



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

JOSHUA D. HAWLEY  
ATTORNEY GENERAL

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

March 23, 2017

OPINION LETTER NO. 202-2017

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 March 13, 2017, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Winston Apple regarding a proposed amendment to amend Chapters 286 & 143, Revised Statutes of Missouri, version 1 (2018-158). The proposed summary statement is as follows:

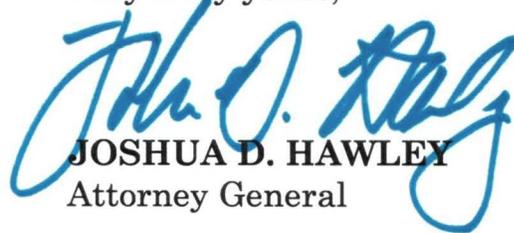
Shall Missouri law be amended to create a long-term capital gains and qualified dividends tax at a rate that could be 15.8% or higher based on federal law, determined by each taxpayer's federal tax bracket, but exempts taxpayers with family income less than 110% of poverty threshold, which may be used to fund a renewable energy program for improving energy efficiency in buildings, constructing and installing renewable energy sources, updating infrastructure, and planting trees on public lands; and all funds generated by the program will be used as decided by the legislature?

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,



**JOSHUA D. HAWLEY**  
Attorney General