**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3093**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. E.H. Pitts

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Introduced in the House on January 13, 2009

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

Summary: Campaign contributions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2008 House Prefiled

12/9/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑47

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑47

**VERSIONS OF THIS BILL**

[12/9/2008](file:///p:\pprever\2009-10\3093_20081209.docx)

**A** **BILL**

TO AMEND SECTIONS 8‑13‑1314, AS AMENDED, 8‑13‑1322, 8‑13‑1331, AND 8‑13‑1340, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO CAMPAIGN CONTRIBUTIONS, SO AS TO ELIMINATE CERTAIN CAMPAIGN CONTRIBUTION LIMITS.

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

SECTION 1. Section 8‑13‑1314 of the 1976 Code, as last amended by Act 76 of 2003, is further amended to read:

“Section 8‑13‑1314. ~~(A)~~ Within an election cycle, no candidate or anyone acting on his behalf shall solicit or accept, and no person shall give or offer to give to a candidate or person acting on the candidate’s behalf:

(1) ~~a contribution which exceeds:~~

~~(a)~~ ~~three thousand five hundred dollars in the case of a candidate for statewide office; or~~

~~(b)~~ ~~one thousand dollars in the case of a candidate for any other office;~~

~~(2)~~ a cash contribution from an individual unless the cash contribution does not exceed twenty‑five dollars and is accompanied by a record of the amount of the contribution and the name and address of the contributor;

~~(3)~~(2) a contribution from, whether directly or indirectly, a registered lobbyist if that lobbyist engages in lobbying the public office or public body for which the candidate is seeking election;

~~(4)~~(3) contributions for two elective offices simultaneously, except as provided in Section 8‑13‑1318.

~~(B)~~ ~~The restrictions on contributions in subsections (A)(1) and (A)(2) do not apply to a candidate making a contribution to his own campaign.~~”

SECTION 2. Section 8‑13‑1322 of the 1976 Code, as added by Act 248 of 1991, is amended to read:

“Section 8‑13‑1322. ~~(A) A person may not contribute to a committee and a committee may not accept from a person contributions aggregating more than three thousand five hundred dollars in a calendar year.~~

~~(B)~~ A person may not contribute to a committee and a committee may not accept from a person a cash contribution unless the cash contribution does not exceed twenty‑five dollars for each election and is accompanied by a record of the amount of the contribution and the name and address of the contributor.”

SECTION 3. Section 8‑13‑1331 of the 1976 Code, as added by Act 245 of 2008, is amended to read:

“Section 8‑13‑1331. Notwithstanding Section 8‑13‑1332(3), a corporation or committee of a corporation may solicit the shareholders and executive or administrative personnel of the corporation and its subsidiaries, branches, divisions, affiliates and their families. For purposes of this section, all committees established, financed, maintained, or controlled by the same corporation, including any direct or indirect parent, subsidiary, branch, or division thereof, are affiliated. ~~With respect to a corporation or committee of a corporation that solicits contributions pursuant to this section, contributions made or received by affiliated committees are considered to be made or received by a single committee for purposes of contribution limits in Sections 8‑13‑1314 and 8‑13‑1322. A corporation or committee of a corporation that solicits contributions pursuant to this section~~~~must certify in the manner prescribed by Section 8‑13‑1308(H) that contributions made or received by the committee and its affiliated committees, if any, have complied with contribution limits in Sections 8‑13‑1314 and 8‑13‑1322 as if the committee and its affiliated committees, if any, were a single committee.~~”

SECTION 4. Section 8‑13‑1340(F) of the 1976 Code, as added by Act 76 of 2003, is amended to read:

“(F) No committee operating under the provisions of Section 8‑13‑1340(E) may:

(1) solicit or accept a contribution from a registered lobbyist if that lobbyist engages in lobbying the public office or public body for which the candidate is seeking election; or

(2) transfer anything of value to any other committee except as a properly reported contribution or under the ~~limitations of Section 8‑13‑1314(A) or the~~dissolution provisions of Section 8‑13‑1370.”

SECTION 5. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 6. This act takes effect upon approval by the Governor.

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