



MISSOURI ETHICS COMMISSION

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James Klahr

Executive Director

August 31, 2016

William Hogan
Committee to Elect Randy Jotte
13497 Sunset Meadows Lane
St. Louis MO 63128

Re: File No. 16-0088-I

Dear Mr. Hogan:

The Missouri Ethics Commission considered the complaint filed against you and Committee to Elect Randy Jotte at its August 30, 2016 meeting. The Commission reviewed the allegation that Committee to Elect Randy Jotte had prior knowledge and consented to expenditures made by the Missouri Senate Campaign Committee but failed to report those expenditures on behalf of the Committee to Elect Randy Jotte.

Staff review of the complaint determined that the Missouri Senate Campaign Committee expended \$24,000 for an in-kind contribution to support the Committee to Elect Randy Jotte. According to the committee's 8 Day Before Primary Report, filed on July 25, 2016 with the Missouri Ethics Commission, it made the expenditure on July 1, 2016.¹

As it relates to this complaint, the relevant language from section 130.041.1, RSMo, provides:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

...

(3) Receipts for the period, including:

...

(d) Total dollar value of all in-kind contributions received.

Section 130.011(19), RSMo, defines an "in-kind contribution" or "in-kind expenditure" as a contribution or expenditure in a form other than money.

In response to staff questions, the attorney for Randy Jotte and the Committee to Elect Randy Jotte provided a written response indicating that, while the candidate and committee had learned that polling was being conducted, it was not until July 25, 2016 that the candidate and committee

¹ On the same report, the Committee reported an in-kind expense of \$24,000 on July 1, 2016 to American Viewpoint for polling.

were informed that the Missouri Senate Campaign Committee had paid for the polling and that the payment was \$24,000. Once informed, the Committee to Elect Randy Jotte timely reported the contribution in both a 24 Hour Notice of Late Contribution Report and an Over \$5,000 Contribution Report.

From the facts presented, the Commission finds no reasonable grounds exist to support a violation of Chapter 130, RSMo, and is dismissing the complaint.

Sincerely,



James Klahr
Executive Director