

STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2023-103

COMPLAINT FORM

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210

RESPONDENT: Portereshice S. Brabham
ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: (803) 253-4192

TITLE: Former Councilmember – City of Allendale

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. Records in the State Ethics Commission indicate that the Respondent was required to file the 2021 Statement of Economic Interests prior to February 2021.

Section 8-13-1120, SC Code Ann., 1976, as amended, also 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 failed to report insurance benefits provided by the Town of Allendale.

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.

The Respondent failed to report a \$250.00 contribution or loan and the \$250.00 filing fee for the February 9, 2021 election. In addition, records of the State Ethics Commission indicate that an Initial Campaign Disclosure was due no later than September 3, 2022 and a Pre-Election Campaign Disclosure was due between October 19, 2022 and October 24, 2022.

Respondent was reminded of the filing requirements by letters dated October 7, 2022, November 3, 2022, March 14, 2023, April 7, 2023, and July 11, 2023 as described in the attached. To date, a properly completed 2021 Statement of Economic Interests, 2022 Statement of Economic Interests, Initial Campaign Disclosure for the February 9, 2021 election, Initial Campaign Disclosure for the November 8, 2022 election, and Pre-Election Campaign Disclosure have not been received. All in violation of Section 8-13-1120, Section 8-13-1308(A), Section 8-13-1308(D)(1), 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 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 15th day of August, 2023

[REDACTED]
Meghan Walker Dayson, Executive Director

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) BEFORE THE STATE ETHICS COMMISSION
))
IN THE MATTER OF:))
))
Complaint C2023-103))
))
State Ethics Commission) **NOTICE OF HEARING**
Complainant.))
))
Portereshice S. Brabham))
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, February 20, 2025 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 STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1110, S.C. CODE ANN., 1976, AS AMENDED

That Portereshice S. Brabham, former City of Allendale Councilmember, did in Richland County, fail to file a 2021 Statement of Economic Interests prior to taking oath of office, in violation of Section 8-13-1110.

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

That Portereshice S. Brabham, former City of Allendale Councilmember, did in Richland

County, fail to file a 2022 Pre-Election Campaign Disclosure Report, in violation of Section 8-13-1308(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 19th day,
of September 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Portereshice D. Brabham, 4220 Bluff Road, Allendale, SC 29810 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 23rd day of September 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
State Ethics Commission (803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2023-103)
State Ethics Commission,)
Complainant,)
Portereshice S. Brabham,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

ORDER

Pursuant to Section 8-13-320(10) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the State Ethics Commission convened on February 20, 2025 and heard Commission staff's Motion to Dismiss the above-captioned complaint based on the following:

1. The above-captioned Complaint was filed on August 15, 2023.
2. On September 19, 2024, the Commission found probable cause to believe Respondent violated Section 8-13-1140 of the Ethics Act by failing to timely file a 2021 Statement of Economic Interests (SEI) and Section 8-13-1308 of the Ethics Act by failing to timely file a 2022 Pre-Election Campaign Disclosure Report (CDR).
3. Following the Commission's finding of probable cause, Commission staff discovered that Respondent was not properly served with the Complaint in accordance with Section 8-13-320(10)(d).
4. Respondent is in compliance with the Ethics Act with regard to her 2021 SEI and 2022 Pre-Election CDR.

Based on the foregoing, and in accordance with S.C. Code Ann. Regs. 52-703(C) and 52-706(C), the Commission hereby grants the Motion to Dismiss C2023-103.

AND IT IS SO ORDERED THIS 20th DAY OF February 2025.

STATE ETHICS COMMISSION


SCOTT E. FRICK,
HEARING PANEL CHAIR

Columbia, South Carolina