



# State Ethics Commission CAMPAIGN DISCLOSURE FORM

PLEASE READ AND FOLLOW ALL INSTRUCTIONS FOR COMPLETE INFORMATION ON FILING THIS FORM.

**TO BE COMPLETED AND FILED BY:**

- (1) ALL CANDIDATES FOR PUBLIC OFFICE
- (2) ANY COMMITTEE OR POLITICAL PARTY SUPPORTING OR OPPOSING A CANDIDATE
- (3) ANY COMMITTEE SUPPORTING OR OPPOSING A BALLOT MEASURE

**WHEN:**

- (1) Initially, within ten days after receiving or expending an initial \$500 (please note an initial report is not required after every \$500 spent or received) and, thereafter within ten days following the end of each calendar quarter (January 10, April 10, July 10, October 10) either before or after each election regardless of whether contributions have been received or expenditures made.
- (2) **ALL CANDIDATES: MUST FILE A PRE-ELECTION REPORT FIFTEEN DAYS BEFORE EACH ELECTION SHOWING CONTRIBUTION AND EXPENDITURE ACTIVITY CURRENT AS OF 20 DAYS BEFORE THE ELECTION. THIS REPORT IS FILED EVEN IF NO FUNDS ARE RECEIVED AND NO EXPENDITURES MADE. A PRE-ELECTION REPORT MAY NOT BE FILED EARLIER THAN 20 DAYS PRIOR TO AN ELECTION.**
- (3) Quarterly reports are due within ten days following the end of each calendar quarter (January 10, April 10, July 10, October 10) until a Final Report is filed.
- (4) A Final Report is filed when the campaign account is closed (i.e., no funds are in the account and no money is due or owed).

**NOTE:** If a pre-election report is required to be filed within thirty days of the end of the prior calendar quarter, the quarterly report and pre-election report **must** be combined and filed to meet the pre-election report deadline.

KEEP A COPY OF THE FORM FOR FOUR (4) YEARS.

**\$100 PER DAY PENALTY IF LATE**

WHO MUST FILE	WHERE TO FILE
All candidates for publicly elective office, except candidates for offices of State Senator or State Representative	STATE ETHICS COMMISSION 5000 THURMOND Mall, Suite 250 Columbia, SC 29201
All candidates for office of State Senator	SENATE ETHICS COMMISSION P. O. BOX 142 Columbia, SC 29202
All candidates for office of State Representative	HOUSE ETHICS COMMITTEE P. O. Box 11867 Columbia, SC 29211
All candidates for office of Probate Judge	STATE ETHICS COMMISSION 5000 THURMOND Mall, Suite 250 Columbia, SC 29201
Any in-state committee	STATE ETHICS COMMISSION 5000 THURMOND Mall, Suite 250 Columbia, SC 29201
Any out-of-state committee which contributes more than \$500	STATE ETHICS COMMISSION 5000 THURMOND Mall, Suite 250



## RESTRICTIONS

- (1) Contributions to a statewide candidate are limited to \$3,500 per election cycle; \$1,000 for local candidates.
- (2) Cash contributions are limited to \$25.00, however, the name and address of each such contributor must be obtained.
- (3) A committee may have only one campaign checking and one campaign savings account.
- (4) Contributions may not be accepted from a contractor who has a contract with the agency unless the contract was awarded through public notice and competitive bidding.
- (5) Public funds or property may not be utilized in an election campaign.
- (6) Campaign funds may not be used for personal use unrelated to the campaign.
- (7) A candidate for statewide office may not accept more than \$50,000 and a local office candidate may not accept more than \$5,000 from political party committees. No one committee contribution may exceed limits in Item No. 1 above.
- (8) Anonymous contributions are prohibited.
- (9) Transfer of funds to a campaign for another office is prohibited unless contributors agree in writing.
- (10) No candidate may accept a contribution from a lobbyist engaged in lobbying the office to which the candidate is seeking election.
- (11) A candidate may not solicit contributions for two elective offices simultaneously.
- (12) After an election, a candidate for statewide office may not be repaid more than \$25,000 for a loan made to the campaign and a local candidate may not be repaid more than \$10,000.
- (13) Campaign contributions may not be accepted or solicited by any person on the State Capitol grounds, in state office buildings, or at the principal office of a statewide official.
- (14) Judges, solicitors, the Attorney General and his assistants may not solicit campaign contributions except for their own campaign. Law enforcement officers may not solicit for any candidate, including themselves, while in uniform.
- (15) A candidate's campaign funds cannot be contributed to another candidate, or be used to make an independent expenditure on behalf of another candidate.
- (16) A petty cash fund of \$100 or less may be established with no expenditure exceeding \$25.
- (17) Any person or committee making an expenditure for communications (ads, campaign solicitations, etc) must place his name and address on the printed material.

