

# PRACTICAL GUIDANCE

What Nonprofits Need to  
Know About Lobbying in

# SOUTH CAROLINA

## Inside This Guide:

This Practical Guidance resource is designed to help your nonprofit organization determine if lobbying rules in South Carolina might apply to your state or local work. It includes:

- Summary of registration and reporting triggers
- Key takeaways for nonprofit organizations
- FAQs
- Case study for a hypothetical small student voting rights organization
- List of helpful additional resources

## What Lobbying Activities Trigger Registration Requirements in South Carolina?

DIRECT LOBBYING OF:	CAN THIS TRIGGER?	TRIGGER
<b>State Legislators</b>	Yes	An individual must register if they are employed, retained, or appointed (whether compensated or not) on your behalf to communicate directly with public officials to promote or oppose legislation, or the legislative selection of public officials.  Individuals who are not retained specifically to lobby also will trigger registration once they have earned and/or spent over \$500 in a calendar year for lobbying.  Organizations must also register if they employ, retain, or appoint any lobbyists that need to register.
<b>State Executive Branch Officials</b>	Yes	The same trigger as above, with respect to covered agency or gubernatorial actions.
<b>Local Legislators or Local Executive Branch Officials</b>	Maybe	State law does not cover local lobbying, but a few local jurisdictions, such as Columbia, have their own local lobbying ordinances. In addition, state gift ban laws apply to local officials and employees, as well as state.

**Grassroots lobbying:** Grassroots lobbying (asking members of the public, or other organizations, to take action) is not regulated at the state level in South Carolina.

### KEY LOBBYING TAKEAWAYS FOR NONPROFIT ORGANIZATIONS IN SOUTH CAROLINA:

- **It's very easy to trigger registration:** The threshold for needing to register as a lobbyist in South Carolina is so low that usually if your organization uses any individual to lobby on your behalf, you will need to register as the "lobbyist's principal" and your staff person will also need to register as an individual lobbyist.
- **Unpaid volunteers will usually not need to register:** Because there is a narrow de minimis lobbying exception, uncompensated volunteers should be able to participate in your organization's lobbying activities (for example, a Lobby Day) without triggering registration, as long as they are not specifically representing your viewpoint under your instructions and are instead expressing their own personal views on the issue.
- **Some social media activities count as direct communications (as opposed to grassroots work):** Note that South Carolina treats posting of messages on legislators' Facebook pages or their other social media accounts to be direct communication. If such actions are taken by any of your staff, in an effort to promote or oppose legislation, then this will be considered direct lobbying communications that can potentially trigger registration and reporting.

This resource is current as of October 2023. We do our best to periodically update our resources and welcome any comments or questions regarding new developments in the law. Please e-mail us at [advocacy@afj.org](mailto:advocacy@afj.org) or at [info@democracycapacity.org](mailto:info@democracycapacity.org) with any comments.

This resource is meant to convey the basic principles of sections of state law that are most relevant for nonprofit advocacy and does not cover all aspects or all details of the state statutes. Please refer to the full text of the law for more details. This resource also does not cover details of federal lobbying disclosure law, IRS regulations related to lobbying, or any separate county or municipal regulations that may apply to lobbying-related activities. In some states there is an ongoing movement towards the enactment of additional local county and municipal level lobbying regulations, and organizations are urged to check with the appropriate local jurisdiction before undertaking local lobbying activity.

## Q: How should we think about using this Practical Guidance resource?

This Practical Guidance – What Nonprofits Need to Know About Lobbying resource is designed to help your nonprofit organization determine if state or local regulations might apply to your existing or proposed advocacy work. The answer is surprisingly often – **YES!** – but there are also often many advocacy activities that do not require state lobbyist registration or reporting.

This Guide will help you identify which of your state or local activities might trigger registration and reporting, and also give you potential alternative program design ideas that would allow your program to be in compliance with the regulations but not require registration and reporting.

If you do need to register and report with the state, this Guide will also give you practical tips about what information needs to be included in your reports, and how to try to minimize your operational burden while remaining in compliance with the rules.

While this Guide does provide some information about the federal IRS rules that apply to nonprofit lobbying, it is designed to cover state and local regulations. Links to resources containing more information about federal IRS rules can be found in the federal lobbying FAQ below.

