

Filed

JUN 23 2025

Missouri Ethics
Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS)	
COMMISSION,)	
)	
Petitioner,)	
)	
v.)	Case No. 24-0059-I
)	
ANDREW BAILEY,)	
Candidate,)	
)	
and)	
)	
BAILEY FOR MISSOURI,)	
Candidate Committee,)	
)	
Respondents.)	

JOINT FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

The Missouri Ethics Commission ("MEC"), together with Andrew Bailey and Bailey for Missouri ("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.

Respondents contend that Bailey for Missouri received a total of 1,880 contributions amounting to \$1,729,212.37 raised through the general election. The acceptance of the two contributions, totaling \$2,250, were an oversight and upon notification of potential issues, Respondents promptly returned the contributions.

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. Bailey for Missouri is a candidate committee registered with the MEC on or about January 18, 2023.
2. Andrew Bailey was a candidate for Missouri Attorney General in the August 6, 2024, primary election.
3. Pursuant to § 105.961, the MEC's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.
4. The Commission determined there were reasonable grounds to believe a violation of the law had occurred and authorized a hearing pursuant to § 105.961.3.

Count I – Acceptance of Unregistered LLC Contribution

5. Respondents indicated they received a contribution from JMH Law Firm, LLC on October 25, 2023, in the amount of \$250 on their January 2024 Quarterly Report filed on January 16, 2024.

6. JMH Law Firm, LLC is a limited liability company registered with the Missouri Secretary of State on October 15, 2012.

7. JMH Law Firm, LLC is not classified as a corporation under the federal tax code.

8. As of the date of the contribution received, JMH Law Firm, LLC was not registered with MEC as required by § 130.029.4.

9. On or about June 25, 2024, Respondents were notified as to the potential issue with the contribution from JMH Law Firm, LLC. Respondents returned the contribution on June 28, 2024.

10. Respondents reported on their July 2024 Quarterly Report the \$250 contribution from JMH Law Firm, LLC had been returned.

Count II – Acceptance of Corporate Contribution

11. Respondents indicated they received a contribution from Agape Construction Co., Inc. on December 11, 2023, in the amount of \$2,000 on their January 2024 Quarterly Report filed on January 16, 2024.

12. Agape Construction Co., Inc. is a corporation registered with the Missouri Secretary of State on March 28, 1996.

13. On or about June 25, 2024, Respondents were notified as to the potential issue with the contribution from Agape Construction Co., Inc. Respondents returned the contribution on June 28, 2024.

14. Respondents reported on their July 2024 Quarterly Report the \$2,000 contribution from Agape Construction Co., Inc. had been returned.

CONCLUSIONS OF LAW

Count I – Acceptance of Unregistered LLC Contribution

15. Pursuant to § 130.011(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[.]”

16. Section 130.029.4 allows for a candidate committee’s acceptance of a contribution from a limited liability company (LLC), stating:

(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.

17. Section 130.036.2 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.

18. Where Respondents accepted a \$250 contribution from JMH Law Firm, LLC on October 25, 2023; and failed to return the contribution within ten (10) business days; there is probable cause to believe Respondents violated § 130.029.4 giving this Commission the power to act as permitted by § 105.961.

Count II – Acceptance of Corporate Contribution

19. Pursuant to the Missouri Constitution, Article VIII, Section 23.3(3)(a), “It shall be unlawful for a corporation or labor organization to make contributions to a campaign committee, candidate committee, exploratory committee, political party committee or a political party[.]”

20. Where Respondents accepted a \$2,000 contribution from Agape Construction, Inc. on December 11, 2023; and failed to return the contribution within ten (10) business days; there is probable cause to believe that Respondents violated Missouri Constitution, Article VIII, Section 23.3(3)(a), giving this Commission the power to act as permitted by § 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 § 130.029.4, RSMo. and Article VIII, § 23.3(3)(a) of the Missouri Constitution and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130 and the Missouri Constitution.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$2,250, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$225 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 and the Missouri Constitution, 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.

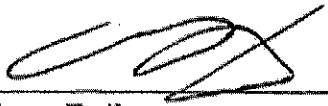
4. Respondents, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, 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.

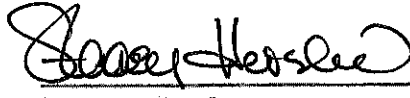
5. This agreement shall become effective immediately upon (1) the signature of all parties; (2) adoption of the Joint Proposed Findings of Fact, Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of a Final Order by the Commission, without any further action of the parties.

SO AGREED:

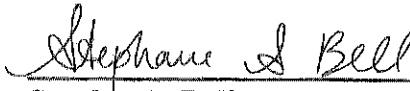
RESPONDENTS ANDREW BAILEY,
BAILEY FOR MISSOURI

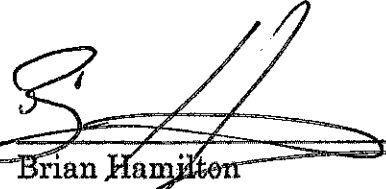
MISSOURI ETHICS COMMISSION


Andrew Bailey 6-18-25
Date


Stacey Heislen 6/23/2025
Executive Director Date

ATTORNEY FOR RESPONDENTS


Stephanie Bell 06/20/2025
Ellinger Bell Date


Brian Hamilton 6/23/25
Attorney for Petitioner Date

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1. Respondents shall comply with all relevant sections of Chapter 130 and the Missouri Constitution.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$2,250, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$225 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 and the Missouri Constitution, 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.

SO ORDERED this 26th day of June 2025

Robin Wheeler Sanders

Robin Wheeler Sanders, Chair
Missouri Ethics Commission