### DEFINITIONS:

**CONTRIBUTION** - means a gift, subscription, loan, guarantee upon which collection is made, forgiveness of a loan, an advance, in-kind contribution or expenditure, a deposit of money or anything of value made to a candidate or committee, as defined in Section 8-13-1300(6), for the purpose of influencing an election; or payment or compensation for the personal service of another person which is rendered for any purpose to a candidate or committee without charge. 'Contribution' does not include volunteer personal services on behalf of a candidate or committee for which the volunteer receives no compensation from any source.

**IN-KIND CONTRIBUTION OR EXPENDITURE** - means goods or services which are provided to or by a person at no charge or for less than their fair market value.

**EXPENDITURE**- means a purchase, payment, loan, forgiveness of a loan, an advance, in-kind contribution or expenditure, a deposit, transfer of funds, gift of money, or anything of value for any purpose.

**ELECTION CYCLE**-The contribution limits are for each primary, runoff, or special election in which a candidate has opposition and for each general election. If the candidate remains unopposed during an election cycle, one contribution limit shall apply. A contribution made on or before the seventh day after a primary or primary runoff is attributed to the primary or primary runoff, respectively. A contribution made on or before the end of the quarter immediately following a general election or special election is attributed to the general election or special election, respectively.

## CAMPAIGN DISCLOSURE FORM GENERAL INSTRUCTIONS

**NOTE:** An original and one copy of all applicable parts of this form must be filed with the appropriate supervisory office. Only Pages 1 and 2 need to be filed if there have been no contributions or expenditures to report for the filing period or if the filing fee was the only expense and was paid from personal funds. Section C must be filed if there are any loans or obligations reported in Item 13. Section D must be filed with the final report if the campaign has any assets of \$100 or more.

Please type or print all responses. Incomplete or illegible forms may be returned. Supplemental sheets may be added if additional space is required.

**Fax copies of these forms will not be accepted.** The originals must be received no later than 5:00 p.m. on the date of the established deadline.

You are required to keep a copy for your records for four (4) years.

**A late filing penalty of \$100 per day WILL be assessed by the appropriate supervisory office if the form is not received within five days after the established deadline.**

A copy of each campaign disclosure form is mailed by the State Ethics Commission to the Clerk of Court in the county of residence of the candidate. These forms are matters of public record, open to public inspection upon request.

Detailed instructions may be obtained from the Campaign Disclosure Manual. Copies are available from the supervisory offices.

### **VIOLATIONS**

If the Commission determines that a violation of the campaign practices has occurred, it may

- ➔ recommend administrative or disciplinary action;
- ➔ impose oral or written warnings or reprimands;
- ➔ require the violator to pay a civil penalty of not more than \$2,000 for each violation;
- ➔ require the forfeiture of anything received or the value of anything received in violation of the law; or
- ➔ refer the matter to the Attorney General for criminal prosecution.

A person convicted of a criminal violation is guilty of a misdemeanor and may be fined up to \$5,000, or imprisoned for up to 1 year or both; for a violation of the bribery section, guilty of a felony and may be fined up to \$10,000 and may be imprisoned for up to 10 years. The willful filing of a groundless complaint is a misdemeanor and can result in a \$1,000 fine or penalty.

### **ADVISORY OPINIONS**

Any public official, public member, public employee, candidate for public office, or any other person to whom the law may reasonably appear to apply may request an advisory opinion by letter addressed to the Commission office detailing the question based on either a real or hypothetical situation. The name and entity of the requestor can remain confidential upon request. The opinions, until amended or revoked, are binding on the Commission concerning the person who requested the opinion, unless material facts were omitted or misstated in the opinion request.

## INSTRUCTIONS FOR PAGE 1

Section E: SOCIAL SECURITY NUMBER - This information is required for administrative purposes, only for positive identification of the filer, and will not be released to the public.

Section F: LOCATION OF CAMPAIGN ACCOUNTS - List the account numbers for your campaign savings account and checking account, as well as the name and address of the depository where the account(s) are maintained. If the filing fee is the only expense and is paid from the candidate's personal funds, a separate checking account is not required. If additional expenses are incurred or additional funds contributed to the campaign, a checking account must be opened immediately and the account location and number reported. The account information will not be provided to the public.



## INSTRUCTIONS FOR PAGE 2

1. TYPE OF REPORT - Check the appropriate block: INITIAL; PRE-ELECTION; FINAL; QUARTERLY UPDATE. Indicate the applicable quarterly reporting period.
2. NAME OF CANDIDATE AND/OR COMMITTEE -Identify the candidate, committee, or other person filing the report by full and proper name. An acronym or abbreviation may be used by the committee if the acronym or abbreviation is commonly known or clearly recognized by the public.
3. Address for mailing purposes. Be sure to include your full address: city, state, and zip code.
4. POSITION SOUGHT-Indicate the position title of the office for which the person is a candidate (example, city councilman, mayor, Senate or House, include district). Committees leave blank.
5. DATE OF ELECTION-Indicate the month, day, and year of the election for which the report is being submitted.
6. COUNTY OF RESIDENCE - Identify the name of the county where the candidate legally resides or the office location of a committee.
7. AGENCY-Indicate the full name of the agency which the position in Item 4 above is associated (ex., City of Columbia, Charleston County, State Senate). Committees, leave blank.
8. TYPE OF ELECTION - Indicate the type of election for which the report is being submitted: Primary; Runoff; General; Special or Convention/Caucus.

