**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑1380 SO AS TO ESTABLISH A FIVE PERCENT ADVERTISING SURCHARGE ON THE TOTAL AMOUNT CHARGED TO BROADCAST A POLITICAL ADVERTISEMENT OR OTHER ELECTIONEERING COMMUNICATION IN THIS STATE THAT IS PAID FOR BY AN INDEPENDENT EXPENDITURE ONLY NONCANDIDATE COMMITTEE, OR OTHER GROUP NOT AFFILIATED WITH A CANDIDATE AND WHICH ADVOCATES THE ELECTION OR DEFEAT OF A CLEARLY IDENTIFIED CANDIDATE, POLITICAL PARTY, OR BALLOT MEASURE, AND TO PROVIDE FOR THE ALLOCATION OF REVENUES GENERATED BY THE SURCHARGE.

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

SECTION 1. Article 13, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1380. (A) Notwithstanding another provision of law, there is established a five percent advertising surcharge on the total amount charged to broadcast a political advertisement or other electioneering communication in this State which advocates the election or defeat of a clearly identified candidate, political party, or ballot measure paid for by a:

(1) noncandidate committee that only makes ‘independent expenditures’ as defined by Section 8‑13‑1300(17); or

(2) another group not affiliated with a candidate.

The content and details of the political advertisement or electioneering communication upon which the surcharge assessed pursuant to this section must not be coordinated with or requested by a candidate or a candidate’s committee.

(B) Sixty percent of the total monies collected pursuant to this section must be remitted to the State general fund, and the remaining forty percent must be distributed to the counties to offset the cost of conducting the presidential primaries.

(C) The requirements of subsection (A) of this section do not apply to a ‘party committee’ as defined by Section 8‑13‑1300(24).”

SECTION 2. This act takes effect upon approval by the Governor. ‑‑‑‑XX‑‑‑‑