We also hope that this Guide will prove useful to legal counsel and other advocacy advisors who are working to assist nonprofit advocacy organizations, as well as the funders who generously support this work. Advisors and funders are invited to use the free Bolder Advocacy Technical Assistance Hotline and the written legal resources available in Bolder Advocacy’s resource library at <https://bolderadvocacy.org/>

## Q: What activities count as lobbying?

In South Carolina, **lobbying** is regulated by the South Carolina State Ethics Commission (“SEC”) and means promoting or opposing, through direct communication with **public officials** or **public employees**, any of the following:

- The introduction or enactment of legislation before the General Assembly, or the committees or members of the General Assembly
- Consideration of the election (or appointment) of an individual to a public office elected (or appointed) by the General Assembly
- Covered gubernatorial actions, which include any action by the Governor to approve (or veto) legislation, or to make (or consider making) any executive order, appointment, or grant award
- Covered agency actions, which include proposing, drafting, amending, withdrawing, or promulgating a **regulation**
  - **Public official** is any elected or appointed official of the State (including candidates for state office) but excludes members of the judiciary
  - **Public employee** is any person employed by the State
  - **Regulation** is any agency rule that implements a law, agency policy, or agency practice in a way that applies to a broad swath of people

Note that it is still lobbying if you are communicating with one or more officials from one branch of government in an effort to get them to influence a decision by the other branch of government. For example, if you e-mailed a legislator to suggest that they try to influence a regulatory agency’s rulemaking decision, that communication would be considered lobbying.

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## Q: What triggers lobbyist registration and reporting with the state?

Any individual who is employed, contracted, or appointed – whether for compensation or not – to engage in lobbying on behalf of your organization is a lobbyist and must register, unless one of the exceptions discussed in the “Are there exceptions to what counts as lobbying” FAQ, below, applies to them.

If your organization has an employee who triggers an obligation to register as a lobbyist, then your organization also must register as a “lobbyist’s principal.”

Once your employee has triggered lobbyist registration, both they and your organization have 15 business days to register.

## Q: How does the trigger threshold work if we are a fiscally sponsored project?

You will need to be sure you are communicating transparently and in a timely fashion with your fiscal sponsor if you plan to undertake activities that might potentially count as lobbying activities!

Each fiscal sponsor will have its own ways of working with projects who wish to take on lobbying activities.

In general, for fiscally sponsored projects that do not have their own legal entity and the fiscal sponsor engages all of the project’s independent contractors or employees, the lobbyist registration trigger must be analyzed together with all of the projects housed at the fiscal sponsor who are doing lobbying activities in the state.

Your account manager at your fiscal sponsor will be able to help you understand how they track the registration threshold.

**IMPORTANT NOTE:** In states where registration is required prior to lobbying, or very shortly after the registration threshold is reached, or periodic lobbyist disclosure is due shortly after the end of a reporting period, special procedures may need to be worked out in order to process your project’s registration or reporting on time. You should connect with your account manager as soon as you begin planning any potential lobbying strategy!

## Q: Are there exceptions to what counts as lobbying?

**Yes!** Certain types of lobbying activities don’t require state-level lobbyist registration or reporting. The exceptions in South Carolina most relevant to nonprofit organizations are:

- **Public testimony:** Individuals appearing in public hearings, including legislative committees and state agencies
- **Unpaid volunteers:** Unpaid volunteers that are not specifically lobbying on your behalf, and instead are merely participating in your activities are not required to register (for example, participating in your Lobby Day to express their own personal opinions on a matter).

In addition, even unpaid volunteers that you have appointed to lobby on your behalf (say a Board Member) would not be required to register if their activities stayed within the \$500 de minimis expenses threshold below.

- **De minimis lobbying by employees:** The SEC has provided informal guidance that employees who do only a very small amount of lobbying will generally not need to register. An employee that satisfies all of the following three criteria would not have to register as a lobbyist:
  - The employee rarely (e.g., twice a year or less) communicates with state officials to influence state action
  - The employee receives no additional compensation for lobbying and lobbying is not “a regular and substantial” or “normal and ordinary” part of the employee’s duties

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- All of the employee's lobbying expenses add up to \$500 or less per calendar year. That number includes both money the employee may have spent, as well as money the employee received as prorated compensation for time spent lobbying. The SEC has provided informal guidance that preparation and travel time should be included in the calculation. Any other expenses related to the employee's lobbying activity will also count against the \$500 threshold, regardless of who spends the money.

Keep in mind, however, that if your employee winds up doing more lobbying in a year than anticipated they (and your organization) will need to register and report.

## **Q: How does this work together with federal IRS lobbying regulations?**

All tax-exempt organizations must follow both federal tax law (regulated by the IRS) **and** any state and local lobbying laws that apply to their work.

The IRS rules regulate how much lobbying a nonprofit organization can do, while state and local regulations are transparency rules designed to help the public understand what funds are being spent to influence decision making and by whom. As a result, federal tax law rules related to lobbying and state lobbying regulations are quite different, and state lobbying regulations also vary greatly from state to state.

In general, the IRS requires 501(c)(3) organizations to report on their annual Form 990 legislative lobbying at the federal, state, and local levels, but does not count as lobbying advocacy activities relating to executive branch or administrative officials at any level. There is no additional requirement for organizations or individuals to "register" with the IRS to report lobbying activities.

Nonprofits that are public charities under IRS exemption 501(c)(3), including grantmaking public charities like community foundations, can lobby within the generous limits allowed by federal tax law. The amount of lobbying is determined by either using the insubstantial part test or the 501(h) expenditure test.

See <https://bolderadvocacy.org/resource/public-charities-can-lobby-guidelines-for-501c3-public-charities-2/>

Organizations that are tax-exempt under 501(c)(4) (social welfare organizations), 501(c)(5) (labor organizations), and 501(c)(6) (trade associations) can do unlimited lobbying. See <https://bolderadvocacy.org/resource/being-a-player-a-guide-to-the-irs-lobbying-regulations-for-advocacy-charities/>

Your organization will need to ensure that you are keeping track of your lobbying staff time and your expenses in a way that works for both your IRS reporting, and for any required state or local reporting, since the information required in each regime will be different.

Note that there is also a federal law called the Lobbying Disclosure Act that requires some organizations to register and report their federal level lobbying activities.

Organizations that have only occasional contacts at the federal level (having occasional meetings with members or staff or sending occasional letters to Congress) will not need to register under the LDA. The thresholds are designed to require only those organizations with substantial lobbying activities and expenses to file. For more information see [https://bolderadvocacy.org/wp-content/uploads/2018/06/Understanding\\_the\\_Lobbying\\_Disclosure\\_Act.pdf](https://bolderadvocacy.org/wp-content/uploads/2018/06/Understanding_the_Lobbying_Disclosure_Act.pdf).

## **Q: Does supporting or opposing a ballot measure count as lobbying?**

The only state-level ballot measures in South Carolina are proposed amendments to the South Carolina state constitution, which are placed on the ballot by the state legislature. These measures are known as legislatively referred constitutional amendments.

Supporting or opposing a proposed state constitutional amendment while it is still being considered by the legislature is considered lobbying and subject to the same registration and reporting requirements as all lobbying.

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Supporting or opposing a ballot measure, once it is on the ballot, is regulated by state campaign finance law (although keep in mind that the IRS continues to consider it lobbying).

Nonprofit organizations considering working on state ballot measures in South Carolina should seek advice on how to comply with any applicable state or local campaign finance reporting requirements.

## Q: If we are required to register, how does the process work?

Once you have a lobbyist that has triggered registration, **both** your employee **and** your organization must register (your organization registers as a “lobbyist’s principal.”) You must register within 15 days via the “Ethics Commission Public Disclosure and Accountability Reporting System” available at this link:

<https://ssl.sc.gov/EthicsRegistration/Login/Login.aspx>

Both your employee lobbyist and your organization must pay a \$100 registration fee (plus a \$4 “convenience fee”) to register.

