

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:  
CASE NUMBER  
c 2021-032

COMPLAINT FORM

RECEIVED  
21 MAY 2021 4:29 PM  
STATE ETHICS COMMISSION  
COMPLAINANT: State Ethics Commission  
ADDRESS: 201 Executive Center Drive  
Suite 150  
Columbia, SC 29210  
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Byron E. Gipson  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Solicitor – Richland and Kershaw County

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 Campaign Disclosure was due no later than April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, and April 10, 2021. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline.

Respondent was reminded of the filing requirement by a certified letter dated February 18, 2021 as described in the attached. To date, no properly completed April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, and April 10, 2021 Campaign Disclosure has been received. All in violation of Section 8-13-1308(B) 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 18<sup>th</sup> day of May, 2021

[REDACTED]  
Meghan L. Walker, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 3-25-25

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

C102form

|                         |   |                                    |
|-------------------------|---|------------------------------------|
| STATE OF SOUTH CAROLINA | ) |                                    |
| COUNTY OF RICHLAND      | ) | BEFORE THE STATE ETHICS COMMISSION |
|                         | ) |                                    |
| IN THE MATTER OF:       | ) |                                    |
|                         | ) |                                    |
| Complaint C2021-032     | ) |                                    |
|                         | ) |                                    |
| Byron Gipson            | ) | <b>NOTICE OF HEARING</b>           |
| Respondent.             | ) |                                    |
|                         | ) |                                    |
| State Ethics Commission | ) |                                    |
| Complainant.            | ) |                                    |
|                         | ) |                                    |

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, August 17, 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 A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file an April 10, 2019 Campaign Disclosure report, in violation of Section 8-13-1308(B).

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

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file a July 10, 2019 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT THREE**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file an October 10, 2019 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT FOUR**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file a January 10, 2020 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT FIVE**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file an April 10, 2020 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT SIX**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file a July 10, 2020 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT SEVEN**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file an October 10, 2020 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT EIGHT**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file a January 10,

2021 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT NINE**  
**FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to file an April 10, 2021 Campaign Disclosure report, in violation of Section 8-13-1308(B).

**COUNT TEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Hugh McAngus, Jr. received on January 15, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT ELEVEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Law Office of Marion M. Moses, LLC received January 15, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT TWELVE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Zoe Sanders received March 13, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT THIRTEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a

campaign contribution from A. Randolph Hough received March 13, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FOURTEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Lourie Law Firm, LLC received on March 13, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT FIFTEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Richard A. Harpootlian, PA received on March 13, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT SIXTEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Barry George received March 24, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT SEVENTEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Christopher Koon received March 13, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT EIGHTEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Law Office of Patrick Sharpe received March 14, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT NINETEEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Law Office of S. Harrison Saunders, VI, LLC received March 14, 2019 in the amount of \$100, in violation of Section 8-13-1308(F).

**COUNT TWENTY**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Rodney C. Jernigan received March 14, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT TWENTY-ONE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Donald R. Tomlin received March 14, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT TWENTY-TWO**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a

campaign contribution from Brown Law Firm, LLC received March 14, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT TWENTY-THREE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from McWhirter, Bellinger & Associates, P.A. received March 14, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT TWENTY-FOUR**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Bernstein & Bernstein received March 14, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT TWENTY-FIVE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Bernstein & Bernstein received March 14, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT TWENTY-SIX**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Law Office of Marion M. Moses, LLC received March 20, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT TWENTY-SEVEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Keith Giese received March 20, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT TWENTY-EIGHT**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Burris Law Firm, PC received March 20, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT TWENTY-NINE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Shaun Kent received April 10, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT THIRTY**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from F. Xavier Starkes received April 10, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT THIRTY-ONE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a

campaign contribution from Nelson Mullins Riley & Scarborough received May 7, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT THIRTY-TWO**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from The Shealey Law Firm, LLC received March 18, 2021 in the amount of \$750, in violation of Section 8-13-1308(F).

**COUNT THIRTY-THREE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from The Truluck Law Firm received March 18, 2021 in the amount of \$100, in violation of Section 8-13-1308(F).

