**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3447**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Stavrinakis, McCoy, Clary, Bernstein and Cogswell

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Introduced in the House on January 8, 2019

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

Summary: Financial gain from office

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 243](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 243](file:///h:\hj\20190108.docx))

1/22/2019 House Member(s) request name added as sponsor: Bernstein

1/24/2019 House Member(s) request name added as sponsor: Cogswell

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3447_20181218.docx)

**A** **BILL**

TO AMEND SECTION 2‑17‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A LOBBYIST’S REPORT OF LOBBYING ACTIVITIES, SO AS TO REQUIRE AN ADDITIONAL SPECIFIC REPORT WHEN A LOBBYIST HAS PERFORMED LOBBYING ACTIVITIES OR HAD OTHER WORK‑RELATED CONTACTS WITH A MEMBER OF THE PUBLIC SERVICE COMMISSION, OR WITH AN EMPLOYEE OF THE PUBLIC SERVICE COMMISSION, OR THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 2‑17‑35, RELATING TO A LOBBYIST’S PRINCIPAL’S REPORT OF LOBBYING ACTIVITIES, SO AS TO REQUIRE AN ADDITIONAL SPECIFIC REPORT WHEN A LOBBYIST ACTING ON BEHALF OF A LOBBYIST’S PRINCIPAL HAS PERFORMED LOBBYING ACTIVITIES OR HAD OTHER WORK‑RELATED CONTACTS WITH A MEMBER OF THE PUBLIC SERVICE COMMISSION, OR WITH AN EMPLOYEE OF THE PUBLIC SERVICE COMMISSION, OR THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 8‑13‑700, RELATING TO USE OF OFFICIAL POSITION FOR FINANCIAL GAIN, SO AS TO PROHIBIT MEMBERS OR EMPLOYEES OF THE PUBLIC SERVICE COMMISSION OR THE OFFICE OF REGULATORY STAFF FROM RECEIVING ANYTHING OF VALUE FROM A UTILITY, COMPANY, CORPORATION, ENTITY, JOINT VENTURE, OR PERSON WHOSE BUSINESS, ENTERPRISE, OPERATIONS, OR ACTIVITIES ARE REGULATED, WHETHER WHOLLY OR IN PART, BY A GOVERNMENTAL REGULATORY AGENCY PURSUANT TO TITLE 58; AND TO AMEND SECTION 8‑13‑1332, RELATING TO UNLAWFUL CONTRIBUTIONS AND EXPENDITURES, SO AS TO PROHIBIT A UTILITY, COMPANY, CORPORATION, ENTITY, JOINT VENTURE, OR PERSON, WHOSE BUSINESS, ENTERPRISE, OPERATIONS, OR ACTIVITIES ARE REGULATED, WHETHER WHOLLY OR IN PART, BY A GOVERNMENTAL REGULATORY AGENCY PURSUANT TO TITLE 58 FROM OFFERING, FACILITATING, OR PROVIDING A CAMPAIGN CONTRIBUTION TO A MEMBER OF THE GENERAL ASSEMBLY OR A CANDIDATE FOR THE GENERAL ASSEMBLY, OR A STATEWIDE CONSTITUTIONAL OFFICER OR A CANDIDATE FOR A STATEWIDE CONSTITUTIONAL OFFICE.

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

SECTION 1. Section 2‑17‑30 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) A lobbyist who is required to file periodic reports with the State Ethics Commission pursuant to this section shall file an additional report with the State Ethics Commission within ten days of performing lobbying activities or having work‑related contacts with a member of the Public Service Commission, or with an employee of the Public Service Commission, or the Office of Regulatory Staff. If the lobbying activities or work‑related contacts occur less than ten days prior to the next meeting of the Public Service Commission, then the lobbyist’s report must be filed prior to the Public Service Commission meeting.”

SECTION 2. Section 2‑17‑35 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) A lobbyist’s principal who is required to file periodic reports with the State Ethics Commission pursuant to this section shall file an additional report with the State Ethics Commission if a lobbyist acting on behalf of the lobbyist’s principal has performed lobbying activities or had work‑related contacts with a member of the Public Service Commission, or with an employee of the Public Service Commission, or the Office of Regulatory Staff. This additional report must be filed within ten days of the lobbying activity or work‑related contact described in this subsection. If the lobbying activities or work‑related contacts occur less than ten days prior to the next meeting of the Public Service Commission, then the lobbyist’s principal’s report must be filed prior to the Public Service Commission meeting.”

SECTION 3. Section 8‑13‑700 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) A public official, public member, or public employee of the Public Service Commission or the Office of Regulatory Staff may not directly or indirectly, ask, demand, solicit, seek, accept, receive, or agree to receive anything of value from a utility, company, corporation, entity, joint venture, or other ‘person’, as defined in Section 8‑13‑100(24), whose business, enterprise, operations, or activities are regulated, whether wholly or in part, by a governmental regulatory agency pursuant to Title 58 of the 1976 Code.”

SECTION 4. Section 8‑13‑1332 of the 1976 Code is amended to read:

“Section 8‑13‑1332. It is unlawful for a:

(1) ~~a~~ committee or ballot measure committee to make a contribution or expenditure by using:

(a) anything of value secured by physical force, job discrimination, financial reprisals, or threat of the same;

(b) dues, fees, or other monies required as a condition of membership in a labor organization, or as a condition of employment; or

(c) monies obtained by the committee or the ballot measure committee in a commercial transaction;

(2) ~~a~~ person to solicit an employee for a contribution and fail to inform the employee of the political purposes of the committee or ballot measure committee and of the employee’s right to refuse to contribute without ~~any~~ an advantage or promise of an advantage conditioned upon making the contribution or reprisal or threat of reprisal related to the failure to make the contribution;

(3) ~~a~~ corporation or committee of a corporation to solicit contributions to the corporation or committee from a person other than its shareholders, directors, executive or administrative personnel, and their families, except as provided in Section 8‑13‑1333~~.~~; or

(4) utility, company, corporation, entity, joint venture, or ‘person’, as defined in Section 8‑13‑1300(25), whose business, enterprise, operations, or activities are regulated, whether wholly or in part, by a governmental regulatory agency pursuant to Title 58 to offer, facilitate, or provide a campaign contribution to a member of the General Assembly or a candidate for the General Assembly; or a statewide constitutional officer or a candidate for a statewide constitutional office.”

SECTION 5. This act takes effect upon approval by the Governor.

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