



ATTORNEY GENERAL OF MISSOURI  
ANDREW BAILEY

January 17, 2023

OPINION LETTER NO. 16-2023

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 January 6, 2023 for our review under § 116.334, RSMo of a proposed summary statement prepared for the petition submitted by Winston Apple, 2024-011. The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- impose a state tax on long-term capital gains and qualified dividends (gains and dividends) in an amount equal to the difference between the federal taxes paid on gains and dividends and the rate that would have been paid had the gains or dividends been taxed as marginal ordinary income; and
- use these tax revenues to increase the percentage of electricity generated by clean, renewable sources in Missouri until 90% or more of the state's electricity is from clean, renewable sources?

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,



ANDREW BAILEY  
Attorney General

OP-2023-016