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June 1, 2018

OPINION LETTER NO. 093_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 Bradley Bradshaw, relating to an amendment to Article XIV of the Missouri Constitution (2018-041). 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 makes Brad Bradshaw (the contact person on this initiative petition) the research chairperson of a newly created research institute that is funded by fees and taxes on medical marijuana. Brad Bradshaw will select the members of the board that will govern the research institute, which will issue regulations and licensing procedures for medical marijuana and medical marijuana facilities - dispensary, cultivation, and marijuana-infused product manufacturing facilities. This amendment creates licensing fees for

OP-2018-0090

such facilities. The amendment imposes a 15 percent tax on the retail sale of marijuana for medical purposes by dispensary facilities and a tax on the wholesale sale of marijuana flowers and leaves by cultivation facilities. The funds generated by the license fees and taxes will be used by the research institute for licensing and regulating marijuana and marijuana facilities, land acquisition and development, and conducting research with the purpose of developing cures and treatments for cancer and other incurable diseases.

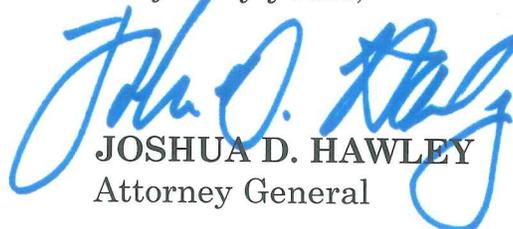
A "no" vote will not amend the Missouri Constitution as to the use of marijuana.

If passed, this measure will impose an 15 percent retail sales tax on marijuana for medical uses and a wholesale sales tax on marijuana sold by medical marijuana cultivation facilities.

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