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MISSOURI HOUSE OF REPRESENTATIVES**Crystal Quade**

Minority Caucus Floor Leader

District 132

July 18, 2022

The Honorable Eric Schmitt
Missouri Attorney General
207 W. High St.
Jefferson City, MO 65102

Attorney General Schmitt:

Nearly three weeks ago, I submitted a request for an official opinion from your office pursuant to RSMo. 27.040 regarding whether Missouri's newly effective state law criminalizing abortion in nearly all circumstances allows women to be prosecuted for using contraception. To date, I have received no response from you or your office.

Based on your public statements, we appear to be in agreement that House Bill 126 did not suddenly outlaw the prescribing, dispensing or use of birth control medications or devices when the law took full effect last month. However, without clear guidance from your office, there remains a heightened risk a prosecutor with political or ideological motives could bring malicious charges against Missourians over birth control.

Since you share concurrent jurisdiction with local prosecutors to bring criminal charges under this law, it is imperative for you to provide a formal written opinion explaining how you interpret HB 126 and related statutes, and how you intend to enforce them.

While I understand the demands of campaigning for office can be taxing, they offer no excuse for failure to timely perform one's official duties. Since RSMo. 27.040 says the attorney general "shall give his opinion, in writing, without fee" on questions of law when requested by lawmakers and other elected officials, your failure to do so could cause voters to question why they should consider you for higher office when you can't manage the duties of your current one.

The original opinion request I submitted June 29 is attached. I respectfully request you provide this important guidance to the people of Missouri without further delay.

Sincerely,

A handwritten signature in black ink, appearing to read "Crystal Quade", with a stylized flourish at the end.

Rep. Crystal Quade
House Minority Leader
District 132