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ADVISORY OPINION 2026 - 1

The House Legislative Ethics Committee has received questions from Members regarding the use of campaign funds for security measures at their homes. Specifically, the following question was posed to the Committee: may a Member of the South Carolina General Assembly, particularly a Member of the House of Representatives, use campaign funds to equip their personal residence with appropriate security equipment and measures in order to protect themselves and their family? Pursuant to House Rule 4.16C(5), the Committee renders the following opinion as a response to these inquiries.

DISCUSSION

S.C. Code Ann. § 8-13-1348 states:

- (A) No candidate, committee, public official, or political party may use campaign funds to defray personal expense 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 the incidental personal use of campaign materials or equipment nor to an expenditure used to defray any ordinary expenses incurred in connection with an individual's duties as a holder of elective office.
- (B) The payment of reasonable and necessary travel expenses or for food or beverages consumed by the candidate or members of his immediate family while at, and in connection with, a political event are permitted.

While this Committee has not yet addressed the specific issue at hand, it previously confronted the question of using campaign funds for office related equipment in HEC Advisory Opinion 1999-3. In that opinion, the Committee found that "Members may purchase...permanent-type office equipment with campaign funds if such equipment is used for campaign or office related purposes." *Id.* The Committee specifically found that this type of expenditure was permitted under S.C. Code Ann. § 8-13-1348(A) (above), but that the equipment should be

disbursed as an asset under the Ethics Act, specifically S.C. Code Ann. §§ 8-13-1368 and 8-13-1370, at the final disbursement of the Member's campaign account. *Id.*

This Committee further addressed permissible uses of campaign funds in HEC Advisory Opinion 2016-2 when it found that a Member could use campaign funds to pay for a cell phone bill when the cell phone was used for campaigning and official House business. (See HEC Advisory Opinion 2016-2, Section II, Subsection 2.) In that opinion, the Committee specified that the cell phone should be purchased using personal funds, and the Member must maintain supporting documentation for the portion of the phone that was used for legislative business and campaigning. *Id.* The Committee further noted that should the cell phone be purchased with campaign funds, then it should be treated as an asset and disbursed according to S.C. Code Ann. §§ 8-13-1368 and 8-13-1370. The term "asset" was further defined in HEC Advisory Opinion 2017-12, when this Committee found that "electronic items such as printers, copiers, cell phones, iPads, laptops, and electronic signs" must be reported on the Campaign Disclosure Reports as assets. (See HEC Advisory Opinion 2017-12.) Finally, any item considered an asset and worth more than \$100 must be disposed of as a "material asset" pursuant to S.C. Code Ann. § 8-13-1340. (See *Id.*)

Due to the increased instances of security threats to public officials throughout the country, this Committee understands the need and desire for additional security measures to protect House Members and their immediate family members. Therefore, the Committee finds that reasonable security measures during a Member's term of office would be an appropriate use of campaign funds if reasonably related to their official position.

Reasonable personal security measures include, but are not limited to, security devices, locks, alarm systems, security cameras, and lighting. This opinion should not be construed to allow for the purchase of permanent fixtures or other home modifications that would increase the property value of a Member's home. Furthermore, the cost of these measures should not exceed the fair market value of the same. The Member should maintain all records of invoices and payments for personal security measures according to S.C. Code Ann. § 8-13-1302.

Should a Member decide to use campaign funds for the purchase of a monitored home security system, that security system would become an asset of the campaign pursuant to HEC Advisory Opinion 2017-12. Any home security system purchased with campaign funds and worth more than \$100 should be disbursed in accordance with S.C. Code Ann. § 8-13-1340 at the end of the Member's term of office. When the Member leaves office, campaign funds may no longer be used for the monitoring services.

CONCLUSION

Given the inherent risk of security threats to Members of the House of Representatives, Members may use campaign funds to provide additional reasonable security to their residences during their term of office as prescribed in this opinion.

Adopted March 26, 2026.