

STATE OF SOUTH CAROLINA)
) BEFORE THE
) SOUTH CAROLINA HOUSE ETHICS COMMITTEE
COUNTY OF RICHLAND)

IN THE MATTER OF:)

Complaint C2021-084)

Jonathon D. Hill)
Respondent.)

South Carolina House Ethics Committee,)
Complainant,)

**CONSENT ORDER
AND
PUBLIC REPRIMAND**

I. PRELIMINARY STATEMENT

This Consent Order is entered into between the South Carolina House Ethics Committee (herein "Committee") and Jonathon D. Hill (herein "Respondent") in order to resolve the Committee's complaint In the Matter of C2021-084 into whether Respondent violated certain provisions of Chapter 13, Title 8 of the South Carolina Code of Laws (herein "the Act").

II. FINDINGS OF FACT

1. On or about January 2021, several complicated problems were identified with Respondent's quarterly campaign reports, and Respondent requested a three-year audit with an outside, independent accounting firm, J.W. Hunt and Company.
2. On or around June 29, 2021, J.W. Hunt and Company completed Respondent's audit, which identified numerous alleged violations of the SC Ethics Code to include: using campaign funds for personal expenditures, failing to report contributions and/or expenditures on campaign disclosure reports, failing to process campaign-related expenditures and/or contributions through the campaign bank account, failing to accurately report the monetary amount of contributions and/or expenditures on campaign disclosure reports, failing to properly report in-kind contributions and expenditures, and failing to deposit contributions within ten days of receipt.
3. The Committee met on September 15, 2021, received the report, and referred the matter to the State Ethics Commission (herein "SEC").
4. On September 21, 2021, Executive Director of the SEC, Meghan L. Walker determined there were facts sufficient to order an investigation.
5. On March 21, 2022, the SEC having met, considered, and duly investigated the Complaint against Respondent, issued a recommendation that the Committee find probable cause of violations of Chapter 13, Title 8 is present and charge Respondent with the following: six (6) counts of violating Section 8-13-1308(F)(2); failing to report itemized contributions of more than \$100.00; seven (7) counts of violating Section 8-13-1312 for failing to deposit contributions into a campaign bank account; eleven (11) counts of violating Section 8-13-1308(F)(4) for failing to report expenditures paid from the campaign bank account; thirteen (13) counts of violating Section 8-13-1312 for failing to make campaign expenditures from his campaign bank account; twelve (12) counts of violating Section 8-13-1312 for failing to deposit check contributions into a campaign bank account within fifteen (15) days of receipt; sixty-one (61) counts of violating Section 8-13-1312 for failing to deposit Anedot contributions into a campaign account within fifteen (15) days of receipt; four (4) counts of violating Section 8-13-1308(F)(2) for failing to report

contributions exceeding \$100 on an October 10, 2020 Campaign Disclosure Report (CDR); fourteen (14) counts of violating Section 8-13-1314(A)(2) for accepting cash contributions in excess of \$25; six (6) counts of violating Section 8-13-1308(F)(1) for failing to report unitemized contributions less than \$100 on each of the following CDRs: January 10, 2020, April 10, 2020, 2020 Pre-Election, July 10, 2020, October 10, 2020, and January 10, 2021; three (3) counts of violating Section 8-13-1348 for using campaign funds for personal expenditures; one (1) count of violating Section 8-13-1302(A)(2) for failing to maintain a record of cash contributions received; and one (1) count of violating Section 8-13-1312 for making campaign expenditure from a Rally fundraising account instead of a campaign bank account.