**COUNT THIRTY-FOUR**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Robert Ransom received March 18, 2021 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT THIRTY-FIVE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Jekel Law LLC received March 18, 2021 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT THIRTY-SIX**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Leigh J. Leventis received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT THIRTY-SEVEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Law Office of Seth Rose, LLC received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT THIRTY-EIGHT**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Giese Law Firm, LLC received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT THIRTY-NINE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Cavanaugh & Thickens, LLC received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FORTY**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a

campaign contribution from Bailey Law Firm received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FORTY-ONE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Christopher P. Kenney received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FORTY-TWO**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Joseph Leventis received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FORTY-THREE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from James M. Griffin received December 21, 2018 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FORTY-FOUR**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Leventis Law Firm received January 8, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT FORTY-FIVE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Harris & Gasser, LLC received January 8, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT FORTY-SIX**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Bill Nettles, Attorney at Law received March 9, 2019 in the amount of \$350, in violation of Section 8-13-1308(F).

**COUNT FORTY-SEVEN**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Jekel Law LLC received March 18, 2021 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT FORTY-EIGHT**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Leigh J. Leventis received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FORTY-NINE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a

campaign contribution from Law Office of Seth Rose, LLC received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FIFTY**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Giese Law Firm, LLC received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FIFTY-ONE**  
**FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign contribution from Cavanaugh & Thickers, LLC received March 18, 2021 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FIFTY-TWO**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Hendrix on February 18, 2019 in the amount of \$2,100, in violation of Section 8-13-1308(F).

**COUNT FIFTY-THREE**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Ike Williams on March 18, 2019 in the amount of \$1,000, in violation of Section 8-13-1308(F).

**COUNT FIFTY-FOUR**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Fletcher Communications on March 20, 2019 in the amount of \$3,500, in violation of Section 8-13-1308(F).

**COUNT FIFTY-FIVE**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Loosh Culinaire on April 3, 2019 in the amount of \$385, in violation of Section 8-13-1308(F).

**COUNT FIFTY-SIX**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Strategic B & P on April 4, 2019 in the amount of \$1,500, in violation of Section 8-13-1308(F).

**COUNT FIFTY-SEVEN**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Stephanie McCummings on April 22, 2019 in the amount of \$3,500, in violation of Section 8-13-1308(F).

**COUNT FIFTY-EIGHT**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a

campaign expenditure to Stephanie McCummings on April 22, 2019 in the amount of \$442, in violation of Section 8-13-1308(F).

**COUNT FIFTY-NINE**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Fletcher Communication on May 10, 2019 in the amount of \$2,000, in violation of Section 8-13-1308(F).

**COUNT SIXTY**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Strategic B & P on May 10, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT SIXTY-ONE**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Ike Williams, Jr. on May 14, 2019 in the amount of \$500, in violation of Section 8-13-1308(F).

**COUNT SIXTY-TWO**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to Midlands Foundation for Foster Children on August 21, 2019 in the amount of \$250, in violation of Section 8-13-1308(F).

**COUNT SIXTY-THREE**  
**FAILURE TO DISCLOSE CAMPAIGN EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to disclose a campaign expenditure to campaign loan payment on December 24, 2019 in the amount of \$1,200, in violation of Section 8-13-1308(F).

**COUNT SIXTY-FOUR**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from James M. Griffin deposited on January 10, 2019 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SIXTY-FIVE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Hugh McAngus, Jr. deposited on January 15, 2019 in the amount of \$500, in violation of Section 8-13-1312.

**COUNT SIXTY-SIX**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Christopher Koon deposited on March 13, 2019 in the amount of \$500, in violation of Section 8-13-1312.

**COUNT SIXTY-SEVEN**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a

campaign contribution from Lourie Law Firm deposited on March 13, 2019 in the amount of \$250, in violation of Section 8-13-1312.

**COUNT SIXTY-EIGHT**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Nelson Mullins deposited on May 4, 2019 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SIXTY-NINE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Christopher Kinney deposited on March 17, 2021 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SEVENTY**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Giese Law Firm deposited on March 17, 2021 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SEVENTY-ONE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Leventis Law Firm deposited on March 17, 2021 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SEVENTY-TWO**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Bailey Law Firm deposited on March 17, 2021 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SEVENTY-THREE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Cavanaugh & Thickers deposited on March 17, 2021 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT SEVENTY-FOUR**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Jekel Law deposited on March 17, 2021 in the amount of \$500, in violation of Section 8-13-1312.

**COUNT SEVENTY-FIVE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Leventis & Ransom deposited on March 17, 2021 in the amount of \$500, in violation of Section 8-13-1312.

**COUNT SEVENTY-SIX**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a

campaign contribution from Shealy Law Firm deposited on March 17, 2021 in the amount of \$750, in violation of Section 8-13-1312.

**COUNT SEVENTY-SEVEN**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Truluck Law Firm deposited on March 17, 2021 in the amount of \$150, in violation of Section 8-13-1312.

