



ATTORNEY GENERAL OF MISSOURI
ERIC SCHMITT

October 5, 2021

OPINION LETTER NO. 130-2021

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 September 24, 2021 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Andrew Brain, 2022-058. The proposed summary statement is as follows:

Do you want to amend the Missouri Constitution to:

- make primaries open elections and primary candidates appear on a single ballot for: statewide offices, Missouri General Assembly, United States Congress, elective county government offices, partisan circuit and associate circuit judges, partisan public offices within any political subdivision;
- make general elections a runoff between the top four candidates for each office from the open primary elections using ranked choice voting; and
- fill vacancies by special elections for: statewide offices, Missouri General Assembly, United States Congress, partisan circuit and associate circuit judges, partisan public offices within any political subdivision?

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 blue ink, appearing to read "Eric S. Schmitt". The signature is fluid and cursive, with the first name "Eric" and last name "Schmitt" clearly legible.

ERIC S. SCHMITT
Attorney General