**A** **BILL**

TO AMEND SECTION 8‑13‑1510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PENALTIES FOR LATE FILING OR FAILING TO FILE A REPORT OR STATEMENT WITH THE STATE ETHICS COMMISSION, SO AS TO EXEMPT CERTAIN APPOINTED, PART‑TIME NONCOMPENSATED PUBLIC MEMBERS FROM LATE FILING PENALTIES.

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

SECTION 1. Section 8‑13‑1510 of the 1976 Code, as last amended by Act 40 of 2011, is further amended to read:

“Section 8-13-1510. (A) Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows:

(1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter; and

(2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

(B) After the maximum civil penalty has been levied and the required statement or report has not been filed, the person is:

(1) for a first offense, guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days;

(2) for a second offense, guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not less than two thousand five hundred dollars nor more than five thousand dollars or imprisoned not less than a mandatory minimum of thirty days;

(3) for a third or subsequent offense, guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than one year, or both.

(C) Notwithstanding another provision of law, appointed part‑time public members who serve on noncompensated state or local boards, commissions, or councils are exempt from the late filing penalties provided under this section.”

SECTION 2. This act takes effect upon approval by the Governor.

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