BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
OCT 08 2026
Missouri Ethics Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 26-0052-I
	)	
JOE BERKICH,	)	
	)	
Respondent.	)	

JOINT PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND CONSENT ORDER

The Missouri Ethics Commission ("MEC"), together with Respondent Joe Berkich, collectively the "parties," jointly stipulate and consent to action as set forth here (the "agreement").

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

Respondent further acknowledges 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 Respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the

right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights, Respondent knowingly and voluntarily waives 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. The Missouri Ethics Commission (MEC) is an agency of the State of Missouri established pursuant to § 105.955, RSMo, for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent Joe Berkich was a successful candidate for Lebanon City Council (Ward 2) in the April 7, 2026 election.

3. Pursuant to §§ 105.957 and 105.961, RSMo, the Commission's staff investigated a complaint that was filed with the Commission and reported the findings to the Commission.

4. The Commission determined there were reasonable grounds to believe a violation had occurred and authorized a hearing. Section 105.961.3, RSMo.

5. Respondent created and distributed yard signs in support of his candidacy.

6. The yard signs contained the following disclosure: "Paid for by Candidate."

7. The yard signs did not contain "the first and last name by which the candidate is known."

CONCLUSIONS OF LAW

8. Pursuant to § 130.031.8, RSMo, "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office . . . 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."

9. The specifics regarding proper identification of the sponsor are detailed as follows:

> (1) In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known.
>
> (2) 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.
>
> (3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.

> (4) In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses, except that if more than five individuals join in paying for printed matter it shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by the name and address of one such individual responsible for causing the matter to be printed, and the individual identified shall maintain a record of the names and amounts paid by other individuals and shall make such record available for review upon the request of any person. No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

Section 130.031.8, RSMo.

10. There is probable cause to believe Respondent violated § 130.031.8, RSMo, by publishing and distributing yard signs without including a complete and proper "Paid for by" disclosure.

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 Respondent violated § 130.031.8, RSMo and pursuant to § 105.961.4, RSMo, hereby **ORDERS**:

1. Respondent shall hereafter comply with all relevant sections of Chapter 130.

2. A fee is imposed against Respondent in the amount of $100.00.

3. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

III.

The parties understand that the MEC will maintain this agreement as an open record of the Commission. This agreement does not bind the MEC or restrict the remedies available concerning any violations not expressly detailed here, including any future violations. Each party agrees to pay all their own fees and expenses incurred as a result of this case, its litigation, and/or its disposition.

Respondent, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the MEC, 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 § 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.

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

SO AGREED:

RESPONDENT	PETITIONER
JOE BERKICH	MISSOURI ETHICS COMMISSION
x Joe Berkich 10-1-26	Stacey Heislen 10/8/2026
Joe Berkich Date	Stacey Heislen Date
	Executive Director
x [signature] 10-1-26	Laura E. Elsbury
Randall R. Sutter Date	Laura E. Elsbury Date
Attorney for Respondent	Attorney for Petitioner

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CONSENT ORDER

The Missouri Ethics Commission finds probable cause to believe Respondent violated § 130.031.8, RSMo, and pursuant to § 105.961.4, RSMo, hereby **ORDERS**:

1. Respondent shall hereafter comply with all relevant sections of Chapter 130.

2. A fee is imposed against Respondent in the amount of $100.00.

3. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

SO ORDERED, this 3rd day of November, 2026.

Julie Leicht, Chair
Missouri Ethics Commission