**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4561**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wetmore, Dillard, Collins, Erickson, B. Newton, Schuessler, Pope, Clyburn, Henegan, Pendarvis, Caskey, Bauer, Rivers, Gilliard, Henderson-Myers, Williams, Jefferson and Spann-Wilder

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Introduced in the House on January 9, 2024

Introduced in the Senate on April 10, 2024

Last Amended on April 9, 2024

Currently residing in the House

Summary: Campaign Finance - Dependent Care for Immediate Family Members

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/16/2023 House Prefiled

11/16/2023 House Referred to Committee on **Judiciary**

1/9/2024 House Introduced and read first time ([House Journal‑page 82](h:\hj\20240109.docx))

1/9/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 82](h:\hj\20240109.docx))

1/10/2024 House Member(s) request name added as sponsor: Pendarvis

2/29/2024 House Member(s) request name added as sponsor: Caskey

3/6/2024 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 6](h:\hj\20240306.docx))

3/19/2024 House Member(s) request name added as sponsor: Bauer,
Rivers, Gilliard, Henderson-Myers, Williams

3/20/2024 House Member(s) request name added as sponsor: Jefferson

3/20/2024 House Debate adjourned ([House Journal‑page 68](h:\hj\20240320.docx))

3/21/2024 House Debate adjourned ([House Journal‑page 41](h:\hj\20240321.docx))

3/26/2024 House Debate adjourned until Tues., 4-9-24 ([House Journal‑page 11](h:\hj\20240326.docx))

4/9/2024 House Member(s) request name added as sponsor: Spann-Wilder

4/9/2024 House Amended ([House Journal‑page 33](h:\hj\20240409.docx))

4/9/2024 House Requests for debate-Rep(s). Hiott, Carter, McCravy, Felder, O'Neal, Ligon, T Moore, Guest, BL Cox, Davis, Lawson, Harris, Magnuson, Oremus, Beach, Thayer, Chapman, Cromer, White, Gilliam, Brewer, Murphy, Whitmire, Sandifer, Calhoon ([House Journal‑page 39](h:\hj\20240409.docx))

4/9/2024 House Read second time ([House Journal‑page 72](h:\hj\20240409.docx))

4/9/2024 House Roll call Yeas-53 Nays-45 ([House Journal‑page 74](h:\hj\20240409.docx))

4/10/2024 House Read third time and sent to Senate ([House Journal‑page 18](h:\hj\20240410.docx))

4/10/2024 Senate Introduced and read first time ([Senate Journal‑page 3](h:\sj\20240410.docx))

4/10/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 3](h:\sj\20240410.docx))

4/11/2024 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4561&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4561_20231116.docx)

[03/06/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4561_20240306.docx)

[03/06/2024-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/4561_20240306a.docx)

[04/09/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4561_20240409.docx)

[04/11/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4561_20240411.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

April 09, 2024

H. 4561

Introduced by Reps. Wetmore, Dillard, Collins, Erickson, B. Newton, Schuessler, Pope, Clyburn, Henegan, Pendarvis, Caskey, Bauer, Rivers, Gilliard, Henderson-Myers, Williams, Jefferson and T. Spann-Wilder

S. Printed 04/09/24--H. [SEC 4/11/2024 11:02 AM]

Read the first time January 09, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-13-1348, RELATING TO USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO ALLOW A CANDIDATE OR PUBLIC OFFICIAL TO USE CAMPAIGN FUNDS FOR DEPENDENT CARE OF AN IMMEDIATE FAMILY MEMBER IN CERTAIN CIRCUMSTANCES AND TO DEFINE “DEPENDENT CARE”.

Amend Title To Conform

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

SECTION 1. Section 8-13-1348(A) of the S.C. Code is amended to read:

(A)(1) No candidate, committee, public official, or political party may use campaign funds to defray personal expenses which are unrelated to the campaign or the office if the candidate is an officeholder nor may these funds be converted to personal use. The prohibition of this subsection does not extend to:

(a) the incidental personal use of campaign materials or equipment; nor to

(b) an expenditure used to defray any ordinary expenses incurred in connection with an individual's duties as a holder of elective office;

(c) an expenditure used to defray dependent care expenses incurred in connection with a candidate’s campaign for the time in which the candidate is engaging in campaign activity and the expenses would not exist in the absence of the campaign; or

(d) an expenditure used to defray dependent care expenses incurred in connection with a public official’s duties for his or her public office and the expenses would not exist in the absence of the public official carrying out these duties: however, for full-time public officials, the dependent care expenses must be incurred outside of the public official’s normal working hour.

(2)(a) For purposes of subsections (A)(1)(c) and (A)(1)(d), “dependent care” means the direct care, protection, and supervision of an immediate family member that is either a minor or that has a disability or medical condition for whom the candidate or the public official has direct caregiving responsibility. In addition, campaign funds may only be used to defray dependent care expenses if the dependent care is given by a provider that is licensed in this State to provide the type of care needed by the candidate’s or public official’s immediate family member. However, a non‑licensed provider may be used if no licensed provider is available so long as the dependent care is not being provided by a family member, as defined by Section 8‑13‑1300(14).

(b) For purposes of subsections (A)(1)(c) and (A)(1)(d), a record of the time, date, and location of the campaign or official duty must be kept for four years and made available to the State Ethics Commission upon request.

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

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