### Setting up your accounts:

Before starting the registration process, both your employee lobbyist and your organization should each create an account by clicking on the “create a user account” hyperlink here: <https://ssl.sc.gov/EthicsRegistration/Signup/Signup.aspx>

The system can be tricky because there are various hyperlinks that seem to be the right place to start but are not. On the SEC’s home page, the link you want is “Lobbyist, LP, and Committees Electronic Filing,” at

<https://ssl.sc.gov/EthicsRegistration/Login/Login.aspx>

In the “Lobbying Activity” section of the account opening process, the user must select a role. Your organization should select “Lobbyist’s Principal.” Your employee lobbyist should select “Non-State Employee Lobbyist.” They should **not** choose “State Agency” or “State Employee Lobbyist.”

### Completing the registration process:

Once both your employee lobbyist and your organization have created accounts, you will need to coordinate on the following steps to complete registration:

- On behalf of your organization, log in as a lobbyist’s principal, “add” your employee as a lobbyist, and pay the fee by clicking on “File.” Doing so will trigger an e-mail to your employee to let them know your organization has designated them as its lobbyist.
- Your employee then registers as a lobbyist by logging back into their account, clicking on the box to accept your organization as their “pending principal,” supplying the additional information requested by the system, and paying their fee. To pay the fee, they should click on “File.”
- To complete the registration process, your lobbyist files an informational report called a “Registration,” which is different from the “disclosure report” you will file twice a year. A Registration report identifies the subject matter of their lobbying and which agencies or bodies of government they are lobbying (the choices are “all state government,” “House of Representatives,” “state senate,” and “other”). Your employee lobbyist has a continuing obligation to update this Registration if they change their lobbying authorization or lobbying subject matter.

The lobbyist’s name and address will be publicly available, so they should use business contact information, not personal. Your lobbyist will also need to provide their personal social security number, which is not made public. The SEC guide states that Social Security numbers are maintained in an encrypted form, and made available only to SEC administrators, and only after a written request.

### Lobbyist authorizations:

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When your organization registers as a lobbyist's principal, you can choose whether you are authorizing your lobbyist to represent your organization with **any** state office or public body or whether you are only authorizing your lobbyist to represent your organization in communications with **certain** state offices or public bodies. The latter is known as a "limited purpose lobbyist." Your decision on the scope of authorization will be driven by the scope of your planned lobbying activities, and whether or not you intend to have multiple lobbyists represent you before different audiences.

## User guides for the registration process:

The SEC User Guides and Videos page provides guides to the registration and reporting process: <https://ethics.sc.gov/user-guides-and-videos>.

One useful guide linked from that page gives step-by-step instructions for lobbyists and lobbyists' principals to complete the steps above:

<https://ethics.sc.gov/sites/ethics/files/Documents/User%20Guides/AccountSetupandRegistrationUserGuidev10102.pdf>

This guide and others on the SEC's User Guides and Videos page were published in 2009, but the SEC has provided informal guidance that they still reflect accurate information.

## Renewal and termination:

If your lobbying activity continues into a new year, both your employee lobbyist and your organization must re-register by January 5th. If your lobbyist stops representing your organization during the year, **both** your lobbyist **and** your organization (the lobbyist's principal) will **each** need to update your online records. You both need to amend your registrations to reflect the relationship "termination" date, and file a disclosure report covering the period between the last report and the end of the relationship.

## Q: When are periodic lobbying reports due?

Your employee lobbyist must file a "disclosure report" covering their earnings and expenditures twice a year, on the schedule below. Note that the January report will include information for the preceding reporting period, but should also present cumulative totals for the year.

Months Covered	Due Date
January – May	June 30
June – December	January 31

Your organization (as a lobbyist's principal) must also file a report twice a year, on the same schedule.

As with your employee lobbyist's individual report, your organization's January report will include cumulative totals for the year.

In all cases, if the deadline falls on a weekend or holiday, it is extended to the next business day.

**Note** that the SEC materials also use the term "report" to refer to the filing that your employee and your organization will make in January to register or re-register.

## Q: What information do the periodic lobbying reports include?

As discussed above, both your employee lobbyist and your organization will file reports twice a year that describe your employee's and organization's respective expenses. If, like most nonprofit organizations, your organization either pays directly for your employee's lobbying expenses, or reimburses them for any expenditures they make,

then the organization will report the spending on its report, and the employee lobbyist would not have any expenses to report.

