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SOUTH CAROLINA
State Ethics Commission

SC Municipal Finance Officers, Clerks
and Treasurers Association

APRIL 18, 2024

Agenda

- Introduction
- Overview
- Requirements
- Resources



Whereas, the trust of the public is essential for government to function effectively. Public policy . . . must be based on honest and fair deliberations and decisions. This process must be free from all threats, favoritism, undue influence, and all forms of impropriety so that the confidence of the public is not eroded;

Whereas, one of the most important functions of any law aimed at making public servants more accountable is that of complete and effective disclosure. Since many public officials serve on a part-time basis, it is inevitable that conflicts of interest and appearances of impropriety will occur. Often these conflicts are unintentional and slight, but at every turn those who represent the people of this State must be certain that it is the interests of the people, and not their own, that are being served. Officials should be prepared to remove themselves immediately from a decision, vote, or process that even appears to be a conflict of interest;

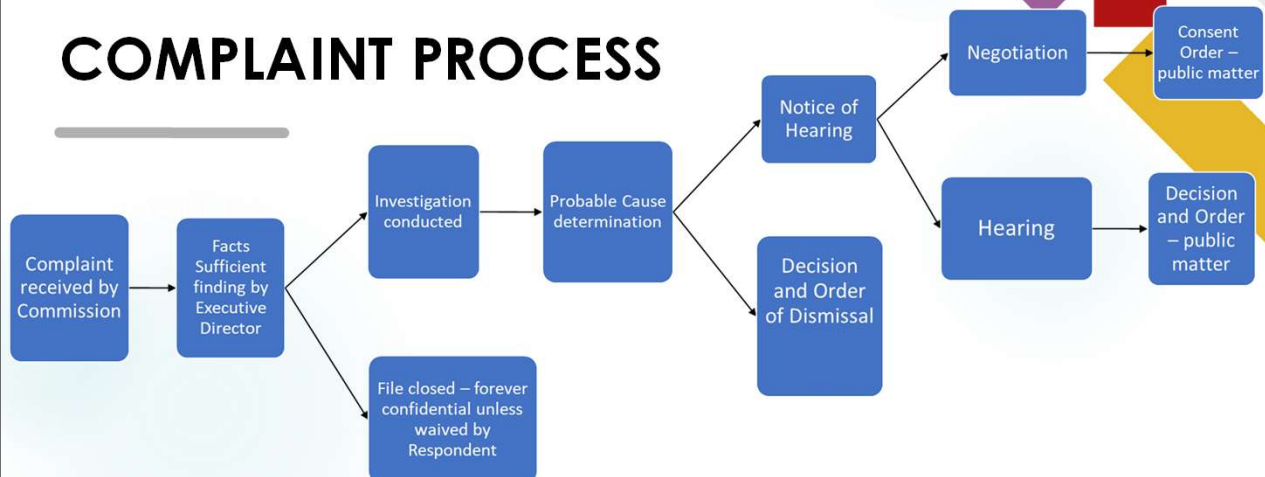
PREAMBLE

Whereas, this act is intended to help restore public trust in the governmental institutions and the political and governmental processes.

Ethics Commission: Responsible for enforcing Ethics Act

- ensuring compliance with the state's laws on financial disclosure, lobbyist/lobbyist's principal disclosure and campaign disclosures;
- regulating lobbyists and lobbying organizations;
- issuing advisory opinions;
- educating public officials, members, employees, and the public on the requirements of the state's ethics laws;
- conducting investigations into violations of the state's ethics laws; and
- prosecuting violators of the Ethics Act.

COMPLAINT PROCESS



PENALTIES

FEE	AMOUNT	AUTHORITY
Late-filing Penalty	\$100	8-13-1510(A)(1)
Accrued Late-filing Penalty	\$10/day for 10 days, then \$100/day until \$5,000	8-13-1510(A)(2)
Administrative Fee	Reimbursement for costs	8-13-130
Civil Penalty	Up to \$2,000 per violation	8-13-320

