

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF RICHLAND )  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2012-014 )  
 )  
 Partnership for Palmetto Leadership, )  
 Respondent, )  
 )  
 )  
 State Ethics Commission, )  
 Complainant; )  
 \_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on August 2, 2011. The complaint against the Respondent, Partnership for Palmetto Leadership, was considered by the Commission on November 16, 2011 and probable cause found to warrant an evidentiary hearing.

Prior to the call of the case Respondent, Partnership for Palmetto Leadership, agreed to entry of the following statements of fact, conclusions of law, admission, and disposition in this matter as follows.

**STATEMENTS OF FACT**

1. The Respondent, Partnership for Palmetto Leadership, was a duly registered non-candidate committee established in Richland County in 2008.

2. An audit of Partnership for Palmetto Leadership's Initial Campaign Disclosure (CD) showed that it was incomplete because the contributions on hand at period end reflected a negative balance. The incomplete CD was returned on November 29, 2009 for completion and return within ten days.

3. The November 20, 2009 letter was returned to the State Ethics Commission because Respondent's post office box had been closed. A copy of the November 20, 2009 letter was

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emailed to the Respondent's contact person, at the email address provided when the initial CD was filed. The Respondent's contact person was instructed to amend the initial CD online within ten days. Another letter was emailed requesting that the necessary corrections be made online within ten days.

4. On May 11, 2011, a \$100.00 penalty letter for failure to file a properly completed initial CD was sent to Respondent. The letter was returned with stamp saying "Not at this Address." It was re-mailed to the address found on the Respondent's Statement of Organization, which was different from the address listed on the CD. After re-mailing the letter on June 2, 2011, it was again returned as undeliverable. The letter of May 11, 2011 was sent by certified mail to the Respondent's contact person's work address, which was located online.

5. The \$100.00 penalty was paid on June 29, 2011; however, the CD was not filed. On June 30, 2011 a letter was sent that payment of the penalty did not relieve Respondent of the obligation to amend the incomplete initial CD.

6. A complaint was filed on August 2, 2011. On August 3, 2011 a Commission investigator left a message at Respondent's telephone concerning the initial CD and penalties applied. A representative of Respondent returned the call and reported that it would comply.

7. Respondent filed the required CD and a final CD on November 4, 2011. The penalty has reached the \$5,000 maximum.

#### **CONCLUSIONS OF LAW**

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

1. During all times relevant, the Respondent, Partnership for Palmetto Leadership, was a committee as defined by S.C. Code Ann. § 8-13-1300(6)(Supp. 2011).

2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-1308 states in part:
  - (A) Upon the receipt or expenditure of campaign contributions totaling, in an accumulated aggregate, five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8-13-1304 must file an initial certified campaign report within ten days of these initial receipts or expenditures. However, a candidate or a committee that does not receive or expend campaign contributions totaling, in an accumulated aggregate, five hundred dollars or more must file an initial certified campaign report fifteen days before an election.
4. Section 8-13-1510(1) provides as follows:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows:

- (1) a fine of one hundred dollars if not filed within five days after the established deadline provided by law in this chapter;

**ADMISSION**

The Respondent, Partnership for Palmetto Leadership, admits it violated Section 8-13-1300(A) of the Ethics Reform Act.

**DISPOSITION**

The State Ethics Commission hereby finds Partnership for Palmetto Leadership in violation of Section 8-13-1300(A) of the Ethics Reform Act, and hereby adopts the Statement of Facts, Conclusions of Law, Admissions, and Disposition as agreed upon by Partnership for Palmetto Leadership.

THEREFORE, the State Ethics Commission hereby issues a written warning to Partnership for Palmetto Leadership for violation of Section 8-13-1300(A) of the Ethics Reform Act,

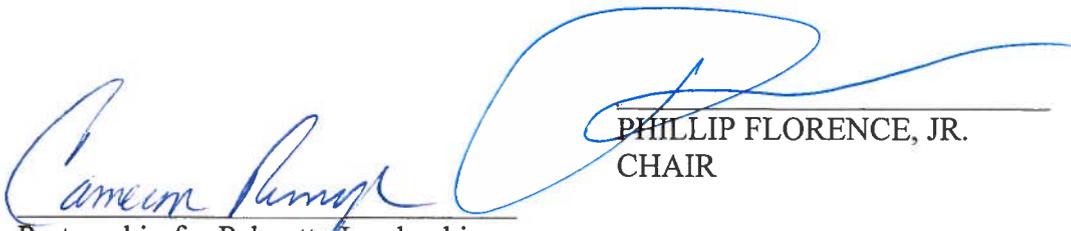
AND, orders that Partnership for Palmetto Leadership be more diligent in complying

with the Campaign Practices of the Ethics Reform Act in the future,

AND, orders Respondent to pay a reduced late filing penalty of \$500.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 2<sup>ND</sup> DAY OF MARCH 2012.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.  
CHAIR

Partnership for Palmetto Leadership  
Respondent