

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION
RECEIVED JAN 17 2024 PM 4:02:14

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2024-006

COMPLAINT FORM

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

RESPONDENT: Kermit R. Moore
ADDRESS: [REDACTED]
TELEPHONE NUMBER: (843) 514-6845
TITLE: Candidate – Florence City Council

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 failed to properly report the source of private income on his 2022 Statement of Economic Interests.

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 an Initial Campaign Disclosure was due no later than April 1, 2022, and a Pre-Election Campaign Disclosure was due between May 25, 2022 and May 30, 2022.

Respondent was reminded of the filing requirements by a certified letter dated January 13, 2023 as described in the attached. To date, a properly completed 2022 Statement of Economic Interests, Initial Campaign Disclosure, or 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
17th day of January, 2024

[REDACTED]

[REDACTED]
Meghan Walker Dayson, Executive Director

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)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2024-006)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Kermit R. Moore)	
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 19, 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 AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to file a 2021 Initial Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

COUNT TWO
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to file a 2021 Pre-Election CDR, in violation of Section 8-13-1308(D)(1).

COUNT THREE
FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to file 2022 Quarter 2, 2022 Quarter 3, 2022 Quarter 4, 2023 Quarter 1, 2023 Quarter 2, 2023 Quarter 3, 2023 Quarter 4, and 2024 Quarter 1/Final CDRs, in violation of Section 8-13-1308(B).

COUNT FOUR
FAILURE TO REPORT CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to report four (4) campaign contributions of \$100.00 or less, totaling \$275.00, in violation of Section 8-13-1308(F).

COUNT FIVE
FAILURE TO REPORT CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to report ten (10) campaign contributions of \$100.00 or more, totaling \$5,800.00, in violation of Section 8-13-1308(F).

COUNT SIX
FAILURE TO REPORT CAMPAIGN EXPENDITURE
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to report nine (9) campaign expenditures totaling \$4,164.92, in violation of Section 8-13-1308(F).

COUNT SEVEN
USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES
SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, use campaign funds to for personal use by withdrawing cash from his campaign bank account on

September 9, 2023 and February 22, 2024, more than a year after his election, in violation of Section 8-13-1348.

COUNT EIGHT
CASH WITHDRAWAL EXCEEDING THE LIMIT TO REPLENISH PETTY CASH
SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, withdrawal \$2,500.00 in cash from his campaign bank account on May 23, 2022, in violation of Section 8-13-1348.

COUNT NINE
FAILURE TO REPORT SOURCE OF INCOME
SECTION 8-13-1120, S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to report his private source of income on his 2022 Statement of Economic Interest, in violation of Section 8-13-1120.

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.

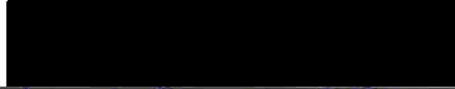


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 3rd day,
of ~~January~~ February 2025.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Kermit R. Moore, 1007 Kershaw Street, Florence, SC 29506 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 3rd day of February 2025, 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
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IN THE MATTER OF:)	
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Complaint C2024-006)	
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Respondent.)	
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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, August 21, 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 AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to file a 2021 Initial Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

COUNT TWO
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to file a 2021 Pre-Election CDR, in violation of Section 8-13-1308(D)(1).

COUNT THREE
FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to file 2022 Quarter 2, 2022 Quarter 3, 2022 Quarter 4, 2023 Quarter 1, 2023 Quarter 2, 2023 Quarter 3, 2023 Quarter 4, and 2024 Quarter 1/Final CDRs, in violation of Section 8-13-1308(B).

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September 9, 2023 and February 22, 2024, more than a year after his election, in violation of Section 8-13-1348.

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CASH WITHDRAWAL EXCEEDING THE LIMIT TO REPLENISH PETTY CASH
SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, withdrawal \$2,500.00 in cash from his campaign bank account on May 23, 2022, in violation of Section 8-13-1348.

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FAILURE TO REPORT SOURCE OF INCOME
SECTION 8-13-1120, S.C. CODE ANN., 1976, AS AMENDED

That Kermit R. Moore, candidate for Florence City Council, did in Richland County, fail to report his private source of income on his 2022 Statement of Economic Interest, in violation of Section 8-13-1120.

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 20th day,
of March 2025.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **AMENDED NOTICE OF HEARING** was duly served on the RESPONDENT Kermit R. Moore, 1007 Kershaw Street, Florence, SC 29506 by depositing said **AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 26th day of March 2025, 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 C2024-006)
)
 State Ethics Commission,)
 Complainant,)
)
 Kermit R. Moore,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on January 17, 2024. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Kermit R. Moore (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 was an unsuccessful candidate for Florence City Council in a June 14, 2022 primary election.
2. On March 22, 2022, Respondent submitted his Statement of Intention of Candidacy and Party Pledge to the Florence County Election Commission and paid the \$633.00 filing fee.
3. Respondent did not file an Initial Campaign Disclosure Report (CDR) within ten (10) days of paying the \$633.00 filing fee.
4. Respondent did not file a Pre-Election CDR prior to the June 14, 2022 primary election.
5. In a January 13, 2023 certified letter, the Commission notified Respondent of his failure to timely file a 2022 Initial CDR and a 2022 Pre-Election CDR. The Commission also notified Respondent that he failed to properly disclose sources of private income on his 2022 Statement of Economic Interests (SEI).
6. According to the United States Postal Service (USPS), the certified letter was delivered to

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Respondent's address of record on January 17, 2023 at 12:14 p.m.