6. On April 5, 2022, the Committee met and determined that there is competent and substantial evidence that violations of Chapter 13, Title 8 have occurred, and thus, concurred with the SEC's probable cause finding regarding the following: six (6) counts of violating Section 8-13-1308(F)(2); failing to report itemized contributions of more than \$100.00; seven (7) counts of violating Section 8-13-1312 for failing to deposit contributions into a campaign bank account; eleven (11) counts of violating Section 8-13-1308(F)(4) for failing to report expenditures paid from the campaign bank account; thirteen (13) counts of violating Section 8-13-1312 for failing to make campaign expenditures from his campaign bank account; twelve (12) counts of violating Section 8-13-1312 for failing to deposit check contributions into a campaign bank account within fifteen (15) days of receipt; fifty-five (55) counts of violating Section 8-13-1312 for failing to deposit Anedot contributions into a campaign account within fifteen (15) days of receipt; four (4) counts of violating Section 8-13-1308(F)(2) for failing to report contributions exceeding \$100 on an October 10, 2020 Campaign Disclosure Report (CDR); fourteen (14) counts of violating Section 8-13-1314(A)(2) for accepting cash contributions in excess of \$25; six (6) counts of violating Section 8-13-1308(F)(1) for failing to report unitemized contributions less than \$100 on each of the following CDRs: January 10, 2020, April 10, 2020, 2020 Pre-Election, July 10, 2020, October 10, 2020, and January 10, 2021; three (3) counts of violating Section 8-13-1348 for using campaign funds for personal expenditures; one (1) count of violating Section 8-13-1302(A)(2) for failing to maintain a record of cash contributions received; and one (1) count of violating Section 8-13-1312 for making campaign expenditure from a Rally fundraising account instead of a campaign bank account.

7. The Committee thereby deemed it appropriate to convene a formal public hearing on this matter.

8. The Committee's Probable Cause Finding and Notice of Public Hearing are incorporated herein and made a part hereof for all purposes as if fully set forth herein.

9. The Committee finds that there is competent and substantial evidence of the following violations: six (6) counts of violating Section 8-13-1308(F)(2); failing to report itemized contributions of more than \$100.00; one (1) counts of violating Section 8-13-1312 for failing to deposit contributions into a campaign bank account; eleven (11) counts of violating Section 8-13-1308(F)(4) for failing to report expenditures paid from the campaign bank account; five (5) counts of violating Section 8-13-1312 for failing to make campaign expenditures from his campaign bank account; four (4) counts of violating Section 8-13-1308(F)(2) for failing to report contributions exceeding \$100 on an October 10, 2020 Campaign Disclosure Report (CDR); fourteen (14) counts of violating Section 8-13-1314(A)(2) for accepting cash contributions in excess of \$25; six (6) counts of violating Section 8-13-1308(F)(1) for failing to report unitemized contributions less than \$100 on each of the following CDRs: January 10, 2020, April 10, 2020, 2020 Pre-Election, July 10, 2020, October 10, 2020, and January 10, 2021; three (3) counts of violating Section 8-13-1348 for using campaign funds for personal expenditures; one (1) count of violating Section 8-13-1302(A)(2) for failing to maintain a record of cash contributions received; and one (1) count of violating Section 8-13-1312 for making campaign expenditure from a Rally fundraising account instead of a campaign bank account;

10. Upon a thorough review of the record and careful consideration of documents provided by Respondent to include personal bank records, the Committee finds that Respondent had adequate funds in his personal bank account to cover the personal expenditures of the mortgage payment and two Audible payments. It appears these expenditures were made inadvertently.

11. Upon a thorough review of the record and careful consideration of documents provided by all parties, the Committee finds the following counts can be consolidated: twelve (12) counts to one (1) general

count of violating Section 8-13-1312 for failing to deposit check contributions into a campaign bank account within fifteen (15) days of receipt; and fifty-five (55) counts to one (1) general count of violating Section 8-13-1312 for failing to deposit Anedot contributions into a campaign account within fifteen (15) days of receipt.

12. Upon a thorough review of the record and careful consideration of documents provided by all parties and the investigation file, the Committee finds that there is not competent and substantial evidence related to the following: six (6) counts of Section 8-13-1312 for failing to deposit contributions into a campaign bank account and dismisses Counts 7-9 and Counts 11-13; and eight (8) counts of violating Section 8-13-1312 for failing to make campaign expenditures from his campaign bank account and dismisses Counts 25-31 and Count 36.

13. The Respondent desires to resolve this matter by Consent Order rather than by formal hearing before the Committee and admits the allegations herein contained.

