

STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2024-038

COMPLAINT FORM

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

RESPONDENT: Timothy Lewis

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: (803) 253-4192

TITLE: Candidate – Dorchester County Council

Section 8-13-1302 of the South Carolina Code Ann., requires that all candidates maintain a record of campaign contributions, expenditures, all receipted bills, canceled checks, or other proof of payment for each expenditure and the occupation of each person making a contribution for a period of four years. South Carolina Code of Regulations, Reg. 52-501.D requires that campaign records must be made available to the State Ethics Commission upon request. The Respondent failed to provide the occupation of twenty-two contributors in the November 8, 2022 election cycle.

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.

In the November 6, 2018 election cycle, records of the State Ethics Commission indicate that a Campaign Disclosure was due no later than July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, October 10, 2021, January 10, 2022, April 10, 2022, July 10, 2022, October 10, 2022, January 10, 2023, April 10, 2023, July 10, 2023, October 10, 2023, January 10, 2024, and April 10, 2024.

In the November 8, 2022 election cycle, records of the State Ethics Commission indicate that a Campaign Disclosure was due no later than January 10, 2023, April 10, 2023, July 10, 2023, October 10, 2023, January 10, 2024, and April 10, 2024. In addition, Respondent failed to disclose the complete address of two expenditures.

Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline from July 2020 through October 2021 and was sent an email reminder thirty days before and ten days before each Campaign Disclosure deadline after October 2021.

Respondent was reminded of the filing requirements by certified letters dated December 9, 2022 and April 23, 2024 as described in the attached. To date, a properly completed Quarter 2 2020, Quarter 3 2020, Quarter 4 2020, Quarter 1 2021, Quarter 2 2021, Quarter 3 2021, Quarter 4 2021, Quarter 1 2022, Quarter 2 2022, Quarter 3 2022, Quarter 4 2022, Quarter 1 2023, Quarter 2 2023, Quarter 3 2023, Quarter 4 2023, or Quarter 1 2024 Campaign Disclosures have not been received for the November 6, 2018 election cycle, and properly completed Quarter 4 2022, Quarter 1 2023, Quarter 2 2023, Quarter 3 2023, Quarter 4 2023, Quarter 1 2024 Campaign Disclosures have not been received for the November 8, 2022 election cycle. In addition, Respondent has not provided the occupation of twenty-two contributors or disclosed the complete address of two expenditures in the November 8, 2022 election cycle. All in violation of Section 8-13-1302, 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.

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| STATE OF SOUTH CAROLINA |) | |
| COUNTY OF RICHLAND |) | BEFORE THE STATE ETHICS COMMISSION |
| |) | |
| IN THE MATTER OF: |) | |
| |) | |
| Complaint C2024-038 |) | |
| |) | |
| State Ethics Commission |) | NOTICE OF HEARING |
| Complainant. |) | |
| |) | |
| Timothy Lewis |) | |
| 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, October 16, 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 CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, fail to file a 2022 Quarter 4 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

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

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County,

fail to file a 2023 Quarter 1/Final CDR, in violation of Section 8-13-1308(B).

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

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, use \$142.51 of campaign funds for personal expenses, in violation of Section 8-13-1348.

COUNT FOUR
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept \$232.00 in cash contribution(s) from unknown contributor(s) that were deposited into Respondent's campaign account on March 29, 2022, in violation of Section 8-13-1314.

COUNT FIVE
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept a \$100.00 cash contribution from Charles Frazier that was deposited into Respondent's campaign account on May 2, 2022, in violation of Section 8-13-1314.

COUNT SIX
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept a \$100.00 cash contribution from James Leary that was deposited into Respondent's campaign account on May 13, 2022, in violation of Section 8-13-1314.

COUNT SEVEN
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County,

accept \$259.00 in cash contribution(s) from unknown contributor(s) that were deposited into Respondent's campaign account on May 31, 2022, in violation of Section 8-13-1314.

COUNT EIGHT
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept a \$100.00 cash contribution from Charles Frazier that was deposited into Respondent's campaign account on July 1, 2022, in violation of Section 8-13-1314.

COUNT NINE
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept a \$100.00 cash contribution from Georgianna Coufou that was deposited into Respondent's campaign account on July 1, 2022, in violation of Section 8-13-1314.

