

**Filed**  
**DEC 28 2021**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION, )  
)  
Petitioner, )  
)  
v. )  
) Case No. 21-0019-I  
RON SCONCE, Candidate, )  
)  
and )  
)  
COMMITTEE TO ELECT RON )  
SCONCE, 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, Ron Sconce and Committee to Elect Ron Sconce, acknowledge that they have received and reviewed a copy of the Legal Complaint filed by the Petitioner in this case, and the parties 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 (MEC) 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.<sup>1</sup>

2. Ron Sconce was a successful candidate for Mayor in the City of Troy in the April 6, 2021 general election.

3. Sconce registered his candidate committee, Committee to Elect Ron Sconce, on March 8, 2021, by filing a Statement of Committee Organization with the MEC.

4. Janet Bass is identified as the committee's treasurer on the Statement of Committee Organization.

5. Pursuant to Section 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

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

6. 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**

*Failure to report an in-kind contribution*

7. In Advisory Opinion 2000.05.100, the Commission opined that if a candidate has any advance consent, coordination, or control over the otherwise independent expenditure, then the expenditure should be reported by the candidate as an in-kind contribution.

8. In the days leading up to the general election, a local businessman provided two digital signs supporting Sconce's candidacy. The cost for the two signs was approximately \$1,885.70.

9. Sconce was aware of those plans and provided advance approval of the signs' contents.

**COUNT II**

*Failure to include an accurate "Paid for by" disclosure*

10. Respondents created and place three homemade signs in support of Sconce's candidacy.

11. Two of the signs did not contain a "paid for by" disclosure statement.

**JOINT PROPOSED CONCLUSIONS OF LAW**

**COUNT I**

*Failure to report an in-kind contribution*

12. A contribution is "a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the

support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations or any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value.” § 130.011(12), RSMo.

13. Pursuant to § 130.011(19), RSMo, an in-kind contribution is a contribution in a form other than money.

14. Candidate “committees are required to report receipts at the times and for the periods prescribed in section 130.046, including . . . (d) Total dollar value of all in-kind contributions received[.]” § 130.041.1(3)(d), RSMo.

15. There is probable cause to believe that Respondents violated Section 130.041.1(3)(d), RSMo, by failing report the value of the digital signs as an in-kind contribution.

## COUNT II

### *Failure to include an accurate “paid for by” disclosure*

16. “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.

17. “[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.

18. “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.

19. There is probable cause to believe that Respondents violated Section 130.031.8, RSMo, by failing to include proper “paid for by” disclosure statements on campaign signs.

## II.

Based on the foregoing, the parties 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 correct and amend all reports and/or 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 \$1,985.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$288.00 within forty-five days after the date of the Consent 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.

c. Regardless of the stay in paragraph 3.b above, if there is probable cause to believe that any Respondent commits 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 final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation.

d. Respondents shall be jointly and severally liable for all fees imposed under this order.

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 Legal Complaint filed by the Petitioner in this 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, which Respondents or Respondents' attorney may now have or hereafter have, based upon or arising out of this case.

SO AGREED:

RESPONDENT RON SCONCE

PETITIONER MISSOURI ETHICS  
COMMISSION

By: Ron Sconce 10/14/21  
Ron Sconce Date

By: Elizabeth L. Ziegler 6/28/2021  
Elizabeth L. Ziegler Date  
Executive Director

RESPONDENT COMMITTEE TO ELECT  
RON SCONCE

By: Ron Sconce 10/14/21  
Ron Sconce Date

By: Laura Elsbury  
Laura Elsbury Date  
Attorney for Petitioner

Filed  
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BEFORE THE  
MISSOURI ETHICS COMMISSION

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  Petitioner,    )  
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v.    )  
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RON SCONCE,                                )  
  )    Case No. 21-0019-I  
and   )  
  )  
COMMITTEE TO ELECT RON                )  
SCONCE,                                    )  
  )  
  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 130.031.8(2) and 130.041.1(3)(d), RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondents shall comply with all relevant sections of Chapters 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,985.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$288.00 of that fee within forty-five days after the date of this 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 any Respondent commits 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 28<sup>th</sup> day of December, 2021

By: 

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Cheryl D. S. Walker, Chair  
Missouri Ethics Commission