



ATTORNEY GENERAL OF MISSOURI
ANDREW BAILEY

October 26, 2023

OPINION LETTER NO. 398-2023

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 October 16, 2023, for our review under § 116.332, RSMo of the sufficiency as to form of an initiative petition submitted by JoAnn Franklin, 2024-166.

We conclude that the petition must be rejected for at least the following reasons:

- Failure to comply with Article III, Section 50 of the Missouri Constitution, including, but not necessarily limited to, the absence of the required enacting clause; and
- Failure to comply with Section 116.050, RSMo, including, but not necessarily limited to, the requirement to contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined.”

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine whether additional deficiencies exist. Pursuant to § 116.332.4, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,


ANDREW BAILEY
Attorney General