COUNT TEN
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept \$2,438.00 in cash contribution(s) from unknown contributor(s) that were deposited into Respondent's campaign account on July 18, 2022, in violation of Section 8-13-1314.

COUNT ELEVEN
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept \$360.00 in cash contribution(s) from unknown contributor(s) that were deposited into Respondent's campaign account on August 9, 2022, in violation of Section 8-13-1314.

COUNT TWELVE
ACCEPTANCE OF CASH EXCEEDING CASH CONTRIBUTION LIMIT
SECTION 8-13-1314, S.C. CODE ANN., 1976, AS AMENDED

That Timothy Lewis, candidate for Dorchester County Council, did in Richland County, accept \$160.00 in cash contribution(s) from unknown contributor(s) that were deposited into Respondent's campaign account on January 6, 2023, in violation of Section 8-13-1314.

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 **NOTICE OF HEARING** was duly served on RESPONDENT Timothy Lewis, 613 East Main Street, Harleyville, SC 29448 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 20th day of March 2025, 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 C2024-038)
)
State Ethics Commission,)
Complainant,)
)
Timothy Lewis,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on June 5, 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 Timothy Lewis (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 Dorchester County Council in a November 8, 2022 general election.
2. Respondent timely filed a 2022 Initial Campaign Disclosure Report (CDR), a Quarter 1 2022 CDR, a Quarter 2 2022 CDR, and a 2022 Pre-Election CDR. In his 2022 Pre-Election CDR filed on October 24, 2022, Respondent disclosed \$3,903.43 in on-hand contributions.
3. Respondent failed to file any additional CDRs.
4. In a December 9, 2022 certified letter, the Commission notified Respondent of his failure to provide the occupations of several contributors and the complete addresses of two (2) vendors within his 2022 CDRs.¹

¹ The Commission also notified Respondent of his failure to file multiple CDRs related to a previous election cycle. Respondent's alleged failure to file these CDRs was subsequently included in the present Complaint. However, the Commission's investigation revealed that Respondent was not required to file any additional CDRs with regard to his previous election cycle.

JX #1

5. According to the United States Postal Service (USPS), the December 9, 2022 certified letter was delivered to Respondent's address of record on December 17, 2022 at 9:53 a.m.
6. In an April 23, 2024 certified letter, the Commission notified Respondent of his failure to file any additional CDRs.
7. According to the USPS, the April 23, 2024 certified letter was delivered to Respondent's address of record on May 11, 2024 at 9:43 a.m.
8. On May 21, 2024, late-filing penalties began to accrue at \$10.00 per day, per CDR.
9. On May 31, 2024, late-filing penalties began to accrue at \$100.00 per day, per CDR.
10. Following the filing of the Complaint, Respondent's campaign bank account records were subpoenaed. A review of these records revealed the following:
 - a. That Respondent accepted cash contributions as follows:
 - i. \$232.00 from unknown contributor(s), deposited on March 29, 2022
 - ii. \$100.00 from Charles Frazier, deposited on May 2, 2022
 - iii. \$100.00 from James Leary, deposited on May 13, 2022
 - iv. \$259.00 from unknown contributor(s), deposited on May 31, 2022
 - v. \$100.00 from Charles Frazier, deposited on July 1, 2022
 - vi. \$100.00 from Georgiana Coufou, deposited on July 1, 2022
 - vii. \$2,438.00 from unknown contributor(s), deposited on July 18, 2022
 - viii. \$360.00 from unknown contributor(s), deposited on August 9, 2022
 - ix. \$160.00 from unknown contributor(s), deposited on January 6, 2023
 - b. That Respondent spent \$142.51 in campaign funds on personal items as follows:
 - i. \$34.54 for gas
 - ii. \$45.00 to Tony Evans
 - iii. \$62.97 to ZetaZeta
 - c. That Respondent's campaign bank account reached a zero balance on March 24, 2023.
11. On August 29, 2024 and November 18, 2024, Respondent received assistance from Commission staff with filing a Quarter 4 2022 CDR and a Quarter 1 2023 CDR and making the necessary disclosures therein.

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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 8-13-1308(B) 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.

