

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed

APR 02 2025

Missouri Ethics
Commission

MISSOURI ETHICS)	
COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 23-0003-A
TAMMY HARTY FOR 33)	
DISTRICT MO SENATE,)	
Candidate Committee,)	
)	
and)	
)	
TAMMY HARTY, Candidate,)	
)	
Respondents.)	

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

The Missouri Ethics Commission ("MEC"), together with Tammy Harty for 33 District MO Senate and Tammy Harty ("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. Tammy Harty was an unsuccessful candidate for Missouri State Senate in the November 3, 2020, general election.
2. Tammy Harty for 33 District MO Senate is a candidate committee established with the Missouri Ethics Commission on May 9, 2019.
3. Pursuant to Sections 105.959 and 105.961, RSMo, the Commission's staff audited the reports and statements filed with the Commission and reported the findings to the Commission.
4. Based on the audit 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 Terminate Committee

5. Respondent Tammy Harty was unsuccessful in the November 3, 2020, general election. The committee did not have outstanding debt at that time.

6. Under the definition of candidate committee in § 130.011(9), where the committee was without debt, Respondents were required to terminate within thirty days of the general election on December 3, 2020.

7. Respondents did not terminate by December 3, 2020.

8. The committee did not terminate until April 17, 2023.

COUNT II

Personal use of campaign contributions

9. Respondents made \$1,304.51 in expenditures for personal purposes. Of that, a \$34.48 expenditure and a \$107.73 expenditure, both for printing, were paid from the committee's official depository account and included a reimbursement check to the candidate. The eight remaining expenditures, totaling \$1,162.30, were payments to Missouri Farm Bureau Insurance for the candidate's homeowner's insurance; of which, \$1,050.00 was later reimbursed.

Report Name	Expenditure	Purpose	Amount	Date
Apr Quarterly 2020	Tammy Harty	Reimbursement	\$34.48	3/26/20
Apr Quarterly 2020	Tammy Harty	Reimbursement	\$107.73	3/26/20
Oct Quarterly 2020	Farm Bureau Org	Insurance	\$164.05	9/21/20
Apr Quarterly 2021	Farm Bureau	Insurance	\$164.03	10/19/20
Apr Quarterly 2021	Farm Bureau	Insurance	\$164.03	11/19/20
Apr Quarterly 2021	Farm Bureau	Insurance	\$164.03	12/21/20
Apr Quarterly 2021	Farm Bureau	Insurance	\$164.03	1/19/21
Apr Quarterly 2021	Farm Bureau	Insurance	\$164.03	2/19/21
Apr Quarterly 2021	Farm Bureau	Insurance	\$148.10	3/19/21
Not Reported	Farm Bureau	Membership dues	\$30.00	4/6/21
Total			\$1,304.51	

COUNT III

Cash contributions in excess of limits.

10. Respondents deposited \$150.00 in cash paid by the candidate to reimburse the committee for funds used to pay Missouri Farm Bureau Insurance for the candidate's homeowner's insurance. This receipt exceeded the \$100 allowable amount for a single contribution.

COUNT IV

Failure to accurately report beginning and ending money on hand and indebtedness.

11. The beginning money on hand was inaccurately stated on one report in 2019, seven reports in 2020, one in 2021 and another in 2022.

12. The ending money on hand was inaccurately stated on two reports in 2019, seven reports in 2020 and one in 2021.

13. Due to errors in reporting incurred expenditures paid by credit card, the committee's indebtedness was incorrectly documented on one report in 2019 and seven reports in 2020.

COUNT V

Failure to timely and accurately file campaign finance disclosure reports.

14. Respondents failed to timely file the 30 Day After Report for the August 4, 2020 primary election and the October 2020 Quarterly Report.

15. Respondents failed to file the 8 Day Before Report for the August 4, 2020, primary election and a 24-Hour Notice of Late Contributions/Loans Received for a \$900.00 contribution received on August 3, 2020.

16. On the 30 Day After Report for the August 4, 2020, primary election, Respondents reported an incorrect start date, also reporting activity outside of the correct reporting period.

COUNT VI

Failure to timely and accurately report contributions.

