

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

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STATE ETHICS
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2020-094

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210

RESPONDENT: Ann Williamson
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: (803) 253-4192

TITLE: Former Council Member – City of Rock Hill

Section 8-13-1308, S.C. Code Ann., 1976, as amended, requires candidates to file Campaign Disclosures within ten (10) days of receiving or expending \$500; fifteen (15) days prior to each election; within ten (10) days of the end of each quarter; and a final report when the campaign account is closed. In addition, certified campaign reports detailing campaign contributions and expenditures must contain the total of contributions accepted, the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate or committee, and the name and address of each person to whom an expenditure is made from campaign funds. Pursuant to Section 8-13-1362 and Regulation 52-504 (C), the Pre-Election and quarterly report are required even when there have been no contributions or expenditures.

Records of the State Ethics Commission indicate that a Pre-Election Campaign Disclosure was due between September 27, 2017 and October 2, 2017. Respondent was sent an email reminder thirty days before the Campaign Disclosure deadline.

Section 8-13-1120, SC Code Ann., 1976, as amended, requires full and complete information concerning income from both government and private sources received by the filer or a member of the filer's immediate family during the reporting period. Respondent failed to report government income on her 2016 Statement of Economic Interests, which was filed on April 5, 2017. She also failed to report government and private income on her 2017 Statement of Economic Interests, which was filed on April 5, 2017.

Respondent was reminded of the filing requirements by letters dated September 25, 2020 as described in the attached. To date, no properly completed Pre-Election Campaign Disclosure has been received. All in violation of Section 8-13-1120, Section 8-13-1308(D)(1), and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this 10 day of December, 2020

[REDACTED]
Meghan L. Walker, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 8-11-2025

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2020-094)
Ann Williamson)
Respondent.)
State Ethics Commission)
Complainant.)
_____)

BEFORE THE STATE ETHICS COMMISSION

NOTICE OF HEARING

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, to support the allegations made in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, October 20, 2022 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

COUNT ONE
FAILURE TO FILE AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Ann Williamson, former Rock Hill City Council Member, did in Richland County, fail to file an Initial Campaign Disclosure Report (CDR) within ten days of receiving an aggregate of \$500.00 in campaign contributions, in violation of Section 8-13-1308.

COUNT TWO
FAILURE TO FILE AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Ann Williamson, former Rock Hill City Council Member, did in Richland County,

fail to file Pre-Election/October 10, 2016 CDR, in violation of Section 8-13-1308.

COUNT THREE
FAILURE TO FILE AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Ann Williamson, former Rock Hill City Council Member, did in Richland County, fail to file a Final 2017 CDR, in violation of Section 8-13-1308.

COUNT FOUR
FAILURE TO OPERATE OUT OF ONE CAMPAIGN ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Ann Williamson, former Rock Hill City Council Member, did in Richland County, operate out of more than one campaign account, in violation of Section 8-13-1312.

COUNT FIVE
FAILURE TO REPORT INCOME ON STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1120, S.C. CODE ANN., 1976, AS AMENDED

That Ann Williamson, former Rock Hill City Council Member, did in Richland County, fail to report government and private sources of income on her 2017 Statement of Economic Interests report, in violation of Section 8-13-1120.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the

event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 22nd day,
of June 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Anne Williamson by depositing said **NOTICE OF HEARING** in the United States mail, 352 Hampton Street, Rock Hill, South Carolina 29730 on this 27th day of July 2021, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2020-094)
)
 State Ethics Commission,)
 Complainant,)
)
 Ann Williamson,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on December 2, 2020. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Ann Williamson (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to the following:

STATEMENTS OF FACT

1. At all times relevant, Respondent was a public official and candidate for Rock Hill City Council (Council). Respondent was first elected to Council in 2014 and most recently was an unsuccessful candidate in an October 17, 2017 general election.
2. On April 5, 2017, Respondent filed a 2017 Statement of Economic Interests (SEI). Respondent did not disclose any sources of government or private income.
3. Respondent did not file a Pre-Election/October 10, 2017¹ Campaign Disclosure Report (CDR) prior to the October 17, 2017 general election.
4. In a September 25, 2020 certified letter, the Commission notified Respondent of her failure to file a 2017 Pre-Election CDR and of her failure to disclose government and private sources of income

¹ Pursuant to Section 8-13-1308(E) of the Ethics Act, “. . . if a pre-election campaign report provided for in subsection (D) is required to be filed within thirty days of the end of the prior quarter, a candidate or committee must combine the quarterly report provided for in subsection (B) and the pre-election report and file the combined report subject to the provisions of subsection (D) no later than fifteen days before the election.”

on her 2017 SEI.

5. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on September 28, 2020 at 12:00 p.m.
6. On October 8, 2020, late-filing penalties began to accrue at \$10 per day.
7. On October 18, 2020, late-filing penalties began to accrue at \$100 per day.
8. Following the filing of the Complaint, Respondent's campaign bank account records were subpoenaed. A review of these records showed the following: (1) Respondent failed to file an Initial CDR within ten (10) days of raising and/or spending \$500; (2) Respondent engaged in raising and spending campaign funds from July 3, 2017 through November 27, 2017; and (3) Respondent made campaign expenditures out of two (2) separate bank accounts.
9. On October 29, 2021, Respondent amended her 2017 SEI to reflect government and private income. Respondent also filed an Initial CDR, a Pre-Election/October 10, 2017 CDR, and a Final/January 10, 2018 CDR. At the time Respondent came into compliance, she had accrued \$5,000 in late-filing penalties with regard to the 2017 Pre-Election/October 10, 2017 CDR.

CONCLUSIONS OF LAW

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

1. At all times relevant, Respondent was a "public official" pursuant to Section 8-13-100(27) of the Ethics Act and a "candidate" pursuant to Section 8-13-1300(4) of the Ethics Act. Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1120 provides, in relevant part:
 - (A) A statement of economic interests filed pursuant to Section 8-13-1110 must be on forms prescribed by the State Ethics Commission and must contain full and complete information concerning:
 - (1) the name, business or government address, and workplace telephone of the filer;

- (2) the source, type, and amount or value of income, not to include tax refunds, of substantial monetary value received from a governmental entity by the filer or a member of the filer's immediate family during the reporting period;

...

- (10) a listing of the private source and type of any income received in the previous year by the filer or a member of his immediate family . . .

3. Section 8-13-1308 provides, in relevant part:

(A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8-13-1304(A) must file an initial certified campaign report within ten days of these initial receipts or expenditures. However, a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.

(B) Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

...

(D)(1) At least fifteen days before an election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee for the period ending twenty days before the election . . .

4. Section 8-13-1312 provides, in relevant part:

Except as is required for the separation of funds and expenditures under the provisions of Section 8-13-1300(7), a candidate shall not establish more than one campaign checking account and one campaign savings account for each office sought. . .

5. Section 8-13-1510(A) provides:

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 the statement or report is not filed within five days after the established deadline provided by law in this chapter; and (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar

- day in which the required statement or report is not filed, not exceeding five thousand dollars.
6. Section 8-13-320(10)(l) allows the Commission to require a public official to pay a civil penalty of up to \$2,000 for each violation of the Ethics Act.
 7. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

DISCUSSION

The Commission found probable cause to charge Respondent with three (3) counts of violating Section 8-13-1308 for failing to file an Initial CDR, a Pre-Election/October 10, 2017 CDR, and a Final/January 10, 2018 CDR. The Commission further found probable cause to charge Respondent with one (1) count of violating Section 8-13-1312 for operating more than one campaign account and one (1) count of violating Section 8-13-1120(A) for failing to report government and private income on her 2017 SEI. Through this Consent Order, Respondent acknowledges she violated the Ethics Act when she failed to file the aforementioned CDRs, when she made campaign expenditures out of two bank accounts, and when she failed to disclose sources of income in her 2017 SEI. In mitigation, Respondent states that she is 76 years old and that she is not computer savvy. Respondent states her son has assisted her with all her campaign efforts and her filings. Respondent states that after she lost the 2017 election, she neglected to think about her filing requirements.

DISPOSITION

1. The Commission hereby finds Respondent in violation of three (3) counts of Section 8-13-1308, one (1) count of Section 8-13-1312, and one (1) count of Section 8-13-1120(A).
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.


THEREFORE, the Commission hereby issues a written warning and orders the Respondent to

pay the Commission, within six (6) months from receipt of this Order, a late-filing penalty of \$100 for the Initial CDR, a late-filing penalty of \$500 for the Pre-Election/October 10, 2017 CDR, a late-filing penalty of \$100 for the Final/January 10, 2018 CDR,² \$100 for operating out of two bank accounts, \$100 for failing to disclose income on her 2017 SEI, and an administrative fee of \$350, for a total of \$1,250.

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$1,250 (less any money paid to the Commission) in the event she does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$1,250 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 5th DAY OF August 2022.

STATE ETHICS COMMISSION


SCOTT FRICK, ACTING CHAIR


ANN WILLIAMSON
RESPONDENT

² Pursuant to Section 8-13-1510(A) of the Ethics Act, the late-filing penalty for the Initial CDR and the January 10, 2018/Final CDR is limited to \$100 because Respondent did not receive certified notice of her failure to file.