**South Carolina General Assembly**

118th Session, 2009-2010

**S. 365**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Leventis

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Companion/Similar bill(s): 3605

Introduced in the Senate on February 3, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Candidates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/3/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\02-03-09.docx)‑5

2/3/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\02-03-09.docx)‑5

**VERSIONS OF THIS BILL**

[2/3/2009](file:///p:\pprever\2009-10\365_20090203.docx)

**A** **BILL**

TO AMEND SECTION 7‑19‑70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CANDIDATES FOR ELECTORS OF THE PRESIDENT AND THE VICE PRESIDENT SO AS TO SPECIFY THAT THERE MUST BE EIGHT CANDIDATES, TWO TO BE APPOINTED AT LARGE AND SIX TO BE APPOINTED TO REPRESENT THE SIX CONGRESSIONAL DISTRICTS OF THE STATE; TO REQUIRE THAT THE HIGHEST NUMBER OF VOTES STATEWIDE CONSTITUTES ELECTION OF THE TWO AT‑LARGE PRESIDENTIAL ELECTORS FOR THAT PARTY OR PETITION CANDIDATE AND THAT THE HIGHEST NUMBER OF VOTES IN A CONGRESSIONAL DISTRICT CONSTITUTES ELECTION OF THE CONGRESSIONAL DISTRICT PRESIDENTIAL ELECTOR OF THAT PARTY OR PETITION CANDIDATE; AND TO REPEAL SECTION 7‑19‑80 RELATING TO THE ELECTOR’S DECLARATION OF THE CANDIDATE FOR WHOM HE WILL VOTE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7‑19‑70 of the 1976 Code is amended to read:

“Section 7‑19‑70. Unless otherwise provided, the election of presidential electors ~~shall~~ must be conducted and the returns made in the manner prescribed by this chapter for the election of state officers.

There must be eight candidates for electors of the President and the Vice President. Two of the candidates must be appointed at large, with the remaining six to be representative of the six congressional districts of the State. The names of candidates for electors of President and Vice President nominated by any political party recognized in this State under Section 7‑9‑10 or by a valid petition ~~shall~~ must be filed with the Secretary of State but ~~shall~~ must not be printed on the ballot. In place of their names, in accordance with the provisions of Section 7‑13‑320, there ~~shall~~ must be printed on the ballot the names of the candidates for President and Vice President of each political party recognized in this State and the names of any petition candidates for President and Vice President. ~~A vote for the candidates named on the ballot shall be a vote for the electors of the party by which those candidates were nominated or the electors of petition candidates whose names have been filed with the Secretary of State.~~ Receipt by the presidential electors for a party of the highest number of votes statewide constitutes election of the two at‑large presidential electors for that party or petition candidate. Receipt by the presidential electors of a party of the highest number of votes in a congressional district constitutes election of the congressional district presidential elector of that party or petition candidate.

Upon receipt of the certified determination of the Board of State Canvassers and delivered to him in accordance with Section 7‑17‑300, the Secretary of State, under his hand and the seal of his office, as required by Section 7‑17‑310, shall certify to the Governor the names of the persons elected to the office of elector for President and Vice President of the United States as stated in the certified determination, who ~~shall be~~ are deemed appointed as electors.

It ~~shall be~~ is the duty of the Governor, as soon as practicable after the conclusion of the appointment of the electors pursuant to the laws of the State providing for the election and appointment of the electors, to communicate by registered mail under the seal of the State to the Administrator of General Services a certificate of appointment of the electors, setting forth the names of the electors. ~~and the canvass or other ascertainment under the laws of this State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast.~~ It ~~shall~~ also ~~thereupon be~~ is the duty of the Governor to deliver to the electors of the State, on or before the day on which they are required by law to meet, six duplicate originals of the same certificate under the seal of the State. If there ~~shall have been any~~ is a final determination in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors, it ~~shall be~~ is the duty of the Governor, as soon as practicable after the determination, to communicate under the seal of the State to the Administrator of General Services a certificate of ~~such~~ that determination.”

SECTION 2. Section 7‑19‑80 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor.

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