17. Respondents failed to report fifteen monetary contributions totaling \$2,393.00.

Contributor Name	Amount	Date	Report Not Showing Contribution
Deposit	\$1.00	4/24/19	July Quarterly 2019
Carol Peterson	\$40.00	4/15/19	July Quarterly 2019
Dan & Victoria Stuller	\$30.00	6/30/19	Oct Quarterly 2019
Don & Judith Wilson	\$25.00	9/4/19	Oct Quarterly 2019
Ken Horgan	\$20.00	4/6/20	July Quarterly 2020
Karl Fuller	\$100.00	9/30/20	Oct Quarterly 2020
Jane Hull	\$1.00	10/1/20	8 Day Before General 11/3/20
Craig Uthlaut	\$25.00	10/23/20	30 Day After General 11/3/20
Laura Marcus Mountjoy	\$25.00	10/27/20	30 Day After General 11/3/20
Terry Kennedy	\$25.00	10/27/20	30 Day After General 11/3/20
Eileen Gmerek	\$1.00	11/6/20	30 Day After General 11/3/20
Dale or Lynda Stewart	\$50.00	3/26/21	July Quarterly 2021
SEMO Democrat Rally Committee PAC	\$1,000.00	8/15/20	30 Day After Primary 8/4/20
Tammy Harty	\$150.00	6/2/21	Termination Report
Tammy Harty	\$900.00	1/5/23	Termination Report
Total	\$2,393.00		

18. Respondents failed to accurately report fifty-two monetary contributions totaling \$6,341.38. Six of those, totaling \$197.55, were in-kind contributions (from the candidate) mistakenly reported as paid expenditures. Others were reported on the wrong report. Twenty-six of them, totaling \$765.00, were reported with the wrong aggregate amounts. Errors also included the wrong contributor's name or with no address provided.

COUNT VII

Failure to timely and accurately report expenditures.

19. Respondents failed to report approximately thirty-seven expenditures totaling \$2,630.03. This includes four contributions made, totaling \$100.00 and eight incurred expenditures totaling \$846.27.

Expenditure Name	Purpose	Amount	Date	Report Not Showing Expenditure
Quality Printing	Printing	\$37.70	6/10/19	Jul Quarterly 2019
Casey's	Gas	\$38.01	7/14/19	Oct Quarterly 2019
Casey's	Gas	\$40.00	7/19/19	Oct Quarterly 2019
Casey's	Gas	\$35.00	7/24/19	Oct Quarterly 2019
Unknown	Printing	\$48.93	Unk	Oct Quarterly 2019
Quality Printing	Printing	\$42.01	7/10/19	Oct Quarterly 2019
Current River Inn	Freedom Float Lodging	\$57.74	7/16/19	Oct Quarterly 2019
Current River Inn	Freedom Float Lodging	\$57.74	7/16/19	Oct Quarterly 2019
Current River Inn	Freedom Float Lodging	\$57.75	7/16/19	Oct Quarterly 2019
Current River Inn	Freedom Float Lodging	\$57.75	7/16/19	Oct Quarterly 2019
Quality Printing	Banner	\$80.79	8/30/19	Oct Quarterly 2019
Cape County Democrats	Banquet	\$90.00	10/12/19	Jan Quarterly 2020
Stoddard County Dem Club	"Bess Truman"	\$20.00	10/19/19	Jan Quarterly 2020
Tammy Harty	Reimbursement for gas	\$107.72	11/21/19	Jan Quarterly 2020
Food for events	Food	\$32.93	11/23/19	Jan Quarterly 2020
Peoples Community Bank	Check/Acct. Document Charge	\$16.25	12/31/19	Jan Quarterly 2020
ActBlue	Fees	\$21.96	N/A	Apr Quarterly 2020
Malden Country Club	8th district meeting	\$10.47	2/8/20	Apr Quarterly 2020
ActBlue	Fees	\$23.96	N/A	Jul Quarterly 2020
Eastern Douglas County Volunteer Fire Dept	Vanzont picnic	\$100.00	6/14/20	Jul Quarterly 2020
ActBlue	Fees	\$49.37	N/A	8 Day Before Primary 8/4/20
Walmart	Office supplies	\$41.00	7/16/20	8 Day Before Primary 8/4/20
Carva	Printing	\$12.95	8/8/20	30 Day After Primary 8/4/20
Progressive Change Campaign Committee	Contribution	\$25.00	8/9/20	30 Day After Primary 8/4/20
Progressive Change Campaign Committee	Contribution	\$25.00	8/9/20	30 Day After Primary 8/4/20
Rocky River Resort	Lodging	\$47.35	8/16/20	30 Day After Primary 8/4/20
ActBlue	Fees	\$16.20	N/A	30 Day After Primary 8/4/20

