

# PROGRAM EVALUATION REPORT

## *SC State Ethics Commission*

Submitted: March 9, 2020; Updated: December 7, 2020; Updated March 2021

The contents of this report are considered sworn testimony from the agency director.

### **Agency Director**

Name: Meghan Walker  
Start Date: February 2, 2018  
Number of Years as Agency Head: 2  
Number of Years at Agency: 2  
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### **Agency Online Resources**

Website address: <https://ethics.sc.gov/>

Online Quick Links:

<https://ethics.sc.gov/ethics-brochures>

<https://ethics.sc.gov/user-guides>

<https://ssl.sc.gov/EthicsRegistration/Login/Login.aspx>

<https://apps.sc.gov/PublicReporting/Index.aspx>

<https://ethics.sc.gov/debtors>

<https://ethics.sc.gov/advisory-opinions>

<https://ethics.sc.gov/complaints>

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## I. Agency Snapshot

### A. Glossary of Terms

#### 1. Glossary of agency terms.

Term, Phrase or Acronym	Meaning of the Term, Phrase or Acronym
Advisory Opinion (Formal)	A written binding opinion of the Commission regarding the Act.
Advisory Opinion (Informal)	A non-binding staff opinion issued regarding the Act.
Appellate Panel	A group of Commissioners, not including the original hearing panel Commissioners, charged with reviewing the hearing panel's decision and order, reconsidering the evidence, receiving further evidence, rehearing the parties, and entering an order amending, affirming or modifying the panel's decision.
Campaign Disclosure (CD)	Reports filed by public officials and candidates reflecting the receipt of loans, expenditures made and/or contributions received for an elective office.
Commission	South Carolina State Ethics Commission
Commissioner	One of eight persons appointed to sit on the Commission's governing body.
Complainant	A person, including the Commission, who files a formal complaint alleging a violation of the Act.
Debtors List	A list of individuals with outstanding fine balances.
Ethics Reform Act (the Act)	The Ethics, Government Accountability, and Campaign Reform Act of 1991, found in Title 8, Chapter 13 of the South Carolina Code of Laws.
Facts Sufficient	A preliminary determination based on the face of the complaint of jurisdiction over the Respondent and whether the facts plead, if true, would constitute a violation of the Act.
Governmental Enterprise Accounts Receivable Collections (GEAR)	South Carolina Department of Revenue debt collection program that uses setoff debt and additional collection tools, such as payment plans, wage garnishments and bank levies to collect debts for public entities.
Hearing Panel	Three Commissioners selected at random to hear contested matters.
House of Representatives Ethics Committee (HEC)	Supervisory authority for members or staff, including staff elected to serve as officers of or candidates for the office of State Representative.
Lobbyist	A person who is employed, appointed, or retained, with or without compensation, by another person to influence by direct communication with public officials or public employees the action or vote for any member of the General Assembly, the Governor, the Lieutenant Governor, or any statewide constitutional officer concerning any legislation; the vote of any public official of any state agency, board, or commission

	concerning any covered agency actions; or the action of the Governor or any member of his executive staff concerning any covered gubernatorial actions.
Lobbyist's Principal (LP)	A person on whose behalf and for whose benefit a lobbyist engages in lobbying and who directly employs, appoints, or retains a lobbyist to engage in lobbying.
Municipal Association of South Carolina (MASC)	Entity representing and serving South Carolina's 271 incorporated municipalities.
Probable Cause	A determination that it is more likely than not that a violation of the Act will be found.
Public Disclosure and Accountability Reporting System (electronic filing system)	The internet portal used to complete and file Campaign Disclosure and Statement of Economic Interests forms.
Respondent	A person charged in a complaint with a violation of the Act.
Senate Ethics Committee (SEC)	Supervisory authority for members or staff, including staff elected to serve as officers of or candidates for the office of State Senator.
Setoff Debt Collection	Debt collection program run by the South Carolina Department of Revenue wherein public entities submit delinquent debts for possible matches against state income tax refunds.
Special Purpose District	A district created by an Act of the General Assembly or pursuant to general law and which provides any governmental power or function including, but not limited to, fire protection, sewerage treatment, water or natural gas distribution or recreation.
South Carolina Association of Counties	A non-partisan, non-profit association dedicated to the statewide representation of county government in South Carolina.
South Carolina Councils of Government	A group of regional councils dedicated to strengthening local government.
South Carolina State Election Commission (Election Commission)	State agency charged with providing election support services and technical assistance related to statewide voting systems to counties.
South Carolina State Ethics Commission (Commission)	State agency charged with enforcing the Ethics, Government Accountability, and Campaign Reform Act of 1991.
Statement of Economic Interests (SEI)	Report filed by certain candidates, public officials, public employees and public members disclosing, among other things, income and gifts received by the filer and/or a member of his immediate family.

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**2. History of significant events related to the agency, from agency's origin to the present.**

When reference is made to a significant legislative action, please cite to the applicable act, if known.

- **1975** – May 29, 1975, Act 191, the “Ethics Act,” was signed into law by Governor James Edwards. Act 191 created the State Ethics Commission (Commission) to apply the Ethics Act to public officials and employees, except members of the General Assembly and the judiciary. The Commission consisted of six members appointed by the governor, confirmed by the General Assembly, and each representing a congressional district. The Commission was empowered to “prescribe and furnish forms for required statements, prepare and publish a manual of reporting procedures and requirements, accept and file information voluntarily supplied, develop a filing, coding, and cross-indexing system, make investigations of violations of the law upon written complaint, issue and publish advisory opinions, and promulgate and publish rules and regulations.” (First Annual Report, 1976). Ethics committees in the South Carolina Senate and South Carolina House of Representatives were also responsible for handling complaints against their respective members.
  - **1976** – February 18, 1976 the first six Commissioners were confirmed for service. The Commission’s first employee, Acting Director Gary Baker, began work on February 20, 1976, and formally accepted the position on March 6, 1976. Baker was responsible for “day-to-day administrative operations to include budget preparation and financial management, forms management, policy and procedure development and implementation, liaison with public agencies and news media, and other duties which may be required” (First Annual Report, 1976). The Commission’s staff developed forms for reporting with input from the House Ethics Committee, Senate Ethics Committee, and State Election Commission. The Commission held meetings throughout the state to educate public officials, public employees, and candidates with new reporting requirements. The Commission began receiving Statements of Economic Interests and developed the Campaign Disclosure form for reporting contributions exceeding \$100, all expenditures, and anticipated use of all unexpended contributions (First Annual Report, 1976). The Commission also issued sixteen advisory opinions in its first year of operation. The Commission established procedures for receiving and investigating complaints and auditing forms and, developed and distributed ethics guides.
  - **1977** – The Commission revised Statement of Economic Interests and Campaign Disclosure forms and instructions to aid in proper filing. The Commission received its first nine complaints, with the first complaint being sent to the Attorney General for criminal prosecution of a Department of Corrections employee accepting money from inmates for preferential treatment.
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- **1978** – The first statewide election year the Commission accepted Campaign Disclosure forms from candidates and committees. The Commission hosted workshops and distributed a Campaign Disclosure Manual to educate candidates and committees about reporting requirements and the reporting process. The workshops were held regionally across the state and the manual was distributed to political parties and election commissions statewide. The Commission also continued in its distribution of other educational materials about the Ethics Act, to include the *Ethics Guide for Public Officials and Public Employees and Candidates for Public Office* and the *Rules of Conduct Guide for Public Officials and Public Employees*. The Commission received complaints, accepted Campaign Disclosure and Statements of Economic Interests forms for filing, and issued advisory opinions. Commission staff continued to make public appearances to educate citizens on the Act.
  - **1979** – The Commission implemented an internal computerized indexing system to increase accuracy and efficiency in the maintenance and retrieval of data regarding all persons filing disclosures with the Commission. The Commission proposed numerous amendments to the Ethics Act to the House and Senate Ethics Committees, with the major proposal requiring persons in certain categories within government to be required to file a Statement of Economic Interests (e.g., chief administrators, chief purchasing officials, all school board members, etc.). On January 1, 1981, after passing the General Assembly the governor signed into law amendments requiring public officials in certain categories and candidates at the time of declaring candidacy to file a Statement of Economic Interests.
  - **1982** – The General Assembly amended the Ethics Act to include prohibiting an employment offer to influence a public official and prohibiting a public official from representing clients on matters in which the official was directly and substantially involved.
  - **1983** – The Commission moved physical locations from the Rembert Dennis Building to the SCN Center.
  - **1984** – In an attempt to improve SEI filing compliance, Commission staff sent reminder postcards to required filers who had not filed by April 1, resulting in a 55% increase in compliance by the April 15 filing deadline (Ninth Annual Report, 1984). Commission staff mailed similar reminders to candidates required to file Campaign Disclosure reports for the June 12 primary election.
  - **1985** – The Commission began working with the Legislative Information Systems to create an electronic system for simplified tracking and retrieval of contribution data. The Commission requested funding for an investigator-auditor to review forms filed and conduct investigations into complaints and
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received funding for word processing equipment to increase the professionalism and efficiency of the Commission's written communications. Though not initiated by the Commission, it supported a bill that would require lobbyists to register, file disclosure reports, and increase disclosure of lobbying expenditures with the Commission.

- **1986** – The Commission finalized development of a computer system with Legislative Information Systems to maintain and track data from contributors of more than \$100. This program launched alongside the June 10 primary Campaign Disclosure reports.
- **1987** – The Commission proposed legislation to the General Assembly, to include amendments to definitions, additional regulations on lobbyists and lobbying, restrictions on appearances by public officials and members of the General Assembly before certain agencies, and prohibitions against using public resources for campaign purposes or personal use. At the close of FY 1986-1987, only two proposals had passed the House of Representatives and were awaiting Senate action: redefining “business with which he is associated” to include certain holders of stock and adding penalties for violations of Section 8-13-1110.
- **1988** – The Commission began preserving current and inactive filings dating back to 1986 on microfilm. The Commission's previously proposed amendment to the definition of “business with which associated” passed (H.2908) and was signed into law on June 3, 1988. The Commission also proposed legislation that would place restrictions on Commissioners and staff regarding political activities.
- **1989** – On August 1, 1989, the Commission moved its office to The Pavilion on Thurmond Mall.
- **1991** – After Operation Lost Trust, a law enforcement investigation which resulted in criminal convictions of twenty-seven legislators and lobbyists, calls for sweeping ethics reform in South Carolina were made. In an attempt at comprehensive ethics reform, 25 bills were introduced in the House of Representatives and 49 bills were introduced in the Senate. After lengthy deliberation in the House and Senate and being called back to a special 3-day session, H.3743 passed on September 23, 1991 and was signed into law on October 1, 1991 as the Ethics, Government Accountability, and Campaign Reform Act of 1991, with an effective date of January 1, 1992. In this bill, the duties and powers regarding lobbyists and lobbyist principals previously resting with the Secretary of State transferred to the Commission effective July 1, 1993. The Commission was reconstituted with nine members appointed by the Governor to serve one five-year term each. The Commission was charged with developing disclosure forms to be filed with the Commission, monitoring the filing of such forms, and notifying

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individuals of failures to file. The Commission was also authorized to initiate/receive complaints, conduct investigations, and refer to the Attorney General any matters for criminal action. Persons required to file a Statement of Economic Interests must report income from governmental entities, certain real estate interests, and loans exceeding \$500 if not through an established financial institution. A ban on contributions from lobbyists who lobbied the candidate's governmental body went into effect.

The Commission developed a new Statement of Economic Interests form to encompass additional information included in the new reporting requirements of the Act. Approximately 1,500 new filers were now included under the Act, those being state board and commission members (Annual Report, 1991-1992).

The Commission also developed a new Campaign Disclosure form to encompass disclosure of additional information pursuant to the new statute.

Under the new law the Commission was mandated to educate public officials, members, and employees about the Act. Commission staff presented numerous trainings to civic organizations, political parties, and public agencies (Annual Report, 1991-1992). The Commission also hosted the Council on Governmental Ethics Laws (COGEL) conference in Hilton Head from September 22-25, 1991, with one of the largest conference participation rates in COGEL's history (Annual Report, 1991-1992).

Finally, the Commission experienced a steep increase in requests for advisory opinions resulting from the passage of the Act. To accommodate the increased workload, the Commission added three staff members and moved to a larger office space.

- **1992** – January 1, 1992, the Act took effect.
- **1993** – July 1, 1993, the Commission assumed responsibility for regulating lobbyists and lobbyists' principals from the Secretary of State. To assist with the increased workload resulting from the 1991 overhaul of the Act, the Commission installed a new computer system enabling documents to be scanned into a database that allowed for more efficient retrieval and review.
- **1994** – The Commission continued to experience an increase in workload and requests for advice due to the changes enacted in 1991, as well as the fact that 1995 was the first year in which statewide elections were held under the new law and expanded reporting requirements.
- **1998** – In March 1998, the Commission experienced a crash of the hard drive that stored filing data. “[T]his setback caused a delay in follow-up on late and non-filers for Statement of Economic Interests due April 15 and Campaign Disclosure Forms due on April 10.” (Annual Report, 1998).



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Additionally, the Commission designed and launched its first website that provided general information about the Commission, important dates, all advisory opinions, and manuals. The Commission also began working with the University of South Carolina Advanced Solutions Group to develop an electronic filing system with a projected launch date of January 1999.

- **1999** – On June 30, 1999, Gary Baker retired as the first Executive Director of the Commission. Herbert R. Hayden, Jr. was hired to fill the vacancy.
- **2000** – In September 2000, the Commission ceased printing filing forms because all forms required for filing were accessible on the website. The Commission also instituted a new office filing system that enabled staff to access campaign disclosure and financial disclosure records filed with the Commission more quickly.
- **2001** – The Commission experienced time and cost savings by making campaign disclosure, financial disclosure, and lobbyists/lobbyist’s principal reporting forms internet-accessible.
- **2002** – The Commission began publishing a list of public officials and employees who failed to pay late filing penalties. This list is now known as the Debtors List.
- **2004** – Governor Mark Sanford required that all cabinet offices cease lobbying during his administration; therefore, the Commission experienced a decline in lobbyist and lobbyist’s principal registrations and disclosures (Annual Report, 2003-2004).
- **2005** – Funding was provided by the General Assembly for the Commission to develop and implement an online filing system for candidates and public officeholders.
- **2006** – Phase One of the online filing system was implemented, and all statewide candidates filed their January 10, 2006 Campaign Disclosure Reports online. The Commission’s staff worked with South Carolina Interactive to develop a new website that went live in July and continued to work with SCI for the final phase of the online filing system to encompass all forms filed with the Commission.
- **2007** – Phase Two of the online filing system went live in October and encompassed all Campaign Disclosure and Statement of Economic Interests reports.
- **2008** – SC receives “Most Improved” award for disclosure of campaign finance records from Campaign Disclosure Project after developing and

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implementing an online filing system for campaign disclosures and economic interests disclosures.

(<http://www.state.sc.us/newsletter/ciocs/2008102855980434.5199.html>)

- **2009** – The third and final phase of the electronic system went live in January 2009, allowing lobbyists and lobbyist’s principals to register and file disclosure reports online. The completion of this online filing system provided immediate public access to reports filed with the Commission, saving the Commission the cost and time of making multiple copies of reports at the public’s request.
- **2010** – All Campaign Disclosures, Statements of Economic Interests, and Lobbyist/Lobbyist’s Principal filings are required to be filed electronically. Additionally, the statutory definition of committee was found to be unconstitutional in *SC Citizens for Life, Inc. v. Krawcheck*, 759 F. Supp.2d 708 (D.S.C. 2010). This decision rendered the Commission unable to enforce a multitude of statutes related to committees.
- **2011** – H.3183 passed the legislature on May 24, 2011 and was signed into law June 7, 2011, capping late filing penalties at \$5,000 per report, allowing multiple offenses to be tried in magistrate’s court, and requiring lobbyists to pay all outstanding fines prior to reregistration or resuming lobbying activities. The definition of family member was also amended.
- **2016** – H.3184 reconstituted the Commission with eight members, four gubernatorial appointees and four appointees from the General Assembly. The Commission also received investigative jurisdiction over members of the General Assembly. H.3186 passed simultaneously and required information regarding private source of income to be disclosed on Statements of Economic Interests. Commission staff worked to educate Commissioners and all affected parties on these changes to the Act. Executive Director Herb Hayden retired December 31, 2016.
- **2017** - Ami Franklin, Assistant Executive Director, served as the Commission’s Interim Executive Director from January to March 2017, when Steve Hamm was appointed to serve as Interim Executive Director. On April 1, 2017, the amendments to the Act passed in 2016 took effect. Eight new commissioners were appointed and confirmed.
- **2018** – Meghan Walker was hired as Executive Director. The Commission also hired a new General Counsel.
- **2019** – The Commission became fully staffed, allowing it to be more proactive in its mission of receiving campaign disclosure and financial disclosure forms, investigating complaint matters, issuing advisory opinions,

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levying and collecting late filing penalties, and conducting training sessions. The Commission again proposed that certain portions of the Act be repealed to establish uniformity and that a new definition of “committee” be adopted into the statute. To ensure efficient, effective, and uniform application of the Act to all public officeholders, the Commission also requested that “the State Election Commission as well as local Election Directors be mandated by law to provide identifying information of each person running for the office at the close of filing.” (Accountability Report, 2018-2019).

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**3. Agency directors and time of service.**

Name of Director	Time of Service
Gary R. Baker	February 1976 – June 1999
Herbert R. Hayden, Jr.	July 1999 – December 2016
Ami R. Franklin, Interim	January 2017 – March 2017
Steven W. Hamm, Interim	March 2017 – February 2018
Meghan L. Walker	February 2018 – Present

*C. Governing Body, Organizational Chart, and Related Entities*

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**4. Agency’s governing body, as outlined in the enabling statute.**

The Commission is governed by eight Commissioners. The Commissioners are appointed in the following manner: four members are appointed by the Governor, two are appointed by the Senate (one upon recommendation of the majority political party and one upon recommendation of the minority political party), and two are appointed by the House of Representatives (one upon recommendation of the majority political party and one upon recommendation of the minority political party).