7. On January 23, 2023, Respondent unsuccessfully attempted to amend his 2022 SEI.
8. On January 27, 2023, late-filing penalties began to accrue at \$20.00 per day (\$10.00 per report).
9. On February 6, 2023, late-filing penalties began to accrue at \$200.00 per day (\$100.00 per report).
10. On October 11, 2023, Commission staff telephoned Respondent and left a voicemail.
11. On November 5, 2023, Respondent telephoned the Commission and left a voicemail.
12. On November 6, 2023, Commission staff telephoned Respondent but was unable to leave a voicemail because Respondent's voicemail box was full.
13. Following the filing of the Complaint, Respondent's campaign bank account records were subpoenaed. These records revealed the following:
 - a. The campaign bank account was opened on March 29, 2022 and reached a negative balance in March of 2024
 - b. Respondent withdrew \$2,500.00 in cash on May 23, 2022
 - c. Respondent withdrew \$50.00 in cash on September 7, 2023
 - d. Respondent withdrew \$65.00 in cash on February 22, 2024
 - e. After the election, the campaign bank account contained approximately \$350.00.
14. During the Commission investigation, Respondent advised that the \$2,500.00 cash withdrawal was likely used to pay for campaign signs.
15. On August 15, 2025, Respondent came into compliance by filing all requisite CDRs.

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. Because he paid a \$633.00 filing fee on March 22, 2022, Respondent was required to file an Initial

CDR by April 1, 2022 in accordance with Section 8-13-1308(A), which provides, in relevant part:

Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8-13-1304(A) must file an initial certified campaign report within ten days of these initial receipts or expenditures . . .

3. Respondent was required to file a Pre-Election CDR by May 30, 2022, in accordance with Section 8-13-1308(D), which provides, in relevant part:

At least fifteen days before an election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee for the period ending twenty days before the election.

4. Because his campaign bank account reached a negative balance in March of 2024, Respondent was required to file quarterly CDRs through Quarter 1 2024 in accordance with Section 8-13-1308(B), which provides, in relevant part:

Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

5. Respondent was prohibited from making the September 7, 2023 and February 22, 2024 cash withdrawals totaling \$115.00 pursuant to Section 8-13-1348(A), which provides, in relevant part:

No candidate, committee, public official, or political party may use campaign funds to defray personal expenses which are unrelated to the campaign or the office if the candidate is an officeholder nor may these funds be converted to personal use . . .

6. Respondent was prohibited from withdrawing \$2,500.00 cash on to make campaign expenditures pursuant to Section 8-13-1348(E), which provides, in relevant part:

A candidate or a duly authorized officer of a committee may not withdraw more than one hundred dollars from the campaign account to establish or replenish a petty cash fund for the candidate or committee at any time, and

at no time may the fund exceed one hundred dollars

7. In accordance with Section 8-13-1510(A), Respondent has accrued \$10,800.00 in late-filing penalties (\$5,000.00 for the Initial CDR, \$5,000.00 for the Pre-Election CDR, and \$100.00 each for the eight (8) quarterly CDRs):

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.

8. Section 8-13-320(10)(l) allows the Commission to assess a \$2,000 civil penalty for each violation of the Ethics Act.
9. 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 Section 8-13-1308(A) for failing to file a 2021 Initial CDR; one (1) count of Section 8-13-1308(D) for failing to file a 2021 Pre-Election CDR; one (1) count of Section 8-13-1308(B) for failing to file eight (8) quarterly CDRs; one (1) count of Section 8-13-1348(A) for withdrawing cash from his campaign bank account on September 9, 2023 and February 22, 2024; and one (1) count of Section 8-13-1348(E) for withdrawing cash on May 23, 2022 to make campaign expenditures.¹

¹ The Commission also found probable cause to believe Respondent (1) violated Section 8-13-1308(F) by failing to disclose various campaign contributions and expenditures and (2) violated Section 8-13-1120 by failing to disclose private sources of income on his 2022 SEI. Given that Respondent has now properly disclosed this information, the Commission declines to proceed as to these counts.

Through this Consent Order, Respondent admits he violated the Ethics Act as outlined herein. In mitigation, Respondent states 2022 was his first run for public office. Respondent further states that his wife was an elected official for over twenty (20) years and was the person assisting him with his campaign management. However, Respondent states that she was diagnosed with stage four (4) lung cancer and became unable to assist him. Respondent further states that he was his wife's sole caregiver throughout 2022 until her death earlier this year and that this required him to quit his job and devote all of his time and resources to her care. Respondent states that he neglected his filing responsibilities as a result.

DISPOSITION

1. The Commission finds Respondent in violation of one (1) count of Section 8-13-1308(A), one (1) count of Section 8-13-1308(D), one (1) count of Section 8-13-1308(B), one (1) count of Section 8-13-1348(A), and one (1) count of Section 8-13-1348(E).
2. The Commission adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this Public Reprimand and orders Respondent to pay the Commission, within eighteen (18) months from receipt of this Order, a reduced late-filing penalty of \$300.00 and an administrative fee of \$600.00, for a total of \$900.00. With regard to the \$115.00 Respondent withdrew from his campaign bank account in violation of Section 8-13-1348(A), the Commission further orders Respondent to pay \$115.00 to the Children's Trust Fund and to provide proof of such payment to the Commission within eighteen (18) months from receipt of this Order. The Commission declines to assess any additional accrued late-filing penalties or civil penalties in light of the mitigation referenced herein.

By executing this Consent Order, Respondent understands that he is confessing to a judgment of \$1,015.00 if he does not make payment as provided for in this Order, in which case the Commission

NDT

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 \$1,015.00 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 26 DAY OF AUGUST 2025.

STATE ETHICS COMMISSION



Signed by:

A handwritten signature in blue ink, appearing to be 'KRM', written over a horizontal line.

A7814D65028345A

KERMIT R. MOORE
RESPONDENT