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Indicates New Matter

COMMITTEE REPORT

February 4, 2010

**H. 3066**

Introduced by Reps. Ballentine, Haley, J.R. Smith, Hamilton, Wylie, Simrill, Huggins, E.H. Pitts, Cobb‑Hunter, Harrell, G.M. Smith, Gullick, J.E. Smith, Merrill, Phillips, Jennings, Owens, G.R. Smith, Daning, Rice, Knight, Funderburk, Harrison, Crawford, Kirsh, Bedingfield, Allison, Stringer, T.R. Young, Agnew, Gunn, Bingham, Toole, Millwood, Stavrinakis, Miller, Battle, Hutto and Erickson

S. Printed 2/4/10--H.

Read the first time January 13, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3066) to amend Section 8‑13‑365, Code of Laws of South Carolina, 1976, relating to electronic filing of campaign disclosures and reports, so as to make it, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 8‑13‑365(A) of the 1976 Code, as added by Act 76 of 2003, is amended to read:

“(A) The commission ~~must~~ shall establish a system of electronic filing for all disclosures and reports required pursuant to ~~Article 13 of~~ Chapter 13, ~~of~~ Title 8 and Chapter 17, Title 2 from all ~~candidates~~ persons and entities subject to its jurisdiction. These disclosures and reports ~~for candidates and committees for statewide offices~~ must be filed using an Internet‑based filing system as prescribed by the commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system. The information contained in the ~~campaign~~ reports and disclosure ~~form~~ forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.”

SECTION 2. Section 8‑13‑1308(D) of the 1976 Code, as last amended by Act 76 of 2003, is further amended to read:

“(D)(1) At least fifteen days before an election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee for the period ending twenty days before the election. The candidate or committee must maintain a current list during the period before the election commencing at the beginning of the calendar quarter of the election of all contributions of more than one hundred dollars and expenditures. The list must be open to public inspection upon request.

(2) After the date the preelection report is filed until the date of election, a candidate must supplement the report with any contribution received which equals one half or more of the total allowable contribution for that office within forty‑eight hours of receipt of the contribution.

(3) A committee immediately shall file a campaign report listing expenditures if it makes an independent expenditure or an incurred expenditure within the calendar quarter in which the election is conducted or twenty days before the election, whichever period of time is greater, in excess of:

(a) ten thousand dollars in the case of a candidate for statewide office; or

(b) two thousand dollars in the case of a candidate for any other office.

~~(3)~~(4) In the event of a runoff election, candidates or committees are not required to file another campaign report in addition to the reports already required under this section. However, records must remain open to public inspection upon request between the election and the runoff.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 8‑13‑365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO MAKE IT APPLICABLE TO COUNTY, SCHOOL BOARD, AND MUNICIPAL ELECTIONS IN ADDITION TO STATEWIDE ELECTIONS; AND TO AMEND SECTION 8‑13‑1308, AS AMENDED, RELATING TO THE REQUIREMENT TO FILE CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE THAT THEY MUST BE FILED FORTY‑EIGHT HOURS AFTER THEIR RECEIPT STARTING AFTER THE FILING OF THE PRE-ELECTION REPORT.

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

SECTION 1. Section 8‑13‑365(A) of the 1976 Code, as added by Act 76 of 2003, is amended to read:

“(A) The commission ~~must~~ shall establish a system of electronic filing for all disclosures and reports required pursuant to Article 13, ~~of~~ Chapter 13, ~~of~~ Title 8 from all candidates and entities subject to its jurisdiction. These disclosures and reports for candidates and committees for statewide, county, school board, and municipal offices must be filed using an Internet‑based filing system as prescribed by the commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system. The information contained in the campaign disclosure form, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.”

SECTION 2. Section 8‑13‑1308(D) of the 1976 Code, as last amended by Act 76 of 2003, is further amended to read:

“(D) (1) ~~At least fifteen days before an election,~~ After the filing of the pre-election report, a contribution received before the election must be reported within forty-eight hours and a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee ~~for the period ending twenty days before the election~~. The candidate or committee ~~must~~ shall maintain a current list during the period before the election commencing at the beginning of the calendar quarter of the election of all contributions of more than one hundred dollars and expenditures. The list must be open to public inspection upon request.

(2) A committee immediately shall file a campaign report listing expenditures if it makes an independent expenditure or an incurred expenditure within the calendar quarter in which the election is conducted or twenty days before the election, whichever period of time is greater, in excess of:

(a) ten thousand dollars in the case of a candidate for statewide office; or

(b) two thousand dollars in the case of a candidate for any other office.

(3) ~~In the event of~~ If a runoff election occurs, candidates or committees are not required to file another campaign report in addition to the reports already required under this section. However, records must remain open to public inspection upon request between the election and the runoff.”

SECTION 3. This act takes effect upon approval by the Governor.

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