

she would email Respondent concerning the late campaign disclosure (CD) statements and the Statement of Economic Interests (SEI).

2. On December 12, 2012 Respondent complied by filing a pre-election CD and an SEI.
3. Respondent advised that a few weeks before the election, some individuals told her that they were going to write in her name for the school board position. She never campaigned nor did she request that the Democratic Party campaign for her. She did not consider herself a candidate. Upon winning in the election and being sworn into office she was never informed that she had to file an SEI. When she was advised by the Commission investigator that she had to file an SEI, she did comply.
4. Commission General Counsel has opined that Respondent was not a candidate, so she was not required to file a pre-election CD; however, she would be required to file a 2012 SEI prior to being sworn in as a new school board trustee.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Anita Renee Alston-Gore, was a public official, as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction
3. Section 8-13-1110 provides that no public official may take the oath of office until such time as he files an SEI.
3. Section 8-13-1308(D) provides that a pre-election campaign disclosure report must be filed fifteen days before the election.
4. Section 8-13-320(10)(i) provides in part:

(10) to conduct its investigation, inquiries, and hearings in this manner:

(i) . . . If the Commission finds probable cause to believe that a violation of this chapter has occurred, the Commission may waive further proceedings if the respondent takes action to remedy or correct the alleged violation.

DECISION

Based upon the evidence presented and the filing of the disclosure form the State Ethics Commission has determined that the Respondent, Anita Renee Alston-Gore, has complied with the disclosure requirements of the Ethics Reform Act of 1991. THEREFORE, in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the State Ethics Commission waives further proceedings.

IT IS SO ORDERED THIS 19th DAY OF February, 2013.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA