

BLIND PENSION: Interpretation of Section 9452,  
R. S. Mo. 1942

June 30, 1942

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Hon. Charles T. Bloodworth, Jr.  
Prosecuting Attorney  
Poplar Bluff, Missouri

Dear Mr. Bloodworth:

This will acknowledge receipt of your letter of June 26, 1942, in which you request an opinion based on the following statement of facts:

"A man who has been on the blind pension roll of the State of Missouri has requested me to seek an opinion from you concerning the amount of visibility which, if a person has, shall keep him off the blind pension rolls of the State of Missouri.

"I do not know whether your department has an opinion of this kind, but if you do have I would appreciate a copy of it so that I may advise the gentleman. He has been on the pension roll and was recently taken from the pension rolls because, as was stated to me, he had too much visibility to qualify under the blind pension law."

Section 9452, R. S. Missouri, 1939, fixes the vision test for applicants for blind pensions. This section is as follows:

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"No person shall be entitled to a pension under this article who has vision with or without proper adjusted glasses greater than what is known as light perception; that light perception as used in this section means not more vision than is sufficient only to distinguish light from darkness and recognize the motion (not the form) of the hand of the examiner at a distance not greater than one foot from the eye; and no person shall be entitled to receive a pension except upon scientific vision test supported by the certificate of a competent oculist, that such person does not possess a greater vision than that provided above in this section; and every person passing the vision test and having the other qualifications provided in this article shall be entitled to receive a pension of three hundred (\$300.00) dollars per annum, payable quarterly."

The foregoing section is clear and unambiguous and from its terms, it seems apparent that a person who can distinguish between light and darkness and recognizes the motion of a hand at a distance greater than twelve inches from the eye is not entitled to receive a blind pension.

Respectfully submitted,

W. O. JACKSON  
Assistant Attorney General

APPROVED:

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VANE C. THURLO  
(Acting) Attorney General

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