

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2023-029

COMPLAINT FORM

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

RESPONDENT: Dale K. Gilchrist  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: (864) 379-4980  
TITLE: Candidate – Abbeville County Council

Section 8-13-1356 (A), SC Code Ann., 1976, as amended, requires a candidate, who files a statement of intention of candidacy seeking nomination by a political party primary or political party convention, must electronically file a Statement of Economic Interests for the preceding calendar year prior to the close of filing for the particular office. Respondent was required to file the 2022 Statement of Economic Interests prior to March 30, 2022.

Respondent was reminded of the filing requirement by a certified letter dated July 29, 2022 as described in the attached. To date, a 2022 Statement of Economic Interests as a candidate has not been received. All in violation of Section 8-13-1356 (A), SC 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 March, 2023

[REDACTED]  
Meghan L. Walker, Executive Director

[REDACTED]

Notary Public for South Carolina  
My Commission expires 01/22/25

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 C2023-029 )  
State Ethics Commission )  
Complainant. )  
Dale K. Gilchrist )  
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, June 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 allegation will be heard:

**COUNT ONE**  
**FAILURE TO FILE A STATEMENT OF ECONOMIC INTERESTS REPORT**  
**SECTION 8-13-1356(A), S.C. CODE ANN., 1976, AS AMENDED**

That Dale K. Gilchrist, candidate for Abbeville County Council, did in Richland County, fail to file 2022 Statement of Economic Interests report, in violation of Section 8-13-1356(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.).

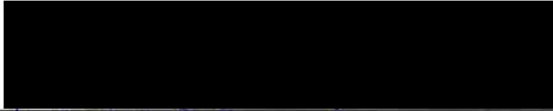
A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.

  
Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 4<sup>th</sup> day,  
of October 2023.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Dale K. Gilchrist, 617 Seneca Street, Calhoun Falls, SC 29628 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 11th day of October 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**  
State Ethics Commission (803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND )  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2023-029 )  
 )  
 State Ethics Commission, )  
 Complainant, )  
 )  
 Dale K. Gilchrist, )  
 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 6, 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 Dale K. Gilchrist (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 Abbeville County Council (Council) in a June 14, 2022 election.
2. Respondent registered to run for Council on March 29, 2022.
3. The registration deadline to run for Council was March 30, 2022.
4. Respondent did not file a Statement of Economic Interests (SEI) on or before March 30, 2022.
5. In a July 29, 2022 certified letter, the Commission notified Respondent of her failure to timely a 2022 SEI, a 2022 Pre-Election Campaign Disclosure Report (CDR), and an Initial CDR.
6. According to the United States Postal Service (USPS), the certified letter was delivered to Respondent’s address of record on August 2, 2022 at 11:29 a.m.
7. Respondent contacted the Commission the same day she received the Commission’s certified letter. Respondent subsequently informed staff that she was having difficulty logging in to the electronic filing system. Commission staff provided Respondent with the telephone number for

- customer support so that she could receive assistance with resetting her password.
8. On August 9, 2022, Respondent filed the Initial CDR and the Pre-Election CDR, but did not file a 2022 SEI.
  9. On August 12, 2022, late-filing penalties began to accrue at \$10 per day with regard to the SEI.
  10. On August 18, 2022, Respondent contacted Commission staff and advised that she had received assistance and was able to file her reports.
  11. On August 22, 2022, late-filing penalties began to accrue at \$100 per day with regard to the SEI.
  12. The Complaint was filed on March 6, 2023.
  13. On August 7, 2023, a Commission Investigator contacted Respondent and advised her that she had still not filed the 2022 SEI.
  14. On August 7, 2023, the same day she was contacted by the Commission Investigator, Respondent filed her 2022 SEI.

### **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 8-13-1356(A) provides:

A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 prior to the close of filing for the particular office.

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 8-13-1356 for failing to file a 2022 SEI prior to the close of filing for the office for Abbeville County Council, which was on March 30, 2022. Through this Consent Order, Respondent acknowledges she violated the Ethics Act when she failed to timely file the required SEI. As mitigation, Respondent states that she contacted the Commission immediately upon receiving its July 29, 2022 certified letter. Respondent states that she subsequently received assistance logging into the electronic filing system and believed that she had filed the requisite reports on August 9, 2022 when she filed the aforementioned CDRs. The Commission acknowledges that Respondent came into compliance by filing her 2022 SEI on the same day she was contacted by a Commission Investigator.

#### **DISPOSITION**

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1356.
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 six (6) months from receipt of this Order, a late-filing penalty of \$200 and an administrative fee of \$200, for a total of \$400. The Commission declines to assess the remaining \$4,800 in accrued late-filing penalties.

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 1<sup>st</sup> DAY OF March 2024.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
DALE K. GILCHRIST  
RESPONDENT