

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**

**NOV 22 2024**

Missouri Ethics  
Commission

MISSOURI ETHICS )  
COMMISSION, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
LANDON MCCARTER, )  
Candidate, )  
 )  
and )  
 )  
LANDON MCCARTER FOR SPS )  
SCHOOL BOARD, )  
Candidate Committee, )  
 )  
Respondents. )

Case No. 24-0015-I

**JOINT FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND ORDER**

The Missouri Ethics Commission (“MEC”), together with Landon McCarter and Landon McCarter for SPS School Board (“Respondents”), collectively the “parties” jointly stipulate and consent to action as set forth here (the “agreement”).

Respondents acknowledge their right to have this agreement reviewed by counsel. Respondents further acknowledge they have received actual notice of the legal complaint filed by the MEC in this case, have reviewed the contents of the Complaint, and submit to the jurisdiction of the Missouri Ethics Commission.

Respondents further acknowledge 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 at a hearing before the MEC; the right to have all allegations

against Respondents 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, Respondents knowingly and voluntarily waive each one of these rights and freely enters into this agreement and agrees to abide by its terms.

## I.

The parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Findings of Fact and Conclusions of Law in this matter:

### FINDINGS OF FACT

1. Landon McCarter was a candidate for Springfield Public Schools school board in the April 2, 2024 election.
2. Landon McCarter for SPS School Board is a candidate committee registered with the MEC on November 14, 2023 and terminated on April 23, 2024.
3. Pursuant to § 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the findings to the Commission.
4. The Commission determined there were reasonable grounds to believe violations of the law had occurred and authorized a hearing pursuant to § 105.961.3, RSMo.

5. Respondents indicated they received an in-kind contribution from Jared Outdoor, LLC on January 25, 2024, in the amount of \$7,500 on their 40-Day Before April 2, 2024 Election report filed on February 22, 2024.

6. Jared Outdoor, LLC is not classified as a corporation under the federal tax code.

7. As of January 25, 2024, Jared Outdoor, LLC was not registered with MEC as required by § 130.029.4, RSMo.

### CONCLUSIONS OF LAW

8. Section 130.029.4, RSMo, allows for a committee to accept a contribution from a limited liability company (LLC), when:

(1) Any limited liability company that is duly registered pursuant to chapter 347 and that has not elected to be classified as a corporation under the federal tax code may make contributions to any committee if the limited liability company has:

(a) Been in existence for at least one year prior to such contribution; and

(b) Electronically filed with the Missouri ethics commission indicating that the limited liability company is a legitimate business with a legitimate business interest and is not created for the sole purpose of making campaign contributions.

9. Section 130.036.2, RSMo, defines when a contribution is considered to have been accepted:

Unless a contribution is rejected by the candidate or committee and returned to the donor or transmitted to the state treasurer within ten business days after its receipt, it shall be considered received and accepted on the date received, notwithstanding the

fact that it was not deposited by the closing date of a reporting period.

10. Where Respondents accepted a \$7,500 in-kind contribution from Jared Outdoor, LLC on January 31, 2024, an LLC that was not registered with the MEC; and failed to return the contribution within ten (10) business days; there is probable cause to believe Respondents violated § 130.029.4, RSMo, giving this Commission the power to act as permitted by § 105.961, RSMo.

## **II.**

Based on the foregoing, the parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Order issued by the Missouri Ethics Commission in this matter:

### **CONSENT ORDER**

The Missouri Ethics Commission finds probable cause to believe Respondents violated § 130.029.4, RSMo. and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$7,500, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$750 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.
3. Regardless of the stay in paragraph 2 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 fees. 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.

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

### III.

1. The parties understand the Missouri Ethics Commission will maintain this agreement as an open record of the Commission.

2. This agreement does not bind the Missouri Ethics Commission or restrict the remedies available concerning any violations not expressly detailed here, including any future violations.

3. Each party agrees to pay all their own fees and expenses incurred as a result of this case, its litigation, and/or its disposition.


4. Respondents, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, of, or from any liability, claim, actions, causes of action, fees, costs, expenses and compensation, including, but not limited to, any claim for attorney's fees and expenses, whether or not now known or contemplated, including, but not limited to, any claims pursuant to Section 536.087, RSMo, as amended, or any claim arising under 42 U.S.C. § 1983, which now or in the future may be based upon, arise out of, or relate to any of the matters raised in this case or its litigation or from the negotiation or execution of this Joint Stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this agreement in that it survives in perpetuity even in the

event that any court or administrative tribunal deems this agreement or any portion thereof void or unenforceable.

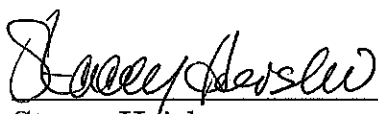
5. This agreement shall become effective immediately upon (1) the signature of all parties; (2) adoption of the Joint Proposed Findings of Fact, Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of a Final Order by the Commission, without any further action of the parties.

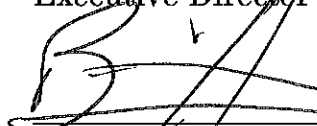
SO AGREED:

RESPONDENTS LONDON  
MCCARTER, LONDON MCCARTER  
FOR SPS SCHOOL BOARD

  
Landon McCarter  
11-18-2024  
Date

MISSOURI ETHICS COMMISSION

  
Stacey Heislen  
Executive Director  
11/21/2024  
Date

  
Brian Hamilton  
Attorney for Petitioner  
11/22/24  
Date

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**Filed**

NOV 25 2024

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

SO ORDERED this 25th day of November, 2024

*Robin Wheeler Sanders*

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Robin Wheeler Sanders, Chair  
Missouri Ethics Commission