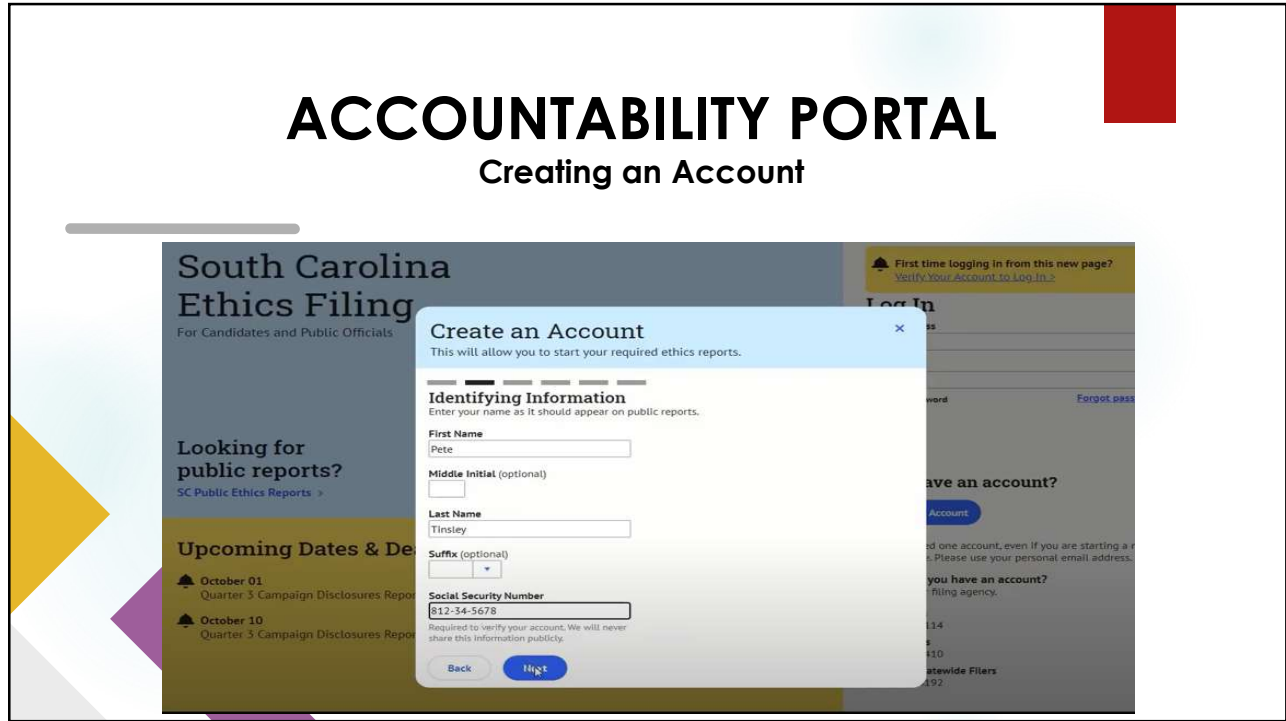
ACCOUNTABILITY PORTAL

Creating an Account

The screenshot displays the website for the South Carolina State Ethics Commission. At the top, the SC.GOV logo is visible on the left, and navigation links for 'Electronic Filing', 'Lobbyist, LP, and Committees Electronic Filing', 'Public Reporting', 'Lobbyist, LP, and Committees Public Reporting', 'User Guides and Videos', 'Ethics Brochures', and 'Debtors' are listed. A search bar labeled 'Search Ethics Site' is on the right. Below the navigation is the South Carolina State Ethics Commission logo and name. A dark blue navigation bar contains links for 'About Us', 'Advisory Opinions', 'Campaigns', 'Complaints', 'Lobbying', and 'Statement of Economic Interests'. The main content area features a large banner image of a sunset over water with the text 'Restoring Public Trust in Government' and a 'How Do I...' dropdown menu.

