

1 DRAFT PREPARED BY LEGISLATIVE COUNCIL  
2 For: Ballentine, Haley, J. R. Smith, Hamilton, Wylie, Simrill, Huggins, E. H. Pitts, Cobb-Hunter,  
3 Harrell, G. M. Smith, Gullick, J. E. Smith, Merrill, Phillips, Jennings, Owens, G. R. Smith, Daning, Rice,  
4 Knight, Funderburk, Harrison, Crawford, Kirsh, Bedingfield, Allison  
5 Attorney: D. Williams  
6 Stenographer: Pair  
7 Date: November 20, 2008  
8 DOC. I.D.: L:\COUNCIL\BILLS\DKA\3004DW09.DOCX

## 9 A BILL

10  
11 TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH  
12 CAROLINA, 1976, RELATING TO ELECTRONIC FILING OF  
13 CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO  
14 MAKE IT APPLICABLE TO COUNTY, SCHOOL BOARD,  
15 AND MUNICIPAL ELECTIONS IN ADDITION TO  
16 STATEWIDE ELECTIONS; AND TO AMEND SECTION  
17 8-13-1308, AS AMENDED, RELATING TO THE  
18 REQUIREMENT TO FILE CERTIFIED CAMPAIGN REPORTS  
19 BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE  
20 THAT THEY MUST BE FILED FORTY-EIGHT HOURS  
21 AFTER THEIR RECEIPT STARTING AFTER THE FILING OF  
22 THE PRE-ELECTION REPORT.

23  
24 Be it enacted by the General Assembly of the State of South  
25 Carolina:

26  
27 SECTION 1. Section 8-13-365(A) of the 1976 is amended to  
28 read:

29  
30 “(A) The commission ~~must~~ shall establish a system of electronic  
31 filing for all disclosures and reports required pursuant to Article  
32 13, ~~of~~ Chapter 13, ~~of~~ Title 8 from all candidates and entities  
33 subject to its jurisdiction. These disclosures and reports for  
34 candidates and committees for statewide, county, school board,  
35 and municipal offices must be filed using an Internet-based filing  
36 system as prescribed by the commission. Reports and disclosures  
37 filed with the Ethics Committees of the Senate and House of  
38 Representatives for legislative offices must be in a format such that  
39 these filings can be forwarded to the State Ethics Commission  
40 using an Internet-based system. The information contained in the  
41 campaign disclosure form, with the exception of social security

1 numbers, campaign bank account numbers, and tax ID numbers,  
2 must be publicly accessible, searchable, and transferable.”

3  
4 SECTION 2. Section 8-13-1308(D) of the 1976 Code, as last  
5 amended by Act 76 of 2003, is further amended to read:

6  
7 “(D)(1) ~~At least fifteen days before an election,~~ After the filing  
8 of the pre-election report, a contribution received before the  
9 election must be reported within forty-eight hours and a certified  
10 campaign report must be filed showing contributions of more than  
11 one hundred dollars and expenditures to or by the candidate or  
12 committee ~~for the period ending twenty days before the election.~~  
13 The candidate or committee ~~must~~ shall maintain a current list  
14 during the period before the election commencing at the beginning  
15 of the calendar quarter of the election of all contributions of more  
16 than one hundred dollars and expenditures. The list must be open  
17 to public inspection upon request.

18 (2) A committee immediately shall file a campaign report  
19 listing expenditures if it makes an independent expenditure or an  
20 incurred expenditure within the calendar quarter in which the  
21 election is conducted or twenty days before the election, whichever  
22 period of time is greater, in excess of:

23 (a) ten thousand dollars in the case of a candidate for  
24 statewide office; or

25 (b) two thousand dollars in the case of a candidate for any  
26 other office.

27 (3) ~~In the event of~~ If a runoff election occurs, candidates or  
28 committees are not required to file another campaign report in  
29 addition to the reports already required under this section.  
30 However, records must remain open to public inspection upon  
31 request between the election and the runoff.”

32  
33 SECTION 3. This act takes effect upon approval by the Governor.

34 ----XX----

Reps. Ballentine, Haley, J. R. Smith, Hamilton, Simrill, Huggins,  
Cobb-Hunter, Harrell, G. M. Smith, Gullick, J. E. Smith, Merrill,  
Phillips, Jennings, Owens, G. R. Smith, Daning, Rice, Knight,  
Funderburk, Harrison, Crawford, Kirsh, Bedingfield  
Document Name L:\Council\Bills\DKA\3004DW09.Docx

## **A BILL**

TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO MAKE IT APPLICABLE TO COUNTY, SCHOOL BOARD, AND MUNICIPAL ELECTIONS IN ADDITION TO STATEWIDE ELECTIONS; AND TO AMEND SECTION 8-13-1308, AS AMENDED, RELATING TO THE REQUIREMENT TO FILE CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE THAT THEY MUST BE FILED FORTY-EIGHT HOURS AFTER THEIR RECEIPT STARTING AFTER THE FILING OF THE PRE-ELECTION REPORT.

House: Ballentine, Haley, J. R. Smith, Hamilton, Simrill,  
Huggins, Cobb-Hunter, Harrell, G. M. Smith, Gullick, J. E. Smith,  
Merrill, Phillips, Jennings, Owens, G. R. Smith, Daning, Rice,  
Knight, Funderburk, Harrison, Crawford, Kirsh, Bedingfield

Attorney: D. Williams

Stenographer: Pair

Date: November 20, 2008

Doc Name: L:\COUNCIL\BILLS\DKA\3004DW09.DOCX

**Introduced by Reps. Ballentine, Haley, J. R. Smith, Hamilton, Simrill, Huggins, Cobb-Hunter, Harrell, G. M. Smith, Gullick, J. E. Smith, Merrill, Phillips, Jennings, Owens, G. R. Smith, Daning, Rice, Knight, Funderburk, Harrison, Crawford, Kirsh, Bedingfield**

## **A BILL**

**TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO MAKE IT APPLICABLE TO COUNTY, SCHOOL BOARD, AND MUNICIPAL ELECTIONS IN ADDITION TO STATEWIDE ELECTIONS; AND TO AMEND SECTION 8-13-1308, AS AMENDED, RELATING TO THE REQUIREMENT TO FILE CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE THAT THEY MUST BE FILED FORTY-EIGHT HOURS AFTER THEIR RECEIPT STARTING AFTER THE FILING OF THE PRE-ELECTION REPORT.**

**LEGISLATIVE COUNCIL**  
of the  
**GENERAL ASSEMBLY**  
of the  
**STATE OF SOUTH CAROLINA**

---

STEPHEN T. DRAFFIN, DIRECTOR

Attorney: D. Williams

Statewide: \_\_\_\_\_ Local: \_\_\_\_\_

Stenographer: Pair

Document No.: L:\COUNCIL\BILLS\DKA\3004DW09.DOCX

Proofread by: \_\_\_\_\_