**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5181**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. A.M. Morgan, May, Magnuson, O'Neal, Beach, Trantham, T.A. Morgan, McCabe, Harris, Pace, White, Kilmartin, Long, S. Jones, Cromer, Burns and Chumley

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Introduced in the House on February 28, 2024

Currently residing in the House Committee on **Judiciary**

Summary: Ethics Offense - Statute of Limitations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/28/2024 House Introduced and read first time ([House Journal‑page 125](h:\hj\20240228.docx))

2/28/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 125](h:\hj\20240228.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5181&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5181_20240228.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8‑13‑320, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO PERMIT THE STATE ETHICS COMMISSION TO TAKE ACTION ON A COMPLAINT AFTER FOUR YEARS OF AN ALLEGED VIOLATION IF A PUBLIC OFFICIAL OR PUBLIC MEMBER WHO ALLEGEDLY COMMITTED A VIOLATION IS IN THE SAME GOVERNMENTAL ENTITY IN WHICH THE ALLEGED VIOLATION OCCURRED; AND BY AMENDING SECTION 8‑13‑540, RELATING TO THE MANNER IN WHICH INVESTIGATIONS AND HEARINGS ARE CONDUCTED BY THE SENATE AND HOUSE OF REPRESENTATIVES ETHICS COMMITTEES , SO AS TO PERMIT AN ETHICS COMMITTEE TO TAKE ACTION ON A COMPLAINT AFTER FOUR YEARS OF AN ALLEGED VIOLATION IF THE MEMBER OF THE GENERAL ASSEMBLY IS IN THE SAME LEGISLATIVE BODY IN WHICH THE ALLEGED VIOLATION OCCURRED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8‑13‑320(9)(d) of the S.C. Code is amended to read:

(d) Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless: (i) a person, by fraud or other device, prevents discovery of the violation; or (ii) at the time the complaint is filed, a public official or public member who allegedly committed a violation is in the same governmental entity in which the alleged violation occurred. The Attorney General may initiate an action to recover a fee, compensation, gift, or profit received by a person as a result of a violation of the chapter no later than one year after a determination by the commission that a violation of this chapter has occurred;

SECTION 2. Section 8‑13‑540(A)(4) of the S.C. Code is amended to read:

(4) Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless: (a) the person alleged to have committed the violation, by fraud or other device, prevents discovery of the violation; or (b) the subject of the complaint is a member of the General Assembly and at the time the complaint is filed, themember who allegedly committed a violation is in the same legislative body in which the alleged violation occurred.

SECTION 3. This act takes effect upon approval by the Governor.

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