

Senate Ethics Committee

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Advisory Opinion # 92 - 15

M E M O R A N D U M

To: Members, South Carolina Senate
From: Senate Ethics Committee
Re: Lobbying After Retirement from the Senate
Date: December 23, 1992

A question has arisen concerning whether Section 2-17-15 would permit a retiring member to lobby any time after he leaves the Senate. Section 2-17-15 provides that:

(A) The Governor, the Lieutenant Governor, any other statewide constitutional officer, a member of the General Assembly, and a member of the immediate family of any of these public officials may not serve as a lobbyist during the time the official holds office and for one year after such public service ends.

(B) The provisions of this section apply to the Governor, the Lieutenant Governor, or any other statewide constitutional officer who is elected after December 31, 1993, or any member of the General Assembly who is elected after December 31, 1991.

[Emphasis added].

The highlighted provisions are unambiguous. The Committee concludes that a member who either chose not to seek re-election or a member who was unsuccessful in his re-election attempt may be employed or retain as a lobbyist at any time after November 10,

1992¹, until such time as he may be re-elected to the Senate or elected to a office referenced in this statute.

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¹Article III, Section 10, of the S.C. Constitution provides that the terms of office of the senators chosen at a general election shall begin on the Monday following such election.