

STATE OF KANSAS

Administration of
Campaign Finance,
Conflict of Interest
& Lobbying Laws



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Topeka, Kansas 66612
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GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Sheila Albers
Treasurer for David Benson
9943 W 152nd Terrace
Overland Park, KS 66221

August 16, 2024

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

RE: Receipts and Expenditures Report Due July 29, 2024
(Covering the Period January 1, 2024 thru July 25, 2024)

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 Renne".

Karina Renne
State Campaign Finance Coordinator
Karina.renna@ks.gov

1. Schedule A (Contributions and Other Receipts) of the July 29, 2024 report lists \$1477.94 in contributions received via ActBlue during the reporting period with no names or addresses listed for the contributions. An amended Schedule A must be filed listing the names and addresses for the ActBlue contributions. Also, the full amount of the contributions must be reported. The fees charged by ActBlue would be reported as an expenditure, even though the campaign does not actually make a payment for the fees.

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." If the campaign cannot determine the name, address and amount contributed by each person that made up this \$1477.94, the campaign accepted \$1227.94 in illegal contributions. If the campaign is able to determine who made these contributions, an amended Schedule A must be filed listing the donors. Otherwise, all excess anonymous contributions must be disposed of immediately in a non-political manner, i.e., contributed to charity. The disposition of the \$1227.94 will be reported on Schedule C (Expenditures and Other Disbursements) of the October 28, 2024 report

2. Schedule A (Contributions and Other Receipts) of the July 29, 2024 report lists a \$20 cash contribution on 7-17-24 with no name and address for the donor.

K.S.A. 25-4154 (b) states, "No person shall give or accept any contribution in excess of \$10 unless the name and address of the contributor is known to the individual receiving the contribution." An explanation of this anonymous contribution must be provided. If the campaign is not aware of the name of the contributor of this contribution, \$20 must be expended in a non-political manner since this would be an illegal contribution. An amended Schedule A must be filed listing the name and address for the donor or an explanation of this contribution must be provided in a letter or e-mail to the Commission.

3. The July 29, 2024 report did not disclose a payment to the Secretary of State for the candidate's filing fee that was paid on 5-31-24 in the amount of \$120.00. 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 29, 2024 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.
4. Schedule A (Contributions and Other Receipts) of the July 29, 2024 report shows a \$10,000.00 loan from David Benson. **All loans should also be listed on Schedule D (Other Transactions) until such time as they are repaid or forgiven.** An amended report must be filed which includes Schedule D and the corresponding entry on Line 7 of the cover summary page.

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