

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
REC'D NOV 21 '22 AM 8:47:13

FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2022-142

COMPLAINT FORM

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

RESPONDENT: Coley L. Wilson, Jr  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Former Council Member – Town of  
Burnettown

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 2019, 2020, and 2021 Statement of Economic Interests.

Respondent was reminded of the filing requirements by a certified letter dated April 27, 2022 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, the 2019, 2020, or 2021 Statement of Economic Interests have not been received. All in violation of Section 8-13-1140, SC 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  
21<sup>st</sup> day of November, 2022

[REDACTED]  
Meghan J. Walker, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires March 25, 2025 01/24/25

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 C2022-142 )  
Coley Wilson )  
Respondent. )  
State Ethics Commission )  
Complainant. )

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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, June 15, 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 Coley L. Wilson, former Councilmember for the Town of Burnetttown, did in Richland County, fail to file a 2019 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

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

That Coley L. Wilson, former Councilmember for the Town of Burnetttown, did in

Richland County, fail to file a 2020 SEI, in violation of Section 8-13-1140.

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

That Coley L. Wilson, former Councilmember for the Town of Burnetown, did in Richland County, fail to file a 2021 SEI, in violation of Section 8-13-1140.

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 Walker Dayson, Executive Director  
State Ethics Commission

Dated this 20<sup>th</sup> day,  
of March 2023.

**Certificate of Service by Certified Mail**

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Coley L. Wilson, 395 Gleenwood Drive, Warrenville, SC 29851 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 20<sup>th</sup> day of March 2023, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Columbia, South Carolina

**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission (803) 253-4192

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND ) BEFORE THE STATE ETHICS COMMISSION  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2022-142 )  
 )  
 State Ethics Commission, ) **CONSENT ORDER**  
 Complainant, )  
 )  
 Coley L. Wilson, Jr. )  
 Respondent. )  
 \_\_\_\_\_ )

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on November 21, 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 Coley L. Wilson, Jr. (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on three (3) counts of violating Section 8-13-1140 for failing to timely file 2019, 2020, and 2021 Statements of Economic Interests (SEI). Prior to the hearing, Respondent agreed to the following:

**STATEMENTS OF FACT**

1. Respondent was elected to the Burnettown Town Council in 2017.
2. Respondent failed to file a SEI on or before March 30, 2019.<sup>1</sup>
3. Respondent failed to file a SEI on or before March 30, 2020.
4. In early January 2021, Respondent attempted to resign from Council via letter, but staff from the Aiken County Voter Registration and Elections Office and the Town could not accept his letter of resignation because it was unsigned. According to Respondent, he was never advised that his resignation letter was not accepted.
5. Respondent failed to file a SEI on or before March 30, 2021.
6. In a September 27, 2021 certified letter, the Commission notified Respondent of his failure to file a 2019,

<sup>1</sup> Respondent also failed to file a SEI on or before March 30, 2018, but this filing deadline fell outside of the Commission’s four-year statute of limitations provided in Section 8-13-320(9).

2020, and 2021 SEI. The letter assessed a \$100 late-filing penalty for each SEI and advised that additional late-filing penalties would begin to accrue if Respondent did not file the SEIs.

7. The certified letter was delivered to Respondent's address of record on September 30, 2021.
8. On October 1, 2021, Respondent contacted Commission staff and advised he would appeal the late-filing penalties.
9. Receiving no response, a duplicate late-filing penalty letter was mailed to Respondent's address of record on April 27, 2022. This letter was delivered on April 29, 2022 at 1:18 pm.
10. On May 9, 2022, late-filing penalties began to accrue at \$30 per day (\$10 per SEI).
11. On May 19, 2022, late-filing penalties began to accrue at \$300 per day (\$100 per SEI).
12. The Complaint was filed on November 21, 2022.
13. Following the filing of the Complaint, a Commission Investigator contacted Respondent. Respondent acknowledged receipt of the Complaint and explained his attempted resignation. Respondent informed the Investigator that he was a single parent with full-time custody of two teenaged children and apologized for not responding to the Commission in a timely fashion.
14. On February 27, 2023, Respondent came into compliance by filing his 2019, 2020, and 2021 SEIs. At the time he came into compliance, Respondent had accrued \$15,000 in late-filing penalties (\$5,000 for each SEI) pursuant to Section 8-13-1510.

#### **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). 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 . . . an updated statement for the previous calendar year, no later than noon on March 30 . . .

3. 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.

4. 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 8-13-1140 for failing to timely file his 2019, 2020, and 2021 SEIs. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file the required SEIs. In mitigation, Respondent states that his 2017 election was his first time running for public office and that he was unaware of the filing requirements. Respondent further states he attempted to resign from Council in early 2021 and did not know that his resignation was not considered effective until a Commission Investigator contacted him following the filing of the Complaint.

**DISPOSITION**

1. The Commission hereby finds Respondent in violation of three (3) counts of Section 8-13-1140.
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 reduced late-filing penalty of \$400 for the 2019 SEI, a reduced late-filing penalty of \$400 for the 2020 SEI, and an administrative fee of \$400, for a total of \$1,200. The Commission declines to assess any late-filing penalties for the 2021 SEI.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$1,200 (less any money paid to the Commission) in the event he does not make full and timely payment as provided 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 \$1,200 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 2<sup>nd</sup> DAY OF June 2023.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
COLEY L. WILSON, JR.  
RESPONDENT