

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:  
CASE NUMBER  
c 2023-131

COMPLAINT FORM

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

RESPONDENT: John A. Sahlmann  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: (843) 830-2941  
TITLE: Councilman – Town of Cottageville

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 Pre-Election Campaign Disclosure was due between October 16, 2019 and October 21, 2019.

Respondent was reminded of the filing requirement by a certified letter dated February 3, 2023 as described in the attached. To date, a properly completed Pre-Election Campaign Disclosure has not been received. All in violation of 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  
19th day of October, 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

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
)  
)  
IN THE MATTER OF: )  
)  
Complaint C2023-131 )  
)  
State Ethics Commission )  
Complainant. )  
)  
John A. Sahlmann )  
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 State Ethics Commission will, therefore, convene a formal hearing into the matters, 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 June 20, 2024 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

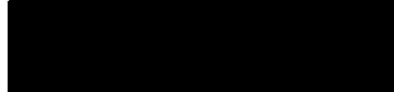
**COUNT ONE**  
**FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(A) S.C. CODE ANN., 1976, AS AMENDED**

That John A. Sahlmann, candidate for Cottageville Town Council, did in Richland County, fail to file a 2019 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 22<sup>nd</sup> 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 RESPONDENT John A. Sahlmann, 738 Clydeville Lane, Cottageville, SC 29435 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 21<sup>st</sup> day of January 2024, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.

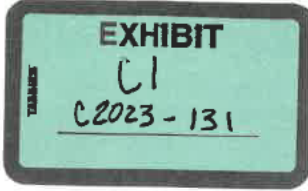


**Rachael O'Bryan, Administrative Assistant**

State Ethics Commission

(803) 253-4192

Columbia, South Carolina



STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND ) BEFORE THE STATE ETHICS COMMISSION  
)  
)  
IN THE MATTER OF: )  
)  
Complaint C2023-131 )  
)  
State Ethics Commission ) **NOTICE OF HEARING**  
Complainant. )  
)  
John A. Sahlmann )  
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 State Ethics Commission will, therefore, convene a formal hearing into the matters, 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 June 20, 2024 at 9:30 a.m. at the State Ethics 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 PRE-ELECTION CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(A) S.C. CODE ANN., 1976, AS AMENDED**

That John A. Sahlmann, candidate for Cottageville Town Council, did in Richland County, fail to file a 2019 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

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Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 22<sup>nd</sup> day,  
of January 2024.

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**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission (803) 253-4192

Columbia, South Carolina

# State of South Carolina State Ethics Commission

SCOTT E. FRICK, CHAIRMAN  
F. XAVIER STARKES, VICE CHAIRMAN  
BRYANT S. CALDWELL  
AJ HOLLOWAY



BRANDOLYN THOMAS PINKSTON  
MARY HUNTER B. TOMLINSON  
NEAL D. TRUSLOW  
MATTHEW N. TYLER

201 EXECUTIVE CENTER DRIVE, SUITE 150  
COLUMBIA, S.C. 29210

MEGHAN WALKER DAYSON  
EXECUTIVE DIRECTOR

January 26, 2024

John A. Sahlmann

Certified Mail: 92148969009997901424680509

RE: Complaint C2023-131

In the Matter of John A. Sahlmann

Dear Mr. Sahlmann:

The State Ethics Commission has considered the above captioned complaint and has determined that probable cause exists to support the alleged violation. As a result of the Commission's determination, you are hereby provided with the Notice of Hearing. In accordance with 8-13-320 (10)(g), South Carolina Code of Laws, 1976, as amended, all complaint matters are now public upon the issuance of the Notice of Hearing.


Please be aware that under recent General Assembly amendments to the Ethics Reform Act in 2016 Act. No. 282, effective April 1, 2017, this and all other Ethics Commission hearings are now open to the public. The Ethics Commission will provide timely notice of Commission hearings to the public pursuant to the requirement of the South Carolina Freedom of Information Act.

