**South Carolina General Assembly**

120th Session, 2013-2014

**S. 883**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Sheheen

Document Path: l:\s-res\vas\021ethi.kmm.vas.docx

Introduced in the Senate on January 14, 2014

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

Summary: Campaign practices

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/17/2013 Senate Prefiled

12/17/2013 Senate Referred to Committee on **Judiciary**

1/14/2014 Senate Introduced and read first time ([Senate Journal‑page 58](file:///H:\SJ%20Archive\2014\01-14-14.docx))

1/14/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 58](file:///H:\SJ%20Archive\2014\01-14-14.docx))

**VERSIONS OF THIS BILL**

[12/17/2013](file:///p:\pprever\2013-14\883_20131217.docx)

**A** **BILL**

TO AMEND ARTICLE 13, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO CAMPAIGN PRACTICES, BY ADDING SECTION 8‑13‑1347 TO PROHIBIT CAMPAIGN STAFF, FUNDRAISERS, AND MEMBERS OF COMMITTEES ORGANIZED TO INFLUENCE THE OUTCOME OF CAMPAIGNS FROM BEING TRANSPORTED IN STATE OWNED VEHICLES AND AIRCRAFT; TO AMEND CHAPTER 13, TITLE 8 BY ADDING ARTICLE 12, TO REQUIRE ANNUAL PERSONAL FINANCIAL DISCLOSURES FROM ELECTED OFFICIALS AND DEPARTMENT HEADS, TO PROVIDE FOR THE FILING DEADLINE, THE INFORMATION THAT MUST BE DISCLOSED, PENALTIES, AND FOR THE DISPOSITION OF INADVERTENT AND UNINTENTIONAL VIOLATIONS; AND TO AMEND SECTION 8‑13‑310, RELATING TO THE COMPOSITION OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THE COMMISSION SHALL BE COMPRISED OF TEN MEMBERS APPOINTED BY THE SUPREME COURT, TO PROVIDE THAT THE MEMBERSHIP OF THE ETHICS COMMISSION MUST BE EVENLY SPLIT BETWEEN MEMBERS OF THE MAJORITY PARTY IN THE GENERAL ASSEMBLY AND THE LARGEST MINORITY PARTY IN THE GENERAL ASSEMBLY, AND TO REMOVE ARCHAIC REFERENCES.

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

SECTION 1. Article 13, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1347. Under no circumstances may a public official provide transportation in a state owned vehicle, including a state owned aircraft, for any member of the public official’s campaign staff, anyone performing fundraising activities for the benefit of the public official’s campaign, or a member of a committee.”

SECTION 2. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Article 12

Personal Financial Disclosure

Section 8‑13‑1200. The Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Superintendent of Education, Comptroller General, Commissioner of Agriculture, Adjutant General, members of the General Assembly, or candidates for any of these offices, and the head of each department of state government must file with the appropriate supervisory office a personal financial disclosure on forms prescribed by the commission.

Section 8‑13‑1210. Personal financial disclosures must be filed with the appropriate supervisory office annually no later than April fifteenth of each calendar year.

Section 8‑13‑1220. Each disclosure filed pursuant to this article shall include a full and complete statement with respect to the following:

(1) the source, type, and amount or value of income, except as provided in item (2), from any source aggregating two hundred dollars or more; and

(2) the source and type of income which consists of dividends, rents, interest, and capital gains, received during the preceding calendar year which exceed two hundred dollars in amount or value, and an indication of which of the following categories the amount or value of the item of income is within:

(a) not more than one thousand dollars;

(b) greater than one thousand dollars but not more than two thousand five hundred dollars;

(c) greater than two thousand five hundred dollars but not more than five thousand dollars;

(d) greater than five thousand dollars but not more than fifteen thousand dollars;

(e) greater than fifteen thousand dollars but not more than fifty thousand dollars;

(f) greater than fifty thousand dollars but not more than one hundred thousand dollars;

(g) greater than one hundred thousand dollars but not more than one million dollars;

(h) more than one million dollars.

Section 8‑13‑1230. (A) The Senate Ethics Committee and the House of Representatives Ethics Committee must forward a copy of each disclosure filed with the committee to the State Ethics Commission within five business days of receipt.

(B) Within five business days of receipt, a copy of all financial disclosures received by the State Ethics Commission must be forwarded to the clerk of court in the county of residence of the filing official or employee.

(C) Disclosures must be filed in the same manner as provided in Section 8‑13‑365.

Section 8‑13‑1240. (A) The appropriate supervisory office may, in its discretion, determine that errors or omissions on personal financial disclosures are inadvertent and unintentional and not an effort to violate a requirement of this chapter and may be handled as technical violations not subject to the provisions of this chapter pertaining to ethical violations. Technical violations must remain confidential unless requested to be made public by the public official, public member, or public employee filing the statement. In lieu of all other penalties, the appropriate supervisory office may assess a technical violations penalty not exceeding fifty dollars.

(B) The appropriate supervisory office may grant a reasonable extension of time for filing a statement of economic interests. The extension may not exceed thirty days except in cases of illness or incapacitation.”

SECTION 3. Section 8‑13‑310 of the 1976 Code is amended to read:

“Section 8‑13‑310. ~~(A)~~ ~~The State Ethics Commission as constituted under law in effect before July 1, 1992, is reconstituted to continue in existence with the appointment and qualification of the at‑large members as prescribed in this section and with the changes in duties and powers as prescribed in this chapter. On July 1, 1993, when the duties and powers given to the Secretary of State in Chapter 17 of Title 2 are transferred to the State Ethics Commission, the Code Commissioner is directed to change all references to "this chapter" in Article 3 of Chapter 13 of Title 8 to "this chapter and Chapter 17 of Title 2".~~

~~(B)~~(A) There is created the State Ethics Commission composed of ~~nine~~ ten members from the state at large appointed by the ~~Governor, upon the advice and consent of the General Assembly~~ Supreme Court. ~~One member shall represent each of the seven congressional districts, and two members must be appointed from the State at large.~~ Five members of the commission shall be a member of the majority political party represented in the General Assembly and five members shall be a member of the largest minority political party represented in the General Assembly. No member of the General Assembly or other public official ~~must be eligible to~~ may serve on the State Ethics Commission. The ~~Governor~~ Supreme Court shall make the appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the commission is representative of all citizens of the State of South Carolina.

~~(C)~~(B) The terms of the members are for five years and until their successors are appointed and qualify. ~~The members of the State Ethics Commission serving on this chapter’s effective date may continue to serve until the expiration of their terms. These members may then be appointed to serve one full five‑year term under the provisions of this chapter. Members representing the first, third, and sixth congressional districts on this chapter’s effective date are eligible to be appointed for a full five‑year term in or after 1991. Members currently representing the second, fourth, and fifth congressional districts on this chapter’s effective date are eligible to be appointed for a full five‑year term in or after 1993. The initial appointments for the at‑large members of the commission created by this chapter must be for a one‑, two‑, or three‑year term, but these at‑large members are eligible subsequently for a full five‑year term. Under this section, the at‑large members of the commission are to be appointed to begin service on or after July 1, 1992. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Members of the commission who have completed a full five‑year term are not eligible for reappointment.~~

~~(D)~~(C) The commission shall elect a chairman, a vice‑chairman, and such other officers as it considers necessary. ~~Five~~ Seven members of the commission shall constitute a quorum. The commission must adopt a policy concerning the attendance of its members at commission meetings. The commission meets at the call of the chairman or a majority of its members. Members of the commission, while serving on business of the commission, receive per diem, mileage, and subsistence as is provided by law for members of state boards, committees, and commissions.”

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