



DENNY HOSKINS, CPA

SECRETARY OF STATE
STATE OF MISSOURI

October 14, 2025

Richard von Glahn

9 Wilshire Terrace

Webster Groves, MO 63119

RE: Approval as to form of referendum petition regarding House Bill No. 1 (103rd General Assembly, 2nd Extraordinary Session) (2026-R004)

Dear Mr. von Glahn:

Please be advised that the Secretary of State, pursuant to Section 116.332.4, RSMo, has approved the form of your submitted referendum petition. This approval signifies that the petition complies with the technical requirements of Chapter 116 governing petition format, page layout, and affidavit language. A copy of the Attorney General's letter approving form is enclosed for your records.

Please note, however, that this approval is limited to form only. Under Sections 116.120 and 116.332, RSMo, and the Missouri Supreme Court's decision in *No Bans on Choice v. Ashcroft*, 638 S.W.3d 484 (Mo. banc 2022), the Secretary of State has an ongoing duty to ensure that referendum petitions comply with the constitutional and statutory prerequisites set forth in Article III, Sections 49 and 52(a) of the Missouri Constitution and Chapter 116.

Consistent with *No Bans on Choice*, proponents may begin circulating a referendum petition for signatures immediately upon approval as to form. However, after circulation and upon submission of signatures, the Secretary of State must examine the petition to determine whether it "complies with the Constitution and with this chapter." § 116.120.1, RSMo. If statutory or constitutional deficiencies become apparent during verification or before certification—such as failure to meet signature thresholds, improper timing under Article III, Section 52(a), or defects affecting the validity of the referendum—the Secretary may decline to certify the petition for placement on the ballot. Any such determination remains subject to judicial review.

Should you have any questions regarding this matter, please contact our office at (573) 751-2301 or (800) 669-8683.

Sincerely,

Director of Elections

Enclosure

James C. Kirkpatrick State Information Center

Elections Division • PO Box 1767 • Jefferson City, Missouri 65102 • (573) 751-2301

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ATTORNEY GENERAL OF MISSOURI

CATHERINE L. HANAWAY

October 9, 2025

OPINION LETTER NO. 314-2025

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

Dear Secretary Hoskins:

This opinion letter responds to your request dated September 29, 2025, for our review under § 116.332, RSMo, of the sufficiency as to form of a referendum petition for House Bill No. 1 (103rd General Assembly, 2nd Extraordinary Session) submitted by Richard von Glahn, version 4 (2026-R004).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

Catherine L. Hanaway
CATHERINE L. HANAWAY
Attorney General

OP-2025-333