In accordance with S.C. Code Ann. Section 1-23-320(F), in lieu of a hearing, the Commission may be agreeable to resolve this matter through an informal disposition by Consent Order. Please contact Courtney M. Laster, Esq., General Counsel, at 803-253-4192 or [claster@ethics.sc.gov](mailto:claster@ethics.sc.gov) as soon as possible to:

- Confirm receipt of this Notice of Hearing and notify the Commission whether you will or will not attend the scheduled hearing at **9:30am, Thursday, June 20, 2024 at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150 Columbia, SC 29210.**
- Confirm address, telephone number and email address.
- Notify the Commission if an attorney will be representing you.
- Discuss the option of a Consent Order

If you do not attend the hearing, a judgment by default will be rendered.

Sincerely,

  
Meghan Walker Dayson  
Executive Director

MWD:ro  
Enclosure: Notice of Hearing



February 2, 2024

Dear Rachael OBryan:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8969 0099 9790 1424 6805 09.**

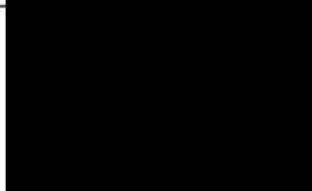

Item Details

<b>Status:</b>	Delivered, Left with Individual
<b>Status Date / Time:</b>	February 1, 2024, 10:52 am
<b>Location:</b>	COTTAGEVILLE, SC 29435
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic
<b>Recipient Name:</b>	John A Sahlmann

Shipment Details

<b>Weight:</b>	0.0oz
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Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004

EXHIBIT  
C2  
C2023-131

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2023-131

COMPLAINT FORM

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

RESPONDENT: John A. Sahlmann  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Councilman - Town of Cottageville

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 Pre-Election Campaign Disclosure was due between October 16, 2019 and October 21, 2019.

Respondent was reminded of the filing requirement by a certified letter dated February 3, 2023 as described in the attached. To date, a properly completed Pre-Election Campaign Disclosure has not been received. All in violation of 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 Davson 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 October, 2023

[REDACTED]  
Meghan Walker Davson, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 01/12/24

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

## **John A. Sahlmann**

**February 3, 2023:** \$100.00 penalty letter is sent certified for failure to file a Pre-Election Campaign Disclosure between October 16, 2019 and October 21, 2019.

**February 18, 2023:** According to the United States Postal Service, the certified letter is delivered at 9:04 a.m.

**February 28, 2023:** Penalties begin accruing at \$10 per day for the first ten days.

**March 10, 2023:** Penalties begin accruing at \$100 per day.

**September 14, 2023:** Disclosure Department staff calls Mr. Sahlmann, but the number could not be completed as dialed.

**October 9, 2023:** Non-Compliance staff calls Mr. Sahlmann and leaves a voicemail explaining which reports need to be completed, or a complaint will be filed.

**October 16, 2023:** After no response, a complaint is filed.

### **Previous or Current Non-Compliance**

C2016-107

Pre-Election Campaign Disclosure (due 10-18-10)	Paid \$100.00 through DOR
2012 Statement of Economic Interests	Paid \$100.00 through DOR
Pre-Election Campaign Disclosure (due 10-24-11)	Paid \$100.00 through DOR
2020, 2021, and 2022 Statement of Economic Interests	GEAR
2023 Statement of Economic Interests	Owes \$100.00

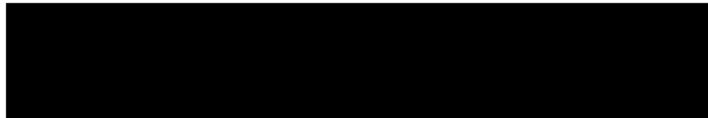


Date Produced: 02/20/2023

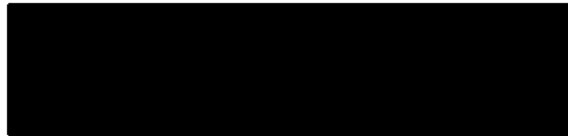
SOUTH CAROLINA STATE ETHICS COMMISS:

The following is the delivery information for Certified Mail™/RRE item number 9214 8969 0099 9790 1422 9261 04. Our records indicate that this item was delivered on 02/18/2023 at 09:04 a.m. in COTTAGEVILLE, SC 29435. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