**COUNT SEVENTY-EIGHT**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Zoe Sanders deposited on March 13, 2019 in the amount of \$500, in violation of Section 8-13-1312.

**COUNT SEVENTY-NINE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Stephen Benjamin deposited on March 13, 2019 in the amount of \$250, in violation of Section 8-13-1312.

**COUNT EIGHTY**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from A. Randolph Hough deposited on March 13, 2019 in the amount of \$1,000, in violation of Section 8-13-1312.

**COUNT EIGHTY-ONE**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, fail to timely deposit a campaign contribution from Shaun Kent deposited on April 10, 2019 in the amount of \$1,000, in violation of Section 8-13-1312.

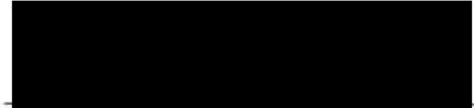
**COUNT EIGHTY-TWO**  
**FAILURE TO TIMELY DEPOSIT CAMPAIGN CONTRIBUTIONS**  
**SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED**

That Byron Gipson, 5<sup>th</sup> Circuit Solicitor, did in Richland County, accept a campaign contribution in excess of \$1,000 from the Leventis Law Firm on February 25, 2021, in violation of Section 8-13-1314.

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.).

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

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 1<sup>st</sup> day,  
of February 2023.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT's ATTORNEY John R. Alphin, 6923 N. Trenholm Road, Suite 200, Columbia, SC 29206 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 7th day of February 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**  
State Ethics Commission

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2021-032 )  
State Ethics Commission, )  
Complainant, )  
Byron E. Gipson, )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on May 18, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Byron E. Gipson (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on the following: failing to file nine (9) quarterly Campaign Disclosure Reports (CDR) in violation of Section 8-13-1308(B); failing to timely deposit eighteen (18) campaign contributions in violation of Section 8-13-1312; and accepting one (1) excessive campaign contribution in violation of Section 8-13-1314.<sup>1</sup> Prior to the call of the case, Respondent agreed to entry of the following:

**STATEMENTS OF FACT**

1. Respondent was a candidate for Richland County Solicitor in a November 6, 2018 election.
2. On October 24, 2018, Respondent timely filed a Pre-Election CDR disclosing \$48,766.87 in on-hand contributions.
3. Respondent thereafter failed to file any additional CDRs.

---

<sup>1</sup> The Commission also found probable cause to believe Respondent violated Section 8-13-1308(F) of the Ethics Act when he failed to disclose fifty-four (54) contributions and expenditures in the aforementioned CDRs. However, given that Respondent is in compliance and is also charged with failing to file the corresponding CDRs, the Commission hereby declines to proceed with these charges.

4. In a February 18, 2021 certified letter, the Commission notified Respondent of his failure to file nine (9) quarterly CDRs from January 10, 2019 through January 10, 2021.
5. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on February 22, 2021 at 9:37 a.m.
6. On March 5, 2021, late-filing penalties began to accrue at \$90 per day (\$10 per report).
7. On March 8, 2021, Respondent amended his 2018 Pre-Election CDR to reflect an on-hand contribution balance of \$43,395.41, but did not file any other CDRs.
8. On March 15, 2021, late-filing penalties began to accrue at \$900 per day (\$100 per report).
9. On May 21, 2021, Respondent filed the following CDRs: January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, and October 10, 2020.
10. On June 8, 2021, Respondent filed a January 10, 2021 CDR.
11. At the time Respondent filed his CDRs on May 21 and June 8, 2021, he had accrued \$5,000 in late-filing penalties with regard to each CDR.
12. A subsequent review of Respondent's campaign bank account records revealed the following campaign contributions were not deposited into Respondent's campaign bank account within fifteen (15) days of receipt as required by Section 8-13-1312:

|   | Date of Check | Date Deposited | Contributor        | Amount  | # of Days |
|---|---------------|----------------|--------------------|---------|-----------|
| 1 | 12/21/2018    | 1/10/2019      | James M Griffin    | \$1,000 | 20        |
| 2 | 12/14/2018    | 1/15/2019      | Hugh McAngus Jr    | \$500   | 32        |
| 3 | 2/6/2018      | 3/13/2019      | Christopher Koon   | \$500   | 35        |
| 4 | 2/6/2019      | 3/13/2019      | Lourie Law Firm    | \$250   | 35        |
| 5 | 3/18/2019     | 5/7/2019       | Nelson Mullins     | \$1,000 | 50        |
| 6 | 2/24/2021     | 3/17/2021      | Christopher Kinney | \$1,000 | 21        |
| 7 | 2/24/2021     | 3/17/2021      | Giese Law Firm     | \$1,000 | 21        |

