

**BEFORE THE
 MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 20-0078-I
WILLIAM BETTERIDGE,)	
Candidate,)	
)	
and)	
)	
BETTERIDGE FOR HOUSE,)	
Candidate Committee,)	
)	
Respondents.)	

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING
 BEFORE THE MISSOURI ETHICS COMMISSION, AND
 CONSENT ORDER WITH JOINT PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, William Betteridge and his candidate committee Betteridge for House, acknowledge that they have received and reviewed a copy of the legal complaint filed by the Petitioner in this case, and they submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that they are aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel; the right to have all allegations against Respondents be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondents; the right to present evidence on Respondents' behalf at the hearing;

and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

JOINT PROPOSED FINDINGS OF FACT

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.¹
2. Respondent Betteridge was a successful candidate in the August 4, 2020 primary election for the Office of State Representative, District 48. Betteridge will be in the November 3, 2020 general election.
3. Betteridge for House registered with the MEC as a candidate committee on May 14, 2020.
4. Pursuant to Section 105.961, RSMo, the Commission's staff received a complaint filed with the Commission. The Commission's staff investigated the complaint and reported the investigation findings to the Commission.

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2019).

5. Based on the investigation report, the Commission determined that there were reasonable grounds to believe that violations of the law had occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

COUNT I

*Accepting contributions and making expenditures through methods
other than the committee's bank account*

6. In June 2020, Respondent Betteridge made three purchases, totaling \$6,698.36, in support of his candidacy.

Contributor	Expenditure	Date	Amount
William Betteridge	Sign Rocket	06/22/20	\$4,687.50
William Betteridge	360 CoMo LLC	06/30/20	\$1,900
William Betteridge	Copies Ect.	06/30/20	\$110.86
Total			\$6,698.36

7. Respondents did not first deposit the \$6,698.36 in contributions into the committee's bank account before making the purchases.

8. Respondents did not use the committee's bank account to pay the \$6,698.36 in expenditures.

COUNT II

Failure to provide a "Paid for by" disclosure statement on campaign related material

9. In June 2020, Respondents purchased and distributed printed campaign-related material.

10. The printed campaign-related materials did not include a proper "Paid for by" disclosure statement.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Accepting contributions and making expenditures through methods other than the committee's bank account

11. After a candidate forms and registers a committee, "all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee." § 130.021.2, RSMo.

12. "Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account." § 130.021.4(1), RSMo.

13. There is probable cause to believe that Respondents violated Sections 130.021.2 and 130.021.4(1), RSMo, by failing to deposit all contributions and make all expenditures by and through the committee's bank account.

COUNT II

Failure to provide a "Paid for by" disclosure statement on campaign related material

14. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words 'Paid for by' followed by the proper identification of the sponsor pursuant to this section." § 130.031.8, RSMo.

15. “[P]rinted matter’ shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material[.]”

§ 130.031.8, RSMo.

16. “In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for” § 130.031.8(2), RSMo

17. There is probable cause to believe that Respondents violated Section 130.031.8, RSMo, by failing to include a proper “Paid for by” disclosure statement on campaign-related printed materials.

II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.
2. Prior to finalizing settlement, Respondents will be required to file and amend reports and statements with the Commission.
3. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.
 - a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
 - b. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,100.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200.00 of that fee within forty-five days after the date of the order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.
 - c. Regardless of the stay in paragraph 3.b above, if there is probable cause to believe that any Respondent committed any further violation or violations of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this order, then that Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that there was probable cause to believe such Respondent has committed such a violation.
4. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

5. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of this case.

SO AGREED:

RESPONDENT WILLIAM BETTERIDGE

By: 
William Betteridge Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: _____
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT BETTERIDGE FOR
HOUSE

By: 
William Betteridge Date

By: _____
Brian Hamilton Date
Attorney for Petitioner

5. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of this case.

SO AGREED:

RESPONDENT WILLIAM BETTERIDGE

By: _____
William Betteridge Date

RESPONDENT BETTERIDGE FOR
HOUSE

By: _____
William Betteridge Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: Elizabeth L. Ziegler
Elizabeth L. Ziegler Date
Executive Director

By: Brian Hamilton
Brian Hamilton Date
Attorney for Petitioner

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MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
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 v.) Case No. 20-0078-I
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 WILLIAM BETTERIDGE,)
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 and)
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 BETTERIDGE FOR HOUSE,)
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 Respondents.)


CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that there is probable cause to believe that Respondents violated Sections 130.021.2, 130.021.4(1), and 130.031.8(2), RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,100.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200.00 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.
3. Regardless of the stay in paragraph 2 above, if the Commission finds that there is probable cause to believe that any Respondent committed any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon a final probable cause finding that such Respondent has committed a violation.
4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 23rd day of December, 2020

By: 
Cheryl D. S. Walker, Chair
Missouri Ethics Commission