Initial appointments serve as follows: two members appointed by the Governor serve three-year terms and two serve five-year terms. The member appointed by the majority party of the Senate serves a three-year term and the member appointed by the minority party of the Senate serves a five-year term. The member appointed by the majority party of the House of Representatives serves a five-year term and the member appointed by the minority party serves a three-year term.

All subsequent appointees serve five-year terms and are not eligible for reappointment once they have served a complete five-year term. Members who serve less than a complete five-year term are eligible for reappointment for one full five-year term.

Commissioners may be removed by their appointing body (two-thirds of membership required for either the Senate or House of Representatives) for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office or incapacity.

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All Commissioners, with the exception of Brian Barnwell, are serving their first term. Commissioner Barnwell is serving his second term.

<b>Member (Appointing Body)</b>	<b>Appointment Date</b>	<b>Expiration of Term</b>
Brian Barnwell (Governor)	April 1, 2017	April 1, 2022
Vacant (Senate)		
Donald Gist (Senate)	April 1, 2017	March 31, 2022
Don Jackson (House)	April 1, 2017	April 1, 2022
Alonzo Holloway (House)	April 8, 2020	April 8, 2023
Brandolyn Pinkston (Governor)	April 8, 2020	April 8, 2023
Childs C. Thrasher (Governor)	April 1, 2017	April 1, 2022
Vacant (Governor)		

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**5. Qualifications and duties of the agency director and governing body, as specified in law.**

When appointing Commissioners, the appointing authority must consider the following qualifications: constitutional qualifications, ethical fitness, character, mental stability, experience and judicial temperament. Appointments are based upon merit while taking into consideration demographic factors such as race, gender and national origin, to ensure the geographic and political balance of the appointments. Commissioners should represent all segments of the population of South Carolina.

The following are not eligible to serve on the Commission: members of the General Assembly; a former member of the General Assembly within eight years following the termination of his service in the General Assembly; family members of a member of the General Assembly, Governor or Lieutenant Governor; a person who made a campaign contribution within the previous four years to the Governor who appointed the person to the State Ethics Commission; a person who registered as a lobbyist within four years of appointment; a person under the jurisdiction of the State Ethics Commission, House of Representatives Ethics Committee or Senate Ethics Committee.

Additionally, Commission candidates must provide the following information during the confirmation process: membership in any civic, charitable, or social groups within the previous four years, and contributions made to candidates within the previous four years.

Duties of the Commission’s director are not provided in law. The director serves at the pleasure of the Commission and her duties are described in the job description as follows:

The Director is responsible for carrying out the South Carolina State Ethics Commission’s mandate to administer and enforce the State Ethics Laws. The Director is responsible for directing or supervising all law enforcement operations of the Commission and providing oversight to all

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of the Commission’s investigations and prosecutions. The Director has authority and accountability for the overall fiscal and administrative management of the Commission.

The Director is responsible for the effective and efficient enforcement of the State’s ethics laws on behalf of the State, its political subdivisions and the citizens of South Carolina, and for ensuring the successful detection of criminal and administrative violations of and compliance with the State’s ethics laws.

The Director reports and advises the State Ethics Commissioners regarding agency law enforcement and administrative matters. The Executive Director informs the Attorney General about matters of significant interest to the State’s chief prosecutor. As necessary, the Executive Director provides members of the General Assembly with information pertinent to matters before that body including but not limited to sworn testimony before legislative committees.

Other responsibilities include:

Coordinating regularly scheduled Commission meetings.

Providing overall leadership in guiding all aspects of the Commission’s programs and activities.

Responding to inquiries and issuing legal advice to state government officials and employees, lobbyists, and organizations represented by lobbyists.

Drafts and reviews staff opinion letters, advisory opinions, legal memoranda, and other related documents.

Oversees the administration of laws that require the registration of lobbyists and filings of statements of lobbying expenditures and contributions

Updates and revises forms and instructions; facilitates compliance by filers with filing requirements; implements audits or review procedures to ensure that filings comply with the law; and oversees enforcement proceedings against individuals who do not comply with filing requirements.

See Section 8-13-310 of the Act.

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**6. (A) Organizational  
Units Details Chart.**

Administration	Implement the Commission’s mission statement; develop, implement and monitor the Commission’s strategic plan; oversee daily operations to monitor processes and improve said processes; direct budget preparation process and monitor expenditures; create and implement new programs, policies and procedures; coordinate and direct agency procurement policies; manage and audit accountability objectives and prepare report; plan and coordinate agency human resource programs; ensure compliance with federal and
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		state regulations; provide training to individuals subject to the Act.
	Disclosures	Oversee the day-to-day operations of the electronic filing system for campaign finance, financial disclosure and lobbying disclosure; monitor daily, weekly, monthly and quarterly reports for purposes of late filing, questionable contributions and expenditures and notice of deadlines; provide customer service to all Commission filers; Public Disclosure and Accountability portal liaison.
	Non-compliance	Create and mail letters to individuals who fail to file the required forms; create non-compliance files and maintain accounting records for the same; create and submit for approval non-compliance complaints; provide administrative support to the executive director and assistant director; agency liaison for SC Department of Revenue; coordinate GEAR and Set-off Debt programs; maintain the agency website and make changes to the electronic filing system; develop and maintain IT related services and security.
	Legal	Administratively prosecute alleged violations of the Act; represent the Commission in state and federal courts; advise public servants on permissibility of actions under the Act; provide Commission with legal advice; draft and present formal Commission opinions; train public servants on the Act.
	Investigation	Plan, organize and conduct complex and sensitive administrative or criminal investigations of alleged violations of the Act; serve as liaison with other law enforcement agencies; organize evidence and prepare written reports; present findings to Commissioners.

**(B) Has the agency ever conducted an employee engagement, climate, or similar survey? If yes, when was the last one and who conducted it?**

Yes, the Commission conducted an employee engagement study in 2018.

**(C) Does the agency conduct employee engagement, climate, or similar surveys on a**

The first employee engagement study was done in 2018. The Commission plans to conduct this analysis every three years.

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regular basis? If yes,  
what is the frequency?

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**7. Roles and responsibilities of the agency compared to its counterpart entities, if any, at the federal and local levels.**

Federal counterparts

*Federal Election Commission (FEC)* – The Federal Election Commission (FEC) is the independent regulatory agency charged with administering and enforcing the federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency. No overlapping jurisdiction.

*United States Office of Government Ethics (OGE)* – The Ethics in Government Act charges OGE with leading the effort to prevent conflicts of interest in the executive branch. OGE undertakes this important prevention mission as part of a framework comprising executive branch agencies and entities whose work focuses on institutional integrity. In addition to government ethics, this framework includes merit system protections in the civil service; full and open competition in procurement; fiscal controls; transparency programs; investigation of waste, fraud, and abuse; and criminal, civil, and administrative enforcement. Potential violations of legal authorities established under this framework, including government ethics authorities, are primarily investigated by the thousands of Inspectors General staff members across the executive branch.

Local counterparts

Not applicable.

State Counterparts

*House and Senate Ethics Committees* - Each ethics committee shall:

(1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of this chapter, which may include, but is not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy the requirements of this chapter;

(2) receive complaints filed by individuals and, upon a majority vote of the total membership of the committee, file complaints when alleged violations are identified;

(3) upon the filing of a complaint alleging a violation by a member or staff of the appropriate house, or a member or staff of a legislative caucus committee, or a candidate for the appropriate house, for a violation of this chapter or Chapter 17, Title 2, other than a violation of a rule of the appropriate house, the ethics committee shall refer the complaint to the State Ethics Commission for an investigation pursuant to Section 8-13-540;

(4) receive, investigate, and hear a complaint which alleges a possible violation of a breach of a privilege or a rule governing a member or staff

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of the appropriate house or legislative caucus committee, or candidate for the appropriate house;

(5) a complaint may not be accepted by the ethics committee concerning a member of or candidate for the appropriate house during the fifty-day period before an election in which the member or candidate is a candidate. During this fifty-day period, any person may petition the court of common pleas alleging the violations complained of and praying for appropriate relief by way of mandamus or injunction, or both. Within ten days, a rule to show cause hearing must be held, and the court must either dismiss the petition or direct that a mandamus order or an injunction, or both, be issued. A violation of this chapter by a candidate during this fifty-day period must be considered to be an irreparable injury for which no adequate remedy at law exists. The institution of an action for injunctive relief does not relieve any party to the proceeding from any penalty prescribed for violations of this chapter. The court must award reasonable attorney's fees and costs to the nonpetitioning party if a petition for mandamus or injunctive relief is dismissed based upon a finding that the:

(i) petition is being presented for an improper purpose such as harassment or to cause delay;

(ii) claims, defenses, and other legal contentions are not warranted by existing law or are based upon a frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and

(iii) allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

Action on a complaint filed against a member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the ethics committee at least thirty days before the election must be postponed until after the election;

(6) obtain information, investigate technical violation complaints, and hear complaints as provided in Section 8-13-540 with respect to any complaint filed pursuant to this chapter or Chapter 17, Title 2 and to that end may compel by subpoena issued by a majority vote of the committee the attendance and testimony of witnesses and the production of pertinent books and papers;

(7) administer or recommend sanctions appropriate to a particular member, or staff of, or candidate for, the appropriate house pursuant to Section 8-13-540, including the recovery of the value of anything transferred or received in breach of the ethical standards, or dismiss the charges; and



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(8) act as an advisory body to the General Assembly and to individual members of or candidates for the appropriate house on questions pertaining to the disclosure and filing requirements of members of or candidates for the appropriate house, and may issue, upon request from a member or staff of the appropriate house, or legislative caucus committee, or candidate for the appropriate house, and publish advisory opinions on the requirements of these chapters.

SECTION 8-13-535. Issuance of ethics advisory opinions.

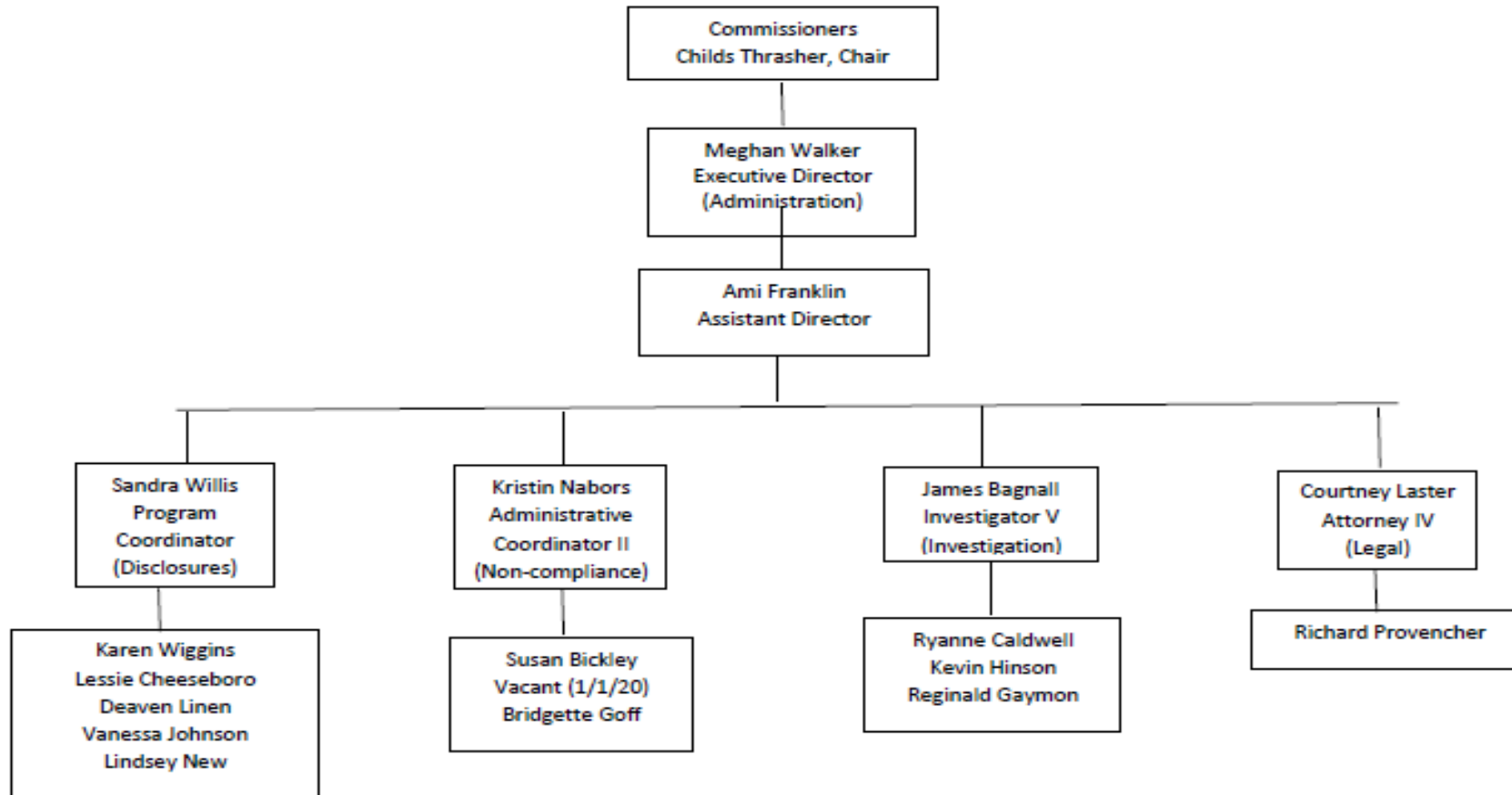
(A) The committee, may issue a formal advisory opinion, based on real or hypothetical sets of circumstances. In considering and formulating an advisory opinion either legislative ethics committee shall consider its previous opinions, the relevant opinions of the other legislative ethics committee, as well as relevant opinions issued by the commission in an attempt to create uniformity among the bodies. A formal advisory opinion issued by the committee is binding on the committee, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the committee members subscribing to the advisory opinion. Advisory opinions must be made available to the public unless the committee, by majority vote of the total membership of the committee, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(B) The appropriate ethics committee only may issue formal advisory opinions for public officials, public members, and public employees for which it has proper jurisdiction to make findings of fact and impose penalties pursuant to this chapter.

(C) The appropriate ethics committee must consider whether a person relied in good faith upon a formal advisory opinion or written informal staff opinion when considering a finding of misconduct.

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8. Organizational Chart.



## D. Successes and Issues

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### 9. 3-4 agency successes.

Briefly describe 3-4 agency successes.

#### **Going Green**

Beginning in 2018, the Commission increased efforts towards “going green,” resulting in increased efficiency and a reduction in both costs and environmental impact. Prior to 2019, all documents pertaining to Commission meetings were physically mailed to Commissioners in large binders. The Commission has since purchased software that allows staff to securely communicate with Commissioners via a web portal – ensuring secure communication at a reduced cost and with fewer hours dedicated to preparing written material.

#### **Increased Training**

The Commission is charged with providing ethics training to individuals subject to the Act. In partnering with various entities including, but not limited to, the South Carolina Association of Counties, the Municipal Association of South Carolina and the Councils of Government, the Commission has trained more than two thousand people over the past two years.

The emphasis on training is designed to result in greater compliance with the Act, reducing enforcement costs and providing greater transparency to the people of South Carolina.

#### **Elimination of Backlog**

In 2017, the Commission was facing a backlog of cases pending a hearing with more than 50 cases awaiting newly appointed Commissioners. Since March 2018, the Commission has resolved 120 cases, leaving 16 cases currently pending a hearing.

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### 10. 3-4 agency challenges.

Briefly describe 3-4 agency challenges and preparations, if any, to address these issues.

#### **Definition of “Committee”**

The Act requires committees to maintain and file certain records with the Commission. However, in 2010 the definition of “committee” was found to be unconstitutional by a federal district court. This decision rendered the Commission unable to enforce a multitude of statutes related to committees.

The Commission has requested a constitutional definition of committee and is working with the Senate Judiciary Committee on proposed language.

*South Carolina Citizens for Life v. Krawcheck*, 759 F. Supp.2d 708 (D.S.C. 2010). See Attachment 1.

#### **Increased Flagging**

With the creation of the Public Disclosure Accountability and Reporting System, required filers are now required to file both Statements of Economic Interests and Campaign Disclosures electronically. The

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Reporting System flags suspicious and/or late filings which has resulted in far more reports being flagged than were flagged manually during paper filing.

The increased flagging has resulted in a backlog for penalizing late filers. The Commission has increased staffing in an effort to reduce the backlog and provide timelier accountability for late filers.

### **Case Management**

The Commission has never had case management software. Instead, case files have historically been stored on a shared network resulting in confusion and redundancy. The Commission has contracted with Spartan Technology (a vendor of other state agencies), and secure case management software will be implemented in the coming months.

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### **11. 3-4 emerging issues.**

Briefly describe 3-4 emerging issues anticipated to have an impact on agency operations in the upcoming five years and preparations, if any, to address these issues.

### **Digital Currency**

As the popularity of cryptocurrency such as “Bitcoin” grows, the Commission is tasked with regulating potential campaign contributions utilizing cryptocurrency. The Commission will continue to monitor the receipt of campaign contributions via cryptocurrency and issue an advisory opinion at the appropriate time.

### **Accountability and Reporting Portal**

The application required filers use to complete their filings is archaic and difficult to use. The Commission is working with the House and Senate Ethics Committees to replace the current system with a state-of-the-art filing system.

### **Registration of Local Lobbyists**

Governor McMaster has frequently called for the Commission’s jurisdiction to be expanded to include the registration of individuals lobbying local government officials. The Commission does not currently have the required levels of staffing to regulate local lobbyists.

The Commission will work with the South Carolina Association of Counties and the Municipal Association in an attempt to gauge lobbying efforts at the local level and allocate resources accordingly, if and when necessary.

