

1975 WL 29265 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 12, 1975

*1 Honorable David F. McInnis
Member
House of Representatives
Sumter County
Box 1815
Sumter, South Carolina 29150

Dear David:

Thank you for forwarding to me a copy of your letter of September 5, 1975, to Dr. Edwards. Your recollection of the circumstances leading to the adoption of the Ethics Law is, the part, correct but your conclusion that the \$100 gift is by the terms of the law precluded from being considered a violation is incorrect.

The Judiciary Committee of the House did consider and, I think, approved an amendment during the course of the bill's passage, which would have had the effect of permitting the gift of the football tickets. This amendment, however, was deleted prior to final enactment. The Amendment was proposed and was discussed in the context of football tickets specifically, but the amendment was not carried into the statute. The Act merely excludes such gifts of less than \$100 from mandatory reporting requirements and that is all.

The Ethics Committee has asked this office to prepare suggested changes for provisions in the law that need to be clarified, of which there are a number, and I have no doubt that modification to lessen some of the restrictions may be made. At the present time, however, there is only a statute which makes it a criminal offense to offer compensation to a public official or public employee to influence his action, vote, opinion or judgment, and, in my opinion, gifts clearly can come within the prohibition in that they are specifically referred to in the pertinent section of the law by excluding gifts made by close relatives.

I am enclosing herewith a copy of the proposed amendment which, however, did not become a part of the law.

Cordially,

Daniel R. McLeod
Attorney General

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