2-28-23: \$10/day  
3-10-23: \$100/day

Customer Reference Number: Mr. John A. Sahlmann 738 Clyd

State of South Carolina  
State Ethics Commission

2/24 JB

SCOTT E. FRICK, CHAIRMAN  
AJ HOLLOWAY, VICE CHAIRMAN  
BRANDOLYN THOMAS PINKSTON  
BRYANT S. CALDWELL



F. XAVIER STARKES  
MARY HUNTER B. TOMLINSON  
NEAL D. TRUSLOW  
MATTHEW N. TYLER

201 EXECUTIVE CENTER DRIVE, SUITE 150  
COLUMBIA, S.C. 29210

MEGHAN L. WALKER  
EXECUTIVE DIRECTOR

2/18 Picked up @ Post Office

February 3, 2023

Mr. John A. Sahlmann

CERTIFIED MAIL No.: 9214 8969 0099 9790 1422 9261 04

Dear Mr. Sahlmann:

This is not a form letter. You are receiving this letter because you are currently in violation of the Ethics Reform Act. As a Cottageville City Council Member, you are subject to the Ethics Reform Act, which is the body of laws that govern public officials, public members, and public employees.

Continued delays in filing the Pre-Election Campaign Disclosure will result in accrual of late filing penalties with a maximum penalty of \$5,000.00.

Please be advised that this letter only addresses late or missing reports, and you could still be subject to a random audit regarding illegal contributions and expenditures. While reviewing your Campaign Disclosures and Statements of Economic Interests, the following deficiencies were discovered:

A Pre-Election Campaign Disclosure, which was due between October 16, 2019 and October 21, 2019, has not been filed. *not filed as of 3/1*

The 2022 Statement of Economic Interests, which was due on March 30, 2022, was filed on October 18, 2022.

The 2021 Statement of Economic Interests, which was due on March 30, 2021, was filed on October 18, 2022.

The 2020 Statement of Economic Interests, which was due on March 30, 2020, was filed on March 30, 2021.

In accordance with Section 8-13-1510, South Carolina Code Ann., 1976, as amended, a late filing penalty of \$400.00 is hereby levied. If the required report is not filed electronically within ten calendar days of receipt of this letter, additional penalties will be levied at \$10 per day per report for the first ten days and \$100 per day per report for each additional day until the penalty reaches \$5,000 per report, and a complaint will be filed against you.

If extenuating circumstances prevented you from filing the reports as required, you may file a written appeal of this late filing penalty. To file an appeal, you must do the following within ten (10) days of the date you receive this letter:

- Send a personal check or money order made payable to the State Ethics Commission
- File all missing reports online at <https://ethicsfiling.sc.gov/filing/home>
- Provide a written statement describing any extenuating circumstances and include any supporting documentation.

Please be advised that all appeals must be in writing and must follow the above directions. NO phone, fax, or e-mail appeals will be accepted. Failure to file is a misdemeanor. After the maximum civil penalty has been levied, this matter will be referred to Magistrate's Court for criminal prosecution. This matter will also be referred to the South Carolina Department of Revenue for collection, and the penalty amount and your name, address (city) and position will be posted on the State Ethics Commission's website. Please contact this office if we can provide further information.

Sincerely,



Lauren Goree  
Administrative Assistant

com100

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**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®

9214 8969 0099 9790 1422 9261 04

Certified Mail Fee	\$4.15
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$2.10
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$0.60
Total Postage and Fees	\$6.85

Send To: **Mr. John A. Sahlmann**  
Street Apt, Rm, or PO Box No: [Redacted]  
City, State, Zip: [Redacted]

PS Form 3800, April 2015 See Reverse for Instructions

# Candidate Listing

SCVotes.org

## 11/5/2019 Town of Cottageville General Election

For a list of all candidates, click search without selecting any search options. You can narrow your search by making selections below. If you have questions concerning your search results, please contact your County Voter Registration office.