For more detail, see these SEC guides:

- Lobbyist's Principal Disclosure Filing User Guide: <https://ethics.sc.gov/sites/ethics/files/Documents/User%20Guides/userGuideIpiling.pdf>
- Lobbyist Disclosure Filing User Guide: <https://ethics.sc.gov/sites/ethics/files/Documents/User%20Guides/userGuide%20lobbyist%20filing.pdf>

Note that these guides are more than 10 years old, but the SEC has provided informal guidance that they still reflect accurate information.

## Q: What is considered a reportable “expenditure”?

The expenditure reporting categories for the lobbyists’ principal report and the individual lobbyist report are slightly different. If, like most nonprofits, your organization reimburses your employee lobbyists for their lobbying-related spending, your organization’s report will likely be more robust.

### Your organization’s report (as a lobbyist’s principal):

Your organization’s report will need to disclose any reportable spending in the following categories. If you have nothing to report in any given category, just mark the “Skip for Now” checkbox.

- **Lobbyist payments:** Report the prorated compensation that your organization pays your lobbyist for their lobbying work. The SEC has provided informal guidance that prorated compensation includes not just time spent on actual lobbying, but also lobbying preparation and travel.
- **Expenditures:** This category includes prorated lobbying-related expenditures on overhead, including office supplies and rent. In these reports, expenditures are itemized, and report the details of the expenditure, including the date, amount, recipient, and purpose of the payment. You should include both the expenditures for which your organization directly paid, as well as those for which you reimbursed your lobbyist (such as travel or food). Also include compensation for lobbying-related assistance that administrative staff provides to a registered lobbyist employee. But recall that registered lobbyist’s compensation is instead reported under “Lobbyist payments,” not here.
- **Expenditures on behalf of public officials:** Generally, South Carolina’s very strict gift ban prohibits both individual lobbyists and their employers (or clients) from paying for food, lodging, travel, or other expenditures on behalf of public officials. There is, however, a narrow exception for certain public events. If your organization has anything to report under this exception, it would go here.
- **Expenditures on behalf of judiciary members:** Members of the judiciary are exempt from the gift ban laws, so any expenditures on their behalf (which your organization is unlikely to have) would be reported here.
- **Expenses for speaking engagements:** Again, the rules regulating speaking engagement honoraria and expenses are very strict, but if your organization invites an official to speak, use this section to report any expenses you paid (or reimbursed) in connection with the official’s presentation.
- **Contributions:** This category refers to contributions to a candidate’s campaign. 501(c)(3) organizations are not allowed to contribute to candidates’ campaigns, so they should click “Skip for now” on this page. Other types of nonprofits can report any campaign contributions here. Be sure to follow state candidate campaign finance rules as well.



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- **Contributions to voluntary membership organization:** If your organization pays membership dues to another organization or coalition and that contribution is **both** greater than \$500 **and** makes up more than 20% of the recipient's contributions for the year, you might need to report those dues on your lobbyist's principal report as "contributions to voluntary membership organization." You should communicate with any membership organizations to which your organization pays more than \$500 in dues to ensure that you understand whether the payments are reportable and confirm their awareness of whether you will report your contribution. This category is most likely to be relevant if your organization belongs to a coalition and periodically gives funds to that coalition.
- **Direct business relationships:** Disclose here if your organization has any ownership interest (or other business relationship) with a member (or employee) of the legislative or executive branch of government in which the organization's share is greater than 5%. Most nonprofit organizations won't have anything to report in this section.

## Your employee lobbyist's report:

The employee lobbyist's individual report is simpler than the organizational report, and has fewer categories.

- **Income:** Prorated compensation your employee lobbyist received from your organization for lobbying
- **Expenditures:** If your employee pays for any lobbying expenses that are not reimbursed by you, this is where they would report those expenses.
- **Expenditures on behalf of judiciary members:** As with the organization's report, if your employee made any expenditures on behalf of members of the judiciary, they would report them in this section.
- **Direct business relationships:** As with the organization's report, if your employee lobbyist has any ownership interest (or other business relationship) with a member (or employee) of the Legislature or Executive Branch of government in which their ownership share is greater than 5%, they would report that here.

