**South Carolina General Assembly**

118th Session, 2009-2010

**A1, R329, H4542**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Harrison, Weeks and McLeod

Document Path: l:\council\bills\dka\3899dw10.docx

Companion/Similar bill(s): 1243

Introduced in the House on February 16, 2010

Introduced in the Senate on April 21, 2010

Last Amended on May 26, 2010

Passed by the General Assembly on June 1, 2010

Governor's Action: June 11, 2010, Vetoed

Legislative veto action(s): Veto overridden

Summary: Release of information by the State Ethics Commission

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/16/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-16-10.docx)‑2

2/16/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\02-16-10.docx)‑2

4/14/2010 House Committee report: Favorable with amendment **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\04-14-10.docx)‑76

4/15/2010 House Member(s) request name added as sponsor: Weeks

4/20/2010 House Member(s) request name added as sponsor: McLeod

4/20/2010 House Amended [HJ](file:///h:\HJ%20Archive\2010\04-20-10.docx)‑165

4/20/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\04-20-10.docx)‑165

4/21/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\04-21-10.docx)‑11

4/21/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\04-21-10.docx)‑8

4/21/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\04-21-10.docx)‑8

5/6/2010 Senate Recalled from Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\05-06-10.docx)‑3

5/12/2010 Senate Amended [SJ](file:///h:\SJ%20Archive\2010\05-12-10.docx)‑25

5/12/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\05-12-10.docx)‑25

5/13/2010 Scrivener's error corrected

5/26/2010 Senate Amended [SJ](file:///h:\SJ%20Archive\2010\05-26-10.docx)‑52

5/26/2010 Senate Read third time and returned to House with amendments [SJ](file:///h:\SJ%20Archive\2010\05-26-10.docx)‑52

6/1/2010 House Concurred in Senate amendment and enrolled [HJ](file:///h:\HJ%20Archive\2010\06-01-10.docx)‑83

6/1/2010 House Roll call Yeas‑98 Nays‑0 [HJ](file:///h:\HJ%20Archive\2010\06-01-10.docx)‑83

6/7/2010 Ratified R 329

6/11/2010 Vetoed by Governor

6/15/2010 House Veto overridden by originating body Yeas‑102 Nays‑2 [HJ](file:///h:\HJ%20Archive\2010\06-15-10.docx)‑123

1/19/2011 Senate Veto overridden Ayes‑39 Nays‑2 [SJ](file:///h:\sj\20110119.docx)‑22

1/25/2011 Effective date 01/19/11

2/2/2011 Act No. 1

**VERSIONS OF THIS BILL**

[2/16/2010](file:///p:\pprever\2009-10\4542_20100216.docx)

[4/14/2010](file:///p:\pprever\2009-10\4542_20100414.docx)

[4/20/2010](file:///p:\pprever\2009-10\4542_20100420.docx)

[5/6/2010](file:///p:\pprever\2009-10\4542_20100506.docx)

[5/12/2010](file:///p:\pprever\2009-10\4542_20100512.docx)

[5/13/2010](file:///p:\pprever\2009-10\4542_20100513.docx)

[5/26/2010](file:///p:\pprever\2009-10\4542_20100526.docx)

(A1, R329, H4542 of 2010)

**AN ACT TO AMEND SECTION 8‑13‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO DELETE THE PROHIBITION OF THE RELEASE OF INFORMATION UNTIL FINAL DISPOSITION OF AN ETHICS INVESTIGATION AND REQUIRE THAT THE INFORMATION MAY NOT BE RELEASED UNTIL A FINDING OF PROBABLE CAUSE HAS BEEN MADE; AND TO AMEND SECTION 8‑13‑1372, AS AMENDED, RELATING TO THE AUTHORITY OF THE STATE ETHICS COMMISSION TO DETERMINE THAT ERRORS OR OMISSIONS ON CAMPAIGN REPORTS ARE INADVERTENT AND MAY BE HANDLED AS TECHNICAL VIOLATIONS, SO AS TO CHANGE REFERENCES OF THE STATE ETHICS COMMISSION TO THE APPROPRIATE SUPERVISORY OFFICE.**

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

**Ethics, confidentiality of investigations**

SECTION 1. Section 8‑13‑320(10)(g) of the 1976 Code, as last amended by Act 387 of 2006, is further amended to read:

“(g) All investigations, inquiries, hearings, and accompanying documents must remain confidential until a finding of probable cause or dismissal unless the respondent waives the right to confidentiality. The wilful release of confidential information is a misdemeanor, and any person releasing confidential information, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.”

**Technical violations**

SECTION 2. Section 8‑13‑1372 of the 1976 Code, as last amended by Act 76 of 2003, is further amended to read:

“Section 8‑13‑1372. (A) The appropriate supervisory office, in its discretion, may determine that errors or omissions on campaign reports are inadvertent and unintentional and not an effort to violate a requirement of this chapter and may be handled as technical violations which are not subject to the provisions of this chapter pertaining to ethical violations. Technical violations must remain confidential unless requested to be made public by the candidate filing the report. In lieu of all other penalties, the appropriate supervisory office may assess a technical violations penalty not to exceed fifty dollars.

(B) A violation other than an inadvertent or unintentional violation must be considered by the appropriate supervisory office for appropriate action.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 7th day of June, 2010.

Vetoed by the Governor -- 6/11/2010.

Veto overridden by House -- 6/15/2010.

Veto overridden by Senate -- 1/19/2011.

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