Office:  Party:

Candidates by County:  Location of Filing:

Candidate Status:

Candidate Last Name:

Candidate First Name:

Results Found: 3

Results Shown: 1-3

Office	Associated Counties	Name on Ballot	Running Mate	Party	Location of Filing	Candidate Status
Town Council, Cottageville	COLLETON	Chuck Hudson		Nonpartisan	COLLETON	Elected
Mayor, Cottageville	COLLETON	Timothy A Grimsley		Nonpartisan	COLLETON	Elected
Town Council, Cottageville	COLLETON	Andy Sahlmann		Nonpartisan	COLLETON	Elected

## Statement of Intention of Candidacy - Nonpartisan

- This form must be completed by a candidate seeking nonpartisan office. Contact the receiving authority for filing deadlines.
- The S.C. Constitution prohibits a person who has been convicted of a felony from filing for public office for 15 years after the completion of the sentence, including probation and parole time, unless previously pardoned.

Name		John A. Schlimmer	
Office		Council	
County or City		Election Date	Nov 5, 2019
Address	[Redacted]	City	Columbia
Email Address	nabe media@yahoo.com		
Telephone	Cell [Redacted]	Home	[Redacted]
Voter Registration Number		155006984	

- Guidelines for a Candidate's Name to appear on the ballot:**
- A given name or a derivative may be used
  - The name may not contain quotations, parentheses, or other distinguishing marks
  - Nicknames are allowed if they are used in good faith for honest purposes and do not:
    - Imply professional or social status
    - Include an office or military rank
    - Exceed 15 letters

Name as you wish it to appear on ballot (please print) John Schlimmer

**Candidate's Oath**  
 I affirm I meet, or will meet by the time of the general or special election, the qualifications for this office.

**Candidate's Signature**  
 [Redacted Signature]

**To be Completed by Receiving Authority**

Date Received	08-14-19	Time Received	12:00 PM	Filing Fee Amount Paid	\$50
Received By	[Redacted]	Receiving Authority	Town of Cottareville		

**SOUTH CAROLINA**

11/13/19

SC.GOV - SC State Ethics Commission: Public Disclosure and Accountability Reporting  
Electronic Filing  
Candidate Campaign Disclosure: Review

NR of 2019 Pre-Election Report due 10/21/19

2017, January 10th Report

Candidate: Sahlmann, John A  
Position Sought: City Council  
Election Type: General  
Election Date: 11/03/2015  
Filing Type: Original, Filed

~~2019~~ Election 11/5/19 - He was elected  
2021 & 2022 SETs filed on 10/18/22  
2020 SET filed late 3/30/21

Demographic Information



Report Type

Penalties

2017, January 10th

Filing Fee

Please Note: If the filing fee is greater than \$0, the filing fee was paid from personal funds and is the only expense for this campaign.

Amount of Filing Fee: \$ 150

Contributions	This Period	Election Cycle
A. Candidates: Personal Funds	\$0.00	\$0.00
B1. Individual Contributions or other (+)	\$0.00	\$0.00
B2. Loans (+)	\$0.00	\$0.00
C. In-Kind Contributions (+)	\$0.00	\$0.00
D. Total Contributions (=)	\$0.00	\$0.00

Expenditures	This Period	Election Cycle
A. In-Kind Expenditures	\$0.00	\$0.00
B. Expenditures (+)	\$0.00	\$0.00
C. Total Expenditures (=)	\$0.00	\$0.00

Balance of Contributions	This Period
A. Contributions on Hand (Beginning this Period)	\$0.00
B. Total Contributions (This Period) (+)	\$0.00

**O'Bryan, Rachael**

---

**To:** O'Bryan, Rachael  
**Subject:** RE: [External] Re: Ethics Hearing

**From:** Andy Sahlmann <[asahlmann@zoho.com](mailto:asahlmann@zoho.com)>  
**Sent:** Tuesday, June 11, 2024 3:22 PM  
**To:** O'Bryan, Rachael <[robryan@ethics.sc.gov](mailto:robryan@ethics.sc.gov)>  
**Subject:** [External] Re: Ethics Hearing

Mrs. O'Bryan,

If you could read this at the hearing I would appreciate it.

To the Panel,

I apologize for being unable to attend this hearing but due to the fact that I am the sole income provider for my household because my wife has medical issues which prevent her from working I cannot afford to miss a day of work at this time. I do not contest the offense against me and simply want to pay whatever fines are levied against me and settle this situation. Again I apologize for not being able to be there.

