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December 27, 2011

OPINION LETTER NO. 187-2011

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 15, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 2). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

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

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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 "Chris Koster", with a long horizontal flourish extending to the right.

CHRIS KOSTER
Attorney General