Tractor Supply	Unknown	\$33.70	8/26/20	30 Day After Primary 8/4/20
ActBlue	Fees	\$9.82	N/A	8 Day Before General 11/3/20
ActBlue	Fees	\$3.96	N/A	30 Day After General 11/3/20
Farm Bureau	Membership dues	\$30.00	4/6/21	Termination Report
Doniphan for Football	Program advertisement	\$150.00	8/19/19	Oct Quarterly 2019
D & D Tire	Tire replacement	\$156.06	9/30/19	Oct Quarterly 2019
Tammy Hartv	Reimbursement	\$151.30	9/13/20	Oct Quarterly 2020
Hene Adams	Web page	\$150.00	10/8/20	8 Day Before General 11/3/20
Timothy Gaul	Facebook ads & fees	\$624.34	11/9/20	30 Day After General 11/3/20
Tammy Hartv	Reimbursement for gas	\$187.27	12/12/20	Apr Quarterly 2021
Total		\$2,690.03		

20. Respondents inaccurately reported forty-nine expenditures totaling \$8,137.20.

CONCLUSIONS OF LAW

COUNT I

Failure To Terminate Committee

21. Section 130.011(9) defines the limits of a candidate committee under Missouri's campaign finance, stating in part:

Candidate committee... shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed.]

22. Pursuant to § 130.037, RSMo:

If a debt service committee is formed, the committee may accept contributions from any person. A person who contributes to a debt service committee of a candidate may also contribute to the candidate's campaign committee for a succeeding election. The treasurer and the candidate shall terminate the debt service committee pursuant to section 130.021 when the contributions received exceed the amount of the debt, and within thirty days the committee shall file disclosure

reports pursuant to section 130.011 and shall return any excess moneys received to the contributor or contributors, if known, otherwise such moneys shall escheat to the state. No debt service committee shall be in existence more than eighteen months.

23. Where Respondents was an unsuccessful candidate in the November 3, 2020 general election, where the committee had no debt, and where Respondents failed to terminate by December 3, 2020, there is probable cause to believe Respondents violated § 130.011(9) giving this Commission the power to act as permitted under § 105.961.

COUNT II

Personal use of campaign contributions

24. Committee funds may be used only for purposes allowed by law, and expenses incurred in connection with the duties of a holder of elective office must be "ordinary and necessary." § 130.034.2(2), RSMo.

25. There is probable cause to believe that Respondents violated § 130.034 RSMo, by using committee funds not related to Respondent Harty's candidacy.

COUNT III

Cash contributions in excess of limits.

26. For purposes of Chapter 130, RSMo, cash means "currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor." § 130.011(4), RSMo.

27. "No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a... candidate committee." § 130.031.1, RSMo.

28. Where Respondents deposited a single cash contribution of \$150.00, there is probable cause to believe Respondents violated § 130.031.1 giving this Commission the power to act as permitted under § 105.961.

COUNT IV

Failure to accurately report beginning and ending money on hand and indebtedness.

29. Reports shall state "[t]he amount of money, including cash on hand at the beginning of the reporting period [.]" § 130.041.1(2), RSMo.

30. Reports shall state "[t]he total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund[.]" § 130.041.1(5), RSMo.

31. Reports shall state "The total amount of outstanding indebtedness as of the closing date of the reporting period covered." § 130.041.1(6), RSMo.

32. Where Respondents failed to accurately report the beginning and ending money on hand and indebtedness on several reports between 2020 and 2022, there is probable cause to believe Respondents violated §§ 130.041.1(2), 130.041.1(5), and 130.041.1(6), RSMo giving this Commission the power to act as permitted under § 105.961.

COUNT V

Failure to timely and accurately file campaign finance disclosure reports.

33. Pursuant to Section 130.046.1, RSMo, all committees must file regular campaign finance disclosure reports at the following times and for the following periods:

- (1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any

contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter[.]

34. Pursuant to Section 130.046.5(2), RSMo.

No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than three hundred dollars from any single contributor and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period. Any contributions received or expenditures made which are not reported because this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee. This statement shall not be filed in lieu of the report for two or more consecutive disclosure periods if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars.

35. Pursuant to Section 130.050.3, RSMo.

The receipt of any late contribution or loan of more than two hundred fifty dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than twenty-four hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the

name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this subsection.

36. Where Respondents untimely filed two full reports, failed to file one full report and a 24-Hour Notice of Late Contribution, and failed to report in the correct reporting period on one full report, there is probable cause to believe Respondents violated §§ 130.046 and 130.050.3, RSMo, giving this Commission the power to act as permitted under § 105.961.

COUNT VI

Failure to timely and accurately report contributions.

