

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-143

COMPLAINT FORM

STATE ETHICS COMMISSION
RECEIVED NOV 10 2022

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

RESPONDENT: David Dunbar Sr.
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Former Council Member – Town of New Ellenton

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 2020 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 June 24, 2020 and June 29, 2020.

Respondent was reminded of the filing requirements by a certified letter dated April 5, 2022 as described in the attached. To date, the properly completed Pre-Election Campaign Disclosure and 2020 Statement of Economic Interests have not 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 24th day of November, 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)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2022-143)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
David Dunbar, Sr.)	
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 17, 2025 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 PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That David Dunbar, Sr., former Town of New Ellenton Councilmember, did in Richland County, fail to file a 2020 Pre-Election Campaign Disclosure Report, in violation of Section 8-13-1308(A).

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

That David Dunbar, Sr., former Town of New Ellenton Councilmember, did in Richland

County, fail to file a 2020 Statement of Economic Interests, 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 25th day,
of November 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT David Dunbar, Sr., 414 Williamson Ave., New Ellenton, SC 29809 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 9th day of December 2024, 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)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)
COMPLAINT C2022-143)

State Ethics Commission,)
Complainant,)

CONSENT ORDER

vs.)

David Dunbar, Sr.,)
Respondent.)

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on October 12, 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 David Dunbar, Sr. (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 served on the New Ellenton City Council from 2012 through 2020. Most recently, Respondent was an unsuccessful candidate for Council in a July 14, 2020 general election.
2. As a Councilmember, Respondent failed to file a Statement of Economic Interests (SEI) on or before March 30, 2020.
3. As a candidate, Respondent failed to file a Pre-Election Campaign Disclosure Report (CDR) fifteen (15) days prior to the July 14, 2020 election.
4. In an April 5, 2022 certified letter, the Commission notified Respondent of his failure to timely file a 2020 SEI and a 2020 Pre-Election CDR.
5. According to the United States Postal Service (USPS), the certified letter was delivered to Respondent's address of record on April 8, 2022 at 10:05 a.m. However, the USPS return receipt contains an illegible signature.

NDT

6. Following the filing of the Complaint, a Commission Investigator contacted Respondent via telephone. Respondent indicated he did not have access to a computer at his home.
7. Once Respondent was able to access a computer and the internet, he came into compliance by filing a 2020 SEI and 2020 Pre-Election CDR. Respondent's Pre-Election CDR contained no activity aside from the \$100.00 filing fee he paid to run for office.

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) and a candidate pursuant to Section 8-13-1300(4). Therefore, the Commission has personal and subject matter jurisdiction.
2. Respondent was required to file a 2020 SEI on or before March 30, 2020 in accordance with Section 8-13-1140, which 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. Respondent was required to file a 2020 Pre-Election CDR fifteen (15) days prior to his July 14, 2020 general election in accordance with Section 8-13-1308(A), which 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.
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 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 . . .
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 one (1) count of Section 8-13-1140 for failing to timely file a 2020 SEI and one (1) count of Section 8-13-1308(A) for failing to timely file a 2020 Pre-Election CDR prior to the July 14, 2020 election. Through this Consent Order, Respondent admits he violated the Ethics Act as outlined herein. In mitigation, Respondent states he is eighty (80) years old and has not served on Council since 2020. Respondent further states that his previous SEIs and CDRs were typically filed on time,¹ but that he neglected to file in 2020 during the Covid-19 pandemic.

DISPOSITION

1. The Commission finds Respondent in violation of one (1) count of Section 8-13-1140 and one (1) count of Section 8-13-1308(A).
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 Public Reprimand to Respondent. The Commission declines to assess any late-filing penalties or administrative fees given the facts and mitigation outlined herein.

AND IT IS SO ORDERED THIS 26 DAY OF August 2025.

STATE ETHICS COMMISSION


DAVID DUNBAR, SR.
RESPONDENT

8-19-2025

¹ Commission records show that from 2012 through 2020, Respondent filed only two (2) reports late and that both were filed in 2012.