

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2022-091

COMPLAINT FORM

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

RESPONDENT: Gregrey D. Ginyard, Sr.  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Mayor – Town of Jenkinsville

Section 8-13-1120, SC Code Ann., 1976, as amended, requires disclosure of the source, type, and amount of income from a governmental entity and a listing of the private source and type of any income received by the filer or a member of the filer's immediate family during the reporting period. Respondent failed to report income on his 2019, 2020, 2021, and 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 no between June 24, 2020 and June 29, 2020. Respondent was sent an email reminder thirty days before the Campaign Disclosure deadline.

Respondent was reminded of the Pre-Election Campaign Disclosure and income requirements on the 2019 Statement of Economic Interests by certified letters dated March 9, 2022 as described in the attached. To date, no properly completed Pre-Election Campaign Disclosure, 2019, 2020, 2021, or 2022 Statement of Economic Interests has been received. All in violation of 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 2 day of August, 2022

[REDACTED]  
Meghan L. Walker, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 01/22/21

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 C2022-091 )  
)  
Gregrey D. Ginyard, Sr. )  
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 State Ethics Commission will, therefore, convene a formal hearing into the matters, 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 State Ethics 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 A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED**

That Gregrey D. Ginyard, Sr., Mayor of City of Jenkinsville, did in Richland County, fail to file a 2020 Pre-Election Campaign Disclosure Report, in violation of Section 8-13-1308(D)(1).

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

That Gregrey D. Ginyard, Sr., Mayor of City of Jenkinsville, did in Richland County, fail

to report Respondent's government income received from the City of Jenkinsville on his 2019 Statement of Economic Interests (SEI), in violation of Section 8-13-1120.

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

That Gregrey D. Ginyard, Sr., Mayor of City of Jenkinsville, did in Richland County, fail to report Respondent's government income received from the City of Jenkinsville on his 2020 SEI, in violation of Section 8-13-1120.

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

That Gregrey D. Ginyard, Sr., Mayor of City of Jenkinsville, did in Richland County, fail to report Respondent's government income received from the City of Jenkinsville on his 2021 SEI, 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.



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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 Gregrey D. Ginyard, Sr., 366 Lakeview Drive, Jenkinsville, SC 29065 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina 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 C2022-091 )  
State Ethics Commission, )  
Complainant, )  
Gregrey D. Ginyard, Sr., )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on August 2, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Gregrey D. Ginyard, Sr. (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-1308 for failing to file a 2020 Pre-Election Campaign Disclosure Report (CDR) and three (3) counts of violating Section 8-13-1120 for failing to report income on his 2019, 2020, and 2021 Statements of Economic Interests (SEI). Prior to the call of the case, Respondent agreed to entry of the following:

**STATEMENTS OF FACT**

1. Respondent has served as Mayor of the Town of Jenkinsville<sup>1</sup> since 2008.
2. Respondent timely filed his 2019 SEI on February 11, 2019, but failed to disclose any income therein.
3. Respondent did not file a 2020 SEI on or before March 30, 2020 or a 2021 SEI on or before March 30, 2021.
4. Respondent was a candidate in a July 14, 2020 election, but did not file a Pre-Election CDR prior to this election.
5. In a March 9, 2022 certified letter, the Commission notified Respondent of his failure to file the

<sup>1</sup> Jenkinsville is located in Fairfield County and has approximately sixty (60) residents.

2020 Pre-Election CDR, the 2020 SEI, and the 2021 SEI. In addition, a separate first-class letter was mailed to the Respondent notifying him of his failure to report income on his 2019 SEI.

6. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on March 11, 2022 at 9:17 a.m.
7. On March 14, 2022, Respondent contacted Commission staff and received assistance updating his email address and username in the Commission's filing system.
8. On March 17, 2022, a Commission staff member emailed Respondent to confirm that his email address and username had been updated and provided a hyperlink to the filing system so he could complete his reports.
9. On March 22, 2022, late-filing penalties began to accrue at \$10 per day with regard to the Pre-Election CDR.<sup>2</sup>
10. On April 1, 2022, late-filing penalties began to accrue at \$100 per day with regard to the Pre-Election CDR.
11. On April 18, 2022, Respondent filed his 2020 and 2021 SEIs, but failed to disclose any income.
12. On August 1, 2022, the Complaint was filed.
13. On August 15, 2022, following contact from a Commission Investigator, Respondent filed his 2020 Pre-Election CDR and amended his 2019, 2020, and 2021 SEIs to disclose an annual income of \$1,200 (\$100 per month) received from the Town of Jenkinsville.
14. At the time he came into compliance, Respondent had accrued \$5,000 in late-filing penalties with regard to the 2020 Pre-Election CDR.

#### **CONCLUSIONS OF LAW**

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<sup>2</sup> Late-filing penalties also began to accrue with regard to Respondent's 2020 and 2021 SEIs. However, as discussed in paragraph eleven (11), Respondent filed these reports on April 18, 2022. As such, it was not necessary to include these filings in this Complaint and the associated late-filing penalties are being handled through the Commission's Non-Compliance Division.

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

1. At all times relevant, Respondent was both 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 8-13-1308(A) provides, in relevant part:

. . . 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.
3. Section 8-13-1510(A) provides, in relevant part:

. . . a person required to file a report or statement under this chapter who files a late 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.
4. Section 8-13-1120(A)(2) of the Act requires public officials to disclose, in relevant part:

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.
5. 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.
6. 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 one (1) count of violating Section 8-13-1308 for failing to timely file a 2020 Pre-Election CDR and three (3) counts of violating Section 8-13-1120 for failing to disclose government income on his 2019, 2020, and 2021 SEIs. Through this Consent Order, Respondent admits he failed to timely his 2020 Pre-Election CDR and

failed to disclose government income on his 2019, 2020, and 2021 SEIs. In mitigation, Respondent asserts the Town has not always paid members for their service and he was unaware of the requirement to disclose this information. Respondent states he did not file his 2020 Pre-Election CDR in a timely fashion due to the disruption caused by Covid-19. Respondent further states that a family member died from Covid-19 in or around this time frame.

As to the Commission's March 9, 2022 correspondence, Respondent states that he contacted the Commission immediately upon receiving the letter. Respondent states Commission staff assisted him in accessing his account and that he subsequently filed the required reports on April 18, 2022. The Commission acknowledges that Respondent filed his SEIs on April 18, 2022, but notes that Respondent did not file a 2020 Pre-Election CDR at this time. According to Respondent, he believed he was in compliance as of April 18, 2022 and was unaware that he still had not filed the 2020 Pre-Election CDR until he received the Complaint. Respondent states that he receives disability assistance and believes that the assessment of a late-filing penalty will cause financial hardship to his family.

#### **DISPOSITION**

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

THEREFORE, the Commission hereby issues this written warning to Respondent, and orders Respondent to pay the Commission, within one (1) year from receipt of this Order, a late-filing penalty of \$500 with regard to the 2020 Pre-Election CD and an administrative fee of \$300, for a total of \$800. The Commission declines to assess the remaining \$4,500 in accrued late-filing penalties and declines to assess any monetary penalties for the violations of Section 8-13-1120.

By executing this Consent Order, Respondent understands that he is not only admitting to a

violation of the Ethics Act, but also confessing to a judgment of \$800 in the event he does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in Respondent's last known County of residence, who shall enter this Order in the amount of \$800 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 26<sup>th</sup> DAY OF February 2023.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
GREGORY D. GINYARD, SR.  
RESPONDENT