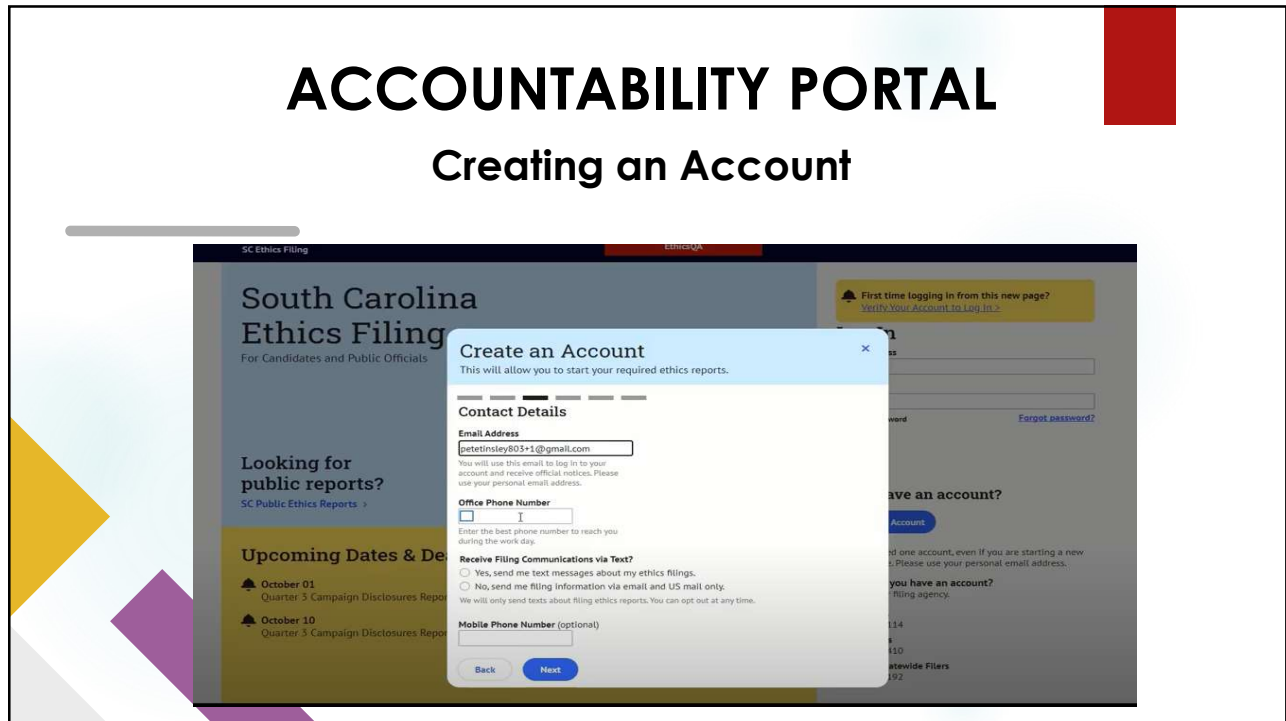
ACCOUNTABILITY PORTAL

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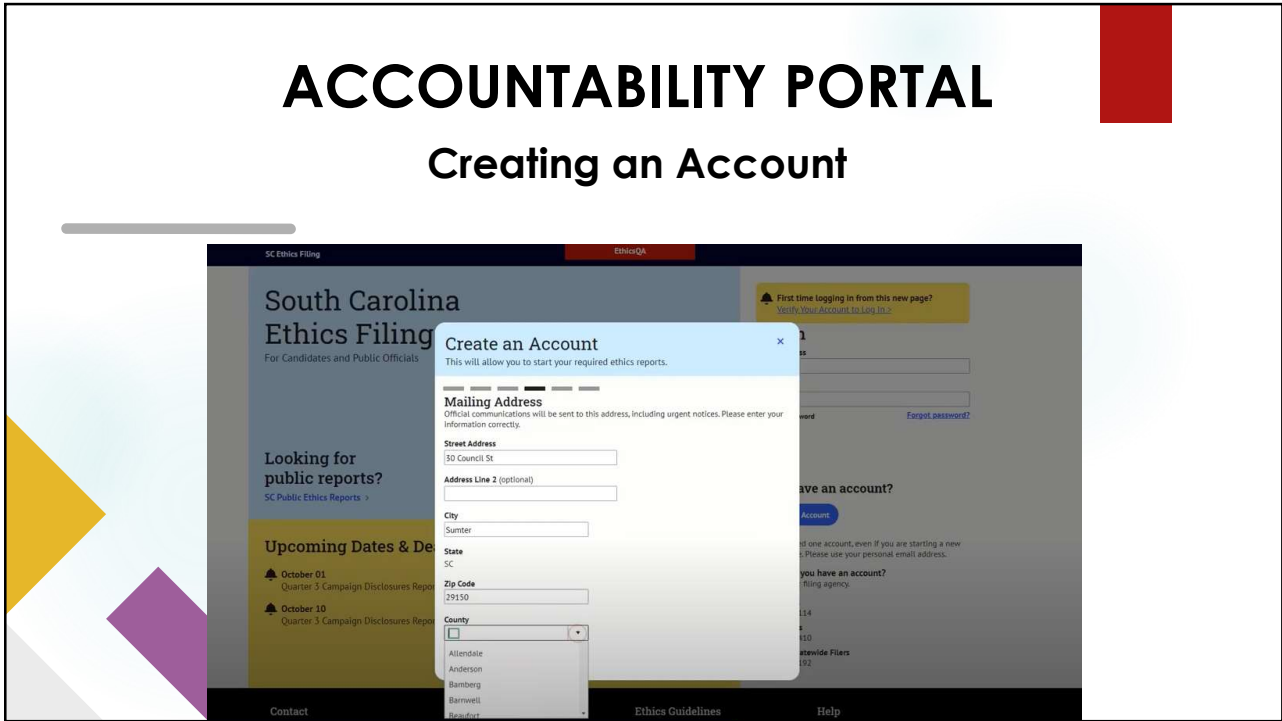
ACCOUNTABILITY PORTAL

