

STATE OF KANSAS

Administration of
Campaign Finance,
Conflict of Interest
& Lobbying Laws



901 S. Kansas Avenue
Topeka, Kansas 66612
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GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Vail Fruechting
Treasurer for Keenen Smith
1946 N Meridian
Wichita, KS 67203

September 25, 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 Renna".

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

1. Schedule A (Contributions and Other Receipts) of the July 29, 2024 report lists a \$30 cash contribution on 02-29-24 as "Unknown".

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." If the campaign is not aware of the name of the contributor of this contribution, \$30 must be expended in a non-political manner since this would be an illegal contribution. An explanation of this contribution must be provided in a letter or e-mail to the Commission.

2. Schedule C (Expenditures and Other Disbursements) of the July 29, 2024 report shows expenses in the amount of \$227.67 for gas-reimbursed. Pursuant to Advisory Opinion 2007-14, the candidate can only be reimbursed for mileage at the state mileage reimbursement rate, not for fuel. The Commission opined "due to the difficulty in determining the allocation of vehicle expenses between a candidate's personal use of a vehicle and the candidate's use of a vehicle for holding political office or for campaign purposes, the Commission now determines that beginning January 1, 2008, the use of campaign funds to pay for otherwise un-reimbursed vehicle expenses will be limited to the state mileage reimbursement rate." When claiming reimbursement for mileage from campaign funds, the treasurer needs to keep detailed records for mileage expenditures showing the dates of travel, the necessity for and specific purpose of the travel, and the actual mileage traveled. It will be necessary for the candidate to reimburse the campaign account for the gas purchased. This reimbursement will need to be disclosed on Schedule A (Contributions and Other Receipts) of the October 28, 2024 Receipts and Expenditures Report. The candidate can be reimbursed for the miles driven at the state rate of \$.67 per mile. If done, this expenditure would be disclosed on Schedule C (Expenditures and Other Disbursements) of the October 28, 2024 report.

3. Schedule A (Contributions and Other Receipts) indicates your campaign accepted the following cash contribution over \$100:

<u>Date</u>	<u>Name</u>	<u>Amount</u>
07-15-24	Evergreen Recycling	\$1000

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 contribution 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. **No amendment is required for this error.**

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