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## II. Agency Records, Policies, and Risk Mitigation Practices

### A. Records and Policies Management

<b>12. (A) Agency’s records management policy and the position or division responsible for managing this policy.</b>	The Commission utilizes the General Records Retention Schedules from the SC Department of Archives and History. These schedules are used for Administrative, Personnel, Financial and Data Processing Records.  <a href="https://scdah.sc.gov/records-management/schedules">https://scdah.sc.gov/records-management/schedules</a>
<b>(B) Agency’s status in regards to compliance with the records management policy and explanation for non-compliance, if the agency is non-compliant.</b>	The Commission also utilizes an agency-specific records retention schedule for Complaints (Dismissed and Merited). See Attachment 2.  The Commission is in compliance with records management policies.
<b>13. Agency’s schedule for regularly reviewing and updating, as necessary, all agency policies and explanation for lack of a schedule, if the agency does not have a schedule.</b>	Commission policies were last updated in 2018. The Commission has since monitored policy implementation and processes and re-evaluated and updated policies as needed.
<b>14. (A) Agency’s status in regards to compliance with S.C. Code Ann. §1-23-120(J) that requires agencies to conduct a formal review of its regulations every five years.</b>	The Commission’s regulations are currently under review by Commission staff, with plans to publish a notice of drafting to begin the formal review process pursuant to S.C. Code Ann. § 1-23-110 in 2021.
<b>(B) Last time the agency conducted a formal review of its regulations.</b>	Based upon information received from the South Carolina Legislative Council, the Commission’s last formal review of its regulations occurred in 1997.

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**(C) Last time the agency submitted new or revised regulations to the General Assembly.**

Based upon information received from the South Carolina Legislative Council, the Commission's last formal review of its regulations occurred in 1997.

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**15. How the agency collaborates with other agencies to seek funding (e.g. grant and federal funding).**

Not applicable.

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**16. Does the agency receive data from other state agencies, which require manual entry? If so, identify the state agencies and the associated data received.**

- South Carolina Secretary of State. Provides information related to Special Purpose Districts, which the Commission uses to add and delete entities from its electronic filing system for purposes of Statements of Economic Interests.
- South Carolina Department of Revenue. Provides monthly information related to amounts collected on behalf of the Commission through Setoff Debt Collection and GEAR.
- South Carolina Election Commission. Provides election dates, which the Commission uses for purposes of Campaign Disclosures.

## B. Internal Audit and/or Other Risk Mitigation Practices

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### 17. (A) Agency's internal audit process and/or other risk mitigation practices.

Due to size constraints, the Commission does not have internal auditors. However, the agency regularly conducts finance, human resource, and procurement reviews.

*Procurement.* The Commission conducts both monthly and annual reviews for various functions that fall under the Commission's purview. This includes monthly purchase order audits to ensure that goods and services have been received and invoices paid in a timely manner and within state guidelines. The agency completes an annual asset inventory and fleet audit along with an internal review of the agency's annual insurance coverage renewal.

*Finance.* Finance operations are designed to ensure that there is a separation of duties. All financial transactions are processed and reviewed by multiple employees to ensure that minor variances and timely payment of invoices are priorities.

*Human Resources.* The agency has established separation of duties so that the individual performing a task is not the same individual reviewing that the task was completed correctly. Audited human resources transactions include recruitment and on-boarding new hires, pay and transfers modifications, EPMS, and terminations.

As a result of establishing internal auditing procedures, the agency has had fewer audit exceptions noted in all functional areas relative to the standard audits conducted by the Office of the State Auditor (annually).

### (B) List of areas reviewed in agency internal audits during the last five years.

- Advisory Opinions
  - Formal
  - Informal
- Complaints
- Training
  - Number of Sessions
  - Number of Participants
- Payments Received
- Expenditures Made
- Total Forms Received by the Commission
  - Statement of Economic Interests
  - Campaign Disclosure
  - Lobbyist Registrations
  - Lobbyist's Principal Registrations
  - State Agency Lobbyist Registrations
  - Lobbyist Disclosure Reports
  - Lobbyist's Principal Disclosure Reports

**18. Issues or recommendations from external reviews or audits conducted of the agency during the last five years, which the agency has not yet fully addressed or implemented.**

Issue or Recommendation	Agency's Status in Addressing or Implementing	Date External Review or Audit completed	Entity Conducting the Audit or Review
<p>The Commission reported future minimum lease payments for operating leases on form 3.09.1a of the 2014 reporting package as required. However, Commission staff made clerical errors which impacted the accuracy of the reported future minimum lease payments. One operating lease with an annual lease obligation of approximately \$1,400 was excluded from the future minimum lease payment schedule, form 3.09.1a; and future minimum lease payments of approximately \$31,000 were inadvertently excluded from the minimum lease payments of a reported lease. Misinterpretation of reporting package instructions contributed to these errors.</p> <p>The Commission could not provide supporting documentation for one of twenty-five non-payroll disbursement transactions tested. The Commission reimbursed one employee approximately \$131 for mileage while traveling on official business however the Commission could not provide documentation in the form of a travel voucher to support the trip. Upon further investigation it was determined the</p>	<p>As a result of a misinterpretation of the reporting package instructions, the Commission's annual future minimum lease payments for operating leases did not report an annual lease obligation of approximately \$1,400.00 and future minimum lease payments of approximately \$31,000 were inadvertently excluded from the minimum lease payments. Action will be taken to ensure this information is correctly reported in the future.</p> <p>During the process of reimbursement for a travel voucher, the supporting documentation was not attached to support the trip. Efforts will be made in the future to avoid such errors.</p>	<p>3/30/2015</p> <p>Review of FY14</p>	<p>State Auditor's Office</p>



Issue or Recommendation	Agency's Status in Addressing or Implementing	Date External Review or Audit completed	Entity Conducting the Audit or Review
<p>employee had made four separate trips to the destination described in the selected transaction. Commission personnel could only provide documentation (i.e. travel voucher) supporting three trips and could not explain why the documentation for the fourth trip had not been scanned into SCEIS.</p> <p>(Language taken from report letter dated March 30, 2015.)</p>	<p>(Language taken from report letter dated March 30, 2015.)</p>		
<p>Approximately \$31,000 was inadvertently excluded from the Commission's future minimum lease payment schedule filed with the Comptroller General's Office. This condition was also cited in the State Auditor's Report on the Commission for the fiscal year ended June 30, 2014. A combination of clerical error and interpretation of reporting package instructions contributed to the omission.</p> <p>(Language taken from report letter dated October 31, 2016.)</p>	<p>As a result of a misinterpretation of the reporting package instructions, the Commission did not report future minimum lease payments of approximately \$31,000. These were inadvertently excluded from the reporting package. Action will be taken to ensure this information is correctly reported in the future.</p> <p>(Language taken from report letter dated October 31, 2016.)</p>	<p>10/31/2016</p> <p>Review of FY15</p>	<p>State Auditor's Office</p>
<p>The liability reported for compensated absences was understated by approximately \$2,400 due to the inadvertent omission of compensatory time from the reported liability.</p>	<p>The Ethics Commission has never paid out compensatory time to any employee during the entire time the Ethics Commission has existed. As a result, we did not recognize that we needed to account for comp time in the reports filed with the Comptroller General's Office. The Commission made the necessary changes to accurately report the value of any compensatory time that may need</p>	<p>10/23/2017</p> <p>Review of FY16</p>	<p>State Auditor's Office</p>

Issue or Recommendation	Agency's Status in Addressing or Implementing	Date External Review or Audit completed	Entity Conducting the Audit or Review
(Language taken from report letter dated October 23, 2017.)	to be included and reported to the Comptroller General's Office in the future.  (Language taken from report letter dated October 23, 2017.)		
No exceptions were reported in this audit.  (Language taken from report letter dated October 2, 2018.)	n/a	10/2/2018  Review of FY17	State Auditor's Office
One of the twenty receipt transactions selected included a receipt that was not deposited in a timely manner. The receipt was deposited approximately one month after it was received.  Another receipt transaction selected for inspection included payment from the Public Employee Benefit Authority (PEBA) for a credit in accordance with Proviso 117.151. The auditor's inspection of this transaction, along with comparisons performed in the Payroll section procedures below, revealed that the entire amount received was posted to the earmarked fund, rather than proportionally across funds, resulting in negative earmarked fund employer contribution expenditures at year end.  Several account coding discrepancies were encountered in the inspection of	The check was for a late filing penalty received with an appeal and was not deposited until the appeal was reviewed and a decision was made to deny the appeal. Receipting procedures for checks submitted with an appeal will be reviewed to ensure that deposits are made in accordance with Proviso 117.151.  The Assistant Director deposited the PEBA revenue into the agency's earmarked fund. Specific instructions did not come with the funds received to provide guidance for the deposit and coding of these funds.	9/12/2019  Review of FY18	State Auditor's Office

Issue or Recommendation	Agency's Status in Addressing or Implementing	Date External Review or Audit completed	Entity Conducting the Audit or Review
<p>disbursement transactions including improper coding of equipment items in relation to the State's capitalization thresholds.</p> <p>One reporting package, the Subsequent Events Questionnaire, was submitted to the CG one day after its due date.</p> <p>In addition, total future minimum lease payments reported on the Operating Leases Future Minimum Payment Schedule of the Operating Leases Reporting Package were understated by approximately \$50,000.</p> <p>Similar to the finding reported in the Cash Disbursements/Non-Payroll Expenditures section, four of the five capital asset acquisitions inspected were capitalized at a value below the State's capitalization threshold.</p> <p>(Language taken from report letter dated September 12, 2019.)</p>	<p>Items were entered into assets under an incorrect asset code. These items should have been entered as a low value asset.</p> <p>Corrective action was in progress before the start of the agreed upon procedures engagement.</p> <p>The Subsequent Events Reporting Package was submitted a day late due to the preparer and the reviewer being out of the office unexpectedly. This was discussed with the CG's office by email, which has been provided to the auditor.</p> <p>The Operating Leases Future Minimum Payment Schedule of the Operating Leases Reporting Package was inadvertently calculated incorrectly. Action will be taken to ensure this information is correctly reported in the future.</p> <p>Items were entered into assets under an incorrect asset code. These items should have been entered as a low value asset.</p> <p>Corrective action was in progress before the start of the agreed upon procedures engagement.</p> <p>(Language taken from report letter dated September 12, 2019.)</p>		
<p>SCSEC's internal controls appear sound in the areas reviewed since no overpayment or underpayment amounts were detected. We recommend</p>	<p>For the Recovery Audit of FY2013-2016 there were no issues found by American Utility Auditors that needed to be addressed.</p>	<p>09/02/2016</p>	<p>American Utility Auditors</p>

Issue or Recommendation	Agency's Status in Addressing or Implementing	Date External Review or Audit completed	Entity Conducting the Audit or Review
<p>management continue to encourage staff members to use the SCEIS scanning and attachment processes. We noticed that sometimes additional clarifying information was included with the document scans, we believe this is a sound practice and should be encouraged.</p> <p>(Language taken from report letter dated September 2, 2016.)</p>			

### III. Agency Spending

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19. Finance Overview Chart. [See attached Excel chart.](#)

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### IV. Agency Deliverables

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20. Deliverables Chart. [See attached Excel chart.](#)

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### V. Performance

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21. Performance Measures Chart. [See attached Excel chart.](#)

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## VI. Agency Ideas and Recommendations for Law Changes

### Recommendations for changes in law.

LAW CHANGE #1			
Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 2-17-20. Registration of lobbyists; notice of termination of lobbying activities; supplemental registration statements; list of lobbyists; recording keeping requirements; reregistration requirements.</p>	<p><u>Current Law:</u> Section 2-17-20 provides the registration and recordkeeping requirements for lobbyists.</p> <p><u>Recommendation:</u> Repeal subsection (E).</p>	<p>This statute is obsolete based on the Commission’s electronic filing system, which is available to the public, including members of the General Assembly, by visiting <a href="https://apps.sc.gov/LobbyingActivity/LAIndex.aspx">https://apps.sc.gov/LobbyingActivity/LAIndex.aspx</a>.</p>	<p><u>Presented and approved by agency’s governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> None.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>Section 2-17-20. Registration of lobbyists; notice of termination of lobbying activities; supplemental registration statements; list of lobbyists; recording keeping requirements; reregistration requirements.</p> <p>(A) Any person who acts as a lobbyist must, within fifteen days of being employed, appointed, or retained as a lobbyist, register with the State Ethics Commission as provided in this section. Each person registering must pay a fee of one hundred dollars and present to the State Ethics Commission a communication reflecting the authority of the registrant to represent the person by whom he is employed, appointed, or retained. If a partnership, committee, association, corporation, labor organization, or any other organization or group of persons registers as a lobbyist, it must identify each person who will act as a lobbyist on its behalf during the covered period. There is no registration fee for a lobbyist who is a full- time employee of a state agency and limits his lobbying to efforts on behalf of that particular state agency.</p> <p>(B) The registration must be in a form prescribed by the State Ethics Commission and be limited to and contain:</p>		<p>Section 2-17-20. Registration of lobbyists; notice of termination of lobbying activities; supplemental registration statements; list of lobbyists; recording keeping requirements; reregistration requirements.</p> <p>(A) Any person who acts as a lobbyist must, within fifteen days of being employed, appointed, or retained as a lobbyist, register with the State Ethics Commission as provided in this section. Each person registering must pay a fee of one hundred dollars and present to the State Ethics Commission a communication reflecting the authority of the registrant to represent the person by whom he is employed, appointed, or retained. If a partnership, committee, association, corporation, labor organization, or any other organization or group of persons registers as a lobbyist, it must identify each person who will act as a lobbyist on its behalf during the covered period. There is no registration fee for a lobbyist who is a full- time employee of a state agency and limits his lobbying to efforts on behalf of that particular state agency.</p> <p>(B) The registration must be in a form prescribed by the State Ethics Commission and be limited to and contain:</p> <p>(1) the lobbyist's full name and address, telephone number, occupation, name of employer, principal place of business, and position held in that business by the lobbyist;</p>	

<p>(1) the lobbyist's full name and address, telephone number, occupation, name of employer, principal place of business, and position held in that business by the lobbyist;</p> <p>(2) an identification of the public office or public body which the lobbyist will engage in lobbying and the subject matter in which the lobbyist will engage in lobbying, including the name of legislation, covered agency actions, or covered gubernatorial actions, if known; and</p> <p>(3) certification by the lobbyist that the information contained on the registration statement is true and correct.</p> <p>(4) If a lobbyist fails to identify the public office or public body for which he is authorized to engage in lobbying, as required by item (2) of this subsection, then the lobbyist's principal for whom the lobbyist is authorized to engage in lobbying is deemed a lobbyist's principal as to all public offices or public bodies of the State.</p> <p>(C) Each lobbyist who ceases to engage in lobbying requiring him to register pursuant to the provisions of this section shall file a written statement with the State Ethics Commission acknowledging the termination of lobbying. The written statement of termination is effective immediately, except that the provisions of Sections 2-17-80(A)(5), 2-17-80(B)(5), 2-17-110(C), and 2-17-110(F) continue in force and effect for the remainder of the calendar year in which the lobbyist was registered, regardless of the date of the termination statement filed with the State Ethics Commission. Each lobbyist who files a written statement of termination pursuant to the provisions of this section must file reports required by this chapter for any reporting period during which the lobbyist was registered pursuant to the provisions of this section.</p> <p>(D) A lobbyist must file a supplemental registration statement indicating any substantial change in the information contained in the prior registration statement within fifteen days after the date of the change.</p> <p>(E) The State Ethics Commission annually must furnish to each chairman of standing and special committees of the General Assembly, each member of the General Assembly, and each statewide constitutional officer a list of all lobbyists registered with that office. The State Ethics Commission must furnish monthly updates to the same persons. These lists must be available to state agency heads upon request.</p>	<p>(2) an identification of the public office or public body which the lobbyist will engage in lobbying and the subject matter in which the lobbyist will engage in lobbying, including the name of legislation, covered agency actions, or covered gubernatorial actions, if known; and</p> <p>(3) certification by the lobbyist that the information contained on the registration statement is true and correct.</p> <p>(4) If a lobbyist fails to identify the public office or public body for which he is authorized to engage in lobbying, as required by item (2) of this subsection, then the lobbyist's principal for whom the lobbyist is authorized to engage in lobbying is deemed a lobbyist's principal as to all public offices or public bodies of the State.</p> <p>(C) Each lobbyist who ceases to engage in lobbying requiring him to register pursuant to the provisions of this section shall file a written statement with the State Ethics Commission acknowledging the termination of lobbying. The written statement of termination is effective immediately, except that the provisions of Sections 2-17-80(A)(5), 2-17-80(B)(5), 2-17-110(C), and 2-17-110(F) continue in force and effect for the remainder of the calendar year in which the lobbyist was registered, regardless of the date of the termination statement filed with the State Ethics Commission. Each lobbyist who files a written statement of termination pursuant to the provisions of this section must file reports required by this chapter for any reporting period during which the lobbyist was registered pursuant to the provisions of this section.</p> <p>(D) A lobbyist must file a supplemental registration statement indicating any substantial change in the information contained in the prior registration statement within fifteen days after the date of the change.</p> <p><del>(E) The State Ethics Commission annually must furnish to each chairman of standing and special committees of the General Assembly, each member of the General Assembly, and each statewide constitutional officer a list of all lobbyists registered with that office. The State Ethics Commission must furnish monthly updates to the same persons. These lists must be available to state agency heads upon request.</del></p> <p>(F) Each lobbyist must maintain for not less than four years records which must be available to the State Ethics Commission for inspection and which must contain:</p> <p>(1) the identification of each person from whom income attributable to the lobbyist's lobbying is paid or promised and the amount of such income attributable to the lobbyist's lobbying paid or promised; and</p> <p>(2) the total expenditures of the lobbyist for lobbying.</p> <p>(G) A lobbyist must reregister annually with the State Ethics Commission by January fifth of each year.</p>
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(F) Each lobbyist must maintain for not less than four years records which must be available to the State Ethics Commission for inspection and which must contain:

(1) the identification of each person from whom income attributable to the lobbyist's lobbying is paid or promised and the amount of such income attributable to the lobbyist's lobbying paid or promised; and

(2) the total expenditures of the lobbyist for lobbying.

