**South Carolina General Assembly**

125th Session, 2023-2024

**S. 395**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Climer, Massey, M. Johnson and Fanning

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Introduced in the Senate on January 17, 2023

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

Summary: Ethics; provide chapter applies to all person elected or appointed a special purpose district

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/17/2023 Senate Introduced and read first time (Senate Journal‑page 6)

 1/17/2023 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 6)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=395&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/17/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/395_20230117.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 8-13-160 SO AS TO PROVIDE THAT THE CHAPTER APPLIES TO ALL PERSONS ELECTED OR APPOINTED TO A SPECIAL PURPOSE DISTRICT THAT CHARGES A FEE OR RATE TO A CONSUMER TO PROVIDE A SERVICE; BY AMENDING SECTION 8-13-1110, RELATING TO PERSONS REQUIRED TO FILE STATEMENT OF ECONOMIC INTERESTS, SO AS TO INCLUDE A PERSON ELECTED OR APPOINTED TO A SPECIAL PURPOSE DISTRICT THAT CHARGES A FEE OR RATE TO A CONSUMER TO PROVIDE A SERVICE; AND BY AMENDING SECTION 8-13-320(10)(L), RELATING TO DUTIES AND POWERS OF STATE ETHICS COMMISSION, SO AS TO PROVIDE THAT WRITTEN DECISIONS MUST BE POSTED TO THE STATE ETHICS COMMISSION’S WEBSITE.

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

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

 Section 8-13-160. The provisions of this chapter apply to all persons elected or appointed to a special purpose district that charges a fee or rate to a consumer to provide a service.

SECTION 2. Section 8-13-1110 of the S.C. Code is amended to read:

 Section 8-13-1110. (A) No public official, regardless of compensation, and no public member or public employee as designated in subsection (B), and no person elected or appointed to a special purpose district that charges a fee or rate to a consumer to provide a service may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect with the appropriate supervisory office. All disclosure statements are matters of public record open to inspection upon request.

 (B) Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided:

 (1) a person appointed to fill the unexpired term of an elective office;

 (2) a salaried member of a state board, commission, or agency;

 (3) the chief administrative official or employee and the deputy or assistant administrative official or employee or director of a division, institution, or facility of any agency or department of state government;

 (4) the city administrator, city manager, or chief municipal administrative official or employee, by whatever title;

 (5) the county manager, county administrator, county supervisor, or chief county administrative official or employee, by whatever title;

 (6) the chief administrative official or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

 (7) a school district and county superintendent of education;

 (8) a school district board member and a county board of education member;

 (9) the chief finance official or employee and the chief purchasing official or employee of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

 (10) a public official;

 (11) a public member who serves on a state board, commission, or council; and

 (12) Department of Transportation District Engineering Administrators; and

 (13) a person elected or appointed to a special purpose district that charges a fee or rate to a consumer to provide a service.

SECTION 3. Section 8-13-320(10)(l) of the S.C. Code is amended to read:

 (l) The written decision as provided for in subitem (k) may set forth an order, which shall be posted on the State Ethics Commission’s website:

 (i) requiring the public official, public member, or public employee to pay a civil penalty of not more than two thousand dollars for each violation;

 (ii) requiring the forfeiture of gifts, receipts, or profits, or the value thereof, obtained in violation of the chapter, voiding nonlegislative state action obtained in violation of the chapter; or

 (iii) requiring a combination of subitems (i) and (ii) above, as necessary and appropriate.

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

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