**South Carolina General Assembly**

124th Session, 2021-2022

**S. 391**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Harpootlian, Fanning, Rice and Hembree

Document Path: l:\council\bills\cc\15908zw21.docx

Introduced in the Senate on January 12, 2021

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

Summary: Financial gain from office

**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 296](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 296](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=391&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\391_20201209.docx)

**A** **BILL**

TO AMEND SECTION 8‑13‑700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST THE USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF THE PROHIBITION, AND TO PRECLUDE VIOLATORS FROM SERVING AS A PUBLIC OFFICIAL OR PUBLIC MEMBER OR BEING EMPLOYED AS A PUBLIC EMPLOYEE.

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

SECTION 1. Section 8‑13‑700 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( )(1) A person who violates subsection (A) or (B) of this section is guilty of a felony and, upon conviction, must be fined not less than five thousand dollars and not more than ten thousand dollars, imprisoned for not less than five years and not more than ten years, or both.

(2) In lieu of the fine contained in item (1), a person convicted of violating subsection (A) or (B) of this section may be fined an amount equal to the value of the financial gain or economic interest that required abstention from the use of his office, membership, or employment if the court can determine that amount and if that amount exceeds ten thousand dollars.

(3) A person convicted of violating subsection (A) or (B) of this section is ineligible to serve as a public official or public member or be employed as a public employee.”

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

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