**Gift ban:** It is important to note that regulations relating to lobbying expenditures almost always intersect in complicated ways with state and local ethics and "gift ban" laws. Those state and local rules often apply even if your organization has not triggered lobbyist registration, and they may apply to a broader range of officials. You should be certain that you understand the intricacies of both sets of rules before giving any gifts to, or paying expenses for, any public officials at the state or local level (for example, it is illegal for anyone to deliver gifts to members of the House of Representatives in the House chambers).

Both you and your employee lobbyist should keep records documenting all of the expenses you report for four years, in a form that makes them readily accessible to a state inspection, if requested.

## **Q: Do our organization's donors need to be disclosed on any lobbying reports?**

**No.** Remember, however, if your organization gives membership dues to another organization or coalition under certain conditions you may need to report the contributions. This requirement is very manageable through good communication with the recipient organization – see the previous FAQ for details.

## **Q: How are our lobbyists required to identify themselves while lobbying?**

There is no requirement for lobbyists to show a lobbyist ID card. Once you've registered, you can ask the SEC to issue you an ID card to make it easier to go through security checkpoints.

**Q: Are there any other restrictions on lobbyists that we should be aware of?**

**Yes!** South Carolina law has multiple strict restrictions on the activities of lobbyists and a few restrictions on the activities of organizations (as lobbyists' principals).

**No contingency fees:** Lobbyists' principals may not pay lobbyists on a contingency basis to pass or defeat a state action.

**No presence on floor:** Lobbyists may not enter the floor of either the House of Representatives or the Senate unless that chamber invites them.

**Prohibited political roles:** Lobbyists, even in their own personal capacity, may not serve as a member of a state board or commission or as a treasurer for a candidate's campaign. Lobbyists and lobbyists' principals may also not host fundraisers for state (or local) officials.

**Revolving door:**

People who used to serve as public officials or employees must wait a year before:





- Lobbying for state action or otherwise representing clients in connection with the government office where they served.
- Accepting a job with an organization that is regulated by the government entity where that person used to serve.
- Accepting a job involving an issue that person “directly and substantially” participated in while they served.

# Case Study STUDENTS VOTE NOW

**Students Vote Now is a hypothetical small 501(c)(3) advocacy organization considering being vocal about H. 101 currently pending in the South Carolina House of Representatives.**

## STUDENTS VOTE NOW IS CONSIDERING THE FOLLOWING:

- Reaching out to its student constituents, via direct physical mailings, e-mails, and volunteer phone banking, in order to get the students to call their state house representative about the bill.
- Doing an in-person Lobby Day at the state capital about H. 101 to meet with legislators, or alternatively arranging a virtual Zoom lobby event. The Lobby Day activity might potentially include renting a bus, buying T-shirts for the volunteer participants, and handing out some small swag type items from the organization to the legislators, or if done by Zoom, the purchase of an upgraded Zoom account.
- Testifying before a committee of the House of Representatives regarding the student perspective on H. 101.
- Having an employee engage with the Mayor of Charleston about a similar, but separate, local ordinance being considered.

ACTIVITY	LOBBYIST REGISTRATION/REPORTING REQUIREMENTS
 <p><b>Student Engagement</b></p>	<p>The Student Engagement activities are grassroots lobbying. South Carolina doesn't regulate grassroots lobbying activities, so these activities will not trigger registration or reporting for the organization, staff, or volunteers.</p>
 <p><b>Lobby Day</b></p>	<p>An in-person or virtual lobby day involves paid employees or volunteers directly communicating with legislators to support or oppose H. 101, which would generally trigger registration for the participants.</p> <p>Students Vote Now may avoid triggering registration for some or all of the participating staff and volunteers if they are able to take advantage of the de minimis lobbying exception. That exception is available for individuals who make or receive \$500 or less per person in a year for lobbying, if the individuals don't lobby more than once or twice a year, and lobbying is not "a normal or ordinary" part of their regular responsibilities.</p> <p>The organization will need careful planning and time and expense tracking to succeed at this approach. At the level of spending that a successful Lobby Day would require, it is likely that at least one employee will need to register, and hence the organization will also need to register.</p> <p>To avoid the risk of violating the ban on gifts to state officials, avoid giving swag. Instead, consider handing out only inexpensive educational literature about the organization.</p>
 <p><b>Committee Testimony</b></p>	<p>Testifying before a public hearing does not trigger registration as a lobbyist and would not need to be reported.</p>
 <p><b>Mayor</b></p>	<p>South Carolina's state law does not regulate local lobbying, and Charleston does not currently have a lobbying disclosure law. A few local jurisdictions, including Columbia<sup>1</sup> and Mount Pleasant<sup>2</sup>, have their own local lobbying ordinances.</p>
<p><b>Bottom Line</b></p>	<p>Students Vote Now can likely engage in most of these activities without triggering a requirement that their staff or volunteers register. The Lobby Day programming will likely require registration by at least one staffer, which would mean that the organization would also register as a lobbyist's principal. With careful planning, most of the staff or volunteers that participate in this event could likely operate under the de minimis exception.</p>

