



# Missouri Ethics Commission

Elizabeth L. Ziegler  
EXECUTIVE DIRECTOR

**Final Action: MEC No. 20-0047-I, Kimberly Gardner, Citizens to Elect Kimberly Gardner**

**Date: 10/26/2020**

The Missouri Ethics Commission took final consideration of the complaint filed against Kimberly Gardner and Citizens to Elect Kimberly Gardner at its October 26, 2020 meeting.

The complaint filed with the Commission alleged Respondents failed to timely file April 2020 and July 2020 Quarterly Reports, failed to timely submit a 48-Hour Contribution Report, failed to accurately report the name of a contributor, and failed to timely submit a 24-Hour Late Contribution Notice.

The MEC's investigation determined that the committee was assessed and paid all late fees associated with the untimely reports. Further, the contributor's name as reported was technically inaccurate but nonetheless sufficient. Accordingly, the only issue addressed by the MEC investigation was the untimely filing of the 24-Hour Late Contribution Notice.

Pursuant to Section 130.046.3(2), RSMo, committees are required to submit additional reports "Not later than twenty-hours after aggregate expenditures of two hundred fifty dollars or more are made after the twelfth day before the election[.]" On July 26, 2020, these Respondents reported receipt of a \$1,000 contribution on July 24, 2020.

The MEC investigation confirmed that while an agent acting on behalf of Respondents received the contribution on July 24, 2020, the agent did not transfer the contribution to Respondents until July 26, 2020. Agents have five days to transfer such contributions, and the committees receiving such transfers are not required to report those contributions as received until they are actually received. Section 130.036, RSMo.

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

Elizabeth L. Ziegler  
Executive Director