

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2023-015

COMPLAINT FORM

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

RESPONDENT: Betty R. Ginyard  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Council Member – Town of Jenkinsville

Section 8-13-1120, SC Code Ann., 1976, as amended, requires certain officials to file a Statement of Economic Interests prior to assuming the duties of the office, and 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 prior to assuming the duties of the office in July 2020.

Respondent was reminded of the filing requirement by a certified letter dated August 23, 2022 as described in the attached. To date, a properly completed 2020 Statement of Economic Interests has not been received. All in violation of Section 8-13-1120, 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  
14th day of February, 2023

[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	)	BEFORE THE STATE ETHICS COMMISSION
	)	
IN THE MATTER OF:	)	
	)	
Complaint C2023-015	)	
	)	
State Ethics Commission	)	<b>NOTICE OF HEARING</b>
Complainant.	)	
	)	
Betty R. Ginyard	)	
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, October 19, 2023 at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

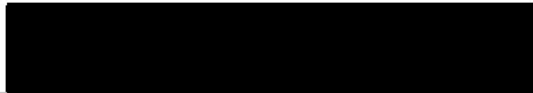
**COUNT ONE**  
**FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS**  
**SECTION 8-13-1110, S.C. CODE ANN., 1976, AS AMENDED**

That Betty R. Ginyard, Town of Jenkinsville Councilmember, did in Richland County, fail to file a 2020 Statement of Economic Interests prior to taking oath of office, in violation of Section 8-13-1110.

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 22<sup>nd</sup> day,  
of May 2023.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Betty R. Ginyard, 366 Lakeview Drive, Jenkinsville, SC 29065 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 5th day of June 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**

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2023-015 )  
State Ethics Commission, )  
Complainant, )  
Betty R. Ginyard, )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on February 14, 2023. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Betty R. Ginyard (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-1110 for failing to file a 2020 Statement of Economic Interests (SEI) prior to being sworn into office. Prior to the hearing, Respondent agreed to the following:

**STATEMENTS OF FACT**

1. Respondent was elected to the Jenkinsville Town Council in a July 14, 2020 election.
2. Respondent failed to file a 2020 SEI prior to taking oath of office.
3. In an August 23, 2022 certified letter, the Commission notified Respondent of her failure to timely file the 2020 SEI.
4. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on August 25, 2022 at 8:42 a.m. However, the return receipt contains an illegible signature that does not resemble Respondent's name.
5. On March 2, 2023, a Commission Investigator contacted Respondent. Respondent successfully filed her 2020 SEI the same day.

### 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).

Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1110 provides in relevant part:

(A) No public official, regardless of compensation, and no public member or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect with the appropriate supervisory office. All disclosure statements are matters of public record open to inspection upon request.

3. 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.

4. 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 violating Section 8-13-1110 for failing file her 2020 SEI prior to taking oath of office. Through this Consent Order, Respondent acknowledges she violated the Ethics Act when she failed to timely file the required SEI. Respondent states 2020 was her first run for public office and she was unaware of the filing requirements. Respondent stated she did not know she had to file the SEI until she received the

Complaint from the Commission. The Commission acknowledges the signature card from the August 23, 2022 letter is illegible.

**DISPOSITION**


1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1110.
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 one (1) year from receipt of this Order, a late-filing penalty of \$100 and an administrative fee of \$300, for a total of \$400. The Commission declines to assess any accrued late-filing penalties due to the illegible return receipt it received in response to its August 23, 2022 certified letter.

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$400 (less any money paid to the Commission) in the event she 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 \$400 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 3<sup>rd</sup> DAY OF November 2023.

STATE ETHICS COMMISSION

  
SCOTT ERICKSON, CHAIR

  
BETTY R. GINYARD  
RESPONDENT