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STATE ETHICS
COMMISSION

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2641-103

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

RESPONDENT: Jerome Rice, Jr.
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Council – City of Spartanburg

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 18, 2017 and October 23, 2017. In addition, quarterly Campaign Disclosures were due no later than January 10, 2018, April 10, 2018, July 10, 2018, October 10, 2018, January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, and July 10, 2021. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline.

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 2018, 2019, 2020, and 2021 Statement of Economic Interests.

Respondent was reminded of the filing requirement by a certified letter dated July 2, 2021 as described in the attached. To date, no properly completed Pre-Election, January 10, 2018, April 10, 2018, July 10, 2018, October 10, 2018, January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, or July 10, 2021 Campaign Disclosure has been received. All in violation of Section 8-13-1140, Section 8-13-1308(B), Section 8-13-1308(D)(1), and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2021-103)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Jerome Rice, Jr.)	
Respondent.)	
_____)	

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, 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 18, 2024 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 Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a 2018 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 Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a 2019 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 Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a 2020 SEI, in violation of Section 8-13-1140.

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a 2021 SEI, in violation of Section 8-13-1140.

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a Quarter 4 2017 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a Quarter 1 2018 CDR, in violation of Section 8-13-1308(B).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a Quarter 2 2018 CDR, in violation of Section 8-13-1308(B).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a Quarter 3 2018 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to file a Quarter 4 2018/Final CDR, in violation of Section 8-13-1308(B).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to report a \$318.00 campaign expenditure made on October 24, 2017 to Spartan Stamp and Signature, in violation of Section 8-13-1308(F).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to report a \$700.00 campaign expenditure made on October 27, 2017 to Creative Printing, in violation of Section 8-13-1308(F).

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

That Jerome Rice, Jr., Councilmember for the City of Spartanburg, did in Richland County, fail to report a \$600.00 campaign expenditure made on November 3, 2017 to Creative Printing, in violation of Section 8-13-1308(F).

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.).

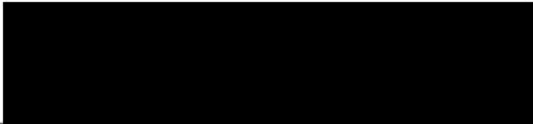
A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 31st day,
of July 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Jerome Rice, Jr., 102 Carrie Ellis Court, Spartanburg, SC 29301 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd day of August 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)
)
 IN THE MATTER OF:)
 COMPLAINT C2021-103)
)
 State Ethics Commission,)
 Complainant,)
)
 Jerome Rice, Jr.,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on October 21, 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 Jerome Rice, Jr. (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. Respondent has served as a Councilmember of Spartanburg City Council since 2009.
2. Prior to the filing of the Complaint, Respondent’s most recently filed Campaign Disclosure Report (CDR) was an October 10, 2017 CDR showing \$3,418.01 in on-hand contributions. Respondent subsequently failed to file any additional CDRs.
3. Respondent failed to file a Statement of Economic Interests (SEI) on or before March 30th in 2018, 2019, 2020, and 2021.
4. In a July 2, 2021 certified letter, the Commission notified Respondent of his failure to timely file any additional CDRs and of his failure to timely file SEIs in 2018, 2019, 2020, and 2021.
5. According to the United States Postal Service (USPS), the certified letter was left with an individual at Respondent’s address of record on July 6, 2021 at 11:52 a.m. The proof of service from the USPS reads, “J. RICE – COVID 19.”
6. Following the filing of the Complaint, Respondent’s campaign bank account records were

subpoenaed. The bank records revealed the bank account held \$52.72 as of November 30, 2017. The bank records further revealed Respondent's campaign bank account was thereafter charged a monthly maintenance fee until it was force-closed on November 30, 2018.

7. Respondent subsequently came into compliance by filing all requisite SEIs and CDRs.

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) 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(B) provides, in relevant part:

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

3. 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 . . .

4. 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.

5. 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 four (4) counts of violating 8-13-1140 for failing to timely file SEIs from 2018-2021 and five (5) counts of violating 8-13-1308(B) for failing to timely file CDRs from Quarter 4 2017 through Quarter 4/Final 2018.¹ Through this Consent Order, Respondent admits he violated the Ethics Act as described herein. In mitigation, Respondent states, and the Commission acknowledges, that prior to 2018 he regularly filed his SEIs. Respondent states that in 2018, he began dealing with personal matters that impacted his filing. Respondent further states that he was not consistently living at his address of record throughout the relevant time frame and that he did not receive the Commission's July 6, 2021 correspondence.

DISPOSITION

1. The Commission finds Respondent in violation of four (4) counts of 8-13-1140 and five (5) counts of 8-13-1308(B).
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 and orders Respondent to pay the Commission, within one (1) year from receipt of this Order, a reduced late-filing penalty of \$650 (\$100 for each SEI and \$250 for the CDRs) and an administrative fee of \$400, for a total of \$1,050.

By executing this Consent Order, Respondent understands that he is confessing to a judgment of \$1,050 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 \$1,050 (less any money

¹ The Commission also found probable cause to believe Respondent violated Section 8-13-1308(F) by failing to disclose three (3) campaign expenditures. However, Respondent has since disclosed these expenditures. Therefore, the Commission declines to proceed on these counts.

paid) in its Judgment Rolls, without cost to the Commission

AND IT IS SO ORDERED THIS 30th DAY OF March 2024.

STATE ETHICS COMMISSION


SCOTT E. FRICK, CHAIR


JEROME RICE, JR.
RESPONDENT