**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3045**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Norrell, Clary, Funderburk and Rose

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Introduced in the House on January 8, 2019

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

Summary: Independent Expenditure Committees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 67](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 67](file:///h:\hj\20190108.docx))

4/11/2019 House Member(s) request name added as sponsor: Clary, Funderburk

4/24/2019 House Member(s) request name added as sponsor: Rose

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3045_20181218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑1375 SO AS TO REQUIRE INDEPENDENT EXPENDITURE COMMITTEES TO PROVIDE CERTAIN DISCLOSURES AND DISCLAIMERS REGARDING THE INDEPENDENT EXPENDITURE COMMITTEE’S ELECTION COMMUNICATIONS; AND TO AMEND SECTION 8‑13‑1300, RELATING TO DEFINITIONS APPLICABLE TO SOUTH CAROLINA CAMPAIGN PRACTICES, SO AS TO DEFINE THE TERMS “INDEPENDENT EXPENDITURE COMMITTEE” AND “ELECTION COMMUNICATION”.

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 8‑13‑1375. (A) Independent expenditure committees shall disclose the following information concerning contributions to the committee related to election communications:

(1) the full name, mailing address, occupation and employer, if any, of each person who has made aggregate contributions during the reporting period of one thousand dollars or more;

(2) the aggregate amount of the contributions for all reporting periods for each person identified in item (1);

(3) each loan received from a person during the reporting period, together with the name, mailing address, occupation and employer, if any, of the lender and endorser, if any, and the date and amount of each loan;

(4) an account of proceeds that total one thousand dollars or more per person made at fundraising events sponsored by the independent expenditure committee; and

(5) the total sum of contributions received or designated for the committee during the reporting period.

(B) Independent expenditure committees must disclose the following information concerning expenditures related to election communications:

(1) the full name, address, occupation and principal place of business, if any, of each person to whom expenditures have been made during the reporting period, including the amount, date, and purpose of each expenditure and the total amount of expenditures made to each person;

(2) the full name, mailing address, occupation and principal place of business, if any, of each person to whom an expenditure for personal services, salaries, and reimbursed expenses has been made during a reporting period, including the amount, date, and purpose of that expenditure and the total amount of expenditures made to each person;

(3) the total sum of expenditures made during the reporting period;

(4) the name and address of each political committee or candidate to which the independent expenditure committee made a transfer of funds, together with the amount and dates of all transfers;

(5) the name of any person to whom a loan was made during the reporting period, including the full name, mailing address, occupation and principal place of business, if any, of that person, and the full names, mailing addresses, occupations and principal places of business, if any, of the endorsers, if any, and the date and amount of each loan;

(6) the amount and nature of debts and obligations owed by an independent expenditure committee; and

(7) any other information required by the State Ethics Commission necessary to fully disclose the disposition of funds used to make expenditures as provided by regulation.

(C) Independent expenditure committee election communications as provided in Section 8‑13‑1300(36 )(b), (c), and (d) must contain the committee’s name and address in a legible, conspicuous location, and election communications as provided in Section 8‑13‑1300(36 )(a) must contain the name of the committee clearly spoken so as to identify accurately the committee and its address.

(D) An independent expenditure committee must maintain records required by this section for four years.

(E) Disclosures required pursuant to this section must be filed with the State Ethics Commission on the same schedule as campaign reports pursuant to Section 8‑13‑1308.”

SECTION 2. Section 8‑13‑1300 of the 1976 Code, as last amended by Act 245 of 2008, is further amended by adding items (35) and (36) at the end to read:

“(35) ‘Independent expenditure committee’ means two or more individuals, or a person other than an individual who is not organized or operating for the primary purpose of supporting or opposing candidates or ballot measures or influencing the outcome of an election, that engages in election communications in excess of five hundred dollars during an election cycle.

(36) ‘Election communication’ means the following forms of communication to support or oppose a clearly identified candidate or ballot measure, or to influence the outcome of an election:

(a) a paid advertisement broadcast over radio, television, cable, or satellite;

(b) a paid placement of content on the Internet or other electronic communication network;

(c) a paid advertisement published in a newspaper, in a periodical, or on a billboard; or

(d) a mailing or other printed materials.”

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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