14. This Consent Order is in the public interest.

III. ORDER

It is hereby ORDERED, and the Respondent expressly consents and agrees that:

- A. Upon a thorough review of the record and careful consideration of documents provided by all parties, the Committee finds that there is competent and substantial evidence of the following violations:
- six (6) counts of violating Section 8-13-1308(F)(2); failing to report itemized contributions of more than \$100.00;
 - one (1) count of violating Section 8-13-1312 for failing to deposit contributions into a campaign bank account;
 - eleven (11) counts of violating Section 8-13-1308(F)(4) for failing to report expenditures paid from the campaign bank account;
 - five (5) counts of violating Section 8-13-1312 for failing to make campaign expenditures from his campaign bank account;
 - four (4) counts of violating Section 8-13-1308(F)(2) for failing to report contributions exceeding \$100 on an October 10, 2020 Campaign Disclosure Report (CDR);
 - fourteen (14) counts of violating Section 8-13-1314(A)(2) for accepting cash contributions in excess of \$25;
 - six (6) counts of violating Section 8-13-1308(F)(1) for failing to report unitemized contributions less than \$100 on each of the following CDRs: January 10, 2020, April 10, 2020, 2020 Pre-Election, July 10, 2020, October 10, 2020, and January 10, 2021;
 - three (3) counts of violating Section 8-13-1348 for using campaign funds for personal expenditures;
 - one (1) count of violating Section 8-13-1302(A)(2) for failing to maintain a record of cash contributions received; and
 - one (1) count of violating Section 8-13-1312 for making campaign expenditure from a Rally fundraising account instead of a campaign bank account.
- B. Upon a thorough review of the record and careful consideration of documents provided by all parties, the Committee finds the following counts can be consolidated:
- twelve (12) counts to one (1) general count of violating Section 8-13-1312 for failing to deposit check contributions into a campaign bank account within fifteen (15) days of receipt; and
 - fifty-five (55) counts to one (1) general count of violating Section 8-13-1312 for failing to deposit Anedot contributions into a campaign account within fifteen (15) days of receipt.
- C. Upon a thorough review of the record and careful consideration of documents provided by all parties, the Committee finds there is not competent and substantial evidence related to the following:
- six (6) counts of Section 8-13-1312 for failing to deposit contributions into a campaign bank account and dismisses Counts 7-9 and Counts 11-13; and
 - eight (8) counts of violating Section 8-13-1312 for failing to make campaign expenditures from his campaign bank account and dismisses Counts 25-31 and Count 36.

- D. Respondent will immediately cease and desist from violating the Act.
- E. Respondent will correctly file all required campaign disclosure reports and amendments within thirty (30) days of this Consent Order.
- F. Respondent will file a final campaign disclosure report by November 14, 2022, and any campaign funds left in the campaign bank account at that time will be donated to the MUSC Foundation, Rena N. Grant Sickle Cell Center, a 501(c)(3) non-profit.
- G. Within thirty (30) days of this Consent Order, Respondent will provide all bank records related to his campaign bank account to the House Ethics staff for a final audit.
- H. The Committee orders Respondent pay civil penalty fines in the total amount of \$12,000, which made be paid to the SC House Ethics Committee in 24 monthly payments of \$500 due the first of each month, beginning June 1, 2022.
- I. The Committee hereby issues a **Public Reprimand** to Respondent.

AND IT IS SO ORDERED.

AND IT IS SO ORDERED, this 5th day of May, 2022, by the following members of the House Ethics Committee:

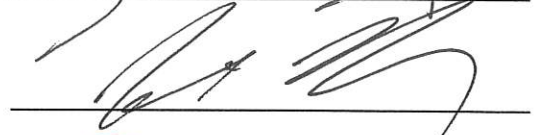
Rep. Wallace "Jay" Jordan, Jr., Chairman



Rep. J. David Weeks, Vice-Chairman



Rep. Beth E. Bernstein, Secretary



Rep. Justin T. Bamberg



Rep. Paula Rawl Calhoun

Rep. Micajah P. "Micah" Caskey, IV



Rep. Neal A. Collins



Rep. J. Todd Rutherford



Rep. Leonidas E. "Leon" Stavrinakis



I consent to this Order, this 5th day of May, 2022:



Jonathon D. Hill,
Respondent



Tom Fernandez, Esq.
Attorney for Respondent