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STATE ETHICS COMMISSION

STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY: CASE NUMBER C 2022-044

COMPLAINANT: State Ethics Commission ADDRESS: 201 Executive Center Drive Suite 150 Columbia, SC 29210 TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Terence R. Wilson ADDRESS: [REDACTED] TELEPHONE NUMBER: [REDACTED] TITLE: Council - Town of Mayesville

Section 8-13-1140, SC Code Ann., 1976, as amended, requires the filing of an updated Statement of Economic Interests for the previous calendar year annually thereafter prior to March 30. Records in the State Ethics Commission indicate that the Respondent was required to file the 2022 Statement of Economic Interests.

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 October 13, 2021 and October 18, 2021. Respondent was sent an email reminder thirty days before the Campaign Disclosure deadline.

Respondent was reminded of the Pre-Election filing requirement by a certified letter dated November 16, 2021 as described in the attached. To date, no properly completed Pre-Election Campaign Disclosure or 2022 Statement of Economic Interests has been received. All in violation of Section 8-13-1140, Section 8-13-1308(A), Section 8-13-1308 (D)(1), and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

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.

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 26th day of April, 2022

[REDACTED] Meghan L. Walker, Executive Director

[REDACTED] Notary Public for South Carolina My Commission expires 01/22/26

SEC-7 (Revised 3/2022)

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

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2022-044 )  
Terence R. Wilson )  
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, April 20, 2023 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 STATEMENT OF ECONOMIC INTERESTS**  
**SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED**

That Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to file a 2022 Statement of Economic Interests, in violation of Section 8-13-1140.

**COUNT TWO**  
**FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED**

That Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to file a 2021 Pre-Election Campaign Disclosure Report, in violation of Section 8-13-1308.

**COUNT THREE**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED**

That Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to disclose a personal contribution and expenditure, in violation of Section 8-13-1308.

**COUNT FOUR**  
**FAILURE TO OPEN A CAMPAIGN BANK ACCOUNT**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to open a campaign bank account, in violation of Section 8-13-1312.

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 19<sup>th</sup> day,  
of January 2023.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the **RESPONDENT** Terence R. Wilson by depositing said **NOTICE OF HEARING** in the United States mail, 2135 Avenue A, Mayesville, SC 29104 on this 20th day of January 2023, 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 C2022-044 )  
State Ethics Commission, )  
Complainant. )  
Terence R. Wilson, )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**DECISION AND ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a complaint filed on April 26, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act), the Commission reviewed the above-captioned complaint against Terence R. Wilson (Respondent) and probable cause was found to warrant an evidentiary hearing. Present at the hearing on April 20, 2023, were Commissioners Brandolyn Thomas Pinkston, Mary Hunter B. Tomlinson, and Neal D. Truslow, Hearing Chair. Respondent appeared *pro se*. Complainant was represented by Courtney M. Laster. The following charges were considered:<sup>1</sup>

**COUNT ONE**  
**FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS**  
**SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED**

That Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to file a 2022 Statement of Economic Interests, in violation of Section 8-13-1140.

**COUNT TWO**  
**FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED**

That Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to file a 2021 Pre-Election Campaign Disclosure Report (CDR), in violation of Section 8-13-1308.

**COUNT FOUR**

<sup>1</sup> At the call of the case, Commission staff moved to dismiss Count Three (3). This Motion was granted, and the hearing proceeded on Counts One (1), Two (2), and Four (4).

**FAILURE TO OPEN A CAMPAIGN BANK ACCOUNT  
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

Terence R. Wilson, Mayesville Town Council Member, did in Richland County, fail to open a campaign bank account, in violation of Section 8-13-1312.

**FINDINGS OF FACT**

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. Respondent was a successful candidate in a November 2, 2021 election.
2. Respondent failed to file a Pre-Election CDR prior to the November 2, 2021 election.
3. In a November 16, 2021 certified letter, the Commission notified Respondent of his failure to file a 2021 Pre-Election CDR. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on November 19, 2021 at 11:16 a.m.
4. On November 29, 2021, late-filing penalties began to accrue at \$10 per day.
5. On December 9, 2021, late-filing penalties began to accrue at \$100 per day.
6. Respondent failed to file a Statement of Economic Interests (SEI) on or before March 30, 2022.
7. A Commission Investigator contacted Respondent on September 13, 2022 to discuss the Complaint. Respondent acknowledged that he paid for campaign signs with personal funds and that he did not open a campaign bank account. Respondent promptly filed his 2021 Pre-Election CDR and 2022 SEI the same day.
8. Respondent appeared at the hearing and testified. Respondent accepted responsibility for his failures to file and stated he responded quickly following contact from a Commission Investigator. Respondent advised that 2021 was his first time running for public office and that he was unaware of the filing requirements.

**CONCLUSIONS OF LAW**

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

1. At all times relevant, Respondent was a “candidate” pursuant to Section 8-13-1300(4) and a “public official” pursuant to Section 8-13-100(27). Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1140 provides, in relevant part:

A person required to file a [SEI] under this chapter annually shall file, pursuant to Section 8-13-365, an updated statement for the previous calendar year, no later than noon on March thirtieth of each calendar year . . .
3. Section 8-13-1308(D)(1) provides, in relevant part:

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:

. . . expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed by the candidate or a duly authorized officer of a committee. All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt.
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 8-13-130 of the Ethics Act allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.
7. Section 8-13-320(10)(1) of the Ethics Act allows the Commission to assess a civil penalty up to \$2,000.00 for each violation of the Ethics Act.

**DECISION**

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the Panel has determined, based on a preponderance of evidence, that Respondent Terence R. Wilson is in violation of one (1) count of 8-13-1140 for failing to timely file a 2022 SEI, one (1) count of Section 8-13-1308 for failing to timely file a 2021 Pre-Election CDR, and one (1) count of Section 8-13-1312 for failing to open a campaign bank account.

THEREFORE, Respondent is hereby Publicly Reprimanded and assessed a reduced late-filing penalty of \$10.00 for his failure to timely file a 2022 SEI, a reduced late-filing penalty of \$500.00 for his failure to timely file a 2021 Pre-Election CDR, and an administrative fee of \$650.00, for a total of \$1,160.00. The Panel declines to assess a civil penalty with respect to Respondent's failure to open a campaign bank account.

AND, pursuant to Section 8-13-320 of the Ethics Act, if the \$1,160.00 is not paid within ten (10) months from Respondent's receipt of this Order, the \$1,160.00 shall revert to \$5,750.00 and a judgment in the amount of \$5,750.00 shall be entered against Respondent. In the event of a failure to pay, upon the Commission's filing of said Judgment with the Clerk of Court's Office in the County of Respondent's last known residence, the Clerk of Court shall enter this Order in the amount of \$5,750.00 in its Judgment Rolls, without cost to the Commission.

FINALLY, Respondent Terence R. Wilson, has ten (10) days from receipt of this Order to appeal this Decision and Order to the full Commission.

AND IT IS SO ORDERED THIS 5<sup>TH</sup> DAY OF JUNE 2023.

STATE ETHICS COMMISSION

  
NEAL D. TRUSLOW, HEARING CHAIR