Here, Respondent's campaign bank account did not reach a zero balance until March 24, 2023.

Based on the plain language of Section 8-13-1308, Respondent was required to file a Quarter 4 2022 CDR on or before January 10, 2023 and a Quarter 1 2023 CDR on or before April 10, 2023.

Both of these failures to file by the statutorily mandated deadline constitutes a violation of the Ethics Act.

3. Section 8-13-1314(A) provides, in relevant part:

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: . . . (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.

Here, Respondent accepted numerous cash contributions in excess of \$25.00, as outlined above in paragraph 10(a). Based on the plain language of Section 8-13-1314(A)(2), each instance constitutes a violation of the Ethics Act.

4. Section 8-13-1348(A) 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 office holder nor may these funds be converted to personal use.

Each expenditure outlined above in paragraph 10(b) was for a non-campaign related

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expense. Based on the plain language of Section 8-13-1348(A), Respondent's expenditure of campaign funds in the amount of \$142.51 constitutes a violation of the Ethics Act.

5. 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.

6. 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.

7. Section 8-13-320(10)(l) allows the Commission to assess a \$2,000.00 civil penalty for violations of the Ethics Act and permits the Commission to require the forfeiture of any profits obtained in violation thereof.

DISCUSSION

The Commission found probable cause to charge Respondent with two (2) counts of Section 8-13-1308(B) for failing to file a Quarter 4 2022 CDR and a Quarter 1 2023 CDR; one (1) count of Section 8-13-1348 for using \$142.51 in campaign funds for items not related to the campaign; and nine (9) counts of Section 8-13-1314 for accepting cash contributions exceeding \$25.00.² Through this Consent Order, Respondent acknowledges he violated the Ethics Act in each of these instances.

In mitigation, Respondent states that he is the sole caregiver for his mother, who turns one hundred (100) years old this year. With regard to his failure to file required CDRs, Respondent states that following the election, his mother had several medical incidents that required him to focus on her

² The Commission also found probable cause to believe Respondent failed to disclose a number of contributions and expenditures in violation of Section 8-13-1308(F) and that he failed to disclose the occupations of twenty-two (22) contributors in violation of Section 8-13-1302. However, given that Respondent has since disclosed this information, the Commission declines to proceed on these charges.

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care. Respondent states that these incidents left him unable to prioritize many other responsibilities in his life, including his duties under the Ethics Act. The Commission acknowledges that Respondent timely filed all other required CDRs during his 2022 election cycle.

With regard to the cash contributions, Respondent states that he was unaware of the rule limiting the amount of cash a candidate could accept. Respondent states that he accurately reported the cash contributions from the individuals he knew. Respondent further states that the remaining contributions, were received as a result of ticketed fundraisers he held where contributions were accepted. With regard to the use of campaign funds for gas, Tony Evans, and ZetaZeta, Respondent states these expenditures were inadvertent. Respondent further explains that the expenditures to ZetaZeta and Tony Evans were intended to be personal donations to a fraternity scholarship fund.

Finally, Respondent states that he is retired and lives on a fixed income. Respondent also maintains that it was not his intention to defraud or conceal any campaign activity from the Commission or the general public.

DISPOSITION

1. The Commission finds Respondent in violation of two (2) counts of Section 8-13-1308(B), one (1) count of Section 8-13-1348, and nine (9) counts of Section 8-13-1314.
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 nine (9) months from receipt of this Order, a reduced late-filing penalty of \$500.00 (\$250.00 for each CDR) and an administrative fee of \$600.00, for a total of \$1,100.00. The Commission further orders Respondent to pay \$142.51 to the Children's Trust Fund and to provide proof of such payment to the Commission within nine (9) months from his receipt of this Order. The Commission declines to assess a civil penalty for the violations of Section 8-13-1314 and Section 8-

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13-1348 given the mitigation referenced herein.

By executing this Consent Order, Respondent understands that he is confessing to a judgment of \$1,242.51 if 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 \$1,242.51 (less any money paid) in its Judgment Rolls, without cost to the Commission

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

STATE ETHICS COMMISSION



Signed by:
Timothy Lewis
41BA8853859C40E...

TIMOTHY LEWIS
RESPONDENT