(G) A lobbyist must reregister annually with the State Ethics Commission by January fifth of each year.

(H) The State Ethics Commission shall not allow a lobbyist to register, reregister, or continue to be registered pursuant to this section until the lobbyist complies with the reporting requirements pursuant to Section 2-17-30, and pays all late filing penalties in accordance with Section 2-17-50 and all complaint fines in accordance with Section 8-13-320(10)(1).

HISTORY: 1962 Code Section 30-152; 1952 Code Section 30-151; 1942 Code Section 2070-1; 1935 (39) 3; 1953 (48) 361; 1974 (58) 2622; 1991 Act No. 248, Section 2; 1995 Act No. 6, Sections 3, 4; 2003 Act No. 76, Sections 1, 2; 2011 Act No. 40, Section 1, eff June 7, 2011.

(H) The State Ethics Commission shall not allow a lobbyist to register, reregister, or continue to be registered pursuant to this section until the lobbyist complies with the reporting requirements pursuant to Section 2-17-30, and pays all late filing penalties in accordance with Section 2-17-50 and all complaint fines in accordance with Section 8-13-320(10)(1).

HISTORY: 1962 Code Section 30-152; 1952 Code Section 30-151; 1942 Code Section 2070-1; 1935 (39) 3; 1953 (48) 361; 1974 (58) 2622; 1991 Act No. 248, Section 2; 1995 Act No. 6, Sections 3, 4; 2003 Act No. 76, Sections 1, 2; 2011 Act No. 40, Section 1, eff June 7, 2011.



**LAW CHANGE #2**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 2-17-25. Registration of lobbyist's principal; notice of termination of lobbying authority; supplemental registration statements; list of lobbyist's principal; recording keeping requirements; reregistration requirements.</p>	<p><u>Current Law:</u> Section 2-17-25 provides the registration and recordkeeping requirements for lobbyist's principals.</p> <p><u>Recommendation:</u> Repeal subsection (E).</p>	<p>This statute is obsolete based on the Commission's electronic filing system, which is available to the public, including members of the General Assembly, by visiting <a href="https://apps.sc.gov/LobbyingActivity/LAIndex.aspx">https://apps.sc.gov/LobbyingActivity/LAIndex.aspx</a>.</p>	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> None.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>SECTION 2-17-25. Registration of lobbyist's principal; notice of termination of lobbying authority; supplemental registration statements; list of lobbyist's principal; recording keeping requirements; reregistration requirements.</p> <p>(A) Any lobbyist's principal must, within fifteen days of employing, appointing, or retaining a lobbyist, register with the State Ethics Commission as provided in this section. Each person registering must pay a fee of one hundred dollars. If a partnership, committee, an association, a corporation, labor organization, or any other organization or group of persons registers as a lobbyist's principal, it must identify each person who will act as a lobbyist on its behalf during the covered period. If the State is a lobbyist's principal, the State is exempt from paying a registration fee and filing a lobbyist's principal registration statement.</p> <p>(B) The registration must be in a form prescribed by the State Ethics Commission and be limited to and include:</p> <p>(1) the full name, address, and telephone number of the lobbyist's principal. If the lobbyist's principal is an individual, the lobbyist's principal also shall include his occupation, name of employer, principal</p>		<p>SECTION 2-17-25. Registration of lobbyist's principal; notice of termination of lobbying authority; supplemental registration statements; list of lobbyist's principal; recording keeping requirements; reregistration requirements.</p> <p>(A) Any lobbyist's principal must, within fifteen days of employing, appointing, or retaining a lobbyist, register with the State Ethics Commission as provided in this section. Each person registering must pay a fee of one hundred dollars. If a partnership, committee, an association, a corporation, labor organization, or any other organization or group of persons registers as a lobbyist's principal, it must identify each person who will act as a lobbyist on its behalf during the covered period. If the State is a lobbyist's principal, the State is exempt from paying a registration fee and filing a lobbyist's principal registration statement.</p> <p>(B) The registration must be in a form prescribed by the State Ethics Commission and be limited to and include:</p> <p>(1) the full name, address, and telephone number of the lobbyist's principal. If the lobbyist's principal is an individual, the lobbyist's principal also shall include his occupation, name of employer, principal place of business, and position of authority held in that business by the lobbyist's principal;</p> <p>(2) an identification of each person the lobbyist's principal expects to employ, appoint, or retain as a lobbyist;</p>	

place of business, and position of authority held in that business by the lobbyist's principal;

(2) an identification of each person the lobbyist's principal expects to employ, appoint, or retain as a lobbyist;

(3) an identification of the public office or public body which the lobbyist's principal will authorize lobbying and the subject matter in which the lobbyist's principal will authorize lobbying, including the name of legislation, covered agency actions, or covered gubernatorial actions, if known; and

(4) certification by the lobbyist's principal that the information contained on the registration statement is true and correct.

(5) If a lobbyist's principal fails to identify the public office or public body for which he has authorized lobbying as required by item (3) of this subsection, then the lobbyist's principal is deemed a lobbyist's principal as to all public offices or public bodies of the State.

A lobbyist's principal may comply with the requirements of items (1), (2), and (3) above by attaching a copy of the information submitted by any lobbyist employed, retained, or appointed by the lobbyist's principal if the information requested from the lobbyist's principal is the same as the information supplied by the lobbyist pursuant to Section 2-17-20.

(C) Each lobbyist's principal who ceases to authorize lobbying requiring him to register pursuant to this section must file a written statement with the State Ethics Commission acknowledging the termination of lobbying. The written statement of termination is effective immediately, except that the provisions of Sections 2-17-80(A)(5), 2-17-80(B)(5), 2-17-110(C), and 2-17-110(F) continue in force and effect for the remainder of the calendar year in which the lobbyist's principal was registered, regardless of the date of the termination statement filed with the State Ethics Commission. Each lobbyist's principal who files a written statement of termination pursuant to this section shall file reports required by this chapter for any reporting period during which the lobbyist's principal was registered pursuant to this section.

(D) A lobbyist's principal must file a supplemental registration statement indicating any substantial change in the information contained in the

(3) an identification of the public office or public body which the lobbyist's principal will authorize lobbying and the subject matter in which the lobbyist's principal will authorize lobbying, including the name of legislation, covered agency actions, or covered gubernatorial actions, if known; and

(4) certification by the lobbyist's principal that the information contained on the registration statement is true and correct.

(5) If a lobbyist's principal fails to identify the public office or public body for which he has authorized lobbying as required by item (3) of this subsection, then the lobbyist's principal is deemed a lobbyist's principal as to all public offices or public bodies of the State.

A lobbyist's principal may comply with the requirements of items (1), (2), and (3) above by attaching a copy of the information submitted by any lobbyist employed, retained, or appointed by the lobbyist's principal if the information requested from the lobbyist's principal is the same as the information supplied by the lobbyist pursuant to Section 2-17-20.

(C) Each lobbyist's principal who ceases to authorize lobbying requiring him to register pursuant to this section must file a written statement with the State Ethics Commission acknowledging the termination of lobbying. The written statement of termination is effective immediately, except that the provisions of Sections 2-17-80(A)(5), 2-17-80(B)(5), 2-17-110(C), and 2-17-110(F) continue in force and effect for the remainder of the calendar year in which the lobbyist's principal was registered, regardless of the date of the termination statement filed with the State Ethics Commission. Each lobbyist's principal who files a written statement of termination pursuant to this section shall file reports required by this chapter for any reporting period during which the lobbyist's principal was registered pursuant to this section.

(D) A lobbyist's principal must file a supplemental registration statement indicating any substantial change in the information contained in the prior registration statement within fifteen days after the date of the change.

~~(E) The State Ethics Commission annually must furnish to each chairman of standing and special committees of the General Assembly, each member of the General Assembly, and each statewide constitutional officer a list of every lobbyist's principal registered with that office. The State Ethics Commission must furnish monthly updates to the same persons. These lists must be available to state agency heads upon request.~~

(F) Each lobbyist's principal must maintain for not less than four years records which must be available to the State Ethics Commission for inspection and which must contain:

(1) the identification of each person to whom income attributable to lobbying is paid or promised and the amount of such income attributable to lobbying paid or promised;

(2) the total expenditures of the lobbyist's principal for lobbying; and

prior registration statement within fifteen days after the date of the change.

(E) The State Ethics Commission annually must furnish to each chairman of standing and special committees of the General Assembly, each member of the General Assembly, and each statewide constitutional officer a list of every lobbyist's principal registered with that office. The State Ethics Commission must furnish monthly updates to the same persons. These lists must be available to state agency heads upon request.

(F) Each lobbyist's principal must maintain for not less than four years records which must be available to the State Ethics Commission for inspection and which must contain:

(1) the identification of each person to whom income attributable to lobbying is paid or promised and the amount of such income attributable to lobbying paid or promised;

(2) the total expenditures of the lobbyist's principal for lobbying; and

(3) in the case of a voluntary membership organization, dues, fees, or other amounts payable to the organization during any calendar year from a member need be recorded only if the contribution to the organization is more than five hundred dollars and more than twenty percent of the total contributions of the organization during that calendar year.

(G) A lobbyist's principal must reregister annually with the State Ethics Commission by January fifth of each year.

(H) The State Ethics Commission shall not allow a lobbyist's principal to register, reregister, or continue to be registered pursuant to this section until the lobbyist's principal complies with the reporting requirements pursuant to Section 2-17-35, and pays all late filing penalties in accordance with Section 2-17-50 and all complaint fines in accordance with Section 8-13-320(10)(1).

HISTORY: 1991 Act No. 248, Section 2; 1995 Act No. 6, Sections 5, 6; 2003 Act No. 76, Sections 3, 4; 2011 Act No. 40, Section 2, eff June 7, 2011.

(3) in the case of a voluntary membership organization, dues, fees, or other amounts payable to the organization during any calendar year from a member need be recorded only if the contribution to the organization is more than five hundred dollars and more than twenty percent of the total contributions of the organization during that calendar year.

(G) A lobbyist's principal must reregister annually with the State Ethics Commission by January fifth of each year.

(H) The State Ethics Commission shall not allow a lobbyist's principal to register, reregister, or continue to be registered pursuant to this section until the lobbyist's principal complies with the reporting requirements pursuant to Section 2-17-35, and pays all late filing penalties in accordance with Section 2-17-50 and all complaint fines in accordance with Section 8-13-320(10)(1).

HISTORY: 1991 Act No. 248, Section 2; 1995 Act No. 6, Sections 5, 6; 2003 Act No. 76, Sections 3, 4; 2011 Act No. 40, Section 2, eff June 7, 2011.

LAW CHANGE #3			
Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
Section 8-13-350. Ethics brochure to be provided to public officials, members, and employees.	<p><u>Current Law:</u> Section 8-13-350 requires all public officials, members, and employees to be provided with a brochure related to the Act.</p> <p><u>Recommendation:</u> Modify to include which persons/entities are required to provide the brochure created by the Commission (i.e., election commission officials, all public agencies, etc.)</p>	<p>The Commission provides the referenced brochure electronically via its website, available by visiting <a href="https://ethics.sc.gov/ethics-brochures">https://ethics.sc.gov/ethics-brochures</a>.</p> <p>The Commission also provides copies of the Candidate Newsletter to every county elections office. However, the Commission has no way of monitoring each public employee being hired or each individual filing for public office.</p>	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> State and local election officials and all public agencies.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>Section 8-13-350 Ethics brochure to be provided to public officials, members, and employees.</p> <p>When hired, filing for office, or appointed and upon assuming the duties of employment, office, or position in state government, a public official, public member, and public employee shall receive a brochure prepared by the State Ethics Commission describing the general application of this chapter.</p>		<p>The agency does not have a recommendation for specific wording.</p>	

**LAW CHANGE #4**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-360. Statements and reports filed with commission open for public inspection and copying.</p>	<p><u>Current Law</u>: Requires the Commission to make statements and reports filed with the Commission available for public inspection and copying during regular office hours, by mail, and to “make available to the public and to persons subject to this chapter explanatory information” concerning the Act.</p> <p><u>Recommendation</u>: Repeal.</p>	<p>This statute is obsolete. The Commission believes the requirements in this section are already met by the existence of the Commission’s online filing system, the information required in Section 8-13-350, and/or by the Freedom of Information Act.</p>	<p><u>Presented and approved by agency’s governing body</u>: No.</p> <p><u>Other entities potentially impacted</u>: None.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly</u>: Not applicable.</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>Section 8-13-360. Statements and reports filed with commission open for public inspection and copying.</p> <p>Upon request, the commission shall make statements and reports filed with the commission available for public inspection and copying during regular office hours. The commission shall provide copying facilities at a cost not to exceed the actual cost. A statement may be requested by mail, and the commission shall mail a copy of the requested information to the individual making the request upon payment of appropriate postage, copying costs, and employee labor costs. The commission shall publish and make available to the public and to persons subject to this chapter explanatory information concerning this chapter, the duties imposed by this chapter, and the means for enforcing this chapter.</p>		<p>Repeal.</p>	

**LAW CHANGE #5**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-710. Reporting of particular gifts, received by public employee, official, or member on statement of economic interests.</p>	<p><u>Current Law:</u> Section 8-13-710 requires public officials, employees, and members who file statements of economic interests (SEI) to report certain gifts.</p> <p><u>Recommendation:</u> Modify Section 8-13-710(B), which imposes a monetary threshold of \$25.00 per day and \$200 per year for gift reporting, to harmonize with Section 8-13-1120(A)(9), which lacks a monetary threshold for gift reporting.</p>	<p>A discrepancy exists between Sections 8-13-710(B) and 8-13-1120(A)(9). Section 8-13-710(B) requires SEI filers to report gifts received in their official capacity only if the amount of those gifts exceeds \$25.00 per day and \$200.00 per year. Section 8-13-1120(A)(9) requires these gifts to be reported regardless of their amount. The Commission has addressed this discrepancy in a formal advisory opinion, SEC AO2002-008, which found that Section 8-13-1120(A)(9) “should be the prevailing statute to consider rather than Section 8-13-710(B).”</p>	<p><u>Presented and approved by agency’s governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> Members of the South Carolina House of Representatives and South Carolina Senate, who may be operating under a different interpretation.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
<p><b>Current Law Wording</b></p>		<p><b>Proposed Revisions to Law Wording</b></p>	
<p>Section 8-13-710. Reporting of particular gifts, received by public employee, official, or member on statement of economic interests.</p> <p>(A) Unless provided by subsection (B) and in addition to the requirements of Chapter 17 of Title 2, a public official or public employee required to file a statement of economic interests under Section 8-13-1110 who accepts anything of value from a lobbyist's principal must report the value of anything received on his statement of economic interests pursuant to Section 8-13-1120(A)(9).</p> <p>(B) A public official, public member, or public employee required to file a statement of economic interests under Section 8-13-1110 who receives, accepts, or takes, directly or indirectly, from a person, anything of value worth twenty-five dollars or more in a day and anything of value worth two hundred dollars or more in the aggregate in a calendar year must report on his statement of economic interests pursuant to Section 8-13-1120 the thing of value from:</p> <p>(1) a person, if there is reason to believe the donor would not give the thing of value but for the public official's, public member's, or public employee's office or position;</p> <p>(2) a person, or from an officer or director of a person, if the public official, public member, or public employee has reason to believe the person:</p>		<p>Section 8-13-710. Reporting of particular gifts, received by public employee, official, or member on statement of economic interests.</p> <p>(A) Unless provided by subsection (B) and in addition to the requirements of Chapter 17 of Title 2, a public official or public employee required to file a statement of economic interests under Section 8-13-1110 who accepts anything of value from a lobbyist's principal must report the value of anything received on his statement of economic interests pursuant to Section 8-13-1120(A)(9).</p> <p>(B) A public official, public member, or public employee required to file a statement of economic interests under Section 8-13-1110 who receives, accepts, or takes, directly or indirectly, from a person, anything of value <del>worth twenty-five dollars or more in a day and anything of value worth two hundred dollars or more in the aggregate in a calendar year</del> must report on his statement of economic interests pursuant to Section 8-13-1120 the thing of value from:</p> <p>(1) a person, if there is reason to believe the donor would not give the thing of value but for the public official's, public member's, or public employee's office or position;</p> <p>(2) a person, or from an officer or director of a person, if the public official, public member, or public employee has reason to believe the person:</p>	

(a) has or is seeking to obtain contractual or other business or financial relationships with the public official's, public member's, or public employee's governmental entity;

(b) conducts operations or activities which are regulated by the public official's, public member's, or public employee's governmental entity.

(C) Nothing in this section requires a public official, public member, or public employee to report a gift from a parent, grandparent, or relative to a child, grandchild, or other immediate family member for love and affection.

(a) has or is seeking to obtain contractual or other business or financial relationships with the public official's, public member's, or public employee's governmental entity;

(b) conducts operations or activities which are regulated by the public official's, public member's, or public employee's governmental entity.

(C) Nothing in this section requires a public official, public member, or public employee to report a gift from a parent, grandparent, or relative to a child, grandchild, or other immediate family member for love and affection.