Respectfully  
John A Sahlmann  
Councilman Town of Cottageville

Thank you Mrs O'Bryan  
Andy Sahlmann

Sent using [Zoho Mail](#)

----- On Mon, 10 Jun 2024 14:45:28 -0400 [robryan@ethics.sc.gov](mailto:robryan@ethics.sc.gov) wrote -----

Good afternoon,

It is my understanding that you do not plan to attend your hearing next Thursday. If you would like to submit a written response to be presented to the panel please feel free to email one to me and I will include it in the materials.

Thank you.

Rachael O'Bryan  
Administrative Assistant - Legal

South Carolina State Ethics Commission  
201 Executive Center Drive, Suite 150  
Columbia, SC 29210  
Phone: 803.253.4192  
Fax: 803.253.7539

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
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IN THE MATTER OF: )  
COMPLAINT C2023-131 )  
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State Ethics Commission, )  
Complainant, )  
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John A. Sahlmann, )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**DECISION AND ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a complaint filed on October 19, 2023. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act), the Commission reviewed the above-captioned complaint against John A. Sahlmann (Respondent) and probable cause was found to warrant an evidentiary hearing. Present at the hearing on June 20, 2024, were Commissioners Neal D. Truslow, Brandolyn Thomas Pinkston, and Bryant S. Caldwell, Hearing Chair. Respondent was duly notified but did not appear. Complainant was represented by Renique Brabham. The following charge was considered:

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

That John A. Sahlmann, candidate for Cottageville Town Council, did in Richland County, fail to file a 2019 Pre-Election Campaign Disclosure Report [CDR], in violation of Section 8-13-1308(A).

**FINDINGS OF FACT**

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. Respondent was a candidate for Cottageville Town Council in a November 5, 2019 election.
2. Respondent did not file a Pre-Election CDR before the November 5, 2019 election.
3. In a February 3, 2023 certified letter, the Commission notified Respondent of his failure to file a 2019 Pre-Election CDR.

4. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on February 18, 2023 at 9:04 a.m.
5. On February 28, 2023, late-filing penalties began to accrue at \$10.00 per day.
6. On March 10, 2023, late-filing penalties began to accrue at \$100.00 per day.
7. On October 19, 2023, after no response from Respondent, the Commission filed the Complaint.
8. On November 7, 2023, prior to any additional contact from the Commission, Respondent filed a 2019 Pre-Election CDR, disclosing no contributions or expenditures. Respondent is now in compliance.
9. At the time Respondent came into compliance, he had accrued the statutory maximum of \$5,000.00 in late-filing penalties.

#### CONCLUSIONS OF LAW

Based upon the Findings 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(A) provides, in relevant part:

. . . a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.
3. Section 8-13-1510(A) provides, in relevant part:

. . . a person required to file a report or statement under this chapter who files a late 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.

**DECISION**

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the Panel has determined, based on a preponderance of evidence, that Respondent John A. Sahlmann is in violation of one (1) count of 8-13-1308(A) for failing to timely file a 2019 Pre-Election CDR.

THEREFORE, Respondent is hereby issued a Public Reprimand and assessed a late-filing penalty of \$5,000.00 for his failure to timely file a 2019 Pre-Election CDR and an administrative fee of \$1,000.00, for a total of \$6,000.00.

HOWEVER, pursuant to Section 8-13-320 of the Ethics Act, if Respondent makes payment to the Commission within twelve (12) months of receipt of this Order, the late-filing penalty amount shall be reduced from \$6,000.00 to \$500.00, making the total amount owed \$1,500.00. In the event of Respondent's failure to pay \$1,500.00 to the Commission within twelve (12) months from his receipt of this Order, upon the Commission's filing of a Judgment with the Clerk of Court's Office in the County of Respondent's last known residence, the Clerk of Court shall enter this Order in the amount of \$6,000.00, less any money paid, in its Judgment Rolls, without cost to the Commission.

FINALLY, Respondent John A. Sahlmann has ten (10) days from receipt of this Order to appeal this Decision and Order to the full Commission.

AND IT IS SO ORDERED THIS 9th DAY OF July 2024.

STATE ETHICS COMMISSION



BRYANT S. CALDWELL, HEARING CHAIR

Columbia, South Carolina