

STATE ETHICS COMMISSION
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STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-023

COMPLAINT FORM

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

RESPONDENT: Montrio M. Belton, Sr.
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Candidate – York County 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 October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, October 10, 2021, January 10, 2022, April 10, 2022, July 10, 2022, October 10, 2022, and January 10, 2023. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline from April 2019 through October 2021 and was sent an email reminder thirty days before and ten days before each Campaign Disclosure deadline after October 2021.

In addition, Respondent failed to disclose the complete address of six expenditures attributed to one vendor.

Respondent was reminded of the filing requirements by certified letters dated October 28, 2022 and November 9, 2022 as described in the attached. To date, a properly completed Quarter 3 2019, Quarter 4 2019, Quarter 1 2020, Quarter 2 2020, Quarter 3 2020, Quarter 4 2020, Quarter 1 2021, Quarter 2 2021, Quarter 3 2021, Quarter 4 2021, Quarter 1 2022, Quarter 2 2022, Quarter 3 2022, or Quarter 4 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 3rd day of March, 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

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2023-023)
State Ethics Commission)
Complainant.)
Montrio M. Belton, Sr.)
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, August 15, 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 QUARTERLY CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 3 2019 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County,

fail to file a Quarter 4 2019 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County,
fail to file a Quarter 1 2020 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County,
fail to file a Quarter 2 2020 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County,
fail to file a Quarter 3 2020 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County,
fail to file a Quarter 4 2020 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County,
fail to file a Quarter 1 2021 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 2 2021 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 3 2021 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 4 2021 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 1 2022 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 2 2022 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 3 2022 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 4 2022 CDR, in violation of Section 8-13-1308(B).

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

That Montrio M. Belton, Sr., candidate for York County Council, did in Richland County, fail to file a Quarter 1 2023/FINAL CDR, in violation of Section 8-13-1308(B).

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 Montrio M. Belton, Sr., 300 Abigdon Way, Fort Mill, SC 29715 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 OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2023-023)
)
 State Ethics Commission,)
 Complainant,)
)
 Monrio M. Belton, Sr.,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on March 3, 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 Monrio M. Belton, 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 entry of the following:

STATEMENTS OF FACT

1. Respondent was an unsuccessful candidate for York County Council in a November 6, 2018 election.
2. Prior to the filing of the Complaint, Respondent’s most recent Campaign Disclosure Report (CDR) was a Quarter 2 2019 CDR filed on July 23, 2019 and showed a balance of \$1,537.51 in on-hand contributions. Respondent did not file additional quarterly CDRs.
3. On October 28, 2022, the Commission mailed a certified letter to Respondent’s address of record, notifying him of his failure to timely file thirteen (13) quarterly CDRs: Quarter 3 2019 – Quarter 3 2022. On November 4, 2022, the certified letter was returned as “Return to Sender – No Mail Receptable-Unable to Forward.”
4. On November 9, 2022, the letter was remailed via certified mail to another known address for Respondent.
5. According to the United States Postal Service, the certified letter was delivered on November 15,

2022 at 3:51 p.m. The return receipt does not appear to contain Respondent's signature.

6. On March 29, 2023, Respondent called Commission staff, confirmed his receipt of the Commission's Complaint and accompanying cover letter, and stated Brandon Upson was his campaign manager who he relied on to file all reports. He further informed Commission staff his campaign bank account had no activity during the periods listed in the Commission's Complaint and that he planned to donate the remaining balance to a 501(c)(3) organization.
7. The Commission investigation revealed that, aside from monthly bank fees and one statement copy fee, Respondent's campaign bank account had no activity until reaching a zero balance on March 29, 2023 when Respondent donated the remaining campaign bank account balance to a 501(c)(3) organization.
8. On October 5, 2023, Respondent filed his Quarter 3 2019 CDR with help from Commission staff. Respondent filed the remaining CDRS on October 9, 2023 with additional help from Commission staff and is now in compliance.

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). 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 8-13-1362 provides, in relevant part:
 - (A) If a candidate or committee has not accepted any contributions and has not made any expenditures during a reporting period, the candidate or a duly authorized officer of the

committee must file a statement of inactivity.

(B) A statement of inactivity must include the candidate's . . . name and address; the type of report, pre-election or quarterly; and a statement by the candidate . . . verifying that no contributions were received and no expenditures were made during the reporting period. . .

4. 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 . . .

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 thirteen (13) counts of violating Section 8-13-1308 for failing to file CDRs from Quarter 3 2019 through Quarter 3 2022. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file the thirteen (13) CDRs. In mitigation, Respondent asserts he assigned his filing duties to his campaign manager Brandon Upson and believed Upson was filing all required reports. Respondent states he did not receive the Commission’s November 9, 2022 penalty letter. The Commission acknowledges the return receipt for the penalty letter does not appear to contain Respondent’s signature. Respondent further asserts he forwarded all reminders to complete the CDRs to Upson and was caught off-guard when he received the Complaint because he had forwarded the Commission’s previous correspondence to Upson believing Upson would file the CDRs. Respondent acknowledges that the filings were his responsibility and that he contacted Commission staff shortly after receiving the Complaint to begin reconciling his filings. Respondent further states, and the Commission confirms, that Respondent’s campaign bank account had no meaningful activity during the relevant

reporting periods.

DISPOSITION

1. The Commission hereby finds Respondent in violation of thirteen (13) counts of Section 8-13-1308.
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 orders the Respondent to pay the Commission, within one (1) year from receipt of this Order, a reduced late-filing penalty of \$650.00 and an administrative fee of \$350.00, for a total of \$1,000.00.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$1,000 (less any money paid to the Commission) in the event he 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 \$1,000 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 2nd DAY OF May 2024.

STATE ETHICS COMMISSION


SCOTT E. FRICK, CHAIR


MONTRIO M. BELTON, SR.
RESPONDENT