**LAW CHANGE #6**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-1160. Forwarding copies of statement to State Ethics Commission and filing person's county of residence.</p>	<p><u>Current Law:</u> Section 8-13-1160 requires the House and Senate Ethics Committees and the Commission to forward paper filings to other parties.</p> <p><u>Recommendation:</u> Repeal.</p>	<p>This statute is obsolete based on the Commission's electronic filing system, which is available to the public, including members of the General Assembly and Clerks of Court. Statements of Economic Interests are publicly available immediately upon filing, removing the need for any paper copies to be forwarded.</p>	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> House and Senate Ethics Committees, Clerks of Court.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>Section 8-13-1160. Forwarding copies of statement to State Ethics Commission and filing person's county of residence.</p> <p>(A) The Senate Ethics Committee and the House of Representatives Ethics Committee must forward a copy of each statement filed with it to the State Ethics Commission within five business days of receipt.</p> <p>(B) Within five business days of receipt, a copy of all statements of economic interests received by the State Ethics Commission must be forwarded to the clerk of court in the county of residence of the filing official or employee.</p>		<p>Repeal.</p>	



**LAW CHANGE #7**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-1300(6). Definitions -- Committee</p>	<p><u>Current Law:</u> Section 8-13-1300(6)'s definition of "committee" has been found unconstitutional (and therefore unenforceable) by two federal district courts because the definition is too broad.</p> <p><u>Recommendation:</u> Modify to conform with constitutional jurisprudence.</p>	<p>The current definition has been declared as overly broad because it imposes reporting and other regulatory requirements on <i>all</i> political committees, rather than limiting these requirements to those committees which have as <u>the</u> major purpose, as opposed to <u>a</u> major purpose, the support or opposition of the nomination or election of one or more clearly identified candidates. Without an enforceable definition, various "committees" have been able to participate in South Carolina elections without identifying themselves or their contributors. The suggested revision mirrors North Carolina's definition of "committee," which has been held constitutional by the Fourth Circuit Court of Appeals in <i>N.C. Right to Life, Inc. v. Leake</i>, 525 F.3d 274 (4<sup>th</sup> Cir. 2008).</p>	<p><u>Presented and approved by agency's governing body:</u> Yes.</p> <p><u>Other entities potentially impacted:</u> All potential committees, political parties, House and Senate Ethics Committees.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>Section 8-13-1300(6). Definitions</p> <p>"Committee" means an association, a club, an organization, or a group of persons which, to influence the outcome of an elective office, receives contributions or makes expenditures in excess of five hundred dollars in the aggregate during an election cycle. It also means a person who, to influence the outcome of an elective office makes:</p> <p>(a) Contributions aggregating at least twenty-five thousand dollars during an election cycle to or at the request of a candidate or a committee, or a combination of them; or</p> <p>(b) Independent expenditures aggregating five hundred dollars or more during an election cycle for the election or defeat of a candidate.</p> <p>"Committee" includes a party committee, a legislative caucus committee, a noncandidate committee, or a committee that is not a campaign committee for a candidate but that is organized for the purpose of influencing an election.</p>		<p>Section 8-13-1300(6). Definitions</p> <p><del>(6) "Committee" means an association, a club, an organization, or a group of persons which, to influence the outcome of an elective office, receives contributions or makes expenditures in excess of five hundred dollars in the aggregate during an election cycle. It also means a person who, to influence the outcome of an elective office makes:</del></p> <p><del>(c) Contributions aggregating at least twenty five thousand dollars during an election cycle to or at the request of a candidate or a committee, or a combination of them;</del>  <del>or</del></p> <p><del>(d) Independent expenditures aggregating five hundred dollars or more during an election cycle for the election or defeat of a candidate.</del></p> <p><u>"Committee" includes a party committee, a legislative caucus committee, a noncandidate committee, or a committee that is not a campaign committee for a candidate but that is organized for the purpose of influencing an election.</u></p> <p><u>a combination of two or more individuals, such as any person, association, organization, or other entity that makes, or accepts anything of value to make, contributions or expenditures and has one or more of the following characteristics:</u></p>	

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>(a) <u>Is controlled by a candidate;</u></li><li>(b) <u>Is a political party or executive committee of a political party or is controlled by a political party or executive committee of a political party; or</u></li><li>(c) <u>Has the major purpose to support or oppose the nomination or election of one or more clearly identified candidates.</u></li></ul> |
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Supporting or opposing the election of clearly identified candidates includes supporting or opposing the candidates of a clearly identified political party.

**LAW CHANGE #8**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-1301. Joint candidates for Governor and Lieutenant Governor to be considered a single candidate.</p>	<p><u>Current Law:</u> Section 8-13-1301 declares the offices of Governor and Lieutenant Governor a single candidate for purposes of contribution limits and reporting requirements.</p> <p><u>Recommendation:</u> Include language as to <u>when</u> a candidate for Governor may declare a running mate/Lieutenant Governor for purposes of campaign fundraising.</p>	<p>Section 8-13-1314 allows candidates to contribute unlimited personal funds to their own campaigns. Section 8-13-1300(4) defines candidate, in part, as anyone exploring whether or not to run for office. Therefore, a candidate for Governor could theoretically declare numerous running mates/Lt. Gov. candidates, then allow those candidates for Lt. Gov. to contribute unlimited contributions to their joint campaign.</p>	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> None.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
<b>Current Law Wording</b>		<b>Proposed Revisions to Law Wording</b>	
<p>Section 8-13-1301. Joint candidates for Governor and Lieutenant Governor to be considered a single candidate.</p> <p>For purposes of this article, candidates elected jointly as provided in Section 8, Article IV of the South Carolina Constitution, 1895, must be considered a single candidate. The gubernatorial candidate is responsible for:</p> <ol style="list-style-type: none"> <li>(1) Establishing a single candidate committee for contributions solicited and received for the Governor and Lieutenant Governor elected jointly; and</li> <li>(2) Complying with the requirements of Article 13, Chapter 13, Title 8 for the committee established for the joint election.</li> </ol>		<p>The agency does not have a recommendation for specific wording.</p>	

**LAW CHANGE #9**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
Section 8-13-1356. Economic interests statements, filing deadlines for particular candidates.	<p><u>Current Law:</u> Section 8-13-1356 sets forth the filing deadlines for certain candidates for public office.</p> <p><u>Recommendation:</u> Modify to require candidates who run for <i>non-partisan</i> public offices to file statements of economic interests.</p>	Section 8-13-1356 currently does not require candidates for non-partisan public offices to file statements of economic interests. Therefore, large amounts of candidates running for school boards, city councils, and other non-partisan public offices are not filings SEIs as candidates.	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> State and local election commissions.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
Current Law Wording	Proposed Revisions to Law Wording		
<p>Section 8-13-1356. Economic interests statements, filing deadlines for particular candidates.</p> <p>(A) A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 prior to the close of filing for the particular office.</p> <p>(B) A person who becomes a candidate by filing a petition for nomination must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 within fifteen days of submitting the petition pursuant to Section 7-11-70 or 7-11-71.</p> <p>(C) A person who becomes a write-in candidate must electronically file a statement of economic interests for the preceding calendar year within twenty-four hours of filing an initial campaign finance report pursuant to Section 8-13-1308(A) or before taking the oath of office, whichever occurs earlier.</p> <p>(D) A candidate who is not a public official otherwise filing a statement has the same disclosure requirements as a public official with the exception of reporting gifts.</p> <p>(E) The appropriate supervisory office shall assess a civil penalty pursuant to Section 8-13-1510 against a candidate who fails to timely file a statement of economic interests as required by this section.</p>	<p>Section 8-13-1356. Economic interests statements, filing deadlines for particular candidates.</p> <p>(A) A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 prior to the close of filing for the particular office.</p> <p>(B) A person who becomes a candidate by filing a petition for nomination must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 within fifteen days of submitting the petition pursuant to Section 7-11-70 or 7-11-71.</p> <p>(C) A person who becomes a write-in candidate must electronically file a statement of economic interests for the preceding calendar year within twenty-four hours of filing an initial campaign finance report pursuant to Section 8-13-1308(A) or before taking the oath of office, whichever occurs earlier.</p> <p>(D) A candidate who is not a public official otherwise filing a statement has the same disclosure requirements as a public official with the exception of reporting gifts.</p> <p>(E) The appropriate supervisory office shall assess a civil penalty pursuant to Section 8-13-1510 against a candidate who fails to timely file a statement of economic interests as required by this section.</p>		

	(F) <u>A person who becomes a candidate by filing a non-partisan statement of intention of candidacy must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 prior to the close of filing for the particular office.</u>
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LAW CHANGE #10

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-1364. Sending of notice of obligation to report and forms.</p>	<p><u>Current Law:</u> Section 8-13-1364 requires the appropriate supervisory office to send notice of obligation to report certain forms via first-class mail thirty (30) days before the filing date for each reporting period.</p> <p><u>Recommendation:</u> Repeal or modify to allow electronic mailing.</p>	<p>The Commission no longer sends notification of reporting requirements or paper forms to filers. Rather, each candidate in the Commission’s electronic filing system is sent electronic notification using the email address provided by the filer.</p>	<p><u>Presented and approved by agency’s governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> Senate Ethics Committee and House of Representatives Ethics Committee.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
<p>Current Law Wording</p>		<p>Proposed Revisions to Law Wording</p>	
<p>Section 8-13-1364. Sending of notice of obligation to report and forms.</p> <p>The appropriate supervisory office must send a notice of obligation to report and reporting forms by first-class mail no less than thirty days before the filing date for each reporting period. A candidate or committee is not relieved of reporting responsibilities if the notice or forms are not sent or if the candidate or committee does not receive a notice or forms.</p>		<p>The agency does not have a recommendation for specific wording.</p>	

**LAW CHANGE #11**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
<p>Section 8-13-1366. Public availability of certified campaign reports.</p>	<p><u>Current Law:</u> Section 8-13-1366 requires the Commission, the House and Senate Ethics Committees, and County Clerks of Court to make Commission filings available for copying or purchase.</p> <p><u>Recommendation:</u> Repeal.</p>	<p>This statute is obsolete. All Commission filings are made available to the public free of charge by visiting <a href="https://apps.sc.gov/PublicReporting/Index.aspx">https://apps.sc.gov/PublicReporting/Index.aspx</a>.</p>	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> House and Senate Ethics Committees and County Clerks of Court.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
<p><b>Current Law Wording</b></p>		<p><b>Proposed Revisions to Law Wording</b></p>	
<p>Section 8-13-1366 Public availability of certified campaign reports.</p> <p>Certified campaign reports must be made available for public inspection at the office of the State Ethics Commission, the Senate Ethics Committee, the House of Representatives Ethics Committee, and the county clerk of court within two business days of receipt. The commission, ethics committees, and county clerks of court shall not require any information or identification as a condition of viewing a report or reports. The commission, ethics committees, and the county clerks of court must ensure that the reports are available for copying or purchase at a reasonable cost.</p>		<p>Repeal.</p>	

**LAW CHANGE #12**

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
Recommending new law.	<p><u>Current Law:</u> No current law is applicable.</p> <p><u>Recommendation:</u> Include a requirement that filers of Statements of Economic Interests and Campaign Disclosure update their contact information within the Commission's electronic filing system within fifteen (15) days of any substantial change.</p>	<p>The Commission routinely uses the contact information provided by individual filers at the time of registration and/or filing to communicate with these individuals. The Commission frequently faces situations where filers claim lack of notice of filing requirements, complaints, and other Commission communications, despite the Commission's utilization of the provided contact information. Requiring filers to maintain current contact information would assist the Commission in maintaining open lines of communication with these individuals. (The lobbying laws, 2-17-20(D) and 2-17-25(D), already have such a requirement).</p>	<p><u>Presented and approved by agency's governing body:</u> No.</p> <p><u>Other entities potentially impacted:</u> None.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> Not applicable.</p>
<b>Current Law Wording</b>		<b>Proposed Revisions to Law Wording</b>	
No current wording exists.		The agency does not have a recommendation for specific wording.	



## VII. Feedback (Optional)

Agency feedback

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**22. (A) Other questions that may help the Committee and public understand how the agency operates, budgets, and performs**

With the Commission's expanded jurisdiction, it may be helpful to the Committee and the public to see our complaint process. See Attachment 3.

Additionally, Commission staff will be happy to explain the difference between late filing penalties and complaints.

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**(B) Best ways for the Committee to compare the specific results the agency obtained with the resources the agency invested.**

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**(C) Changes to the report questions, format, etc., agency representatives would recommend.**

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**(D) Benefits agency representatives see in the public having access to the information in this report.**

Access to this report will likely clarify the jurisdiction of the Commission for the public. Confusion about the Commission's jurisdiction is partly attributable to the belief that *any* conduct on the part of a public official, public member or public employee that is thought to be "unethical" should be investigated by the Commission. Conduct outside of our jurisdiction includes, but is not limited to, racism, sexual harassment, and violations of the criminal code. It is the Commission's hope that this report explains our jurisdiction.

It is also the Commission's hope that this report highlights the tremendous amount of work done by the Commission's eighteen employees.

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**(E) Two to three things agency representatives could do differently next time (or it could advise other agencies to do) to complete the report in less time and**

Now that the Commission has been through this process and understands the data needed to complete these reports, Commission staff can track these numbers in real time.

The Commission will likely assign a staff member (or members) to track all required data.

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**at a lower cost to the  
agency.**

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**(F) Other comments or  
suggestions from the  
agency.**

None.

## Organizational Unit Details

Agency: State Ethics Commission

Accurate as of March 2021

<b>Name of organizational unit</b>	Administration
<b>Purpose of organizational unit</b>	Implement the Commission's mission statement; develop, implement and monitor the Commission's strategic plan; oversee daily operations to monitor processes and improve said processes; direct budget preparation process and monitor expenditures; create and implement new programs, policies and procedures; coordinate and direct agency procurement policies; manage and audit accountability objectives and prepare report; plan and coordinate agency human resource programs; ensure compliance with federal and state regulations.
<b>Exit interviews or surveys performed?</b>	
2019-20	No
2018-19	No
2017-18	Yes
2016-17	Yes
<b>Employee satisfaction tracked?</b>	
2019-20	No
2018-19	Yes
2017-18	No
2016-17	No
<b>Anonymous employee feedback allowed?</b>	
2019-20	No
2018-19	No
2017-18	No
2016-17	No
<b>Number of employees (all types) in the unit</b>	
<u>Start of fiscal year</u>	
2019-20	3
2018-19	3.00
2017-18	3.00
2016-17	3.00
<u>End of fiscal year</u>	
2019-20	3
2018-19	3.00
2017-18	3.00
2016-17	3.00
<u>Leave the unit during fiscal year</u>	
2019-20	0
2018-19	0.00
2017-18	2.00
2016-17	1.00
<b>Turnover rate</b>	
2019-20	0.00%
2018-19	0.00%
2017-18	66.67%
2016-17	33.33%
<b>Agency Comments (Optional)</b>	FY17 - The Executive Director retired. FY18 - The Interim Executive Director left the Commission when a new Executive Director was hired. A Commission employee retired.

The contents of this chart are considered sworn testimony from the agency director.

## Organizational Unit Details

Agency: State Ethics Commission

Accurate as of March 2021

Name of organizational unit	Compliance/Disclosures	Legal
<b>Purpose of organizational unit</b>	Oversee the day-to-day operations of the electronic filing system for campaign fiancé, financial disclosure and lobbying disclosure; monitor daily, weekly, monthly and quarterly reports for purposes of late filing, questionable contributions and expenditures and notice of deadlines; provide customer service to all Commission filers; accountability portal liaison.	Administratively prosecute alleged violations of the Act; represent the Commission in state and federal courts; advise public servants on permissibility of actions under the Act; provide Commission with legal advice; draft and present formal Commission opinions; trains public servants on the Act.
<b>Exit interviews or surveys performed?</b>		
2019-20	Yes	No
2018-19	Yes	No
2017-18	No	Yes
2016-17	No	No
<b>Employee satisfaction tracked?</b>		
2019-20	No	No
2018-19	Yes	Yes
2017-18	No	No
2016-17	No	No
<b>Anonymous employee feedback allowed?</b>		
2019-20	No	No
2018-19	No	No
2017-18	No	No
2016-17	No	No
<b>Number of employees (all types) in the unit</b>		
<u>Start of fiscal year</u>		
2019-20	4	2
2018-19	3.00	2.00
2017-18	3.00	1.00
2016-17	3.00	1.00
<u>End of fiscal year</u>		
2019-20	6	2
2018-19	4.00	2.00
2017-18	3.00	1.00
2016-17	3.00	1.00
<u>Leave the unit during fiscal year</u>		
2019-20	0	0
2018-19	1.00	0.00
2017-18	0.00	1.00
2016-17	0.00	0.00
<b>Turnover rate</b>		
2019-20	0.00%	0.00%
2018-19	28.57%	0.00%
2017-18	0.00%	100.00%
2016-17	0.00%	0.00%
<b>Agency Comments (Optional)</b>	FY19 - The Commission's receptionist resigned and was replaced by the end of the fiscal year.	In FY18 the Commission's General Counsel resigned and was replaced by the end of the fiscal year.

The contents of this chart are considered sworn testimony from the agency director.

## Organizational Unit Details

Agency: State Ethics Commission

Accurate as of March 2021

<b>Name of organizational unit</b>	Investigations
<b>Purpose of organizational unit</b>	Plans, organizes and conducts complex and sensitive administration of criminal investigations of alleged violations of the Act; serve as liaison with other law enforcement agencies; organizes evidence and prepares written reports; presents findings to Commissioners.
<b>Exit interviews or surveys performed?</b>	
2019-20	No
2018-19	No
2017-18	Yes
2016-17	Yes
<b>Employee satisfaction tracked?</b>	
2019-20	No
2018-19	Yes
2017-18	No
2016-17	No
<b>Anonymous employee feedback allowed?</b>	
2019-20	No
2018-19	No
2017-18	No
2016-17	No
<b>Number of employees (all types) in the unit</b>	
<u>Start of fiscal year</u>	
2019-20	4
2018-19	4.50
2017-18	5.00
2016-17	3.00
<u>End of fiscal year</u>	
2019-20	4
2018-19	4.00
2017-18	4.50
2016-17	3.00
<u>Leave the unit during fiscal year</u>	
2019-20	0
2018-19	1.00
2017-18	1.00
2016-17	1.00
<b>Turnover rate</b>	
2019-20	0.00%
2018-19	23.53%
2017-18	21.05%
2016-17	33.33%
<b>Agency Comments (Optional)</b>	FY17 - A part-time Investigator resigned. FY18 - An investigator resigned and was replaced by the end of the fiscal year. FY19 - A part-time Investigator left state government.

