

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION
RECEIVED #2998/24 #W3/24/34

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2024-016

COMPLAINT FORM

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

RESPONDENT: Brian S. Dixon
ADDRESS: [REDACTED]
TELEPHONE NUMBER: (864) 378-1011 or
(864) 746-7993

TELEPHONE NUMBER: (803) 253-4192

TITLE: Mayor - Town of Troy

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 Pre-Election Campaign Disclosure was due between October 19, 2022 and October 24, 2022 and between January 18, 2023 and January 23, 2023.

Respondent was reminded of the 2022 Pre-Election requirement by letters dated January 5, 2023 and March 3, 2023 as described in the attached. To date, properly completed Pre-Election Campaign Disclosures have not been received. All in violation of 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
8th day of April, 2024

[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 C2024-016)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Brian S. Dixon)	
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 20, 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 PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Brian S. Dixon, candidate for Town of Troy Mayor, did in Richland County, fail to file a 2022 Pre-Election Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

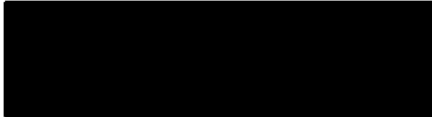
COUNT TWO
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Brian S. Dixon, candidate for Town of Troy Mayor, did in Richland County, fail to

file a 2023 Pre-Election CDR, in violation of Section 8-13-1308(A).

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 22nd day,
of July 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Brian S. Dixon, 503 Main Street East, Troy, SC 29848 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 31st day of July 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 C2024-016)
)
 State Ethics Commission,)
 Complainant,)
)
 Brian S. Dixon)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on April 8, 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 Brian S. Dixon (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 mayor of the Town of Troy in the November 8, 2022 general election.
2. Respondent failed to file a 2022 Pre-Election Campaign Disclosure Report (CDR) between October 19, 2022 and October 24, 2022.
3. The Commission attempted to notify Respondent of his failure to timely file a 2022 Pre-Election CDR by certified letter dated January 5, 2023.
4. According to the United States Postal Service (USPS), the certified letter tracking status on January 7, 2023 was "Held at Post Office, At Customer Request." The Commission received no confirmation of Respondent's receipt of the letter.
5. Respondent was a successful candidate for mayor of the Town of Troy in the February 7, 2023



special election.

6. Respondent failed to file a 2023 Pre-Election CDR between January 18, 2023 and January 23, 2023.
7. On March 3, 2023, the Commission re-mailed the January 5, 2023 penalty letter via certified mail.
8. According to the USPS, the certified letter was delivered to Respondent's address of record on March 6, 2023 at 11:37 a.m. The return receipt does not contain a signature.
9. Following the filing of the Complaint, the Commission's investigation revealed no evidence that Respondent raised or spent any money in conjunction with his 2022 or 2023 elections.
10. On May 2, 2024, Respondent filed his 2022 and 2023 Pre-Election CDRs and is now in compliance.

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(A) provides, in relevant part:

. . . a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.
3. 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; . . .
4. Section 8-13-130 allows the Commission to "levy an enforcement or administrative fee on a

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person who is in violation” of the Ethics Act.

DISCUSSION

The Commission found probable cause to charge Respondent with two (2) counts of violating Section 8-13-1308(A) for failing to timely file a 2022 Pre-Election CDR between October 19, 2022 and October 24, 2022 and for failing to timely file a 2023 Pre-Election CDR between January 18, 2023 and January 23, 2023. Through this Consent Order, Respondent admits he violated the Ethics Act as outlined herein. In mitigation, Respondent asserts he believed that he was not required to file a Pre-Election CDR for the 2022 and 2023 elections because he did not receive contributions or make campaign expenditures. He further expresses that the numerous notifications he received throughout the campaign cycles could have impacted his ability to consider the extent of his filing requirements or to respond to Commission correspondence. The Commission acknowledges that neither of the letters sent to Respondent contained a return receipt with a signature.

DISPOSITION

1. The Commission finds Respondent in violation of two (2) counts of Section 8-13-1308(A).
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 to Respondent and orders Respondent to pay the Commission, within nine (9) months from receipt of this Order, a late-filing penalty of \$200.00 (\$100.00 per CDR), and an administrative fee of \$400.00, for a total of \$600.00.

By executing this Consent Order, Respondent understands that he is not only admitting to a violation of the Ethics Act, but also confessing to a judgment of \$600.00 in the event he does not

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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 \$600.00 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 26th DAY OF March 2025.

STATE ETHICS COMMISSION


F. XAIVER STARKES, CHAIR

DocuSigned by:
Brian Dixon
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BRIAN S. DIXON
RESPONDENT