

STATE OF SOUTH CAROLINA
RECEIVED STATE ETHICS COMMISSION

2021 FEB 11 PM 2:19

STATE ETHICS
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2021-010

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

RESPONDENT: Eric C. Lewis
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Candidate - City of Atlantic Beach Council

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 Campaign Disclosure was due no later than April 10, 2017, July 10, 2017, October 10, 2017, January 10, 2018, April 10, 2018, July 10, 2018, October 10, 2018, January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, and January 10, 2021. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline.

Respondent was reminded of the filing requirement by letters dated April 13, 2020 and June 12, 2020 as described in the attached. To date, no properly completed April 10, 2017, July 10, 2017, October 10, 2017, January 10, 2018, April 10, 2018, July 10, 2018, October 10, 2018, January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, or January 10, 2021 Campaign Disclosure has been received. All in violation of Section 8-13-1308(B) and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. 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. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan L. Walker 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 11th day of February, 2021

[REDACTED]
Meghan L. Walker, Executive Director

Notary Public for South Carolina
My Commission expires 8-11-2025

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

C102form

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2021-010)
Eric C. Lewis)
Respondent.)
State Ethics Commission)
Complainant.)
_____)

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, to support the allegations made 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 21, 2021 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 INACTIVITY ON QUARTERLY CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due January 10, 2017, in violation of Section 8-13-1362.

COUNT TWO
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due April 10, 2017, in violation of Section 8-13-1362.

COUNT THREE
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due July 10, 2017, in violation of Section 8-13-1362.

COUNT FOUR
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due October 10, 2017, in violation of Section 8-13-1362.

COUNT FIVE
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due January 10, 2018, in violation of Section 8-13-1362.

COUNT SIX
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due April 10, 2018, in violation of Section 8-13-1362.

COUNT SEVEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due July 10, 2018, in violation of Section 8-13-1362.

COUNT EIGHT
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due October 10, 2018, in violation of Section 8-13-1362.

COUNT NINE
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due January 10, 2019, in violation of Section 8-13-1362.

COUNT TEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due April 10, 2019, in violation of Section 8-13-1362.

COUNT ELEVEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due July 10, 2019, in violation of Section 8-13-1362.

COUNT TWELVE
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due October 10, 2019, in violation of Section 8-13-1362.

COUNT THIRTEEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due January 10, 2020, in violation of Section 8-13-1362.

COUNT FOURTEEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due April 10, 2020, in violation of Section 8-13-1362.

COUNT FIFTEEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due July 10, 2020, in violation of Section 8-13-1362.

COUNT SIXTEEN
**FAILURE TO FILE A STATEMENT OF INACTIVITY ON QUARTERLY CAMPAIGN
DISCLOSURE REPORT**
SECTION 8-13-1362, S.C. CODE ANN., 1976, AS AMENDED

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a Statement of Inactivity on his Campaign Disclosure Report due October 10, 2020, in violation of Section 8-13-1362.


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

That Eric C. Lewis, candidate for Atlantic Beach City Council, did in Richland County, fail to file a final Campaign Disclosure Report, in violation of Section 8-13-1308(B).

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.

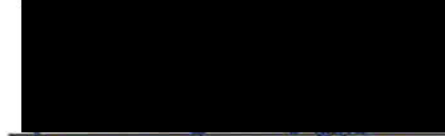


Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 21st day,
of July 2021.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Eric C. Lewis, 129 Point Break Dr, Myrtle Beach, SC 29588 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 22nd day of July 2021, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed and a return address clearly indicated on said envelope.



Columbia, South Carolina

Richard A. Provencher, Administrative Assistant
State Ethics Commission (803) 253-4192

RECEIVED

2021 OCT 25 PM 12:00

STATE ETHICS COMMISSION

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2021-010)
State Ethics Commission,)
Complainant,)
Eric C. 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 February 11, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Eric C. 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 entry of the following:

STATEMENTS OF FACT

1. Respondent was a candidate for Atlantic Beach Town Council in a November 3, 2015 election.
2. On October 23, 2015, Respondent filed a Campaign Disclosure Report (CDR) with the Commission disclosing \$1,300 in on-hand contributions.
3. Respondent failed to file any additional CDRs.
4. In an April 13, 2020 certified letter mailed to Respondent's address of record, the Commission notified Respondent of his failure to file any additional CDRs.
5. On May 22, 2020, this letter was returned as "Return to Sender – Unclaimed."
6. On June 12, 2020, the certified letter was re-mailed with a United States Postal Service (USPS) tracking number. According to the USPS, this letter was delivered on June 15, 2020 at 4:13 p.m.
7. Following the filing of the complaint, Commission Investigator James Bagnall contacted Respondent. Respondent stated he had moved three times since his 2015 election and had not received the Commission's correspondence. Respondent subsequently obtained his campaign

bank account records and provided them to Investigator Bagnall.

8. Investigator Bagnall reviewed Respondent's campaign bank account records, which revealed Respondent still carried a balance of \$751.98.
9. On June 4, 2021, Respondent closed his campaign bank account and submitted the balance of his campaign account to Sea Haven Youth Care.
10. On June 17, 2021, Respondent came into compliance by filing all required CDRs and disclosing all campaign activity for the reporting periods in question.

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.

3. Section 8-13-1362(A) provides:

If a candidate or committee has not accepted any contributions and has not made any expenditures during a reporting period, the candidate or a duly authorized officer of the committee must file a statement of inactivity.

4. Regulation 52-504(C) provides:

Statement of Inactivity. The pre-election report and each quarterly report are required even when there have been no contributions or expenditures.

5. Section 8-13-1510(A) provides:

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.

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.

DISCUSSION

The Commission found probable cause to charge Respondent with fifteen (15) counts of violating Section 8-13-1362 for failing to file statements of inactivity/quarterly CDRs from April 2017 through October 10, 2020 and one (1) count of violating Section 8-13-1308 for failing to timely file a Final CDR. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file these statements of inactivity and a final CDR. In mitigation, Respondent states the 2015 election was his first time running for public office and that he was not familiar with the filing requirements. Respondent states he has moved several times since he ran for office and that he did not receive the Commission’s April 13, 2020 or June 12, 2020 correspondence. Respondent asserts he did not know there was a problem with his filings until Investigator Bagnall contacted him. Respondent states he came into compliance as soon as he was aware there was an issue.

DISPOSITION

1. The Commission hereby finds Respondent in violation of fifteen (15) counts of Section 8-13-1362 and one (1) count of Section 8-13-1308(B).
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 a written warning and orders the Respondent

to pay the Commission, within six (6) months from receipt of this Order, a late-filing penalty of \$1,200 (\$75 for each CDR) and an administrative fee of \$250, for a total of \$1,450.

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 \$1,450 (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 \$1,450 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 22 DAY OF October 2021.

STATE ETHICS COMMISSION


CHILD S CANTEY THRASHER, CHAIR


ERIC C. LEWIS, RESPONDENT