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9 **A BILL**

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11 TO AMEND TO AMEND SECTION 8-13-1314, AS AMENDED,
12 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO
13 CAMPAIGN CONTRIBUTION LIMITS AND RESTRICTIONS,
14 SO AS TO PROHIBIT CONTRIBUTIONS FROM CERTAIN
15 NONCANDIDATE COMMITTEES; AND TO AMEND
16 SECTION 8-13-1340, AS AMENDED, RELATING TO
17 RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE
18 TO ANOTHER AND COMMITTEES ESTABLISHED,
19 FINANCED, MAINTAINED, OR CONTROLLED BY A
20 CANDIDATE, SO AS TO DELETE THE CONTRIBUTION
21 RESTRICTION EXCEPTION FOR CERTAIN TYPES OF
22 COMMITTEES.

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

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27 SECTION 1. Section 8-13-1314, as last amended by Act 76 of
28 2003, is further amended to read:

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30 “Section 8-13-1314. (A) Within an election cycle, no candidate
31 or anyone acting on his behalf shall solicit or accept, and no person
32 shall give or offer to give to a candidate or person acting on the
33 candidate’s behalf:

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(1) a contribution which exceeds:

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(a) three thousand five hundred dollars in the case of a
36 candidate for statewide office; or

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(b) one thousand dollars in the case of a candidate for any
38 other office;

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(2) a cash contribution from an individual unless the cash
40 contribution does not exceed twenty-five dollars and is
41 accompanied by a record of the amount of the contribution and the
42 name and address of the contributor;

1 (3) a contribution from, whether directly or indirectly, a
2 registered lobbyist if that lobbyist engages in lobbying the public
3 office or public body for which the candidate is seeking election;

4 (4) contributions for two elective offices simultaneously,
5 except as provided in Section 8-13-1318;

6 (5) contributions from a noncandidate committee directly or
7 indirectly established, financed, maintained, or controlled by a
8 candidate or public official or any other entity maintained by or
9 affiliated with a candidate or public official. This provision does not
10 apply to legislative caucus committees or political parties nor does
11 this provision prohibit a candidate or public official from making a
12 contribution of their personal funds to a candidate for another office.

13 (B) The restrictions on contributions in subsections (A)(1) and
14 (A)(2) do not apply to a candidate making a contribution to his own
15 campaign.”

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17 SECTION 2. Section 8-13-1340, as last amended by Act 76 of
18 2003, is further amended to read:

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20 “Section 8-13-1340. (A) Except as provided in ~~subsections~~
21 subsection (B) and (E), a candidate or public official shall not make
22 a contribution to another candidate or make an independent
23 expenditure on behalf of another candidate or public official from
24 the candidate’s or public official’s campaign account or through a
25 committee, except legislative caucus committees, directly or
26 indirectly established, financed, maintained, or controlled by the
27 candidate or public official.

28 (B) This section does not prohibit a candidate from:

29 (1) making a contribution from the candidate’s own personal
30 funds on behalf of the candidate’s candidacy or to another candidate
31 for a different office; or

32 (2) providing the candidate’s surplus funds or material assets
33 upon final disbursement to a legislative caucus committee or party
34 committee in accordance with the procedures for the final
35 disbursement of a candidate under Section 8-13-1370 of this article.

36 (C) Assets or funds which are the proceeds of a campaign
37 contribution and which are held by or under the control of a public
38 official or a candidate for public office on January 1, 1992, are
39 considered to be funds held by a candidate and subject to subsection
40 (A).

41 (D) A committee is considered to be directly or indirectly
42 established, financed, maintained, or controlled by a candidate or
43 public official if any of the following are applicable:

- 1 (1) the candidate or public official, or an agent of either, has
2 signature authority on the committee's checks;
3 (2) funds contributed or disbursed by the committee are
4 authorized or approved by the candidate or public official;
5 (3) the candidate or public official is clearly identified on
6 either the stationery or letterhead of the committee;
7 (4) the candidate or public official signs solicitation letters or
8 other correspondence on behalf of the entity;
9 (5) the candidate, public official, or his campaign staff, office
10 staff, or immediate family members, or any other agent of either,
11 has the authority to approve, alter, or veto the committee's
12 solicitations, contributions, donations, disbursements, or contracts
13 to make disbursements; or
14 (6) the committee pays for travel by the candidate or public
15 official, his campaign staff or office staff, or any other agent of the
16 candidate or public official, in excess of one hundred dollars per
17 calendar year.

18 ~~(E) The provisions of subsection (A) do not apply to a committee~~
19 ~~directly or indirectly established, financed, maintained, or~~
20 ~~controlled by a candidate or public official if the candidate or public~~
21 ~~official directly or indirectly establishes, finances, maintains, or~~
22 ~~controls only one committee in addition to any committee formed~~
23 ~~by the candidate or public official to solely promote his own~~
24 ~~candidacy and one legislative caucus committee.~~

25 ~~(F) No committee operating under the provisions of Section~~
26 ~~8-13-1340(E) may:~~

- 27 ~~(1) solicit or accept a contribution from a registered lobbyist~~
28 ~~if that lobbyist engages in lobbying the public office or public body~~
29 ~~for which the candidate is seeking election; or~~
30 ~~(2) transfer anything of value to any other committee except~~
31 ~~as a contribution under the limitations of Section 8-13-1314(A) or~~
32 ~~the dissolution provisions of Section 8-13-1370.”~~

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