~~Indicates Matter Stricken~~

Indicates New Matter

RECALLED

April 10, 2014

**H. 5031**

Introduced by Reps. Dillard, Robinson‑Simpson, G.R. Smith, Burns, Bannister, Bedingfield, Hamilton, Loftis, Nanney and Stringer

S. Printed 4/10/14--H.

Read the first time April 2, 2014.

**A** **BILL**

TO AMEND SECTION 5‑15‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT BEFORE A MUNICIPALITY MAY ADOPT AN ORDINANCE CHANGING THE METHOD OF NOMINATING CANDIDATES, THE MUNICIPALITY MUST ADOPT AN ORDINANCE REQUIRING AN ADVISORY REFERENDUM ON THE PROPOSED CHANGE, AND A MAJORITY OF THE QUALIFIED ELECTORS VOTING IN THE ADVISORY REFERENDUM MUST APPROVE THE PROPOSED CHANGE.

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

SECTION 1. Section 5‑15‑60 of the 1976 Code is amended to read:

“Section 5‑15‑60. (A) Each municipality in this State shall adopt by ordinance one of the following alternative methods of nominating candidates for and determining the results of its nonpartisan elections:

(1) the nonpartisan plurality method prescribed in Section 5‑15‑61;

(2) the nonpartisan election and runoff election method prescribed in Section 5‑15‑62;

(3) the nonpartisan primary election and general election method prescribed in Section 5‑15‑63.

(B) If nonpartisan elections are not provided for pursuant to subsection (A), nomination of candidates for municipal offices may be by party primary, party convention or by petition in accordance with the provisions of this chapter, the applicable provisions of the state election laws and the rules of municipal political party organizations not in conflict therewith.

(C) Before a municipality may adopt an ordinance changing the method of nominating candidates, the municipality must adopt an ordinance requiring an advisory referendum on the proposed change, and a majority of the qualified electors voting in the advisory referendum must approve the proposed change. The advisory referendum must be held at the time of the general election. The state election laws apply to the advisory referendum mutatis mutandis.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