

1980 WL 120801 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 29, 1980

*1 Honorable Robert C. Lake, Jr.
Senator
District No. 5
Box 245
Whitmire, South Carolina 29178

Dear Senator Lake:

Your letter to this office dated July 16, 1980 has been referred to me for consideration and reply. You have requested an opinion as to whether or not it is permissible for a candidate to spend his unexpended campaign contributions for other candidates or for his party.

The State Ethics Act, §§ 8-13-10, [et seq.](#), [Code of Laws of South Carolina](#), 1976, as amended, provides for no such prohibitions. The sections of the State Ethics Act in regards to campaign disclosure are § 8-13-620 and § 8-13-630. These sections do not possess restrictions as to the expenditure of campaign funds but address the maintenance by candidates of records of contributions so as to disclose the source of funds raised for an election and where such funds are expended.

However, in an opinion dated October 8, 1974, attached, this office advised a member of the House of Representatives that there is the possibility that such unspent campaign contributions could be impressed with a trust that would limit the use of such contributions and further that unspent political contributions should be either returned to the donors or, in the alternative, their consent should be obtained prior to disposition for another purpose.

If this office can be of further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

C. Havird Jones, Jr.
Assistant Attorney General

1980 WL 120801 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.