

1978 WL 34608 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 16, 1978

**\*1 RE: Statutory Requirement for the Statement of Economic Interests**

Mr. Patrick B. Harris  
Chairman  
House Legislative Ethics Committee  
P. O. Box 11867  
Columbia, SC 29211

Dear Mr. Harris:

You have inquired as to whether or not a public official is required to disclose a business transaction between a member of his household and the State on his Statement of Economic Interests.

The introductory paragraph to [Section 8-13-820 of the Code of Laws of South Carolina](#), 1976 provides:

Any statement of economic interests or negative report thereon filed under this chapter shall be on forms prescribed by the State Ethics Commission, and the person filing the statement, if he has economic interests shall report: (emphasis added)

And subsection 3 of [Section 8-13-820](#) goes on to state that business transactions with the State shall be reported:

(3) The nature, source and amount of all fees, compensation and benefits of any nature received directly from the State or any administrative agency of department thereof; or directly from the county, district or political subdivision he represents or any subdivision thereof.

Crucial to the analysis of whose business transactions with the State must be reported is the meaning of the language at the end of the introductory paragraph to [Section 8-13-820](#): 'if he has economic interests shall report.' [Section 8-13-20\(g\) of the Code of Laws of South Carolina](#) defines 'economic interest' as 'any business transaction by a person directly with the state.' (emphasis added). Furthermore, [Section 8-13-20\(1\)](#) defines 'person' as 'an individual, partnership, committee, association, corporation, labor organization and any other organizations or groups of persons.' (emphasis added).

Also to be noted is [Section 8-13-20\(b\)](#), defining 'business with which he is associated' as 'any business of which the person or a member of his household is a director, officer, owner, employee, or holder of stock worth ten thousand dollars or more at fair market value, and any business which is a client of the person.' This sub-section is not specifically related to the Disclosure Statement, but it is indicative of the pervasive, all inclusive disclosure requirements contemplated by the General Assembly when it passed the Ethics Act.

Based on the language analyzed herein, and in view of the obvious intent of the Ethics Act generally, it is the Opinion of this Office that 'groups of persons' as stated in [Section 8-13-20\(1\)](#) can be construed to include, members of the public official's household. Therefore, any business transactions under [Section 8-13-820\(3\)](#) by a member of such household are to be disclosed on the Statement of Economic Interests.

I have conferred with Gary Baker of the State Ethics Commission and that body has interpreted the statute in a similar manner.

Sincerely,

George C. Beighley  
Assistant Attorney General

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