

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION
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FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-167

COMPLAINT FORM

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

RESPONDENT: Jeff Ayers
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Lobbyist – SC Equality Coalition

In accordance with Section 2-17-30, South Carolina Code of Laws, 1976, as amended, each lobbyist must file disclosure statements no later than June thirtieth and January thirty-first of each year covering income and expenditures attributable to lobbying during that filing period.

The Respondent was registered with the State Ethics Commission as a Lobbyist for SC Equality Coalition during the 2022 calendar year. Records of the State Ethics Commission indicate that a Lobbyist Disclosure Statement for the reporting period of January 1, 2022 through May 31, 2022 was due no later than June 30, 2022.

Respondent was reminded of the filing requirement by a certified letter dated September 1, 2022 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, a properly completed June 30, 2022 Lobbyist Disclosure Statement has not been received. All in violation of Section 2-17-30, 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 29th 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

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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2022-167)
State Ethics Commission)
Complainant.)
Jeff Ayers)
Respondent.)
_____)

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, 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 A LOBBYIST'S DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Jeff Ayers, a lobbyist for the South Carolina Equality Coalition, did in Richland County, fail to file a June 30, 2022 Lobbyist's Disclosure Statement, in violation of Section 2-17-30.

COUNT TWO
FAILURE TO FILE A LOBBYIST'S DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Jeff Ayers, a lobbyist for the South Carolina Equality Coalition, did in Richland

County, fail to file a January 31, 2023 Lobbyist's Disclosure Statement, in violation of Section 2-17-30.

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 22nd day,
of January 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Jeff Ayers, 45 Sycamore Ave. #812, Charleston, SC 29407 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 26th day of January 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 ETHICS COMMISSION
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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2022-167)
State Ethics Commission,)
Complainant)
Jeff Ayers,)
Respondent)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a complaint filed on December 29, 2022. The complaint against Jeff Ayers (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 entry of the following:

STATEMENTS OF FACT

1. During all times relevant, Respondent was registered as a Lobbyist for South Carolina Equality Coalition (Coalition). Respondent was employed by the Coalition until October 2022.
2. By virtue of this registration, Respondent was required to file a Lobbyist Disclosure Statement (LDS) twice a year—the first by June 30, 2022 (covering lobbying activity occurring from January 1, 2022 through May 31, 2022) and the second by January 31, 2023 (covering lobbying activity occurring form June 1, 2022 through December 31, 2022).
3. Respondent failed to file a June 30, 2022 LDS.
4. In a September 1, 2022 certified letter, the Commission notified Respondent of his failure to file a June 30, 2022 LDS.
5. According to the U.S. Postal Service, the certified letter was delivered on September 10, 2022 at 9:40 a.m. The return receipt appears to contain Respondent’s signature.
6. On September 20, 2022, penalties began to accrue at \$10 per day.

7. On September 30, 2022, penalties began to accrue at \$100 per day.
8. On December 29, 2022, the Commission filed a Complaint against Respondent for his failure to file a June 30, 2022 LDS.
9. Respondent thereafter failed to file a LDS on or before January 31, 2023.
10. On November 28, 2023, Respondent accepted service of the Complaint via email after speaking with Commission staff.
11. Respondent subsequently filed his June 30, 2022 LDS and January 31, 2023 LDS with help from Commission staff. Respondent is now in compliance.

CONCLUSIONS OF LAW

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

1. At all times relevant, Respondent was a lobbyist pursuant to Section 2-17-10(13). Therefore, the Commission has personal and subject matter jurisdiction.
2. Pursuant to Section 2-17-30(A), Respondent was required to file a LDS on or before June 30, 2022 and January 31, 2023.
3. Section 2-17-50(A)(2) states that the Commission shall:
 - . . . require a person who files a late statement or fails to file a required statement to be assessed a civil penalty as follows:
 - a. a fine of one hundred dollars if not filed within ten days after the established deadline provided in this chapter; and
 - b. after notice has been given by certified or registered mail that a required statement 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 administrative fee for violations of Chapter 17, Title 2, of the South Carolina Code of Laws.

DISCUSSION

Respondent admits that he violated Section 2-17-30 by failing to timely file LDSs for June 30, 2022 and for January 31, 2023. In mitigation, Respondent states he stopped working with the Coalition in October 2022. Respondent further states he started having health problems in 2023 that required regular doctor visits and that he became the primary caregiver for an elderly relative following his departure from the Coalition. Finally, Respondent states he does not intend to pursue future lobbying work in South Carolina.

DISPOSITION

1. The Commission finds Respondent in violation of two (2) counts of Section 2-17-30.
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 to Respondent, and orders Respondent to pay the Commission, within one (1) year from receipt of this Order, a reduced late-filing penalty of \$600 (\$500 for the June 30, 2022 LDS and \$100 for the January 31, 2023 LDS) and an administrative fee of \$500, for a total of \$1,100. The Commission declines to assess the remaining \$4,500 in accrued late-filing penalties.¹

By executing this Consent Order, Respondent understands that he is not only admitting to a violation of the Ethics Act, but also confessing to a judgment of \$1,100 in the event he does not

¹ The Respondent also has penalties that were sent to GEAR for his noncompliance in relation to his January 31, 2018, January 31, 2019, and January 31, 2022 LDSs. These penalties are not considered in this Order.

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 \$1,100 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 3rd DAY OF May 2024.

STATE ETHICS COMMISSION


SCOTT E. FRICK, CHAIR



JEFF AYERS
RESPONDENT