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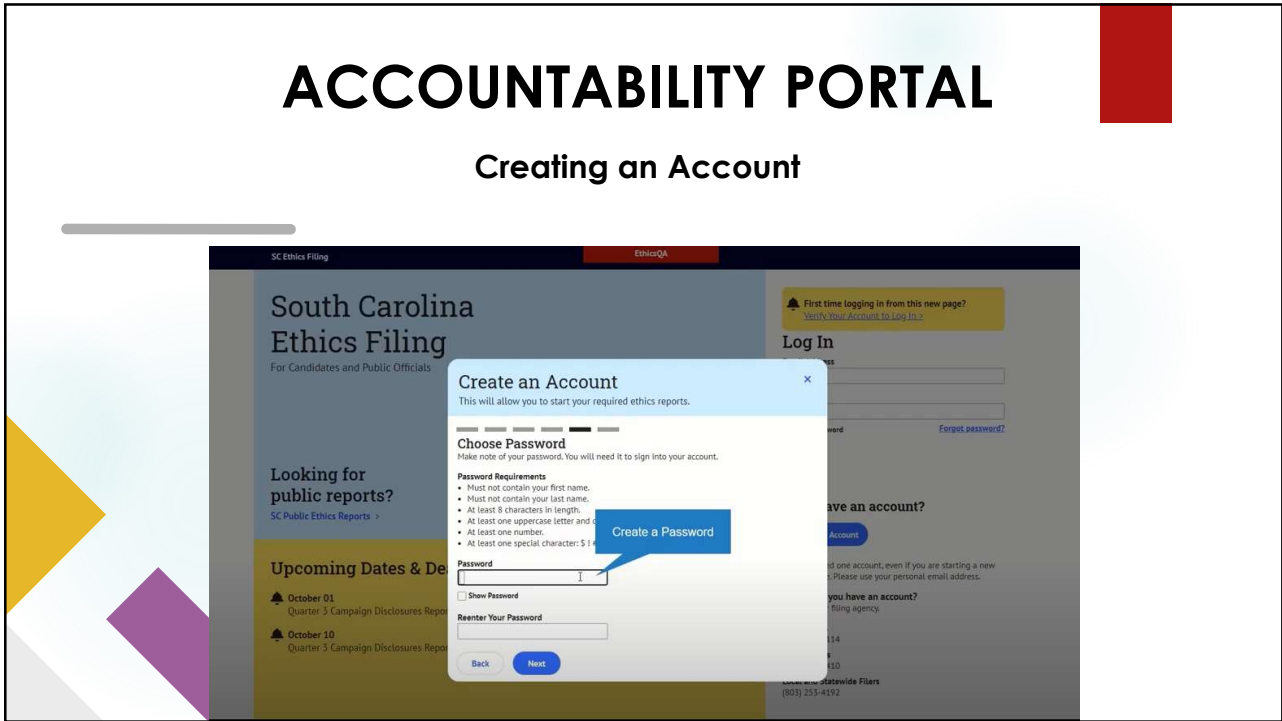
ACCOUNTABILITY PORTAL

Creating an Account



ACCOUNTABILITY PORTAL

Creating an Account



ACCOUNTABILITY PORTAL

Creating an Account

Create an Account
This will allow you to start your required ethics reports.

