

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

c 2024-062

COMPLAINT FORM

COMPLAINANT: John Long

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE:

RESPONDENT: Timothy E. Kelly

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE:

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).

See attached

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 Greenwood

Personally appeared before me Donna Knight 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
19th day of August, 2024

[REDACTED]

Notary Public for South Carolina

My Commission expires 2-31-31

[REDACTED]

Complainant Signature

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

C102form

08/18/2024

Reference Ethics Complaint, respondent Timothy E. Kelly

Mr. Kelly is currently running for Sheriff in McCormick County. As of 08/18/2024, he has not filed any of his required campaign finance disclosure reports for his current campaign. The filing fee alone would have triggered the need for this report. Mr. Kelly has also not filed his statement of economic interest. When searching the South Carolina Ethics Website, Mr. Kelly has incomplete campaign finance disclosure reports from an election he filed for in 2020.

Additionally, Mr. Kelly is using a photo of himself in an Edgefield County Sheriff's Office uniform for his campaign publications.

John Long



STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2024-062)	
)	
John Long)	NOTICE OF HEARING
Complainant.)	
)	
Timothy E. Kelly)	
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, February 19, 2026 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 8-13-1356, S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to file a 2024 Statement of Economic Interests as a partisan candidate, in violation of Section 8-13-1356.

COUNT TWO
FAILURE TO OPEN CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County,

fail to open a campaign bank account, in violation of Section 8-13-1312.

COUNT THREE
FAILURE TO DEPOSIT CAMPAIGN CONTRIBUPTIONS
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to deposit a July 1, 2024 contribution from the Democratic Party in the amount of \$700.00 into his campaign bank account, in violation of Section 8-13-1312.

COUNT FOUR
FAILURE TO DEPOSIT CAMPAIGN CONTRIBUPTIONS
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to deposit a July 5, 2024 personal contribution from in the amount of \$600.00 into his campaign bank account, in violation of Section 8-13-1312.

COUNT FIVE
FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F)(1), S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to disclose a July 1, 2024 campaign contribution of \$100.00 from Agelina & Peggy Richter, in violation of Section 8-13-1308(F)(1).

COUNT SIX
FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F)(2), S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to disclose a July 1, 2024 campaign contribution of \$200.00 from Alvin Kallam, in violation of Section 8-13-1308(F)(2).

COUNT SEVEN
FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F)(2), S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to disclose a July 1, 2024 campaign contribution of \$500.00 from Deborah Hasbrouck, in violation of Section 8-13-1308(F)(2).

COUNT EIGHT
FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F)(2), S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to disclose a July 5, 2024 campaign contribution of \$500.00 from Dr. Lucia Cordell Getsi, in violation of Section 8-13-1308(F)(2).

COUNT NINE
FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F)(2), S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to disclose an October 7, 2024 campaign contribution of \$200.00 from Guy & Carolyn Williams, in violation of Section 8-13-1308(F)(2).

COUNT TEN
FAILURE TO DISCLOSE CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F)(2), S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County, fail to disclose an October 15, 2024 campaign contribution of \$250.00 from McCormick County Democratic Party, in violation of Section 8-13-1308(F)(2).

COUNT ELEVEN
FAILURE TO MAINTAIN CAMPAIGN RECORDS
SECTION 8-13-1302, S.C. CODE ANN., 1976, AS AMENDED

That Timothy E. Kelly, candidate for McCormick County Sheriff, did in Richland County,

fail to maintain campaign records, in violation of Section 8-13-1302.

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 23rd day,
of July 2025.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on RESPONDENT Timothy E. Kelly, 168 Morton Road, McCormick, SC 29835 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 25th day of July 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 ETHICS COMMISSION
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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2024-062)
John Long,)
Complainant,)
Timothy E. Kelly,)
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 22, 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 E. Kelly (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 entry of the following:

STATEMENTS OF FACT

1. Respondent was an unsuccessful candidate for McCormick County Sheriff in a November 5, 2024, election.
2. On April 1, 2024, Respondent paid a \$2,596.34 filing fee and submitted a Statement of Intention of Candidacy and Party Pledge to the McCormick County Board of Voter Registration and Elections.
3. Respondent did not file a 2024 Statement of Economic Interests (SEI) prior to the close of filing for the office, which was April 1, 2024.
4. On August 22, 2024, the Commission received the Complaint. According to the Complaint, Respondent (1) failed to file a 2024 Initial Campaign Disclosure Report (CDR), and (2) failed to file a 2024 SEI.¹

¹ The Complaint also alleged Respondent filed incomplete CDRs related to a 2020 election. The Commission's investigation did not address this allegation because the alleged conduct occurred outside of the four-year statute of limitations found in Section 8-13-320(9). The Complaint further alleged that Respondent improperly used a