37. All committees are required to report contributions for each reporting period, receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state:

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution:

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan[.]

§ 130.041.1(3), RSMo.

38. Where Respondents failed to report fifteen contributions totaling 2,393.00 and inaccurately reported fifty-two contributions, there is probable cause to believe Respondents violated § 130.041.1(3), RSMo, giving this Commission the power to act as permitted under § 105.961.

COUNT VII

Failure to timely and accurately report expenditures.

39. All committees are required to report expenditures for each reporting period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker[.]

§ 130.041.1(4), RSMo.

40. Where Respondents failed to report thirty-seven expenditures totaling \$2,630.03 and failed to accurately report forty-nine expenditures, there is probable

cause to believe Respondents violated § 130.041.1(4), RSMo, giving this Commission the power to act as permitted under § 105.961.

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 §§ 130.011(9), 130.031.1, 130.034, 130.041.1(2), 130.041.1(3), 130.041.1(4), 130.041.1(5), 130.041.1(6), 130.046, and 130.050.3, RSMo and pursuant to § 105.961.4, hereby **ORDERS**:

1. Prior to finalizing settlement, Respondents will be required to file and amend reports and statements with the Commission.
2. Respondents shall comply with all relevant sections of Chapter 130.
3. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$10,327.00, pursuant to Section 105.961.4(6), RSMo. The Commission will stay imposition of \$9,141.00 of that fee on the condition that, beginning in April of 2025, Respondents shall make monthly payments by check or money order made payable to the Missouri Ethics Commission.
4. Respondents shall pay at least \$193.00 per month until the entire remaining balance of \$1,156.00 is paid in full or until six consecutive months have elapsed, whichever comes first.
5. Regardless of the stay and payment plan in paragraph 3 above, if 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 Consent Order, then the Respondent who committed the violation will be required to pay the remainder of the fee. Additionally, the finding of such a violation will void

the payment plan and the balance of the fee will be due immediately upon final adjudication finding that there was probable cause to believe such Respondent has committed such a violation.

6. Respondents shall be jointly and severally liable for all fees imposed under this consent 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 TAMMY HARTY,
TAMMY HARTY FOR 33 DISTRICT
MO SENATE

Tammy Harty 3/27/25
Date

ATTORNEY FOR RESPONDENTS

Angela J. Burke 4/1/2025
Date
Angela J. Burke
Blitz, Bardgett, and Deutsch, LC

MISSOURI ETHICS COMMISSION

Stacey Heislen 4/2/25
Date
Stacey Heislen
Executive Director

Brian Hamilton 4/2/25
Date
Brian Hamilton
Attorney for Petitioner

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed

APR 10 2025

Missouri Ethics
Commission

MISSOURI ETHICS)	
COMMISSION,)	
)	
Petitioner,)	
)	
v.)	Case No. 23-0003-A
)	
TAMMY HARTY FOR 33)	
DISTRICT MO SENATE,)	
Candidate Committee,)	
)	
and)	
)	
TAMMY HARTY, Candidate,)	
)	
Respondents.)	

CONSENT ORDER

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 130.011(9), 130.031.1, 130.034, 130.041.1(2), 130.041.1(3), 130.041.1(4), 130.041.1(5), 130.041.1(6), 130.046, and 130.050.3, RSMo and pursuant to § 105.961.4, hereby **ORDERS**:

1. Prior to finalizing settlement, Respondents will be required to file and amend reports and statements with the Commission.
2. Respondents shall comply with all relevant sections of Chapter 130.
3. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$10,327.00, pursuant to Section 105.961.4(6), RSMo. The Commission will stay imposition of \$9,141.00 of that fee on the condition that, beginning in April of 2025, Respondents shall make monthly payments by check or money order made payable to the Missouri Ethics Commission.
4. Respondents shall pay at least \$193.00 per month until the entire remaining balance of \$1,156.00 is paid in full or until six consecutive months have elapsed, whichever comes first.

5. Regardless of the stay and payment plan in paragraph 3 above, if 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 Consent Order, then the Respondent who committed the violation will be required to pay the remainder of the fee. Additionally, the finding of such a violation will void the payment plan and the balance of the fee will be due immediately upon final adjudication finding that there was probable cause to believe such Respondent has committed such a violation.
6. Respondents shall be jointly and severally liable for all fees imposed under this consent order.

SO ORDERED this 10th day of April 2025

Robin Wheeler Sanders

Robin Wheeler Sanders, Chair
Missouri Ethics Commission