

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**APR 26 2016**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 16-0012-I, 16-0017-I
	)	
CONNIE FULTS,	)	
Candidate	)	
	)	
and	)	
	)	
CITIZENS FOR CONNIE FULTS,	)	
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, Fults and Citizens for Connie Fults, acknowledge that they have received and reviewed a copy of the 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 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.
2. Respondent Fults is a candidate for City Council for the City of Chesterfield, Missouri, in the April 5, 2016, general election.
3. Respondent Fults filed a statement of committee organization for Respondent Citizens for Connie Fults with the St. Louis County Board of Elections to support Respondent Fults's campaign.
4. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.
5. Based on the investigation report, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

6. Respondent Fults failed to timely file statements of limited activity in lieu of the following reports:

Report	Due	Filed	Days Late
2014 July Quarterly	July 14, 2014	October 1, 2014	79
2014 October Quarterly	October 15, 2014	January 27, 2015	104
2015 April Quarterly	April 15, 2015	May 29, 2015	44
2015 July Quarterly	July 15, 2015	September 2, 2015	49
2015 October Quarterly	October 15, 2105	December 1, 2015	47
2016 January Quarterly	January 15, 2016	February 22, 2016	38

7. For the April 2016 general election, Respondents accepted contributions and made expenditures prior to the closing date for the 40 Day Before General Election report.

8. Respondents did not timely file a 40 Day Before General Election report that was due on February 25, 2016.

9. Respondents filed the 40 Day Before General Election report on March 5, which is nine (9) days after February 25, 2016.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

10. Candidates and candidate committees "shall file a legibly printed or typed disclosure report of receipts and expenditures." § 130.041.1, RSMo.

11. "The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046." § 130.041.1, RSMo.

12. Each report must include the amount of money, including cash on hand at the beginning of the reporting period, and the total amount of cash on hand as of the closing date of the reporting period covered. § 130.041.1(2), (5), RSMo.

13. "The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(3) Not later than the fifteenth day following the close of each calendar quarter. Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

§ 130.046.1, RSMo.

14. "The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September." § 130.046.3, RSMo.

15. Committees may file a statement of limited activity in lieu of a full campaign finance disclosure report 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." § 130.046.5(2), RSMo.

16. A statement of limited activity is due at the time of the full report. § 130.046.5(2), RSMo.

## II.

Based on the foregoing, the parties hereto 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. 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 \$1,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$90 of that fee within forty-five days after the date of the 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 2.b above, if any Respondent commits any further violation of the campaign finance disclosure laws under Chapter 130, RSMo, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that any Respondent has committed such a violation.

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

3. 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 Complaint filed by the Petitioner in the above action.

4. 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 whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

SO AGREED:

RESPONDENT CONNIE FULTS

By: Connie Fults 4/20/16  
Connie Fults Date

RESPONDENT CITIZENS FOR CONNIE FULTS

By: Connie Fults 4/20/16  
Connie Fults Date  
Candidate

PETITIONER MISSOURI ETHICS COMMISSION

By: James Klahr 4/26/16  
James Klahr Date  
Executive Director

By: Curtis R. Stokes 4/26/16  
Curtis R. Stokes Date  
Attorney for Petitioner

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CITIZENS' FOR CONNIE FULTS	)	
	)	
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 Respondents Fults and Citizens for Connie Fults violated Sections 130.046, RSMo.

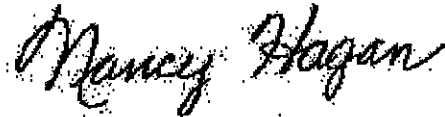
The Commission directs that the Joint Stipulation be adopted.

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,000 pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$90 of that fee within forty-five (45) days after the date of this Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.

3. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violations of the campaign finance laws pursuant to Chapter 130, RSMo, as amended, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that any Respondent committed such a violation.
4. Respondent Fults and Citizens for Connie Fults shall be jointly and severally liable for all fees imposed under this order;

SO ORDERED this 26<sup>th</sup> day of April, 2016

By:



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Nancy Hagan, Chair  
Missouri Ethics Commission