

# Senate Ethics Committee

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## MEMORANDUM

**TO:** Members of the South Carolina Senate

**FROM:** Senate Ethics Committee  
Robert W. Hayes, Jr., Chairman *rwh*

**RE:** Reimbursements from Campaign Accounts -- Lodging, Meal, and Travel Expenses Defrayed by Subsistence and Mileage Allowances

**DATE:** November 3, 2009

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The Senate Ethics Committee (the "Committee") hereby advises that reimbursements from campaign accounts for lodging and meal expenses that also are defrayed by a subsistence allowance from the State most likely violate South Carolina's Ethics, Government Accountability, and Campaign Reform Act (the "Act"). The Committee also advises that reimbursements from campaign accounts for travel expenses, such as fuel, that also are defrayed by a mileage allowance from the State most likely violate the Act.

When a Member receives a subsistence or mileage allowance from the State and also is reimbursed for the same expenditure from his campaign account, such Member is reimbursed twice for the same expenditure. Because campaign funds are the source of the additional and unnecessary expense reimbursement, the Committee believes that such act is synonymous with converting campaign funds to personal use, which is prohibited by S.C. Code Ann. § 8-13-1348(A) (Supp. 2008).

Therefore, beginning with the Campaign Disclosure Report (the "Report") due January 10, 2010, Members should cease reimbursing themselves from their campaign accounts for all lodging, meal and travel expenses that are defrayed by a subsistence or mileage allowance from the State. If an expense exceeds the applicable subsistence or mileage allowance for a specific day, the Committee advises that the Member should exercise extreme prudence in determining whether such expense is reasonable and justified before reimbursing himself the excess amount from campaign funds.

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