



Rules of
Office of Administration
Division 50—Missouri Ethics Commission
Chapter 3—Late Fee

Title	Page
1 CSR 50-3.010 Late Fee	3

**Title 1—OFFICE OF
ADMINISTRATION****Division 50—Missouri Ethics Commission
Chapter 3—Late Fee****1 CSR 50-3.010 Late Fee**

PURPOSE: This rule establishes a procedure by which a campaign finance late fee may be appealed per section 105.963.7, RSMo.

(1) When the executive director assesses a late filing fee against a candidate committee for failure to timely file a campaign finance disclosure report, the candidate, candidate committee treasurer, or candidate committee deputy treasurer, as provided by section 105.963.7, RSMo, may make a written appeal of late filing fees assessed by the executive director of the Missouri Ethics Commission.

(2) Any candidate, candidate committee treasurer, or deputy treasurer shall file the written appeal with the commission within ten (10) days of the receipt of notice of the assessment of the late filing fee and shall set forth in writing the reasons for the appeal, including the facts which are alleged to constitute good cause for the failure to timely file the report.

(3) Failure to timely file an appeal under the requirements of section (2) of this rule shall waive the right to appeal the late fee assessment in question before the commission.

(4) The sole issue of the appeal shall be whether the failure to timely file a campaign finance disclosure report was due to good cause as determined by the commission.

(5) When the executive director receives an appeal, the director shall include such appeal on the agenda of a future commission meeting and shall provide written notice to the party bringing the appeal of the date and time of such meeting. The executive director shall have discretion in scheduling the commission's consideration of the appeal.

(6) The director may contact the party filing the appeal to obtain additional background on the appeal. When the director places the appeal on the commission agenda, the director shall also make a recommendation to the commission regarding the appeal.

(7) The commission shall consider the written appeal at a meeting of the commission. The party bringing the appeal shall have the opportunity to appear before the commission upon filing a written request with the commission no less than two (2) business days before the scheduled meeting. At the com-

mission's discretion, the party timely filing the written request to appear may appear by telephone or, if the commission is conducting an in-person meeting, the commission may allow the party to appear in person.

(8) The party requesting an appeal of a late fee assessment may be represented by an attorney.

(9) Notice of the commission's consideration of the appeal, including place, date, and time, shall be sent concurrently to the person requesting an appeal of a late fee assessment and to any attorney of record.

(10) If the party filing an appeal has previously and timely filed a written request to appear at a meeting of the commission under section (7) of this rule, the commission may grant a continuance upon receiving a written request by the party filing the appeal.

(11) After considering the appeal, the commission shall render a final decision. The executive director shall send a copy of the commission's decision to the party who requested the appeal or, if an attorney is on record as representing the appealing party, the executive director shall send a copy of the commission's decision to the attorney of record.

AUTHORITY: section 105.955.14(8), RSMo Supp. 2013. Original rule filed Oct. 4, 2001, effective April 30, 2002. Emergency amendment filed Aug. 30, 2010, effective Sept. 9, 2010, expired March 7, 2011. Amended: Filed Aug. 30, 2010, effective March 30, 2011. Amended: Filed Feb. 27, 2015, effective Aug. 30, 2015.*

**Original authority: 105.955, RSMo 1991, amended 1994, 1995, 1996, 1997, 1999, 2010.*