## Organizational Unit Details

Agency: State Ethics Commission

Accurate as of March 2021

<b>Name of organizational unit</b>	Noncompliance
<b>Purpose of organizational unit</b>	Create and mail letters to individuals who fail to file the required forms; create non-compliance files and maintain accounting records for the same; create and submit for approval non-compliance complaints; provide administrative support to the executive director and assistant director; agency liaison for SC Department of Revenue; coordinate Governmental Enterprise Accounts Receivable (GEAR) and Set-off Debt programs; maintain the agency website and make changes to the electronic filing system; develop and maintain IT related services and security.
<b>Exit interviews or surveys performed?</b>	
2019-20	No
2018-19	No
2017-18	No
2016-17	Yes
<b>Employee satisfaction tracked?</b>	
2019-20	No
2018-19	Yes
2017-18	No
2016-17	No
<b>Anonymous employee feedback allowed?</b>	
2019-20	No
2018-19	No
2017-18	No
2016-17	No
<b>Number of employees (all types) in the unit</b>	
<u>Start of fiscal year</u>	
2019-20	3
2018-19	2.00
2017-18	1.00
2016-17	2.00
<u>End of fiscal year</u>	
2019-20	2
2018-19	3.00
2017-18	1.00
2016-17	2.00
<u>Leave the unit during fiscal year</u>	
2019-20	1
2018-19	0.00
2017-18	0.00
2016-17	1.00
<b>Turnover rate</b>	
2019-20	40.00%
2018-19	0.00%
2017-18	0.00%
2016-17	50.00%
<b>Agency Comments (Optional)</b>	FY17 - An employee in the noncompliance department resigned.

The contents of this chart are considered sworn testimony from the agency director.

**Finance Overview**

Agency: State Ethics Commission  
Accurate as of March 2021

	2019-20				2018-19				2017-18				2016-17			
	General Funds	Other Funds	Federal Funds	Total	General Funds	Other Funds	Federal Funds	Total	General Funds	Other Funds	Federal Funds	Total	General Funds	Other Funds	Federal Funds	Total
How much was the agency appropriated and authorized to spend during the fiscal year?	\$1,618,479	\$517,508	\$0	\$2,135,987	\$1,534,242	\$517,508	\$0	\$2,051,750	\$1,221,939	\$517,508	\$0	\$1,739,447	\$966,268	\$517,508	\$0	\$1,483,776
Enter any additional other or federal funds authorization received during the fiscal year.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Enter the total actual expenditures during the fiscal year.	\$1,519,576	\$271,461	\$0	\$1,791,037	\$1,404,162	\$286,761	\$0	\$1,690,923	\$1,129,648	\$198,897	\$0	\$1,328,545	\$880,114	\$159,365	\$0	\$1,039,478
How much did the agency carry forward? (Total amount)	\$98,903	\$1,153,164	\$0	\$1,252,067	\$130,080	\$955,680	\$0	\$1,085,760	\$92,291	\$773,822	\$0	\$866,113	\$86,154	\$576,542	\$0	\$662,696
10% Carry forward (General Carry Forwards)	\$98,903	\$0	\$0	\$98,903	\$130,080	\$0	\$0	\$130,080	\$92,291	\$0	\$0	\$92,291	\$86,154	\$356,961	\$0	\$443,115
Special Carry forward	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
How much cash did the agency have at the end of the fiscal year that it was not authorized to spend?	\$0	\$635,636	\$0	\$635,636	\$0	\$438,172	\$0	\$438,172	\$0	\$256,314	\$0	\$256,314	\$0	\$59,034	\$0	\$59,034
If the agency received additional federal funds authorization, please note why and when the request was made.	n/a				n/a				n/a				n/a			
If the agency received additional other funds authorization, please note why and when the request was made.	n/a				n/a				n/a				n/a			
Please provide detail regarding why the agency has cash balances. Does the agency expect to spend down these balances?	Cash balances increased as a result of an increase in late filing penalty notices and the elimination of the hearing backlog. The Commission is evaluating the effect of its expanded jurisdiction and technological advancements and will spend the balance accordingly.				Cash balances increased as a result of the agency's relocation, increase in late filing penalty notices and the elimination of the hearing backlog. The Commission is evaluating the effect of its expanded jurisdiction and technological advancements and will spend the balance accordingly.				Cash balances increased as a result of the agency's relocation, increase in late filing penalty notices and the elimination of the hearing backlog. The Commission is evaluating the effect of its expanded jurisdiction and technological advancements and will spend the balance accordingly.				Cash balances vary each year due to the number of lobbyist and lobbyist's principal registrations received, late filing penalties levied and collected, and complaint fines paid. The Commission began to plan for funding needed for a relocation project in FY18. SC Code Sections 8-13-120, 8-13-130, 8-13-140, and 8-13-150 authorize the agency to carry forward unexpended funds.			

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable		1	2	3
Item number	Associated laws	8-13-320 (10)(j)(m); Section 8-13-1510; Section 8-13-1372; Section 8-13-1170	8-13-320 (10)(a)(d); Section 8-13-1510; Section 8-13-1372	8-13-320 (11)(a)
Does state or federal law specifically require this deliverable?	Deliverable description	Yes <b>Commission Meetings:</b> SC State Ethics Commission meetings are convened to perform the following actions: 1) Review office operations, meeting minutes and receive legal updates 2) Review and approve Advisory Opinions 3) Review and approve motions 4) File a verified written complaint against a person alleged to have committed a violation of the Ethics Act. 5) Review investigations and determine whether probable cause exists concerning alleged violation(s) of the Ethics Act. 6) Conduct hearings to consider all evidence presented and determine whether a violation of the Ethics Act occurred.	Yes <b>Complaints:</b> The Commission shall accept from an individual, whether personally or on behalf of an organization or governmental body, a verified complaint, in writing, that states the name of a person alleged to have committed a violation and the particulars of the violation. If the Commission, upon the receipt of any information, finds probable cause to believe that a violation of the chapter has occurred, it may, upon its own motion and an affirmative vote of six or more members of the commission, file a verified complaint, in writing. This includes only filed complaints.	Yes <b>Formal Advisory Opinions:</b> Draft and vote on prospective binding opinions of the Commission, written by staff and approved by commissioners, concerning the requestor's conduct. A formal advisory opinion is based on real or hypothetical circumstances, and must be approved by a majority of commissioners.
Responsible organizational unit (primary)		Enforcement/Operations	Enforcement/Operations	Enforcement/Operations
<b>Results Sought</b>		Yes The Enforcement of the Ethics, Government Accountability, and Campaign Act of 1991 as Amended and 1997 Regulations.	Yes The Enforcement of the Ethics, Government Accountability, and Campaign Act of 1991 as Amended and 1997 Regulations.	Yes The Enforcement of the Ethics, Government Accountability, and Campaign Act of 1991 as Amended and 1997 Regulations.
Does the legislature state intent, findings, or purpose?	Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?			
Associated performance measure item numbers from the Performance Measures Chart, if any		3	3	1
<b>Customer Details</b>				
Customer description		Complainants and Respondents. Pursuant to Regulation 52-203(5), "Complainant" means any person, including the Commission, who files a formal complaint alleging a violation of the Act. Pursuant to Regulation 52-203(14), "Respondent" means a person charged in a complaint with a violation of the Act.	Complainants and Respondents. Pursuant to Regulation 52-203(5), "Complainant" means any person, including the Commission, who files a formal complaint alleging a violation of the Act. Pursuant to Regulation 52-203(14), "Respondent" means a person charged in a complaint with a violation of the Act. See agency note in row 70.	Public officials (excluding members of the General Assembly), public members, public employees, lobbyists and lobbyist's principals to whom the Act may apply requesting formal opinions. Commission staff requests formal opinions on occasion.
Does the agency evaluate customer satisfaction?	2019-20	No	No	No
Counties served in last completed fiscal year	2019-20	All	All	All
Does the agency evaluate customer satisfaction?	2018-19	No	No	No
Counties served in last completed fiscal year	2018-19	All	All	All
Number of customers served	2019-20	197	197	0. See agency notes in row 70.
	2018-19	104	104	6. See agency notes in row 70.
	2017-18	97	97	4. See agency notes in row 70.
	2016-17	129	129	2. See agency notes in row 70.
<b>Units Provided and Amounts Charged to Customers</b>				
Description of a single deliverable unit		A Commission Meeting	Complaints received/Complaints initiated by Commission	An Advisory Opinion
Number of units provided	2019-20	7	154	0
	2018-19	12	72	7
	2017-18	11	112	3
	2016-17	14	166	5
Does law prohibit charging the customer for the deliverable?	2019-20	No	No	No
If yes, provide law	2019-20	N/A	N/A	N/A
If yes, provide law	2018-19	N/A	N/A	N/A
If yes, provide law	2017-18	No	No	No
If yes, provide law	2016-17	N/A	N/A	N/A
If yes, provide law	2019-20	N/A	N/A	N/A
Amount charged to customer per deliverable unit	2019-20	\$0.00		\$0.00
	2018-19	\$0.00	Maximum civil penalty-\$2000; Maximum Late filing penalty-\$5000.00; Maximum Technical violation-\$25.00; Administrative fee average-\$500.00	\$0.00
	2017-18	\$0.00	Maximum civil penalty-\$2000; Maximum Late filing penalty-\$5000.00; Maximum Technical violation-\$25.00. Administrative fee average-\$500.00	\$0.00
	2016-17	\$0.00	Maximum civil penalty-\$2000; Maximum Late filing penalty-\$5000.00; Maximum Technical violation-\$25.00; Administrative fee average-\$500.00	\$0.00
<b>Costs</b>				
Total employee equivalents required (37.5 hour per week units)	2019-20	0.95	4.45	0.00
	2018-19	0.90	3.47	0.16
	2017-18	0.90	3.12	0.16
	2016-17	0.86	2.92	0.16
<b>Spent on all deliverables</b>				
Total deliverable expenditures each year (operational and employee salary/fringe)	2019-20	\$125,888.65	\$549,416.97	\$0.00
	2018-19	\$127,488.78	\$432,311.19	\$27,307.26
	2017-18	\$96,714.14	\$400,862.80	\$19,792.15
	2016-17	\$89,384.08	\$256,186.56	\$18,781.84
<b>Total agency spending</b>				
Total deliverable expenditures as a percentage of total agency expenditures	2019-20	7.03%	30.68%	0.00%
	2018-19	7.54%	25.57%	1.61%
	2017-18	7.28%	30.17%	1.49%
	2016-17	8.60%	24.65%	1.81%
Agency expenditures per unit of the deliverable	2019-20	\$17,984.09	\$3,567.64	Insufficient data provided.
	2018-19	\$10,624.07	\$6,004.32	\$3,901.04
	2017-18	\$8,792.19	\$3,579.13	\$6,597.38
	2016-17	\$6,384.58	\$1,543.29	\$3,756.37
<b>Amount collected from providing deliverable</b>				
Total collected from charging customers	2019-20	\$0.00	\$65,543.34	\$0.00
	2018-19	\$0.00	\$105,753.93	\$0.00
	2017-18	\$0.00	\$94,269.36	\$0.00
	2016-17	\$0.00	\$72,002.77	\$0.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)	2019-20	\$0.00	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00	\$0.00
Total collected from charging customers and non-state sources	2019-20	\$0.00	\$65,543.34	\$0.00
	2018-19	\$0.00	\$105,753.93	\$0.00
	2017-18	\$0.00	\$94,269.36	\$0.00
	2016-17	\$0.00	\$72,002.77	\$0.00
<b>Agency Comments</b>				
Additional comments from agency (optional)			It is noted that the number of customers served differs from the number of units provided. This discrepancy is based on the fact that a single Complainant may file complaints against multiple Respondents or may file multiple complaints against a single Respondent. Similarly, multiple Complainants may file complaints against a single Respondent. Thus, there is not a direct and specific ratio between the number of customers served and number of units provided.	In addition to those requesting opinions, customers may also include anyone else that reads and utilizes the opinions, which are publicly available on the Commission's website unless they are confidential.



**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable	Item number	4	5
Associated laws		8-13-320 (11)(c)	Section 2-17-20; Section 2-17-25; Section 2-17-60
Does state or federal law specifically require this deliverable?		Yes	Yes
Deliverable description		<b>Informal Advisory Opinions:</b> A prospective non-binding opinion, written by staff, concerning the requestor's actions. They are based on real or hypothetical circumstances drafted and issued by Commission staff.	<b>Lobbyist and Lobbyist's Principal Registrations:</b> Lobbyist Registration: Any person who acts as a lobbyist must, within fifteen days of being employed, appointed, or retained as a lobbyist, register with the State Ethics Commission as provided in this section. Each person registering must pay a fee of one hundred dollars and present to the State Ethics Commission a communication reflecting the authority of the registrant to represent the person by whom he is employed, appointed, or retained. If a partnership, committee, association, corporation, labor organization, or any other organization or group of persons registers as a lobbyist, it must identify each person who will act as a lobbyist on its behalf during the covered period. There is no registration fee for a lobbyist who is a full-time employee of a state agency and limits his lobbying to efforts on behalf of that particular state agency. A lobbyist must reregister annually with the State Ethics Commission by January fifth of each year. Lobbyist's Principal Registration: Any lobbyist's principal must, within fifteen days of employing, appointing, or retaining a lobbyist, register with the State Ethics Commission as provided in this section. Each person registering must pay a fee of one hundred dollars. If a partnership, committee, an association, a corporation, labor organization, or any other organization or group of persons registers as a lobbyist's principal, it must identify each person who will act as a lobbyist on its behalf during the covered period. If the State is a lobbyist's principal, the State is exempt from paying a registration fee and filing a lobbyist's principal registration statement. A lobbyist's principal must reregister annually with the State Ethics Commission by January fifth of each year.
Responsible organizational unit (primary)		Enforcement/Operations	Compliance
<b>Results Sought</b>			Yes
Does the legislature state intent, findings, or purpose?		The Enforcement of the Ethics, Government Accountability, and Campaign Act of 1991 as Amended and 1997 Regulations.	A Bill to enact "The Ethics, Government Accountability, and Campaign Reform Act of 1991" so as to amend Chapter 17, Title 2, Code of Laws of South Carolina, 1976, relating to lobbyists and lobbying, so as to further provide for the regulation of lobbyists and lobbying and to provide penalties for certain violations
Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?			
Associated performance measure item numbers from the Performance Measures Chart, if any		1	4
<b>Customer Details</b>			
Customer description		Public officials (excluding members of the General Assembly), public members, public employees, lobbyists and lobbyist's principals to whom the Act may apply requesting formal opinions.	Lobbyists & Lobbyist's Principals
Does the agency evaluate customer satisfaction?	2019-20	No	No
Counties served in last completed fiscal year	2019-20	All	All
Does the agency evaluate customer satisfaction?	2018-19	No	No
Counties served in last completed fiscal year	2018-19	All	All
Number of customers served	2019-20	109	1,778
	2018-19	124	2,303
	2017-18	104	1,940
	2016-17	454	1,810
<b>Units Provided and Amounts Charged to Customers</b>			
Description of a single deliverable unit		An Informal Advisory Opinion	A Lobbyist or Lobbyist's Principal Registration
Number of units provided	2019-20	109	1,778
	2018-19	124	2,303
	2017-18	104	1,940
	2016-17	454	1,810
Does law prohibit charging the customer for the deliverable?	2019-20	No	No
If yes, provide law	2018-19	N/A	N/A
If yes, provide law	2017-18	No	No
If yes, provide law	2016-17	N/A	N/A
Amount charged to customer per deliverable unit	2019-20	\$0.00	\$100.00
	2018-19	\$0.00	\$100.00
	2017-18	\$0.00	\$100.00
	2016-17	\$0.00	\$100.00
<b>Costs</b>			
Total employee equivalents required (37.5 hour per week units)	2019-20	0.50	0.30
	2018-19	0.50	0.30
	2017-18	0.50	0.30
	2016-17	0.50	0.35
<b>Spent on all deliverables</b>			
Total deliverable expenditures each year (operational and employee salary/fringe)	2019-20	\$74,813.80	\$29,202.48
	2018-19	\$79,033.50	\$30,204.00
	2017-18	\$41,986.00	\$30,820.90
	2016-17	\$60,119.50	\$27,924.40
<b>Total agency spending</b>			
Total deliverable expenditures as a percentage of total agency expenditures	2019-20	4.18%	2.00%
	2018-19	4.67%	1.79%
	2017-18	3.16%	2.32%
	2016-17	5.78%	2.69%
Agency expenditures per unit of the deliverable	2019-20	\$686.37	\$16.42
	2018-19	\$637.37	\$13.12
	2017-18	\$403.71	\$15.89
	2016-17	\$132.42	\$15.43
<b>Amount collected from providing deliverable</b>			
Total collected from charging customers	2019-20	\$0.00	\$172,800.00
	2018-19	\$0.00	\$203,200.00
	2017-18	\$0.00	\$194,000.00
	2016-17	\$0.00	\$180,700.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)	2019-20	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00
Total collected from charging customers and non-state sources	2019-20	\$0.00	\$172,800.00
	2018-19	\$0.00	\$203,200.00
	2017-18	\$0.00	\$194,000.00
	2016-17	\$0.00	\$180,700.00
<b>Agency Comments</b>			
Additional comments from agency (optional)			

