

STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2023 - 074

COMPLAINT FORM

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

RESPONDENT: Torrance T. Wilson
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Councilman – Williamsburg County

Section 8-13-1120, SC Code Ann., 1976, as amended, requires disclosure of the source, type, and amount of income from a governmental entity and a listing of the private source and type of any income received by the filer or a member of the filer's immediate family during the reporting period. Respondent has failed to properly report government sources of income on the 2022 and 2023 Statement of Economic Interests.

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 and 2021 Statement of Economic Interests.

Respondent was reminded of the filing requirements by letters dated May 19, 2022, June 14, 2022, and September 2, 2022 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, the 2020 and 2021 Statement of Economic Interests have not been received, and properly completed 2022 and 2023 Statement of Economic Interests have not been received. All in violation of Section 8-13-1120 and Section 8-13-1140, 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 Walker Dayson 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 19th day of May, 2023

[REDACTED]
Meghan Walker Dayson, 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 C2023-074)
State Ethics Commission)
Complainant.)
Torrance T. Wilson)
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 STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED


That Torrance T. Wilson, Williamsburg County Councilmember, did in Richland County, fail to file a 2020 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

COUNT TWO
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Torrance T. Wilson, Williamsburg County Councilmember, did in Richland County, fail to file a 2021 SEI, in violation of Section 8-13-1140.

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.

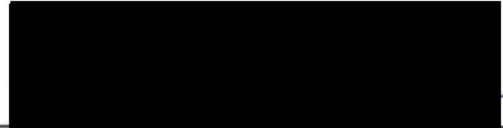


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 31st day,
of July 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Torrance T. Wilson, 1095 Harvest Road, Nesmith, SC 29580 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd day of August 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 C2023-074)
)
 State Ethics Commission,)
 Complainant,)
)
 Torrance T. Wilson,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on May 19, 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 Torrance T. Wilson (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the hearing, Respondent agreed to the following:

STATEMENTS OF FACT

1. At all times relevant, Respondent served as a Councilman for Williamsburg County Council.
2. Respondent failed to file a 2020 Statement of Economic Interests (SEI) on or before March 30, 2020 and a 2021 SEI on or before March 30, 2021.
3. In a May 19, 2022 first-class letter, the Commission notified Respondent of a \$200 penalty assessment for his failure to file a 2020 and 2021 SEI.
4. In a June 14, 2022 certified letter, the Commission again notified Respondent of his failure to file and of the resulting penalty assessments.
5. According to the United States Postal Service (USPS), the certified letter was delivered to "Agent for Final Delivery" at Respondent's address of record on June 16, 2022 at 12:33 p.m. The proof of service provided by USPS contained no signature.
6. On September 2, 2022, the Commission sent another certified letter to Respondent at the Williamsburg County government offices.

7. According to USPS, the certified letter was delivered on September 6, 2022 at 10:28 a.m. The proof of service provided by USPS does not contain Respondent's signature.
8. On April 17, 2023, the Commission's Executive Director called Respondent at his last known phone number regarding the penalty letter and left a voicemail.
9. After no response, the Commission filed a Complaint against Respondent on May 19, 2023.
10. On June 13, 2023, a Commission Investigator contacted Respondent at his last known phone number and left a voicemail. The Commission Investigator then contacted Respondent at the phone number listed in Respondent's 2022 Statement of Intention of Candidacy. Respondent answered and identified the number as his cell phone number.
11. The Commission investigation revealed Respondent received the Complaint, but it could not confirm he received the remaining correspondence.
12. On June 28, 2023, Respondent filed his 2020 and 2021 SEIs 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 "public official" pursuant to Section 8-13-100(27).
Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1140 provides, in relevant part:

A person required to file a [SEI] under this chapter annually shall file . . . an updated statement for the previous calendar year, no later than noon on March 30 . . .

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 two (2) counts of violating Section 8-13-1140 for failing to timely file his 2020 and 2021 SEIs. Through this Consent Order, Respondent admits he failed to timely file a 2020 and 2021 SEI. In mitigation, Respondent states he filed his missing SEIs shortly after receiving the Complaint. Further, Respondent asserts he was serving his first term of office and that his confusion regarding filing requirements was amplified by the COVID-19 pandemic.

DISPOSITION

1. The Commission hereby finds Respondent in violation of two (2) counts of Section 8-13-1140.
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 public reprimand and orders the Respondent to pay the Commission, within nine (9) months from receipt of this Order, a late-filing penalty of \$200¹ (\$100 for each SEI) and an administrative fee of \$400, for a total of \$600.

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 \$600 (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

¹ The Commission acknowledges the Respondent did not receive proper notice of the missing SEIs that would trigger penalty accrual. Accordingly, the maximum penalty for each missing SEI is \$100 pursuant to Section 8-13-1510.

Order in the amount of \$600 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

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

STATE ETHICS COMMISSION


SCOTT E. FRICK, CHAIR



TORRANCE T. WILSON
RESPONDENT