|    |           |           |                      |         |    |
|----|-----------|-----------|----------------------|---------|----|
| 8  | 2/25/2021 | 3/17/2021 | Leventis Law Firm    | \$1,000 | 20 |
| 9  | 2/25/2021 | 3/17/2021 | Bailey Law Firm      | \$1,000 | 20 |
| 10 | 2/25/2021 | 3/17/2021 | Cavanaugh & Thickers | \$1,000 | 20 |
| 11 | 2/25/2021 | 3/17/2021 | Jekel Law            | \$500   | 20 |
| 12 | 2/25/2021 | 3/17/2021 | Leventis & Ransom    | \$500   | 20 |
| 13 | 2/25/2021 | 3/17/2021 | Shealey Law Firm     | \$750   | 20 |
| 14 | 2/25/2021 | 3/17/2021 | Truluck Law Firm     | \$100   | 20 |
| 15 | 2/10/2019 | 3/13/2019 | Zoe Sanders          | \$500   | 31 |
| 16 | 2/17/2019 | 3/13/2019 | Stephen Benjamin     | \$250   | 24 |
| 17 | 2/17/2019 | 3/13/2019 | A. Randolph Hough    | \$1,000 | 24 |
| 18 | 3/17/2019 | 4/10/2019 | Shaun Kent           | \$1,000 | 19 |

13. Additional review of Respondent's campaign bank account records revealed that Respondent accepted an excessive campaign contribution from the Leventis Law Firm in the amount of \$1,000 on February 25, 2021.

#### **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 "candidate" pursuant to Section 8-13-1300(4).

Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1308(B) provides:

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 . . .

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

. . . 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. All contributions received by an agent of a candidate or committee within must be forwarded to the candidate or committee not later than five days after receipt . . .

4. Section 8-13-1314(A) provides, in relevant part:

Within an election cycle, a candidate or anyone acting on his behalf shall not solicit or accept, and a person shall not give or offer to give to a candidate or person acting on the candidate's behalf (1) a contribution which exceeds . . . (c) one thousand dollars in the case of a candidate for any other office;

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 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) allows the Commission to assess a civil penalty up to \$2,000 for each violation of the Ethics Act.

### DISCUSSION

The Commission found probable cause to charge Respondent with nine (9) counts of violating Section 8-13-1308(B) for failing to timely file nine (9) quarterly CDRs from January 10, 2019 through January 10, 2021, eighteen (18) counts of violating Section 8-13-1312 for failing to timely deposit eighteen (18) campaign contributions, and one (1) count of violating Section 8-13-1314 for accepting one (1) excessive campaign contribution. Through this Consent Order, Respondent acknowledges he violated the Ethics Act in these instances. In mitigation, Respondent states that he believed the Strom Law Firm (Firm) was handling his campaign filings on his behalf. The Firm has confirmed that there was a misunderstanding with regard to Respondent’s campaign filings - Respondent believed the Firm would handle his filings in perpetuity, while the Firm

believed its responsibility ended with the general election. Respondent acknowledges his campaign filings are ultimately his responsibility. Moreover, Respondent states that intermittent medical issues contributed to the untimeliness of his deposits and strives to be more diligent in the future. Finally, as to the excessive campaign contribution, Respondent states that he accepted two (2) campaign contributions from the Leventis Law Firm – one from each partner. It was only following the Commission's investigation that he became aware that this was improper. Respondent has since refunded the excess amount. The Commission acknowledges receiving proof of this refund.

#### **DISPOSITION**

1. The Commission hereby finds Respondent in violation of nine (9) counts of Section 8-13-1308(B), eighteen (18) counts of Section 8-13-1312, and one (1) count of Section 8-13-1314.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

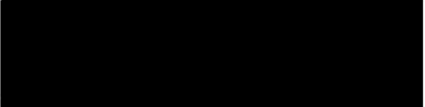
THEREFORE, the Commission hereby issues a written warning and orders the Respondent to pay the Commission, within twelve (12) months from receipt of this Order, a reduced late-filing penalty of \$13,500 (\$1,500 for each CDR), a reduced civil penalty of \$1,800 (\$100 for each violation of Section 8-13-1312), and an administrative fee of \$800, for a total of \$16,100. The Commission declines to issue a civil penalty for the violation of Section 8-13-1314.

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 \$83,000 (less any money paid to the Commission) in the event he 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 \$83,000 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 1<sup>st</sup> DAY OF September 2023.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
BYRON E. GIPSON  
RESPONDENT