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable		Item number	
Associated laws		6	Section 2-17-30; Section 2-17-35; Section 2-17-40; Section 2-16-60
Does state or federal law specifically require this deliverable?		Yes	
Deliverable description			<p><b>Lobbyist and Lobbyist's Principal Disclosures:</b> Lobbyist Disclosure: Each lobbyist, no later than June thirtieth and January thirty-first of each year, must file a report with the State Ethics Commission covering that lobbyist's lobbying during that filing period. The filing periods are from January first to May thirty-first for the June thirtieth report, and are from June first to December thirty-first for the January thirty-first report. Any lobbying activity not reflected on the June thirtieth report and not reported on a statement of termination pursuant to Section 2-17-20(C) must be reported no later than January thirty-first of the succeeding year.</p> <p>Lobbyist's Principal Disclosure: Except as otherwise provided by Section 2-17-90(E), each lobbyist's principal, no later than June thirtieth and January thirty-first of each year, must file a report with the State Ethics Commission covering that lobbyist's principal's expenditures attributable to lobbying during that filing period. The filing periods are from January first to May thirty-first for the June thirtieth report, and are from June first to December thirty-first for the January thirty-first report. Any lobbying activity not reflected on the June thirtieth report and not reported on a statement of termination pursuant to Section 2-17-25(C) must be reported no later than January thirty-first of the succeeding year. If the State is a lobbyist's principal, the State is exempt from filing a report except as provided in Section 2-17-40(A).</p> <p>State Agency: Each state agency or department must, no later than June thirtieth and January thirty-first of each year, file a report with the State Ethics Commission covering that agency's lobbying during that filing period. The filing periods are from January first to May thirty-first for the June thirtieth report, and are from June first to December thirty-first for the January thirty-first report. Any lobbying activity not reflected on the June thirtieth report and not reported on a statement of termination pursuant to Section 2-17-25(C) must be reported no later than January thirty-first of the succeeding year.</p>
Responsible organizational unit (primary)		Compliance	
Results Sought			
Does the legislature state intent, findings, or purpose?		Yes	
Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?			A Bill to enact "The Ethics, Government Accountability, and Campaign Reform Act of 1991" so as to amend Chapter 17, Title 2, Code of Laws of South Carolina, 1976, relating to lobbyists and lobbying, so as to further provide for the regulation of lobbyists and lobbying and to provide penalties for certain violations
Associated performance measure item numbers from the Performance Measures Chart, if any		4	
Customer Details			
Customer description			Lobbyists & Lobbyist's Principals
Does the agency evaluate customer satisfaction?		2019-20	No
Counties served in last completed fiscal year		2019-20	All
Does the agency evaluate customer satisfaction?		2018-19	No
Counties served in last completed fiscal year		2018-19	All
Number of customers served		2019-20	3,706
		2018-19	3,784
		2017-18	3,564
		2016-17	3,500
Units Provided and Amounts Charged to Customers			
Description of a single deliverable unit			A Lobbyist or Lobbyist's Principal Disclosure
Number of units provided		2019-20	3,706
		2018-19	3,784
		2017-18	3,564
		2016-17	3,500
Does law prohibit charging the customer for the deliverable?		2019-20	No
If yes, provide law			N/A
		2018-19	No
If yes, provide law			N/A
		2017-18	No
If yes, provide law			N/A
		2016-17	No
If yes, provide law			N/A
Amount charged to customer per deliverable unit		2019-20	\$0.00
		2018-19	\$0.00
		2017-18	\$0.00
		2016-17	\$0.00
Costs			
Total employee equivalents required (37.5 hour per week units)		2019-20	0.35
		2018-19	0.25
		2017-18	0.25
		2016-17	0.30
Total deliverable expenditures each year (operational and employee salary/fringe)		2019-20	\$32,701.86
		2018-19	\$24,488.85
		2017-18	\$26,260.25
		2016-17	\$25,485.75
Total deliverable expenditures as a percentage of total agency expenditures		2019-20	2.00%
		2018-19	1.45%
		2017-18	1.98%
		2016-17	2.45%
Agency expenditures per unit of the deliverable		2019-20	\$8.82
		2018-19	\$6.47
		2017-18	\$7.37
		2016-17	\$7.28
Amount collected from providing deliverable			
Total collected from charging customers		2019-20	\$0.00
		2018-19	\$0.00
		2017-18	\$0.00
		2016-17	\$0.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)		2019-20	\$0.00
		2018-19	\$0.00
		2017-18	\$0.00
		2016-17	\$0.00
Total collected from charging customers and non-state sources		2019-20	\$0.00
		2018-19	\$0.00
		2017-18	\$0.00
		2016-17	\$0.00
Agency Comments			
Additional comments from agency (optional)			

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable		
Item number		7
Associated laws		Section 8-13-1308; Section 8-13-1309; Section 8-13-1310; Section 8-13-1360; Section 8-13-1362; Section 8-13-1364; Section 8-13-1366; Section 8-13-1368
Does state or federal law specifically require this deliverable?		Yes
Deliverable description		<p><b>Campaign and Operating Disclosures:</b> Campaign Disclosures: (A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8-13-1304(A) must file an initial certified campaign report within ten days of these initial receipts or expenditures. However, a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election. (B) Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.</p> <p>Operating Disclosures: (G) Notwithstanding any other reporting requirements in this chapter, a political party, legislative caucus committee, and a party committee must file a certified campaign report upon the receipt of anything of value which totals in the aggregate five hundred dollars or more. For purposes of this section, "anything of value" includes contributions received which may be used for the payment of operation expenses of a political party, legislative caucus committee, or a party committee. A political party also must comply with the reporting requirements of subsections (B), (C), and (F) of Section 8-13-1308 in the same manner as a candidate or committee.</p>
Responsible organizational unit (primary)		Compliance

Results Sought		
Does the legislature state intent, findings, or purpose?		Yes
Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?		A Bill to enact "The Ethics, Government Accountability, and Campaign Reform Act of 1991" so as to amend Chapter 13, Title 8, relating to ethics, conduct, campaign practices, and disclosures, so as to further provide for the regulation of ethics, conduct, forms and reports by candidates for election by the General Assembly, disclosures of economic interests, campaign practices, and penalties for certain violations;

Associated performance measure item numbers from the Performance Measures Chart, if any		4
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Customer Details		
Customer description		Public Officials and Political Parties
Does the agency evaluate customer satisfaction?	2019-20	No
Counties served in last completed fiscal year	2019-20	All
Does the agency evaluate customer satisfaction?	2018-19	No
Counties served in last completed fiscal year	2018-19	All
Number of customers served	2019-20	Unknown
	2018-19	Unknown
	2017-18	Unknown
	2016-17	Unknown

Units Provided and Amounts Charged to Customers		
Description of a single deliverable unit		A Campaign Disclosure or an Operating Disclosure
Number of units provided	2019-20	6,588
	2018-19	6,058
	2017-18	5,794
	2016-17	6,302
Does law prohibit charging the customer for the deliverable?	2019-20	No
If yes, provide law	2019-20	N/A
	2018-19	No
If yes, provide law	2018-19	N/A
	2017-18	No
If yes, provide law	2017-18	N/A
	2016-17	No
If yes, provide law	2016-17	N/A
Amount charged to customer per deliverable unit	2019-20	\$0.00
	2018-19	\$0.00
	2017-18	\$0.00
	2016-17	\$0.00

Costs		
Total employee equivalents required (37.5 hour per week units)	2019-20	2.15
	2018-19	0.95
	2017-18	0.90
	2016-17	0.85

Spent on all deliverables		
Total deliverable expenditures each year (operational and employee salary/fringe)	2019-20	\$202,364.07
	2018-19	\$116,645.70
	2017-18	\$110,710.30
	2016-17	\$82,782.85

Total agency spending		
Total deliverable expenditures as a percentage of total agency expenditures	2019-20	11.30%
	2018-19	6.90%
	2017-18	8.33%
	2016-17	7.96%

Agency expenditures per unit of the deliverable		
	2019-20	\$30.72
	2018-19	\$19.25
	2017-18	\$19.11
	2016-17	\$13.14

Amount collected from providing deliverable		
Total collected from charging customers	2019-20	\$0.00
	2018-19	\$0.00
	2017-18	\$0.00
	2016-17	\$0.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)	2019-20	\$0.00
	2018-19	\$0.00
	2017-18	\$0.00
	2016-17	\$0.00
Total collected from charging customers and non-state sources	2019-20	\$0.00
	2018-19	\$0.00
	2017-18	\$0.00
	2016-17	\$0.00

Agency Comments		
Additional comments from agency (optional)		Non-Candidates and Ballot Measures Committees are not required to file the campaign disclosure report with our office; however, some continue to file. The law has not been updated concerning this change. S.C. Citizens for Life v. Krawcheck, 759 F. Supp. 2d 708, 728 (D.S.C. 2010) concluded that South Carolina's definition of "committee" was unconstitutional. The number of customers is unknown because the Public Accountability and Reporting System does not track this information. One individual could file multiple Campaign Disclosures during a year.

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable		Item number	8	9	10
Associated laws			Section 8-13-1110; Section 8-13-1120; Section 8-13-1140; Section 8-13-1356	Section 8-13-365	Regulation 52-602
Does state or federal law specifically require this deliverable?			Yes	Yes	Yes
Deliverable description			<p><b>Statement of Economic Interests:</b> (A) No public official, regardless of compensation, and no public member or public employee as designated in subsection (B) 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.</p> <p>A person required to file a statement of economic interests under this chapter annually shall file, pursuant to Section 8-13-365, an updated statement for the previous calendar year, no later than noon on March thirtieth of each calendar year. If the person has filed the description by name, amount, and schedule of payments of a continuing arrangement relating to an item required to be reported under this article, an updating statement need not be filed for each payment under the continuing arrangement, but only if the arrangement is terminated or altered.</p>	<p><b>Implement and maintain the Public Disclosure and Accountability Reporting System</b>, which is the electronic filing system created by and operated at the direction of the Commission in conjunction with the House and Senate Ethics Committees, respectively. The system is used to file disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 except for forms and reports required pursuant to Article 9, Chapter 13, Title 8.</p>	<p><b>Entity List.</b> The Commission sends each governmental entity an Entity List Form annually. The Entity List Form solicits information about those persons associated with the governmental entity who are registered with the Commission as required to file a Statement of Economic Interests.</p>
Responsible organizational unit (primary)			Compliance	Compliance	Compliance
Results Sought			Yes	Yes	Yes
Does the legislature state intent, findings, or purpose?			Yes	Yes	Yes
Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?			A Bill to enact "The Ethics, Government Accountability, and Campaign Reform Act of 1991" so as to amend Chapter 13, Title 8, relating to ethics, conduct, campaign practices, and disclosures, so as to further provide for the regulation of ethics, conduct, forms and reports by candidates for election by the General Assembly, disclosures of economic interests, campaign practices, and penalties for certain violations;	Public accessibility to disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 except for forms and reports required pursuant to Article 9, Chapter 13, Title 8 (2005 Act No. 76; 2010 Act No. 190; 2013 Act No. 61)	The purpose of these regulations is to set forth the procedures under which the State Ethics Commission administers the Ethics, Government Accountability, and Campaign Reform Act of 1991 (hereinafter the Act). These regulations shall be liberally construed to accomplish the intent and purpose of the Act and secure the just, speedy, and efficient determination of any action brought before the Commission.
Associated performance measure item numbers from the Performance Measures Chart, if any			4	4	4
Customer Details			Public officials, public employees, and public members	Public officials, public employees, public members, political parties, lobbyists, and lobbyists principals, or any individual filing reports, as well as any individual viewing disclosures and reports filed in the system.	A governmental entity under the jurisdiction of the State Ethics Commission. Governmental entity means the State, a county, municipality, or political subdivision thereof with which a public official, public member, or public employee is associated or employed. Governmental entity also means any charitable organization or foundation, but not an athletic organization or athletic foundation which is associated with a state educational institution and which is organized to raise funds for the academic, educational, research, or building programs of a college or university. See Section 8-13-100(17).
Does the agency evaluate customer satisfaction?		2019-20	No	No	No
Counties served in last completed fiscal year		2019-20	All	All	All
Does the agency evaluate customer satisfaction?		2018-19	No	No	No
Counties served in last completed fiscal year		2018-19	All	All	All
Number of customers served		2019-20	9,045	287,523	1,050
		2018-19	8,652	237,089	1,050
		2017-18	8,865	290,036	1,050
		2016-17	8,841	267,307	1,050
Units Provided and Amounts Charged to Customers			A Statement of Economic Interests	The Public Disclosure and Accountability Reporting System	Entity Listing
Description of a single deliverable unit					
Number of units provided		2019-20	9,045	1	1,050
		2018-19	8,652	1	1,050
		2017-18	8,865	1	1,050
		2016-17	8,841	1	1,050
Does law prohibit charging the customer for the deliverable?		2019-20	No	No	No
If yes, provide law		2018-19	All	N/A	N/A
If yes, provide law		2017-18	No	No	No
If yes, provide law		2016-17	N/A	N/A	N/A
If yes, provide law		2016-17	No	No	No
If yes, provide law		2016-17	N/A	N/A	N/A
Amount charged to customer per deliverable unit		2019-20	\$0.00	\$0.00	\$0.00
		2018-19	\$0.00	\$0.00	\$0.00
		2017-18	\$0.00	\$0.00	\$0.00
		2016-17	\$0.00	\$0.00	\$0.00
Costs					
Total employee equivalents required (37.5 hour per week units)		2019-20	2.04	0.08	0.42
		2018-19	1.23	0.06	0.2
		2017-18	0.95	0.06	0.15
		2016-17	1.00	0.06	0.15
Spent on all deliverables					
Total deliverable expenditures each year (operational and employee salary/fringe)		2019-20	\$165,405.76	\$8,953.16	\$31,627.46
		2018-19	\$99,806.33	\$7,645.98	\$15,718.05
		2017-18	\$89,089.20	\$7,356.51	\$15,064.75
		2016-17	\$71,268.35	\$5,889.09	\$11,185.45
Total agency spending					
Total deliverable expenditures as a percentage of total agency expenditures		2019-20	9.24%	0.50%	1.77%
		2018-19	5.90%	0.45%	0.93%
		2017-18	6.71%	0.55%	1.13%
		2016-17	6.86%	0.57%	1.08%
Agency expenditures per unit of the deliverable		2019-20	\$18.29	\$8,953.16	\$30.12
		2018-19	\$11.54	\$7,645.98	\$14.97
		2017-18	\$10.05	\$7,356.51	\$14.35
		2016-17	\$8.06	\$5,889.09	\$10.65
Amount collected from providing deliverable					
Total collected from charging customers		2019-20	\$0.00	\$0.00	\$0.00
		2018-19	\$0.00	\$0.00	\$0.00
		2017-18	\$0.00	\$0.00	\$0.00
		2016-17	\$0.00	\$0.00	\$0.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)		2019-20	\$0.00	\$0.00	\$0.00
		2018-19	\$0.00	\$0.00	\$0.00
		2017-18	\$0.00	\$0.00	\$0.00
		2016-17	\$0.00	\$0.00	\$0.00
Total collected from charging customers and non-state sources		2019-20	\$0.00	\$0.00	\$0.00
		2018-19	\$0.00	\$0.00	\$0.00
		2017-18	\$0.00	\$0.00	\$0.00
		2016-17	\$0.00	\$0.00	\$0.00
Agency Comments					
Additional comments from agency (optional)					

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable	Item number	11	12	13	14
Associated laws		N/A	Regulation 52-607	Section 8-13-120; Section 8-13-360	N/A
Does state or federal law specifically require this deliverable?		No	Yes	No	No
Deliverable description		<b>Letters to newly appointed officials:</b> Written communication describing the jurisdiction and application of the Ethics Act to the newly appointed officials once the State Ethics Commission receives notice of the appointment from the Governor's Office.	<b>Candidates Roster:</b> No later than five business days after the candidacy books close, the official receiving the declarations of candidacy or petitions for nomination shall file a copy of the Information Page and completed Statements of Economic Interests with the Commission along with the Candidates Roster. The Commission will review the Candidates Roster and Statements of Economic Interests, Information Pages and certify to the election official that the candidates have properly filed in which case the candidates' names may appear on the election ballot. Any candidate who fails to file a Statement of Economic Interests shall not have his name appear on the election ballot. It is the responsibility of the official receiving the declaration of candidacy or petition for nomination to insure that each candidate has filed.	<b>Ethics Act Training:</b> Provided to governmental entities and associations	<b>State Ethics Commission website</b> (https://ethics.sc.gov): The website contains information about the Commission, Advisory Opinions, Brochures/Newsletters, how to file a complaint, meeting agendas and minutes, complaints resolved index, information on the reports filed with the Commission, a debtor's list, reports and policies, and a calendar.
Responsible organizational unit (primary)		Compliance	Compliance	Administrative	Administrative
<b>Results Sought</b>		Yes	Yes	No	No
Does the legislature state intent, findings, or purpose?		The Enforcement of the Ethics, Government Accountability, and Campaign Act of 1991 as Amended and 1997 Regulations. See Deliverable Note 1.	The purpose of these regulations is to set forth the procedures under which the State Ethics Commission administers the Ethics, Government Accountability, and Campaign Reform Act of 1991 (hereinafter the Act). These regulations shall be liberally construed to accomplish the intent and purpose of the Act and secure the just, speedy, and efficient determination of any action brought before the Commission.	The purpose of training is to educate public officials, public members, public employees, lobbyists, and lobbyist's principals on the Ethics Act.	The website is provided to inform the public of what the State Ethics Commission does and provide resources for those under our jurisdiction.
Associated performance measure item numbers from the Performance Measures Chart, if any		1	4	1	2
<b>Customer Details</b>		Newly appointed officials	Candidates and election officials	Public members, public employees, public officials, political parties, lobbyists, and lobbyist's principals.	Individuals who visit the agency website, to include public members, public employees, public officials, political parties, lobbyists, lobbyist's principals, and members of the public.
Does the agency evaluate customer satisfaction?	2019-20	No	No	No	No
Counties served in last completed fiscal year	2019-20	All	All	All	All
Does the agency evaluate customer satisfaction?	2018-19	No	No	No	No
Counties served in last completed fiscal year	2018-19	All	All	All	All
Number of customers served	2019-20	22	Unknown	1,402	140,820
	2018-19	67	Unknown	1,745	135,754
	2017-18	14	Unknown	1,250	163,306
	2016-17	54	Unknown	844	134,419
<b>Units Provided and Amounts Charged to Customers</b>		A letter to a new appointee	Candidates Roster	Training	State Ethics Commission website
Number of units provided	2019-20	22	Unknown	25	1
	2018-19	67	Unknown	49	1
	2017-18	14	Unknown	18	1
	2016-17	54	Unknown	22	1
Does law prohibit charging the customer for the deliverable?	2019-20	No	No	No	No
If yes, provide law	N/A	N/A	N/A	N/A	N/A
If yes, provide law	2018-19	N/A	N/A	N/A	N/A
	2017-18	No	No	No	No
If yes, provide law	N/A	N/A	N/A	N/A	N/A
	2016-17	No	No	No	No
If yes, provide law	N/A	N/A	N/A	N/A	N/A
Amount charged to customer per deliverable unit	2019-20	\$0.00	\$0.00	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00	\$0.00	\$0.00
<b>Costs</b>					
Total employee equivalents required (37.5 hour per week units)	2019-20	0.005	0.15	0.1	0.01
	2018-19	0.01	0.05	0.2	0.02
	2017-18	0.01	0.05	0.2	0.01
	2016-17	0.01	0.05	0.2	0.01
<b>Spent on all deliverables</b>					
Total deliverable expenditures each year (operational and employee salary/fringe)	2019-20	\$913.00	\$11,630.80	\$18,275.96	\$1,275.35
	2018-19	\$1,516.76	\$5,097.15	\$38,335.20	\$3,280.88
	2017-18	\$912.13	\$5,252.05	\$20,676.96	\$1,246.35
	2016-17	\$687.11	\$3,874.95	\$18,035.85	\$1,008.06
<b>Total agency spending</b>					
Total deliverable expenditures as a percentage of total agency expenditures	2019-20	0.05%	0.65%	1.02%	0.07%
	2018-19	0.11%	0.30%	2.27%	0.19%
	2017-18	0.07%	0.40%	1.56%	0.09%
	2016-17	0.07%	0.37%	1.74%	0.10%
Agency expenditures per unit of the deliverable	2019-20	\$41.50	Insufficient data provided.	\$731.04	\$1,275.35
	2018-19	\$28.61	Insufficient data provided.	\$782.35	\$3,280.88
	2017-18	\$65.15	Insufficient data provided.	\$1,148.72	\$1,246.35
	2016-17	\$12.72	Insufficient data provided.	\$819.81	\$1,008.06
<b>Amount collected from providing deliverable</b>					
Total collected from charging customers	2019-20	\$0.00	\$0.00	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00	\$0.00	\$0.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)	2019-20	\$0.00	\$0.00	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00	\$0.00	\$0.00
Total collected from charging customers and non-state sources	2019-20	\$0.00	\$0.00	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00	\$0.00	\$0.00
<b>Agency Comments</b>		Additional comments from agency (optional)	During FY2017-2018, the Governor's Office staff did not send copies of the appointment letters to our office, and there is a substantial decrease in number of customers and units provided in FY2017-2018.	Our agency does not keep records of the number of units and number of customers served for the candidate rosters. Customer satisfaction is tracked by our partner agencies.	The additional employee equivalents in 2018-19 are attributed to additional time required to upgrade our website.