Review Your Details

Your Account [Edit](#)

Account Type
Candidate or Elected Official

Identifying Information [Edit](#)

Name
Pete Tinsley

Social Security Number
812-34-5678

Contact Details [Edit](#)

Email
petetinsley80314@gmail.com

Office Phone Number
(803) 555-1111

Receive Text Messages?
No

Mailing Address [Edit](#)

Address
30 Council St
Sumter, SC 29150

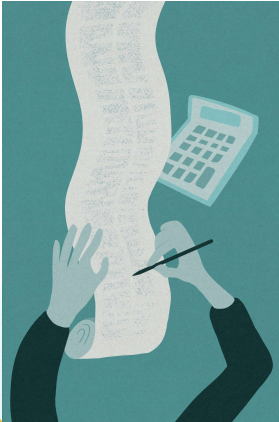
County
Sumter

By creating this account, you agree to receive notification emails regarding report filing and deadlines.

[Back](#) [Create Account](#)

STATEMENT OF ECONOMIC INTERESTS (8-13-1140)

- ▶ Who (8-13-1110)
 - ▶ Successful Candidate
 - ▶ Appointed Officer
 - ▶ City Administrator/City Manager/Chief Administrative Official/Employee
 - ▶ Chief Administrative Official/Employee of political subdivision
 - ▶ School District Superintendent
 - ▶ Chief Financial Officer/Employee; Chief Purchasing Official/Employee of each municipality
- ▶ Where
 - ▶ Ethics.sc.gov
- ▶ When (8-13-1110 and 8-13-1140)
 - ▶ By March 30 of every year
 - ▶ Prior to taking oath of office (special rule in 8-13-1356)



8-13-1356

- Partisan candidates
 - ▶ Due by deadline for submitting Statement of Intention of Candidacy
- Petition candidates
 - ▶ Due within 15 days of submitting petition
- Write-in candidates
 - ▶ Due by earlier of 24 hours following Initial CDR or prior to taking oath of office

SEI, continued

STATEMENT OF ECONOMIC INTERESTS (8-13-1140)

- ▶ What (8-13-1120)
 - ▶ All paid positions
 - ▶ Private (name, address, workplace telephone number, type of income)
 - ▶ Government (^^^ + income amount)
 - ▶ Income for immediate family members
 - ▶ Stocks, if own 5% or more valued at \$100,000 (identity of business/entity)
- ▶ Creditors, if debt owed is over \$500 at any time (state whether creditor is regulated by filer)
- ▶ Gifts, if at all related to official position (source and description)
 - ▶ Includes transportation lodging, food, entertainment
 - ▶ New candidates do not report gifts

CAMPAIGN DISCLOSURE REPORTS (8-13-1308)

- Initial CDR
 - ▶ Required only after accumulated aggregate of \$500
 - ▶ Ten days to file
- Pre-Election CDR
 - ▶ Everyone is required to file for each election
 - ▶ 15-20 days prior to election. No earlier, no later.



CAMPAIGN DISCLOSURE REPORTS (8-13-1308)



- Quarterly
 - ▶ Due every quarter until Final CDR is filed showing **zero-dollar balance**
 - ▶ Quarter 1: due April 10
 - ▶ Quarter 2: due July 10
 - ▶ Quarter 3: due October 10
 - ▶ Quarter 4: due January 10

CDR, continued

- **Contribution:**
 - ▶ gift, subscription, forgiveness of a loan, **in-kind contribution or expenditure**, or anything of value made to a candidate to influence an election
- **Required information:**
 - ▶ Total amount of contributions accepted
 - ▶ Date and amount of each contribution
 - ▶ Name, address, and occupation of each person making a contribution
 - ▶ Total amount of expenditures made
 - ▶ Name and address of each person/entity to whom an expenditure is made
 - ▶ Date, amount, and purpose of each beneficiary of an expenditure

