



# AVOIDING THE \$10,000.00 FINE

ETHICS REFORM ACT OF 1991

MEGHAN WALKER

EXECUTIVE DIRECTOR

STATE ETHICS COMMISSION



# Who Does the Act Cover?

- Public Officials
  - Any elected or appointed official of the state (excluding judges) and any candidate for such office.
- Public Members
  - An individual appointed to a noncompensated, part-time position on a board, commission or council.
- Public Employees
  - Any person employed by the state.

# STATEMENTS OF ECONOMIC INTERESTS

Every county manager, county administrator, county supervisor, or chief county administrative official or employee *must* file an SEI.

Chief financial employee of each county.

# WHEN TO FILE YOUR SEI

- NEW ROLE/EMPLOYMENT: FILE WITHIN TEN DAYS OF ASSUMING YOUR RESPONSIBILITIES
- EVERY YEAR THAT YOU'RE IN THE ROLE: FILE BY MARCH 30<sup>TH</sup>.

# Information Required On Your SEI

- The source, type, and amount or value of income, not to include tax refunds, of substantial monetary value received from a governmental entity by the filer or the filer's immediate family during the reporting period.
- Description, value and location of real property owned/options to purchase real property during the reporting period by filer or immediate family if:
  - Public improvements were made in excess of \$200.00
  - OR
  - The interest can reasonably be expected to be the subject of a conflict of interest.
  - If a sale, lease, or rental of personal property is to a state, county or municipal instrumentality of government, a copy of the contract, lease or rental agreement must be attached to the SEI.

# Information Required On Your SEI

The name of each organization which paid for or reimbursed actual expenses of the filer for speaking before a public or private group, the amount of such payment or reimbursement, and the purpose, date and location of the speaking engagement.



# State Ethics Commission

Public Disclosure and Accountability Reporting System

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## Electronic Filing Statement of Economic Interests: Review

### Filing Report Review

**Name:** Meghan L Walker  
**Year:** 2017  
**Filing Type:** Original

Select a tab to view entered information. To navigate between sections, use the 'More' or 'Back' tabs. To modify or delete an entry, click its corresponding link.

To print this report, click 'Open.' Then scroll down to the bottom of the report and click 'Print.'

Summary	Position	<b>Income &amp; Benefits</b>	Reg. Bus. Assoc.	Property	More »
<a href="#">Add Personal Income/Benefit</a>   <a href="#">Add Family Member Income/Benefit</a>					
Source	Type	Amount / Value	Miscellaneous		
<a href="#">Company x</a>	personal income State or Local Government	\$3.00	Personal Income		

### File with the appropriate Ethics Commission

If you are satisfied with the information you have entered, you may file your report by clicking the "File" button below.

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# HOW TO FILE YOUR SEI



**Public Disclosure**

- Individual Reports
  - [Candidates](#)
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- Contributions
- Expenditures
- Lobbying Activity

**Electronic Filing**

SC State Ethics Commission

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## Individual Reports Statement of Economic Interests

### Statement of Economic Interests Report

**Name:** Nikki R. Haley  
**Year:** 2012  
**Filing Date:** 4/16/2012  
**Version:** Original

Select a tab to view more.

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 [Position](#) | 
 **[Income & Benefits](#)** | 
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Source	Type	Amount / Value	Miscellaneous
State of South Carolina	Income State or Local Government	\$94,147.51	Personal Income
State of South Carolina	use of state car State or Local Government	\$1.00	Personal Income
State of South Carolina	use of state plane State or Local Government	\$1.00	Personal Income
State of South Carolina	use of state residence State or Local Government	\$1.00	Personal Income
Penguin Group USA	book advance State or Local Government	\$200,000.00	Personal Income

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# NONCOMPLIANCE

- Remember that this covers information from the previous year.
- Due upon assumption of official duties and then by March 30<sup>th</sup> of each calendar year.

## PENALTIES

- Initial \$100.00 penalty.
- After certified letter is delivered: \$10.00 dollars a day after ten days.
- After ten days: \$100.00 day until maximum penalty of \$5,000.00 is reached.
- There may also be a complaint filed which means possible additional fines and fees.

# NONDISCLOSURE

- Must disclose all information required in your SEI.
- If you fail to disclose the required information, you may be given a chance to correct the omission.

## PENALTIES

- Maximum fine of \$2,000.00
- Complaint can be filed which may mean additional fees.

# CONFLICTS OF INTEREST

# 700 violations

- Deals with self-dealing and nepotism.
- Section 8-13-700(A)
  - “No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated.”
  - Exception for incidental use not resulting in additional public expense.
- Section 8-13-700(B)
  - “No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest.”

# FAMILY MEMBERS

Your spouse, parent, brother, sister, child, mother-in-law, son-in-law, brother-in-law, sister-in-law, grandparent or grandchild.

Dictionary defines brother-in-law as:

- a - the husband of one's sibling
- b - the husband of one's spouse's sibling

# ECONOMIC INTEREST

An interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a public official, public member, or public employee may gain an economic benefit of fifty dollars or more.

## Person with whom you are associated

- An individual with whom the person or a member of his immediate family mutually has an interest in any business of which the person or a member of his immediate family is a director, officer, owner, employee, compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

## Business with which you are associated.

- A business of which the person, or a member of his immediate family, is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

# GIFTS

- You may not receive anything of value if it is given influence you in the discharge of your public duties.
- You may not solicit or receive money, in addition to your salary, for advice or assistance given in the course of your employment.

# UNDER NO CIRCUMSTANCES MAY YOU...

- RECEIVE ANYTHING OF VALUE WITH THE INTENT OF INFLUENCING YOU IN YOUR OFFICIAL CAPACITY.
- ACCEPT ADDITIONAL MONEY FOR ASSISTANCE GIVEN WHILE PERFORMING YOUR OFFICIAL DUTIES.
- USE CONFIDENTIAL INFORMATION GAINED THROUGH EMPLOYMENT FOR YOUR PERSONAL GAIN.
- REPRESENT ANOTHER PERSON BEFORE YOUR GOVERNMENT BODY.
- MAY NOT ACCEPT AN ADHONORARIUM FOR SPEAKING ENGAGEMENTS.



# REQUESTING AN OPINION

- As a public member, you can request either an informal or formal opinion from the State Ethics Commission.
- A formal opinion is issued by the Commission and is binding.
- An informal opinion issued by Commission staff is not binding,
- For sensitive matters, you may request a confidential formal or informal opinion. Requests must be made in writing.

# PLEASE!

ASK US FOR GUIDANCE BEFORE YOU ACT!

<http://ethics.sc.gov/Pages/default.aspx>

South Carolina State Ethics Commission

201 Executive Center Drive, Suite 150

Columbia, South Carolina 29210

(803) 253-4192 (office)

(803) 253-7539 (fax)

Office Hours: 8:30 a.m. - 5:00 p.m., Monday through Friday, excluding State Holidays

For questions about Statement of Economic Interests, please contact [lessie@ethics.sc.gov](mailto:lessie@ethics.sc.gov).

For questions about Campaign Disclosures, please contact [sandra@ethics.sc.gov](mailto:sandra@ethics.sc.gov).

For questions about the complaint process or the law, please contact [ami@ethics.sc.gov](mailto:ami@ethics.sc.gov).