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable	Item number	15	16	17
Associated laws		N/A	Section 8-13-350	Section 2-17-50; Section 2-17-65; Section 8-13-320 (7); Section 8-13-1510
Does state or federal law specifically require this deliverable?		No	Yes	Yes
Deliverable description		<b>Social Media Accounts</b> (Twitter and Facebook)	<b>Ethics Brochures:</b> Create, print, distribute physically and electronically, a two page document that gives an overview of the Ethics Act. The brochure is distributed to county elections offices and posted on the Commission's website.	<b>Non-Compliance:</b> Letters assessing late filing penalties are sent to those under the Ethics Commission's jurisdiction who have failed to timely file required reports (Statement of Economic Interests, Campaign Disclosure, Operating Disclosure, Lobbyist or Lobbyist's Principal Registrations, and Lobbyist or Lobbyist's Principal Disclosure Statements). Late filing penalties that are not paid are submitted to the Department of Revenue for collection through GEAR (Governmental Enterprise Account Receivable) and Setoff Debt.
Responsible organizational unit (primary)		Administrative	Administrative	Non-Compliance
<b>Results Sought</b>				
Does the legislature state intent, findings, or purpose?		No	Yes	Yes
Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?		Social media accounts are used as another platform to disseminate information about the Commission.	To provide public officials, public members, and public employees information about the general application of the Ethics Act.	The non-compliance division's purpose is to create and mail letters to individuals who fail to file the forms and information as required by the Ethics Reform Act; to create non-compliance files and maintain accounting records for the same; to create and submit for approval non-compliance complaints; to impose penalties provided by the Ethics Reform Act.
Associated performance measure item numbers from the Performance Measures Chart, if any		2	1	3
<b>Customer Details</b>				
Customer description		Individuals who follow the agency's social media accounts, including candidates, public officials, public employees, public officials, political parties, lobbyists, lobbyist's principals.	Public officials, public members, and public employees	Candidates, public officials, public employees, public members, political parties, lobbyists, and lobbyist's principals.
Does the agency evaluate customer satisfaction?	2019-20	No	No	No
Counties served in last completed fiscal year	2019-20	All	All	All
Does the agency evaluate customer satisfaction?	2018-19	No	No	No
Counties served in last completed fiscal year	2018-19	All	All	All
Number of customers served	2019-20	Unknown. See agency notes in row 70.	Unknown	1,837
	2018-19	Unknown. See agency notes in row 70.	Unknown	1,969
	2017-18	Unknown. See agency notes in row 70.	Unknown	2,059
	2016-17	0	Unknown	1,753
<b>Units Provided and Amounts Charged to Customers</b>				
Description of a single deliverable unit		A social media account	Public employee brochure or Candidate newsletter	A non-compliance letter, a response to an appeal of the late filing penalty, a GEAR (Governmental Enterprise Account Receivable) letter, or a Setoff Debt letter
Number of units provided	2019-20	2	Unknown	1,753
	2018-19	2	Unknown	1,503
	2017-18	2	Unknown	223
	2016-17	0	Unknown	863
Does law prohibit charging the customer for the deliverable?	2019-20	No	No	No
If yes, provide law	2019-20	N/A	N/A	N/A
	2018-19	No	No	No
If yes, provide law	2018-19	N/A	N/A	N/A
	2017-18	No	No	No
If yes, provide law	2017-18	N/A	N/A	N/A
	2016-17	No	No	No
If yes, provide law	2016-17	N/A	N/A	N/A
Amount charged to customer per deliverable unit	2019-20	\$0.00	\$0.00	\$100 per report with accrual up to \$5,000 for failure to file a report after a certified letter is sent
	2018-19	\$0.00	\$0.00	\$100 per report with accrual up to \$5,000 for failure to file a report after a certified letter is sent
	2017-18	\$0.00	\$0.00	\$100 per report with accrual up to \$5,000 for failure to file a report after a certified letter is sent
	2016-17	\$0.00	\$0.00	\$100 per report with accrual up to \$5,000 for failure to file a report after a certified letter is sent
<b>Costs</b>				
Total employee equivalents required (37.5 hour per week units)	2019-20	0.0005	0.0065	1.46
	2018-19	0.005	0.002	1.79
	2017-18	0.005	0.007	0.84
	2016-17	0.00	0	1.28
<b>Spent on all deliverables</b>				
Total deliverable expenditures each year (operational and employee salary/fringe)	2019-20	\$91.38	\$556.96	\$156,388.27
	2018-19	\$958.38	\$276.12	\$197,402.43
	2017-18	\$360.00	\$497.12	\$104,693.40
	2016-17	\$0.00	\$0.00	\$108,487.46
<b>Total agency spending</b>				
Total deliverable expenditures as a percentage of total agency expenditures	2019-20	0.01%	0.03%	8.73%
	2018-19	0.06%	0.02%	11.67%
	2017-18	0.03%	0.04%	7.88%
	2016-17	0.00%	0.00%	10.44%
Agency expenditures per unit of the deliverable	2019-20	\$45.69	Insufficient data provided.	\$89.21
	2018-19	\$479.19	Insufficient data provided.	\$131.34
	2017-18	\$180.00	Insufficient data provided.	\$469.48
	2016-17	Insufficient data provided.	Insufficient data provided.	\$125.71
<b>Amount collected from providing deliverable</b>				
Total collected from charging customers	2019-20	\$0.00	\$0.00	\$171,856.34
	2018-19	\$0.00	\$0.00	\$252,366.08
	2017-18	\$0.00	\$0.00	\$116,599.36
	2016-17	\$0.00	\$0.00	\$182,486.50
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)	2019-20	\$0.00	\$0.00	\$0.00
	2018-19	\$0.00	\$0.00	\$0.00
	2017-18	\$0.00	\$0.00	\$0.00
	2016-17	\$0.00	\$0.00	\$0.00
Total collected from charging customers and non-state sources	2019-20	\$0.00	\$0.00	\$171,856.34
	2018-19	\$0.00	\$0.00	\$252,366.08
	2017-18	\$0.00	\$0.00	\$116,599.36
	2016-17	\$0.00	\$0.00	\$182,486.50
<b>Agency Comments</b>				
Additional comments from agency (optional)		The Commission's Twitter account currently has 250 followers. Customers would also include any individual who views the account.	We are unable to determine the number of customers served or units provided because these brochures are mailed to county election offices for distribution. In addition, they are posted on our website for anyone to view and print. Approximately 500 were mailed to county election offices in 2018, 2019 and 2020, respectively. In FY 18-19, 1,586 individuals visited the brochure posted on the Commission's website.	The agency moved locations in FY2018, staff resources were re-allocated to assist with the relocation. This accounts for the decrease in number of units and income received in FY2018.

**State Ethics Commission  
Deliverables**

Agency: State Ethics Commission  
Accurate as of March 2021

Deliverable	Item number	18	19
Associated laws		Section 8-13-1120; Section 8-13-1308 (F); Section 8-13-1310 (D); Section 8-13-1312; Section 8-13-1314; Section 8-13-1318; Section 8-13-1319; Section 8-13-1320; Section 8-13-1324; Section 8-13-1328; Section 8-13-1340; Section 8-13-1348; Section 8-13-1370; Section 8-13-1372	N/A
Does state or federal law specifically require this deliverable?		Yes	No
Deliverable description		<b>Audits:</b> Performed on reports filed with the Commission to ensure compliance with the Ethics Act.	Administrative Services of the agency not attributable to a deliverable
Responsible organizational unit (primary)		Non-Compliance	Administrative

Results Sought	18	19
Does the legislature state intent, findings, or purpose?	Yes	No
Purpose of the service/why it is provided (as written in statute/enabling act OR, if not in law, as understood by agency, subject to clarification from the legislature)?	To provide for the regulation of disclosures of economic interests and campaign practices	

Associated performance measure item numbers from the Performance Measures Chart, if any	3
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Customer Details	18	19
Customer description	Candidates, public officials, public employees, and public members.	Agency Personnel
Does the agency evaluate customer satisfaction?	No	No
Counties served in last completed fiscal year	All	All
Does the agency evaluate customer satisfaction?	No	No
Counties served in last completed fiscal year	All	All
Number of customers served	2019-20: 327 2018-19: 517 2017-18: 7 2016-17: 8	2019-20: 17.5 2018-19: 14.7 2017-18: 10.82 2016-17: 12.01

Units Provided and Amounts Charged to Customers	18	19
Description of a single deliverable unit	An audit of reports filed with the Commission	Administrative services
Number of units provided	2019-20: 327 2018-19: 556 2017-18: Unknown 2016-17: Unknown	2019-20: 1 2018-19: 1 2017-18: 1 2016-17: 1
Does law prohibit charging the customer for the deliverable?	No	No
If yes, provide law	N/A	N/A
If yes, provide law	No	No
If yes, provide law	N/A	N/A
If yes, provide law	No	No
If yes, provide law	N/A	N/A
If yes, provide law	No	No
Amount charged to customer per deliverable unit	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00

Costs	18	19
Total employee equivalents required (37.5 hour per week units)	2019-20: 1.5 2018-19: 0.63 2017-18: 0.10 2016-17: 0.10	2019-20: 1.27 2018-19: 1.90 2017-18: 1.75 2016-17: 1.00

Spent on all deliverables	18	19
Total deliverable expenditures each year (operational and employee salary/fringe)	2019-20: \$1,795,111 2018-19: \$1,530,778 2017-18: \$1,230,172 2016-17: \$1,027,940	2019-20: \$192,812.77 2018-19: \$64,521.56 2017-18: \$6,231.75 2016-17: \$5,040.30
Total deliverable expenditures as a percentage of total agency expenditures	2019-20: 10.77% 2018-19: 3.82% 2017-18: 0.47% 2016-17: 0.48%	2019-20: 10.77% 2018-19: 15.28% 2017-18: 18.94% 2016-17: 23.26%
Agency expenditures per unit of the deliverable	2019-20: \$589.64 2018-19: \$116.05 2017-18: Insufficient data provided. 2016-17: Insufficient data provided.	2019-20: \$192,812.77 2018-19: \$258,340.15 2017-18: \$251,645.54 2016-17: \$241,798.85

Amount collected from providing deliverable	18	19
Total collected from charging customers	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00
Total collected from non-state sources as a result of providing the deliverable (including federal and other grants awarded to agency to provide deliverable)	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00
Total collected from charging customers and non-state sources	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00	2019-20: \$0.00 2018-19: \$0.00 2017-18: \$0.00 2016-17: \$0.00

Agency Comments	18	19
Additional comments from agency (optional)	The tracking of the number of customers and units for FY 2018-19 is attributed to the hiring of an auditor.	

## Note

Whereas, the General Assembly declares that the operation of responsible democratic government requires that the fullest opportunity be afforded the people to petition their government for the redress of grievances and to express freely to any public official or public employee their opinions on legislation or agency proposal, drafting, development, consideration, amendment, withdrawal, or promulgation of a regulation; and

Whereas, the trust of the public is essential for government to function effectively. Public policy developed by elected officials affects every citizen of the State, and it must be based on honest and fair deliberations and decisions. This process must be free from all threats, favoritism, undue influence, and all forms of impropriety so that the confidence of the public is not eroded; and

Whereas, the General Assembly declares that to preserve and maintain the integrity of the governmental policy-making process in South Carolina it is necessary that the identity, expenditures, and lobbying of certain persons who engage in efforts to influence any public official or public employee on legislation or agency proposal, drafting, development, consideration, amendment, withdrawal, or promulgation of a regulation, by direct communication to any such official or employee, be publicly and regularly disclosed; and

Whereas, one of the most important functions of any law aimed at making public servants more accountable is that of complete and effective disclosure. Since many public officials serve on a part-time basis, it is inevitable that conflicts of interest and appearances of impropriety will occur. Often these conflicts are unintentional and slight, but at every turn those who represent the people of this State must be certain that it is the interests of the people, and not their own, that are being served. Officials should be prepared to remove themselves immediately from a decision, vote, or process that even appears to be a conflict of interest; and

1

Whereas, the General Assembly finds and declares that full disclosure of campaign contributions and expenditures also is needed to maintain the integrity of the political and governmental processes and to ensure that all individuals have a fair and equal opportunity to participate in the political and governmental processes regardless of any contribution they may have or have not given to an elected official; and

Whereas, this act is intended to ensure that serious candidates are able to raise enough money to communicate their views and positions adequately to the public, thereby promoting public discussion of the important issues involved in political campaigns but that such fundraising shall not consume such time to the candidate or elected official that they would otherwise be unable to conduct the public's business or engage in the public discussion of the important issues involved in a political campaign; and

Whereas, the General Assembly finds and declares that the rapidly increasing costs of political campaigns have forced many candidates to raise larger percentages of money from interest groups with specific financial stakes in matters before the state government, thereby fostering the public perception that votes are being improperly influenced by contributions. This perception is undermining the credibility and integrity of the political and governmental processes; and

Whereas, this act is intended to reduce the influence of large contributors with specific financial stakes in matters before government, thus countering the perception that decisions are influenced more by the size of contributions than by the best interests of the people; and

Whereas, this act is intended to improve the disclosure of contribution sources in reasonable and effective ways; and

Whereas, this act is intended to help restore public trust in the governmental institutions and the political and governmental processes.



## Performance Measures

Agency: State Ethics Commission  
Accurate as of March 2021

Performance Measure					
Item #	1	2	3	4	5
Description	Number of individuals receiving ethics training	Number of IT breaches	Average length of days elapsed per case from assignment to presentation	Compliance calls received	Instances of workplace violence and/or disruption
Time applicable	State Fiscal Year (July - June)	State Fiscal Year (July - June)	State Fiscal Year (July - June)	State Fiscal Year (July - June)	State Fiscal Year (July - June)
Results Summary					
Is the goal to meet, exceed, or obtain a lower value than the target?	Meet or exceed	Meet or obtain lower value	Meet or obtain lower value		Meet or obtain lower value
Did the agency achieve its goal?					
2020	No	Yes	No	There was no target	Yes
2019	Yes	Yes	No	There was no target	Yes
2018	Yes	Yes	There was no target	There was no target	Yes
2017	There was no target	Yes	There was no target	There was no target	Yes
2016	There was no target	Yes	There was no target	There was no target	Yes
2015	There was no target	Yes	There was no target	There was no target	Yes
Changes in target					
2021	Decreased from prior year	Same as prior year	Same as prior year	No prior year target	Same as prior year
2020	Increased from prior year	Same as prior year	Increased from prior year	No prior year target	Same as prior year
2019	Increased from prior year	Same as prior year	No prior year target	No prior year target	Same as prior year
2018	No prior year target	Same as prior year	No prior year target	No prior year target	Same as prior year
2017	No prior year target	Same as prior year	No prior year target	No prior year target	Same as prior year
2016	No prior year target	Same as prior year	No prior year target	No prior year target	Same as prior year
Result details for year ending...					
2021					
Target	1106	0	180		0
2020					
Target	1,920	0	180		0
Actual	1,402	0	289	7883	0
2019					
Target	1,106	0	0		0
Actual	1,745	0	282	4112	0
2018					
Target	1,006	0			0
Actual	1,250	0			0
2017					
Target		0			0
Actual	844	0			0
2016					
Target		0			0
Actual	1,216	0			0
2015					
Target		0			0
Actual	958	0			0
Agency Comments					
Additional comments from agency (optional)		An incident where information is accessed from a system without the authorization of the Commission.	Data not tracked until 2018.	Call volume is based upon customer need - no target value is set. Data not tracked until 2018.	