



## GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

### Guidance Document: Civil Penalty Waivers

#### Steps that must be completed to request a waiver

- (1) Please refer to the Waiver Request Form to see what can and cannot potentially qualify you for a waiver. The Commission will only allow a waiver for the Categories of Good Cause included in the Waiver Request Form. If the Commission grants a waiver for a reason that is not included in the Categories of Good Cause, then the Commission will state its justification for doing so during the open meeting considering the waiver request at issue.
- (2) Prior to submitting the completed waiver form, the report associated with the relevant civil penalty assessment must have been submitted to the Commission. This requirement may only be waived by the Commission when the assessed individual is no longer the person required to file the requisite report and the individual has proven that they have provided all materials necessary to filing to any successor.
- (3) The request must be completed on the official form(s) provided by the Commission. Such form(s) are available on the Commission's official website.
- (4) The completed waiver request form(s) may be submitted via U.S. mail, facsimile, email to the Commission's official email address, or through hand delivery to the Commission's office. It is deemed submitted only upon receipt by the office.
- (5) To be considered for a waiver, the required form(s) and any supporting documentation must be completed and submitted within thirty (30) days after the person assessed receives the civil penalty assessment order, pursuant to K.A.R. 19-4a-1.
  - i. The Commission may only extend this time upon a specific request and showing of unique circumstances outside the control of the individual requesting a waiver. Any such showing must be accompanied with evidence to prove that a waiver request could not have been filed during this timeframe. The waiver request must be filed immediately after the intervening factor has abated or no extension of time shall be given.
- (6) To be considered for a waiver request due to financial hardship, a financial hardship declaration must be completed on the official form provided by the Commission and submitted simultaneously with the associated waiver request.
- (7) Any person who has been assessed multiple civil penalties may submit one waiver request for multiple penalties, provided that the waiver is requested within thirty (30) days after the person assessed receives the first civil penalty assessment order for which a waiver is sought, pursuant to K.A.R. 19-4a-1.