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February 7, 2019

OPINION LETTER NO. 43-2019

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 January 28, 2019, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Gerald Peterson regarding a proposed amendment to amend Chapter 147, Revised Statutes of Missouri (2020-026). The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- reinstate the corporate franchise tax for corporations which have outstanding shares and surplus exceeding \$10 million at 1% of that value;
- use 40% of the revenues for constructing and maintaining state highways;
- use 50% of the revenues for early childhood, elementary and secondary schools with at least a 12% poverty level, with certain funding penalties; and
- use 10% of revenues for scholarships to Missouri public colleges and universities for students with an income below 12% poverty level and for certain other scholarships or student loan aid?

The Honorable John R. Ashcroft  
Page 2

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,

A handwritten signature in cursive script, reading "Eric S. Schmitt". The signature is written in black ink and is positioned above the printed name and title.

**ERIC S. SCHMITT**  
Attorney General