

# STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

**FOR COMMISSION USE ONLY:**  
**CASE NUMBER**  
C 2022-158

## COMPLAINT FORM

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

**RESPONDENT:** Amy L. Welch  
**ADDRESS:** [REDACTED]  
**TELEPHONE NUMBER:** [REDACTED]  
**TITLE:** Candidate – City of Walhalla Council

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 January 10, 2022, April 10, 2022, July 10, 2022, and October 10, 2022. Respondent was sent email reminders thirty days and ten days before each Campaign Disclosure deadline.

Respondent was reminded of the Quarter 4 2021 Campaign Disclosure requirement by a certified letter dated April 6, 2022 as described in the attached. To date, a properly completed Quarter 4 2021, Quarter 1 2022, Quarter 2 2022, or Quarter 3 2022 Campaign Disclosure has not been received. All in violation of Section 8-13-1308(B) 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 6th day of December, 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 C2022-158	)	
	)	
State Ethics Commission	)	<b>NOTICE OF HEARING</b>
Complainant.	)	
	)	
Amy Welch	)	
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 CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Amy Welch, candidate for Walhalla City Council, did in Richland County, fail to file a 2021 Quarter 4 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

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

That Amy Welch, candidate for Walhalla City Council, did in Richland County, fail to file a 2022 Quarter 1 CDR, in violation of Section 8-13-1308(B).

**COUNT THREE**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348(A), S.C. CODE ANN., 1976, AS AMENDED**

That Amy Welch, candidate for Walhalla City Council, did in Richland County, use campaign funds to pay for her personal Sam's Club membership, in violation of Section 8-13-1348(A).

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 25<sup>th</sup> 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 Amy L. Welch, 804 West Main Street, Walhalla, SC 29691 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 9<sup>th</sup> 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**  
State Ethics Commission

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND )  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2022-158 )  
 )  
 State Ethics Commission, )  
 Complainant, )  
 )  
 Amy Welch, )  
 Respondent. )  
 \_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the South Carolina State Ethics Commission (Commission) by way of a complaint filed on December 6, 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 Amy Welch (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 was an unsuccessful candidate for Walhalla City Council in a November 2, 2021 election.
2. Respondent timely filed a 2021 Pre-Election Campaign Disclosure Report (CDR), disclosing a positive on-hand balance of contributions. Respondent thereafter failed to file any additional reports prior to the filing of the Complaint.
3. On April 6, 2022, the Commission notified Respondent of her failure to file a 2021 Quarter 4 CDR via certified letter.
4. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on April 9, 2022 at 10:20 a.m.
5. After no response, the Commission filed the Complaint on December 6, 2022.

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6. Following the filing of the Complaint, the Commission's investigation revealed Respondent maintained her campaign bank account from August 17, 2021 until closing the account on February 9, 2022, making her last required report a 2022 Quarter 1 CDR.
7. The Commission's investigation further revealed that Respondent used \$48.15 in campaign funds to purchase a personal Sam's Club membership.
8. On October 31, 2024, Respondent filed her requisite CDRs, disclosing all contributions and expenditures with the help of Commission staff. Respondent is now in compliance.

### **CONCLUSIONS OF LAW**

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

1. At all times relevant, Respondent was a "candidate," as defined by 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 pursuant to the provisions of Section 8-13-1370.

3. Section 8-13-1348(A) provides, in relevant part:

No [candidate] may use campaign funds to defray personal expenses which are unrelated to the campaign or the office if the candidate is an officeholder nor may these funds be converted to personal use. The prohibition of this subsection does not extend to the incidental personal use of campaign materials or equipment nor to an expenditure used to defray any ordinary expenses incurred in connection with an individual's duties as a holder of elective office.

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

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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 any provision of the Ethics Act.”
- 6. Section 8-13-320(10)(l)(i) allows the Commission to require payment of a civil penalty of up to two thousand dollars for each violation of the Ethics Act.

**DISCUSSION**

The Commission found probable cause to charge Respondent with two (2) counts of violating Section 8-13-1308(B) for failing to file CDRs for 2021 Quarter 4 and 2022 Quarter 1, and one (1) count of violating Section 8-13-1348(A) for using campaign funds for personal use.<sup>1</sup> Through this Consent Order, Respondent admits she violated the Ethics Act as outlined herein. In mitigation, Respondent states the following:

Upon reflection, it becomes apparent that the convergence of several factors — including my amateur status in political matters, resource constraints, the adverse effects of personal attacks, and a demanding workload — culminated in a situation that was exceedingly challenging. Despite exerting my utmost efforts, I acknowledge that these circumstances proved overwhelming and significantly hindered my capacity to effectively manage the campaign, fulfill my professional obligations, and continue my academic pursuits. . .

I share this information with the Ethics Commission with utmost transparency and humility. While I take full responsibility for my actions and decisions during the campaign, I hope that understanding the context in which they occurred provides a more comprehensive perspective.

. . .

There is also a charge for \$48.15 from Sam’s Club for a membership that I missed and was charged to my account after the election. . . The Sam’s Club charge hit my account after the election and it was an oversight. Due to the length of time that has passed since the election, I am unable to provide any additional details about these transactions. . . .

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<sup>1</sup> The Commission also found probable cause to charge Respondent with eighteen (18) counts of violating Section 8-13-1308(F) for failing to properly report campaign contributions and expenditures. However, since Respondent disclosed these contributions and expenditures prior to the Commission’s finding of probable cause, the Commission waived further proceedings as to these counts.

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**DISPOSITION**

1. The Commission hereby finds Respondent in violation of two (2) counts of Section 8-13-1308(B) and one (1) count of Section 8-13-1348(A).
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 this Public Reprimand to Respondent for her violations of the Ethics Act;

AND orders Respondent to pay to the Commission, within one (1) year from receipt of this Order, \$200.00 in reduced late-filing penalties (\$100.00 per CDR) and an administrative fee of \$500.00, for a total of \$700.00.

The Commission further orders Respondent to pay \$48.15 to the Children's Trust Fund and to provide proof of such payment to Commission within one (1) year from receipt of this Order. The Commission declines to assess a civil penalty for the violation of Section 8-13-1348(A) provided Respondent remits the \$48.15 as described herein. Should the Respondent fail to remit the \$48.15 to the Children's Trust Fund as described herein, the Commission shall assess a civil penalty of \$2,000.00.

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Act, but also confessing to a judgment of \$2,700.00 (less any money paid to the Commission) in the event she 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 County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$2,700.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

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AND IT IS ORDERED THIS 26<sup>th</sup> DAY OF March, 2025.

STATE ETHICS COMMISSION

[REDACTED]

F. XAVIER STARKES, CHAIR

Signed by:  


7202044FB199433

AMY WELCH  
RESPONDENT