<sup>1</sup> <https://cityclerk.columbiasc.gov/lobbyist-registration/>

<sup>2</sup> [https://codelibrary.amlegal.com/codes/mtpleasantsc/latest/mpleasant\\_sc/0-0-0-126698](https://codelibrary.amlegal.com/codes/mtpleasantsc/latest/mpleasant_sc/0-0-0-126698)

## ADDITIONAL RESOURCES

### BOLDER ADVOCACY'S TECHNICAL HOTLINE:

Bolder Advocacy's free Technical Assistance Hotline team is always happy to help nonprofits and advocacy attorneys with more specific questions. You can contact Bolder Advocacy's team of experts by e-mailing [advocacy@afj.org](mailto:advocacy@afj.org), or calling 866-NP-LOBBY (866-675-6229) during standard business hours.

### SOUTH CAROLINA STATE RESOURCES:

- **South Carolina State Ethics Commission (SEC)**

The agency responsible for administering the lobbyist and lobbyist's principal registration and reporting system in South Carolina is the South Carolina State Ethics Commission. You can find their website here: <https://ethics.sc.gov/>

Lobbyists and lobbyists' principals who need to register and report use the Ethics Commission Accountability Reporting System <https://ssl.sc.gov/EthicsRegistration/Login/Login.aspx>

- **South Carolina Lobbying Statutes**

The main text of the lobbying law is in Title 2, Chapter 17, "Lobbyists and Lobbying," <https://www.scstatehouse.gov/code/t02c017.php>

Additional relevant information is in the ethics and gift law, Title 8, Chapter 13, "Ethics, Government Accountability, and Campaign Reform," <https://www.scstatehouse.gov/code/t08c013.php>

- **There are no current South Carolina state lobbying regulations**

The SEC has given guidance that there are no current regulations to implement the State's lobbying laws. Please ignore "Chapter 52 State Ethics Commission," <https://www.scstatehouse.gov/coderegs/Chapter%2052.pdf> because it is no longer enforced.

- **State Training Materials**

The SEC gives an overview of the rules for lobbyists and lobbyist principals on a general information page: <https://ethics.sc.gov/lobbying>.

The SEC's detailed user guides may be particularly helpful. The most relevant are the Lobbying Activity Set-Up & Registration User Guide, the Lobbyist's Principal Disclosure Filing User Guide, and the Lobbyist Disclosure Filing User Guide. All three and others can be found here: <https://ethics.sc.gov/user-guides-and-videos>

- **Additional Questions**

Any questions about lobbyist registration and reporting for lobbyists and lobbyist's principals can also be directed to: Karen Wiggins, Program Assistant at [karen@ethics.sc.gov](mailto:karen@ethics.sc.gov) or (803) 253-4192.

### BOLDER ADVOCACY'S FEDERAL LAW RESOURCES:

While state and local laws regulate which lobbying activities require registration and reporting, the IRS also regulates how much lobbying a 501(c)(3) tax-exempt organization is allowed to do, including at the state and local levels. The way the IRS counts lobbying will almost always be different than how state and local laws count it, and organizations are urged to review Bolder Advocacy's federal law resources to ensure all IRS compliance obligations are being met. See:

<https://bolderadvocacy.org/resource/being-a-player-a-guide-to-the-irs-lobbying-regulations-for-advocacy-charities/>



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