~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 14, 2010

**H. 4542**

Introduced by Rep. Harrison

S. Printed 4/14/10--H.

Read the first time February 16, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4542) to amend Section 8‑13‑320, as amended, Code of Laws of South Carolina, 1976, relating to duties and powers of the State Ethics Commission, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 8‑13‑320(10)(g) of the 1976 Code, as last amended by Act 387 of 2006, is further amended to read:

“(g) All investigations, inquiries, hearings, and accompanying documents must remain confidential until ~~final disposition of a matter~~ a finding of probable cause or dismissal unless the respondent waives the right to confidentiality. The wilful release of confidential information before a finding of probable cause or dismissal is a misdemeanor, and ~~any~~ a person releasing ~~such~~ confidential information, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.”

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 8‑13‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO DELETE THE PROHIBITION OF THE RELEASE OF INFORMATION UNTIL FINAL DISPOSITION OF AN ETHICS INVESTIGATION AND REQUIRE THAT THE INFORMATION MAY NOT BE RELEASED UNTIL A FINDING OF PROBABLE CAUSE HAS BEEN MADE.

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

SECTION 1. Section 8‑13‑320(10)(g) of the 1976 Code, as last amended by Act 387 of 2006, is further amended to read:

“(g) All investigations, inquiries, hearings, and accompanying documents must remain confidential until ~~final disposition of a matter~~ a finding of probable cause unless the respondent waives the right to confidentiality. The wilful release of confidential information before a finding of probable cause is a misdemeanor, and ~~any~~ a person releasing ~~such~~ confidential information, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.”

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

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