals, for any crime they have been imprisoned for, that have also been convicted of a non-violent cannabis (marijuana) related crime; destroy all state civil and criminal records of non-violent cannabis related crimes; constitutionally protect driving while using marijuana; prohibit Missouri assisting enforcement of federal cannabis offenses; remove all State prohibitions against personal use of cannabis by anyone over 21, or anyone with either a physician's or veterinarian's recommendation or parental or legal guardian consent; and add a 5% sales tax to fund education and veteran care?

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,



JOSHUA D. HAWLEY
Attorney General