**9. If filing fee was paid from personal funds and will be the only expense, enter amount of filing fee. If you receive any additional funds or make any other expenditures, you must open a separate campaign account. IF YOU ENTERED THE AMOUNT, STOP HERE, SIGN, DATE, AND MAIL THIS PAGE and PAGE 1 ONLY at least fifteen (15) days before the election.**

10. CONTRIBUTIONS-The receipt of contributions must be indicated in the proper category, total this period and total for election cycle. Contributions of more than \$100 must be itemized on Section A on page 3.
  - A. Candidate's personal funds contributed to the campaign are listed here. Funds spent by a candidate for election campaign purposes are considered contributions to the candidate's campaign.
  - B. Unitemized contributions are those which individually are \$100 or less during an election cycle. Itemized contributions are those which aggregate more than \$100 during an election cycle. List the totals this period and totals for the election cycle to date from Section A.
  - C. In-Kind contributions are goods or services which are provided to or by a person at no charge or for less than their fair market value. They are also in-kind expenditures, and must equal 11A.
  - D. List total receipts by totaling the above columns.
11. EXPENDITURES-Itemize all expenditures by category. All expenditures are to be itemized on Section B on page 3.
  - A. In-Kind expenditures are goods or services which are provided to or by a person at no charge or for less than their fair market value. They are also in-kind contributions, and must equal 10C.
  - B. List total of all other expenditures from Section B.
  - C. List total expenditures by totaling the columns.
12. BALANCE OF CONTRIBUTIONS  
Item 12(A) must equal contributions on hand from previous report. If none, show zero. The contributions on hand at the end of the reporting period (12 D) is determined by adding the total of contributions received this reporting period (12 B) to the amount on hand at the beginning of the reporting period (12 A), and subtracting the amount of funds expended during the reporting period (12 C). A report must be filed every quarter until account has a zero balance and all loans are repaid.
13. LOANS: List debts owed by the Candidate/Committee, and itemize on Section C on page 4.

### SIGN AND DATE FORM

**NOTE: PLEASE PROVIDE ONE ORIGINAL AND ONE COPY OF THIS FORM TO THE APPROPRIATE SUPERVISORY**

OFFICE, AND KEEP A COPY FOR YOURSELF.



## **INSTRUCTIONS**

For Page 3

### **SECTION A - ITEMIZED CONTRIBUTIONS RECEIVED**

Any cumulative contribution of more than \$100 from any individual or committee, in the aggregate during an election cycle must be indicated by the name **and** address of the contributor. The date and amount of each contribution must be disclosed for the current reporting period and to date for the election cycle. The total receipts must be the same as 10(D) itemized this period.

The expenditure of personal funds by the candidate is a contribution by the candidate to the campaign.

### **SECTION B - ITEMIZED EXPENDITURES**

All expenditures must be indicated with disclosure of the date of payment **and** the full name and address of the payee and the purpose and amount of each such expenditure. Contributions by a committee to a candidate or candidates are considered an expenditure and must be disclosed on this schedule. For ease of reporting, expenditures should be reported utilizing the categories in Item 11. The total expenditures must be the same as 11(C) this period.



## **INSTRUCTIONS**

For Page 4

### **SECTION C - DEBTS AND OBLIGATIONS**

Any loans or extensions of credit should be listed in Section 1 indicating the date of the loan or extension of credit as well as the name **and** address of the individual or group extending the loan or credit. The purpose and terms (interests rate, repayment terms) must be disclosed as well as the amount of the original loan or extension of credit.

#### **LOANS**

Loans to a campaign are considered contributions to the campaign and are subject to the appropriate contribution limits. A loan is not subject to the contribution limits if it is (1) made by a commercial lending institution, (2) in the regular course of business, (3) on the same terms ordinarily available to the public, and (4) secured or guaranteed upon which collection is not made.

Any loan repayments made through the date of the filing of this form should be indicated in Section 2 of Schedule C. The date of payment, full name **and** address of the individual or group receiving the payment and the payments during the period and year to date should be disclosed. The existing balance is also identified. Reporting on a quarterly basis shall continue until the existing balance is repaid and a Final Report is filed.

### **SECTION D- DISPOSITION OF ASSETS**

Any assets of a value of \$100 or more still in the possession of the candidate or committee at the time of the final report are to be disclosed along with an explanation of the disposition to be made of these assets.



## **CONTACT NUMBERS**

For questions, call: 803/253-4192

or

**Visit the State Ethics Commission  
or copy additional forms at:**

<http://www.state.sc.us/ethics>

***State Ethics Commission  
5000 Thurmond Mall, Suite 250  
Columbia, SC 29201***

### **State Ethics Commission Commissioners**

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