COMMITTEE REPORT

May 5, 2010

**H. 4005**

Introduced by Reps. Sellers, Bingham, Ott, A.D. Young and Bales

S. Printed 5/5/10--S.

Read the first time January 12, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4005) to amend the Code of Laws of South Carolina, 1976, by adding Section 8‑13‑1335 so as to make it unlawful for an individual seeking election to membership, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 9, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8-13-915. A person running for an office that is filled by an election by the General Assembly pursuant to the provisions of Chapter 20, Title 2 shall not: (1) make or offer to make a contribution to a member of the General Assembly or a candidate for election to the General Assembly; nor (2) host or otherwise sponsor any fundraising event for a member of the General Assembly or a candidate for election to the General Assembly. This prohibition begins from the time the person files the notice with the joint screening committee pursuant to Section 2-20-20 through the date the office is filled by a vote of the General Assembly or until the candidate withdraws his name for consideration for the office.”

SECTION 2. Section 8-13-920 of the 1976 Code is amended to read:

“Section 8-13-920. A person running for an office elected by the General Assembly must file a report with the Chairman of the Senate Ethics Committee and the Chairman of the House of Representatives Ethics Committee of money in excess of one hundred dollars spent by him or in his behalf in seeking the office. The report must include the period beginning with the time he first announces his intent to seek the office. The report must not include travel expenses or room and board while campaigning. ~~Contributions made to members of the General Assembly during the period from announcement of intent to election date must be included.~~ The report must be updated quarterly with an additional report filed five days before the election and the final report filed thirty days after the election. Persons soliciting votes on behalf of candidates must submit expenses in excess of one hundred dollars to the candidate which must be included on the candidate's report. A copy of all reports received by the Senate Ethics Committee and the House of Representatives Ethics Committee must be forwarded to the State Ethics Commission within two business days of receipt.”

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

Renumber sections to conform.

Amend title to conform.

GEORGE E. CAMPSEN III for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The State Ethics Commission estimates this bill will have no fiscal impact on the state general fund or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑1335 SO AS TO MAKE IT UNLAWFUL FOR AN INDIVIDUAL SEEKING ELECTION TO MEMBERSHIP ON THE GOVERNING BOARD OF A PUBLIC INSTITUTION OF HIGHER LEARNING FILLED BY A VOTE OF THE GENERAL ASSEMBLY TO MAKE OR OFFER TO MAKE A CONTRIBUTION TO A CANDIDATE FOR THE GENERAL ASSEMBLY OR HOST OR SPONSOR ANY FUNDRAISING EVENT FOR SUCH A CANDIDATE FROM THE TIME THE INDIVIDUAL FILES THE NOTICE OF INTENTION TO SEEK MEMBERSHIP ON THE BOARD THROUGH THE DATE THE OFFICE IS FILLED.

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 8‑13‑1335. It is unlawful for an individual seeking election to membership on the governing board of a public institution of higher learning required to file a notice with the joint screening committee as required pursuant to Section 2‑20‑20 to make or offer to make a contribution to a candidate for election to the General Assembly or to host or otherwise sponsor any fundraising event for any such candidate from the time the individual files the notice with the joint screening committee pursuant to Section 2‑20‑20 through the date the office is filled by a vote of the General Assembly.”

SECTION 2. This act takes effect upon approval by the Governor.

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