CAMPAIGN BANK ACCOUNT (8-13-1312)

FINANCIAL REPORTS

Campaign Bank Accounts (8-13-1312)

- Required for all contributions
 - ▶ Exception if only expenditure is self-paid filing fee
- All expenditures must be processed through account
- One checking per office. One saving per office.
 - ▶ Account in Candidate Name
 - ▶ Holds all campaign funds (ten-day deposit deadline)
 - ▶ Funds withdrawn only via check, debit card, online purchase
 - ▶ No anonymous contributions!



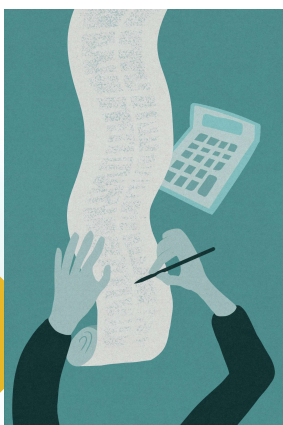
RECORDKEEPING

8-13-1302

Retain for 4 years

- Total contributions accepted and total expenditures made
- Name, address, and occupation of each contributor
 - ▶ Amount and date of receipt of each contribution
- Name and address of where/to whom expenditures made
 - ▶ Date, amount, purpose, and beneficiary
- Itemized receipts/proof of payment
- Canceled checks
- Also, 8-13-1314 regarding cash

Keep in Mind



Loans : (8-13-1326)	Typical commercial loans not subject to contribution limits
(8-13-100)(9)	Report on CD and SEIs
Loan Repayment (8-13-1328)	repay self in full during elections; limits after: \$25k statewide; \$10k local
Cash (8-13-1314(A)(2))	No more than \$25 per person Must keep record of contributor's name, address, and amount given
(8-13-1348(E))	No more than \$100 in petty cash and has spending limits
Fundraisers (8-13-1324)	Anonymous contributions acceptable ONLY if received via ticket, costing \$25 or less, purchased to defray costs of event where food/beverages served
Funds for other campaigns (8-13-1352)	Only with written authorization from persons who made original contribution; for a specific office
Use of Public Resources	8-13-765 (personnel, property) 8-13-1346 (Re: influencing outcome of election)

Personal Use (8-13-1348)

- ▶ Permitted
 - ▶ Campaign advertising
 - ▶ Paying campaign workers
 - ▶ Paying for polls
 - ▶ Paying rent on a campaign mailbox
 - ▶ Prohibited
 - ▶ Mortgage
 - ▶ Car loan
 - ▶ Groceries
 - ▶ Tuition
- Examples
 - Dues/fees associated with private club membership (AO 2016-004)
 - “Normal daily meals” – “unless incurred for a political event” (AO 2016-004)
 - Events not made political merely because contributions received/donors met.
 - Lunch with a donor where contributions are discussed (AO 2016-004)
 - Expenses for *bona fide* services from self or family at *fair market value* are ok (AO 2017-002)
 - Detailed statement of work and/or receipt for tangible services required to be maintained

Resources

Training Videos	Keep Contact Info Updated	Trainings After Election	Requesting an Opinion
https://www.youtube.com/watch?v=TcgLE5ap7EY	It's how we provide reminders/alerts for upcoming/missing/late reports	Hosted by Executive Director, Meghan Walker	Legal Department
Ethics Commission site	Our reminders are a courtesy	Related trainings	BEFORE committing a violation

Contact Us BEFORE You Act

Office Hours: 8:30 a.m. - 5:00 p.m., Monday through Friday, excluding State Holidays

For questions about Statement of Economic Interests, please contact [Lessie Cheeseboro](#).

For questions about Campaign Disclosures, please contact [Sandra Willis](#).

For questions about the complaint process or the law, please contact [Courtney Laster](#).

For questions about the obligation to register as a Lobbyist or Lobbyist's Principal, please contact [Karen Wiggins](#).

For questions about training, please contact [Meghan Walker](#).

All media questions should be directed to mediaquestions@ethics.sc.gov.

Thank you

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www.ethics.sc.gov