**South Carolina General Assembly**

124th Session, 2021-2022

**S. 174**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bennett, Leatherman, Hembree and Rankin

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Introduced in the Senate on January 12, 2021

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

Summary: Campaign practices

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Judiciary**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 202](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 202](file:///h:\sj\20210112.docx))

3/11/2021 Senate Referred to Subcommittee: Campsen (ch), Hutto, Young, McLeod, Garrett

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\174_20201209.docx)

**A** **BILL**

TO AMEND ARTICLE 13, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO CAMPAIGN PRACTICES, BY ADDING SECTION 8-13-1375, TO PROVIDE FOR DISCLOSURES AND DISCLAIMERS BY AN INDEPENDENT EXPENDITURE COMMITTEE RELATED TO THE INDEPENDENT EXPENDITURE COMMITTEE’S ELECTION COMMUNICATIONS; AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Section 8-13-1300 of the 1976 Code is amended by adding two appropriately numbered new items to read:

“( ) ‘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 another 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.

( ) ‘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, who engage in election communications in excess of five hundred dollars during an election cycle.”

SECTION 2. Article 13, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8-13-1375. (A) An independent expenditure committee must disclose the following information concerning contributions to the independent expenditure 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 independent expenditure committee during the reporting period.

(B) An independent expenditure committee must disclose the following information concerning expenditures related to election communications:

(1) the full name, mailing 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 expenditures for personal services, salaries, or reimbursed expenses 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;

(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 any 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 the 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( )(b),(c), and (d) must contain the independent expenditure committee’s name and address in a legible, conspicuous location, and election communications as provided in Section 8-13-1300( )(a) must contain the name of the independent expenditure committee clearly spoken so as to accurately identify the independent expenditure 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 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, then 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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