JW #1

5. During the Commission's investigation, Commission Investigators learned that Respondent did not open a campaign bank account. Rather, Respondent used his personal bank account for campaign contributions and expenditures.
6. Commission Investigators subpoenaed Respondent's personal bank account records, which contained evidence of campaign contributions and expenditures made in conjunction with Respondent's 2024 election cycle. Respondent's first documented campaign contribution or expenditure occurred on March 29, 2024, with a \$2,780.00 deposit of personal funds. Excluding this deposit, Respondent raised approximately \$1,800.00 in furtherance of his election.
7. On April 3, 2024, five (5) days after the aforementioned deposit, Respondent filed a CDR, but inadvertently associated it with a prior election cycle.
8. Commission Investigators subsequently requested receipts and invoices related to Respondent's campaign expenditures. However, Respondent was unable to produce any documents responsive to this request.
9. On September 9, 2024, Respondent filed his 2024 SEI and amended his CDRs to disclose the requisite information within the correct election cycle.

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. Respondent failed to file a 2024 SEI by April 1, 2024, which was the close of filing for the 2024 McCormick County Sheriff election, in violation of Section 8-13-1356, which provides, in relevant

photograph of himself in uniform in campaign materials. During the course of the investigation, a Commission Investigator viewed such a photograph on a social media account operated by Respondent's campaign. However, this image was not saved and is no longer available. As such, there is insufficient evidence to support this allegation.

JK #2

part:

A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a statement of economic interests for the preceding calendar year pursuant to Section 8-13-365 prior to the close of filing for the particular office.

3. Respondent used a personal bank account for campaign contributions and expenditures in violation of Section 8-13-1312, which provides, in relevant part:

. . . Except as otherwise provided under Section 8-13-1348(C), expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed by the candidate or a **duly authorized officer** of a committee. All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt . . .

4. Respondent failed to maintain records related to his campaign expenditures in violation of Section 8-13-1302, which provides, in relevant part:

(A) A candidate, committee, or ballot measure committee must maintain and preserve an account of: . . . (3) the total amount of expenditures made by or on behalf of the candidate, committee, or ballot measure committee; (4) the name and address of each person to whom an expenditure is made including the date, amount, purpose, and beneficiary of the expenditure; (5) all receipted bills, canceled checks, or other proof of payment for each expenditure. . .

(B) The candidate, committee, or ballot measure committee must maintain and preserve all receipted bills and account required by this article for four years.

5. In accordance with Section 8-13-1510(A), Respondent's late-filing penalty with regard to the 2024 SEI is \$100.00:

. . . 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 mail 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

JK #3

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 8-13-320(10)(l) allows the Commission to issue a civil penalty of up to \$2,000.00 for each violation of the Ethics Act.
7. 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 8-13-1356 for failing to timely file a 2024 SEI as a partisan candidate; one (1) count of Section 8-13-1312 for failing to use a campaign bank account; and one (1) count of Section 8-13-1302 for failing to maintain campaign records.² The Commission did not find probable cause to believe Respondent failed to file an Initial CDR in conjunction with his 2024 election cycle because he inadvertently filed a CDR on April 3, 2024, under a previous election cycle.

Through this Consent Order, Respondent admits he violated the Ethics Act in these instances. In mitigation, Respondent states he believed he filed all requisite reports when he signed up to run for office. Respondent further states that he was unaware of the requirement to open a separate campaign bank account. Respondent also states that he attempted to obtain documents related to his expenditures directly from the vendors, but was unable to do so. Finally, Respondent states, and the Commission acknowledges, that this is the first enforcement action filed against him with the Commission.

² The Commission also found probable cause to believe Respondent failed to disclose campaign contributions and expenditures in violation of Section 8-13-1308(F). Given that Respondent has since disclosed this information, the Commission declines to proceed as to these counts. The Commission also found probable cause to believe Respondent failed to deposit two (2) campaign contributions into a campaign bank account in violation of Section 8-13-1312. The Commission declines to proceed on this count given that Respondent was also charged with failing to open a campaign bank account.

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DISPOSITION


1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1356, one (1) count of Section 8-13-1312, and one (1) count of Section 8-13-1302.
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 this Public Reprimand to Respondent and orders the Respondent to pay the Commission, within six (6) months from receipt of this Order, a late-filing penalty of \$100.00³ and an administrative fee of \$400.00, for a total of \$500.00. The Commission declines to assess a civil penalty for the violations of Section 8-13-1312 and Section 8-13-1302 given that this is the first enforcement action filed against him with the Commission.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$500.00 (less any money paid to the Commission) in the event he does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$500.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 11th DAY OF February 2026.

STATE ETHICS COMMISSION


TIMOTHY E. KELLY
RESPONDENT

³ The Commission is limited to a \$100.00 late-filing penalty for Respondent's 2024 SEI because Respondent did not receive certified notice of his failure to file the 2024 SEI pursuant to Section 8-13-1510(A)(2).