



Missouri Ethics Commission

Elizabeth L. Ziegler
EXECUTIVE DIRECTOR

May 7, 2024

John Webb, Vice President
Western Cass Fire Protection District
23906 S. State Route D
Cleveland, MO 64734

Re: MEC Case No. 24-0027-I and 24-0028-I Western Cass Fire Protection

Dear Mr. Webb:

The Missouri Ethics Commission has received the complaint filed against Western Cass Fire Protection District. The Commission originally accepted the complaint and began an investigation into the allegations of Use of Public Funds.

Shortly after receipt of the complaint, Commission staff reviewed Section 115.646, RSMo, which states that:

No contribution or expenditure of public funds shall be made directly by any officer, employee or agent of any political subdivision, including school districts and charter schools, to advocate, support, or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office, or to direct any public funds to, or pay any debts or obligations of, any committee supporting or opposing such ballot measures or candidates. This section shall not be construed to prohibit any public official of a political subdivision, including school districts and charter schools, from making public appearances or from issuing press releases concerning any such ballot measure.

Section 115.013(20), RSMo, defines a "political subdivision" as a county, city, town, village, or township of a township organization county. Section 115.013(26) RSMo, defines a "special district" as any school district, water district, fire protection district, hospital district, health center, nursing district, or other districts with taxing authority, or other district formed pursuant to the laws of Missouri to provide limited, specific services.

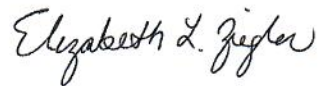
Section 115.646, RSMo, was amended in 2021. This amendment added the words "including school districts and charter schools." This amendment did not use the term "special district," which would have included all the different types of districts. This amendment, along with the addition of school districts separately, gives the impression that special districts are not included in the definition of "political subdivision" as defined in Chapter 115. Therefore, based upon the plain English reading of Chapter 115, the term "special district" is defined separately from "political subdivision" as used in this chapter.

May 7, 2024

Page 2

According to Section 105.957.2, "No complaint shall be investigated unless the complaint alleges facts which, if true, fall within the jurisdiction of the Commission." Western Cass Fire Protection District meets the definition of a "special district" thus, Section 115.646, RSMo does not apply. Therefore, the complaint failed to allege any facts within the authority of the Commission and is hereby rejected.

Sincerely,



Elizabeth L. Ziegler
Executive Director