**South Carolina General Assembly**

120th Session, 2013-2014

**H. 4812**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Clemmons and Finlay

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Introduced in the House on February 27, 2014

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

Summary: Election Commission

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/27/2014 House Introduced and read first time ([House Journal‑page 52](file:///H:\HJ%20Archive\2014\02-27-14.docx))

2/27/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 52](file:///H:\HJ%20Archive\2014\02-27-14.docx))

**VERSIONS OF THIS BILL**

[2/27/2014](file:///p:\pprever\2013-14\4812_20140227.docx)

**A** **BILL**

TO AMEND SECTION 7-3-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REVISE THE DUTIES TO INCLUDE THE SUPERVISION OF COUNTY BOARDS OF ELECTIONS AND VOTER REGISTRATION, AMONG OTHER THINGS; BY ADDING SECTION 7-27-145 SO AS TO DEVOLVE ADMINISTRATIVE FUNCTIONS OF COUNTY BOARDS OF ELECTIONS AND VOTER REGISTRATION UPON THE STATE ELECTION COMMISSION UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 265 of 2012, is further amended to read:

“(C) The executive director shall:

(1) supervise the conduct of county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 2, Chapter 27, which administer elections and voter registration in the State and ensure those boards’ compliance with the requirements of this article and any applicable federal law by all persons involved in the elections process;

(2) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 2, Chapter 27, to ensure those boards’ compliance with the requirements of this article and any applicable federal law by all persons involved in the elections process;

~~(1)~~(3) maintain a complete master file of all qualified electors by county and by precincts;

~~(2)~~(4) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

~~(3)~~(5) enter names on the master file as they are reported by the county registration boards;

~~(4)~~(6) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

~~(5)~~(7) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

~~(6)~~(8) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

~~(7)~~(9) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

~~(8)~~(10) obtain information from any other source which may assist him in carrying out the purposes of this section;

~~(9)~~(11) perform such other duties relating to elections as may be assigned him by the State Election Commission;

~~(10)~~(12) furnish at reasonable price any precinct lists to a qualified elector requesting them;

~~(11)~~(13) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993;

~~(12)~~(14) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq; and

~~(13)~~(15) establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each board of elections and to other agencies as authorized by law.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑145. The administrative functions of any county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 2 may be devolved upon the State Election Commission for such time as necessary to remedy any noncompliance with applicable state or federal law or Election Commission policy with regard to the conduct of elections or the voter registration process if:

(1) the results of a postelection analysis conducted pursuant to 7‑3‑20(C)(2) demonstrates that a county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 2 has failed to comply with applicable state or federal law or Election Commission policy with regard to the conduct of elections or the voter registration process, or

(2) if a county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 2, does not or cannot determine and certify the results of an election or referendum of which it is responsible for determining and certifying the results within forty‑eight hours after the polls in that election or referendum have closed, this responsibility is devolved upon the State Election Commission at that time.”

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

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