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OPINION LETTER NO. 091_2018

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 May 22, 2018, for our review under § 116.025, RSMo, of a proposed fair ballot language statement for the initiative petition submitted by Sheila Dundon, version 1, relating to an amendment to Article XVI of the Missouri Constitution (2018-051). The proposed fair ballot language statement is as follows:

A "yes" vote will amend the Missouri Constitution to allow the use of marijuana for medical purposes under state laws. This amendment does not change federal law, which makes marijuana possession, sale and cultivation a federal offense. This amendment creates regulations and licensing procedures for medical marijuana and medical marijuana facilities – dispensary, cultivation, testing and marijuana-infused product manufacturing facilities. This amendment creates licensing fees for such facilities. This amendment will impose a 4 percent tax on the retail sale of marijuana for medical purposes by dispensary facilities. The funds from the license fees and tax will be used by the Missouri Veterans Commission for health and care services for military

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veterans, and by the Department of Health and Senior Services to administer the program to license/certify and regulate marijuana and marijuana facilities.

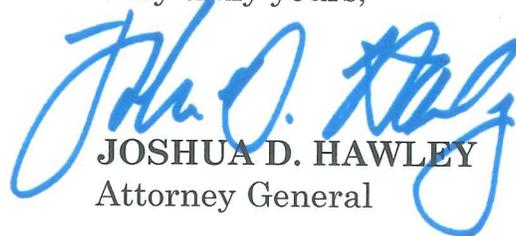
A "no" vote will not amend the Missouri Constitution as to the use of marijuana.

If passed, this measure will impose a 4 percent retail sales tax on marijuana for medical purposes.

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,



JOSHUA D. HAWLEY
Attorney General