

STATE ETHICS COMMISSION
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STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2023-140

COMPLAINT FORM

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

RESPONDENT: Charlie K. Fulton
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Mayor – Town of Lane

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 reported the source of his government income as "Employment" on the 2020 Statement of Economic Interests; has failed to report government income on his 2020 and 2023 Statement of Economic Interests; has failed to report government and private sources of income on the 2021 and 2022 Statement of Economic Interests; and has reported the source of his private source of income as "Employment" on the 2023 Statement of Economic Interests.

Respondent was reminded of the filing requirement by a letter dated March 8, 2023 as described in the attached. To date, a properly amended 2020, 2021, 2022, or 2023 Statement of Economic Interests has not been received. All in violation of Section 8-13-1120, 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
27th day of December, 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)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2023-140)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Charlie K. Fulton)	
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, June 20, 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 A STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Charlie K. Fulton, Town of Lane Mayor, 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 A STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Charlie K. Fulton, Town of Lane Mayor, did in Richland County, fail to file a 2021 SEI, in violation of Section 8-13-1140.

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


That Charlie K. Fulton, Town of Lane Mayor, did in Richland County, fail to file a 2022 SEI, in violation of Section 8-13-1140.

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

That Charlie K. Fulton, Town of Lane Mayor, did in Richland County, fail to file a 2023 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 16th day,
of May 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Charlie K. Fulton, P.O. Box 47, Lane, South Carolina, 29564 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 1st day of May 2024, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Columbia, South Carolina

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

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2023-140)
State Ethics Commission)
Complainant.)
Charlie K. Fulton)
Respondent.)
_____)


BEFORE THE STATE ETHICS COMMISSION

MOTION TO DISMISS

Pursuant to Section 8-13-320(10) of South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act) and corresponding regulations S.C. Code Ann. Regs 52-703(C) and 52-706(C), the undersigned counsel hereby seeks an Order from the Commission dismissing the above-captioned complaint. This motion is based on the following:

1. The above-captioned Complaint was filed on December 27, 2023 alleging Respondent failed to disclose various types of income on his 2020, 2021, 2022, and 2023 Statements of Economic Interests (SEI), all in violation of Section 8-13-1120 of the Ethics Act.
2. On May 16, 2024, a Commission Investigator erroneously recommended that probable cause be found on four (4) counts of violating Section 8-13-1140 of the Ethics Act as opposed to Section 8-13-1120.
3. As a result of this error, the Commission's May 16, 2024 probable cause findings, and the subsequent Notice of Hearing issued, are inaccurate in that they charge Respondent with violations of the Ethics Act that he did not, in fact, commit.
4. Respondent is in compliance with the Ethics Act.
5. Due to the aforementioned error, Commission staff asks that this matter be dismissed.
6. Respondent was consulted prior to the filing of this Motion and has no objection.

Respectfully submitted,


Renique K. Brabham (Bar No. 105325)
S.C. State Ethics Commission
201 Executive Center Drive, Suite 150
Columbia, South Carolina 29210
rbrabham@ethics.sc.gov

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2023-140)
State Ethics Commission,)
Complainant.)
Charlie K. Fulton,)
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 June 20, 2024 and heard Commission staff's Motion to Dismiss the above-captioned complaint based on the following:

1. The above-captioned Complaint was filed on December 27, 2023 alleging Respondent failed to disclose various types of income on his 2020, 2021, 2022, and 2023 Statements of Economic Interests (SEI), all in violation of Section 8-13-1120 of the Ethics Act.
2. On May 16, 2024, a Commission Investigator erroneously recommended that probable cause be found on four (4) counts of violating Section 8-13-1140 of the Ethics Act as opposed to Section 8-13-1120.
3. As a result of this error, the Commission's May 16, 2024 probable cause findings, and the subsequent Notice of Hearing issued, are inaccurate in that they charge Respondent with violations of the Ethics Act that he did not, in fact, commit.
4. Respondent is in compliance with the Ethics Act.

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 C2023-140.

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

STATE ETHICS COMMISSION


BRYANT S. CALDWELL,
HEARING PANEL CHAIR

Columbia, South Carolina