



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Richard Flaharty
Treasurer for Sammy Flaharty
2802 S 295th W.
Garden Plain, KS 67050

February 9, 2015

Notification of Material Error or Omission
In A Receipts and Expenditures Report

RE: Receipts and Expenditures Report Due October 27, 2014
(Covering the Period July 25, 2014 thru October 23, 2014)

A review of your Receipts and Expenditures Report identified above indicates the material error(s) or omission(s) listed on the other side of this page. Such error(s) and omission(s) must be corrected within thirty (30) days of the date of this notice by filing an amended report.

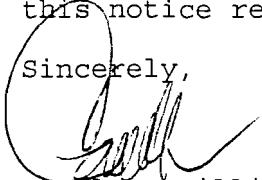
File the amended report within thirty (30) days with:

Secretary of State
120 SW 10th
Memorial Hall
Topeka, KS 66612

As provided by law, a copy of this notice has been made a part of your record in the Secretary of State's Office. The intentional failure to file an amended report within thirty (30) days is a class A misdemeanor. In addition, you may not accept contributions or make expenditures following the end of the thirty (30) day period if the amended report has not been filed.

Additional information and assistance may be obtained by writing or calling this office. If after having contacted this office substantial issues remain unresolved, you may within ten (10) days of receipt of this notice request a hearing before the Commission.

Sincerely,


Carol E. Williams
Executive Director

1. K.S.A. 25-4153 (a)(1) states, "The aggregate amount contributed to a candidate and such candidate's committee . . . shall not exceed the following: for member of the house of representatives, . . . \$500 for each primary election . . . and an equal amount for each general election." The Flaharty campaign reported receiving a \$500 contribution on 8-25-14 from the South Sedgwick County Democratic Club, and an additional \$500 on 9-2-14, for a total of \$1000. Both of these contributions were received during the general election period.

Pursuant to K.S.A. 25-4153, the campaign accepted a contribution in excess of the legal limit amounting to \$500. We would suggest that this contribution be refunded immediately. The return of this contribution should be noted on Schedule C (Expenditures and Other Disbursements) of an amended January 10, 2015 Receipts and Expenditures Report.

2. K.S.A. 25-4154 (c) states "The aggregate of contributions for which the name and address of the contributor is not reported under K.S.A. 25-4148 shall not exceed 50% of the amount one individual (other than the candidate or spouse) may contribute to or for a candidate's campaign."

The October 27, 2014 report indicates there was a total of \$985.56 in contributions received during the reporting period when the name of the contributor was not known. K.S.A. 25-4154 (c) sets that limit at \$250 per election cycle. If a portion of this \$985.56 was received during the primary election period and a portion during the general election period, a **letter of amendment** must be filed stating how much was received in each election period. If the campaign is unable to determine how much was received in each election period, the campaign accepted \$485.56 in illegal contributions and a donation in that amount must be made to a non-political organization (i.e., a charity). If a donation is made to a charitable organization, the disposition of the \$485.56 will be reported on Schedule C (Expenditures and Other Disbursements) of an amended January 10, 2015 Report.

3. Schedule B (In-Kind Contributions) of the October 27, 2014 report lists a \$700 cash contribution from Richard Flaharty on 10-10-14. If this \$700 was deposited into the campaign bank account, it must be listed on Schedule A (Contributions and Other Receipts) and removed from Schedule B (In-Kind Contributions). An amended cover summary page must also be filed with the correct totals.

If you have any questions, feel free to contact this office.