



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Brandon Yutzy
Treasurer for Dennis Hershberger
7812 S Halstead Street
Hutchinson, KS 67501

August 16, 2022

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

RE: Receipts and Expenditures Report Due July 25, 2022
(Covering the Period January 1, 2022 thru July 21, 2022)

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,

A handwritten signature in cursive script that reads "Karina Renner".

Karina Renner
State Campaign Finance Coordinator

1. Schedule C (Expenditures and Other Disbursements) of the July 25, 2022 report lists expenditures totaling \$8,968.37, yet the cash available this period indicates a balance of \$2,060.00. If the \$9,000.00 cash contributions from the candidate that are listed on Schedule B (In-Kind Contributions) were deposited into the campaign account, they must be reported on Schedule A (Contributions and Other Receipts), not Schedule B. Contributions deposited in the campaign bank account and expenditures made from that account are to be reported on Schedules A and C. An amended July 25, 2022 report must be filed correcting this error.
2. Schedule A (Contributions and Other Receipts) indicates your campaign accepted the following cash contributions over \$100:

| <u>Date</u> | <u>Name</u> | <u>Amount</u> |
|-------------|--------------------|---------------|
| 07-14-22 | Dennis Hershberger | \$3000 |
| 08-19-22 | Dennis Hershberger | \$6000 |

K.S.A. 25-4153(i) states, "No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and no candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election."

The cash contributions listed above should not have been accepted by the campaign. In the future, you must be certain that all contributions in excess of \$100 are made by check, cashier's check, money order or e-funds.

3. Schedule C (Expenditures and Other Disbursements) lists an expenditure on 7-18-22 to Dennis4SBOE7 in the amount of \$5,289.27 for the printing of a mailer. Schedule C must be amended to list the name and address of the vendor that printed the mailer.
4. The July 25, 2022 report did not disclose a payment to the Secretary of State for the candidate's filing fee. If the filing fee was paid by the candidate from personal funds,

it should be recorded on Schedule B (In-Kind Contributions) as an "in-kind" contribution from the candidate to the campaign. If the filing fee was paid from campaign funds, this expenditure should be listed on Schedule C (Expenditures & Other Disbursements). The July 25, 2022 report must be amended by showing the payment of the filing fee either on Schedule B or Schedule C and on the cover summary page.

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