

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2023-108

COMPLAINT FORM

COMPLAINANT: Billy Chavis
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: [REDACTED]

RESPONDENT: William R. Johnson
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Former Mayor of Holy Hill

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

CONTRIBUTION OVER SC LAW AMOUNT FOR LOCAL ELECTION \$1000.00
TRAINING OF FUNDS FROM CAMPAIGN CONTRIBUTIONS FROM THE
NOV, 21 ELECTION CYCLE IN JULY 2023!
AMENDMENTS TO CAMPAIGN FINANCES FROM INITIAL REPORT
IN 2021 ORIGINALLY SUBMITTED IN SEPT, 2021. AMENDED JULY, 2023
QUARTER 3 / PRE-ELECTION REPORT SUBMITTED 10-21. AMENDED
JULY 2023.
QUARTER 4, 2021 REPORT SUBMITTED 4/8/22. AMENDED JULY 23!
DONATION FROM A CONTRACTOR DOING WORK FOR THE TOWN @ THE TIME
OF ELECTION FROM G.H. SMITH.

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 Orangeburg

Personally appeared before me Billy Chavis who, first being duly sworn, says that he/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 his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this
21st day of August, 2023

[REDACTED]

[REDACTED]

Complainant Signature

Notary Public for South Carolina
My Commission expires 08-08-2028

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 C2023-108)
)
 Billy Chavis,)
 Complainant,)
)
 William R. Johnson,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on August 24, 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 William R. Johnson (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 served as Mayor of Holly Hill from November 2009 until November 2021, when he was defeated in a November 2, 2021 election.
2. On November 4, 2021, Respondent received a donation of \$1,200 from Sylvester Thomas.
3. On January 13, 2022, Respondent returned \$200 to Sylvester Thomas.
4. On August 21, 2023, the Commission received the Complaint alleging, among other things, that Respondent received an excessive campaign contribution.¹
5. Following the receipt of the Complaint, the Commission investigation revealed Respondent received eight (8) cash contributions in excess of \$25. These cash contributions totaled \$790 and were disclosed by Respondent on his Quarter 3 2021/Pre-Election Campaign Disclosure Report (CDR) and Quarter 4 2021 CDR.

¹ The Complaint also alleged Respondent 1) “drain[ed his] campaign funds,” 2) made prohibited amendments to his filed reports, and 3) received a prohibited donation from a contractor who did work for Holly Hill while Respondent was in office. The Commission did not find probable cause existed to support these allegations.

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 8-13-1314 provides, in relevant part:
 - (A) Within an election cycle, a candidate or anyone acting on his behalf shall not solicit or accept, and a person shall not give or offer to give to a candidate or person acting on the candidate's behalf:
 - (1) a contribution which exceeds:
 - (...)
 - (c) one thousand dollars in the case of a candidate for any other office;
 - (2) a cash contribution from an individual unless the cash contribution does not exceed twenty-five dollars and is accompanied by a record of the amount of the contribution and the name and address of the contributor;
3. Section 8-13-320 allows the Commission to assess a \$2,000 civil penalty for each violation of the Ethics Act and allows the Commission to require “the forfeiture of gifts, receipts, or profits, or the value thereof, obtained in violation” of the Ethics Act.
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 8-13-1314(A)(1)(c) for accepting an individual campaign contribution over \$1,000 and one (1) count of violating Section 8-13-1314(A)(2) for accepting cash contributions over \$25. Through this Consent Order, Respondent admits he violated the Ethics Act in each of these instances. In mitigation, Respondent states he did not know the contribution limit was \$1,000 and returned the excess amount as soon as he was informed. Respondent further asserts he was unaware of the cash contribution limit and that he disclosed each cash contribution on his CDRs. The Commission acknowledges that although they were cash contributions, Respondent properly disclosed these contributions without prompting from the Commission.

DISPOSITION

1. The Commission hereby finds Respondent in violation of one (1) count of 8-13-1314(A)(1)(c) and one (1) count of 8-13-1314(A)(2).²
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, for the violation of Section 8-13-1314(A)(2), orders the Respondent to pay the Commission, within ninety (90) days from receipt of this Order, a reduced civil penalty of \$500 and an administrative fee of \$300, for a total of \$800.³

By executing this Consent Order, Respondent understands that he is not only admitting to a violation of the Ethics Act, but also confessing to a judgment of \$800 in the event he does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in Respondent's last known County of residence, who shall enter this Order in the amount of \$800 (less any money paid) in its Judgment Rolls, without cost to the Commission.

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

STATE ETHICS COMMISSION

SCOTT E. FRICK, CHAIR

[Redacted Signature]

WILLIAM R. JOHNSON
RESPONDENT

[Redacted Signature]

² The Respondent also has late-filing penalties for his Quarter 4 2022 and Quarter 2 2023 CDRs. These penalties are being handled by the standard noncompliance process and are not considered in this Order.

³ The Commission declines to issue a civil penalty for Respondent's violation for Section 8-13-1314(A)(1)(c) given that Respondent returned the excess contribution prior to the filing of the Complaint.