**South Carolina General Assembly**

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**HISTORY OF LEGISLATIVE ACTIONS**

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**VERSIONS OF THIS BILL**

[1/27/2022](file:///p:\pprever\2021-22\4878_20220127.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA INDEPENDENT CITIZENS REDISTRICTING COMMISSION AND VOTER ACCESSIBILITY ACT” BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ESTABLISH THE “SOUTH CAROLINA INDEPENDENT CITIZENS REDISTRICTING COMMISSION” FOR THE PURPOSE OF SUBMITTING REAPPORTIONMENT PLANS TO THE GENERAL ASSEMBLY AND TO PROVIDE FOR THE SELECTION, QUALIFICATIONS, POWERS, DUTIES, AND TERMS OF THE COMMISSION AND ITS MEMBERS; BY ADDING SECTION 7‑3‑65 SO AS TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES SHALL INFORM A PERSON WHO HAS BEEN CONVICTED OF A FELONY OR AN OFFENSE AGAINST THE ELECTION LAWS AND HAS SERVED THE SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING PROBATION AND PAROLE TIME UNLESS SOONER PARDONED, THAT HE IS ELIGIBLE TO REGISTER TO VOTE; BY ADDING SECTION 7‑5‑275 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION, THE STATE ELECTION COMMISSION, AND THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO ENSURE THAT A HIGH SCHOOL STUDENT SEVENTEEN YEARS OF AGE HAS COMPLETED A VOTER REGISTRATION FORM AND RECEIVED INSTRUCTION IN A CLASSROOM ENVIRONMENT OR THROUGH A METHOD APPROVED BY THE LOCAL SCHOOL DISTRICT REGARDING THE IMPORTANCE OF VOTING, TO ALLOW A STUDENT TO OPT OUT OF THE PROCESS, AND TO REQUIRE A HIGH SCHOOL REGISTRANT RECEIVE A VOTER REGISTRATION CARD BEFORE THE FIRST ELECTION IN WHICH HE IS ELIGIBLE TO VOTE; BY ADDING SECTION 7‑13‑25 SO AS TO PROVIDE THAT THE AUTHORITY CHARGED BY LAW WITH CONDUCTING AN ELECTION SHALL PROVIDE A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY REGISTER AND CAST A BALLOT ON THE SAME DAY, PROVIDE THAT A QUALIFIED ELECTOR MAY CAST A BALLOT DURING THE SEVEN‑DAY PERIOD PRECEDING THE ELECTION, AND PROVIDE FOR THE ESTABLISHMENT OF ONE OR MORE EARLY VOTING LOCATIONS IN EACH COUNTY; BY ADDING SECTION 7‑13‑27 SO AS TO ESTABLISH EARLY VOTING PROCEDURES, AND TO PROVIDE FOR AN EARLY VOTING PERIOD TO BEGIN THIRTY DAYS BEFORE AN ELECTION; TO AMEND SECTION 7‑3‑20, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; TO AMEND SECTION 7‑15‑320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD; AND TO AMEND SECTION 7‑5‑320, RELATING TO THE APPLICATION FOR MOTOR VEHICLE DRIVER’S LICENSE AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER’S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION, TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER, TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER’S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER REGISTRATION PURPOSES, AND TO PROVIDE A PROCEDURE FOR AN INDIVIDUAL TO DECLINE REGISTRATION.

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

SECTION 1. This act may be cited as the “South Carolina Independent Citizens Redistricting Commisssion and Voter Accessibility Act”.

SECTION 2. Title 2 of the 1976 Code is amended by adding:

“CHAPTER 80

South Carolina Independent Citizens Redistricting Commission

Section 2‑80‑10. The General Assembly finds that the periodic reapportionment of the House of Representatives, the Senate, and the congressional districts is a responsibility of great consequence for it is designed to guarantee fair and effective representation for all citizens of South Carolina. It is a duty whose performance involves the analysis of population data, the study of geographic and demographic factors, the assistance of statisticians and other technical experts, and the development and completion of a reapportionment plan in time not only to provide for an orderly electoral process and an informed electorate but also to comply with all state and federal election laws, including primary election and general election schedules prescribed by statute and by the Constitution of South Carolina, 1895. The General Assembly also finds that benefits are to be gained from the participation of the major political parties and of the public in the process. For these reasons, the General Assembly considers it proper and necessary to provide formally for public participation in the formulation of a reapportionment plan by establishing a bipartisan independent citizens commission to construct reapportionment plans in a timely fashion and to prescribe a schedule to best ensure that the periodic redistricting of the House of Representatives, the Senate, and the congressional districts is carried out in conformity with statutorily and constitutionally prescribed dates in the nomination and election process and with all other state and federal election laws.

Section 2‑80‑20. The General Assembly shall adopt the reapportionment plan for the House of Representatives, Senate, and congressional districts, as determined by the South Carolina Citizens Redistricting Commission (‘commission’), by January thirty‑first in calendar years that end with the numeral ‘2’, after receipt of final reapportionment plans as required by the provisions of this chapter.

Section 2‑80‑30. The State Ethics Commission shall oversee the appointment of the members of the South Carolina Citizens Redistricting Commission that is tasked with the post‑census decennial reapportionment plan for the House of Representatives, Senate, and congressional districts. The selection process will be completed by January thirty‑first in calendar years that end with the numeral ‘1’, following the federal decennial census. The Redistricting Commission shall convene to begin its term of service on March first in calendar years that end with the numeral ‘1’.

Section 2‑80‑40. The State Ethics Commission shall open the application period for appointment consideration no later than September first in calendar years that end with the numeral ‘0’. The application process must be open to all registered South Carolina voters in a manner that promotes a diverse and qualified applicant pool. The application period for appointment consideration shall remain open for at least sixty days and may not close before October thirty‑first. All applicants must be required to provide a completed application and attest under oath that they meet the eligibility requirements. The names of all applicants who fit the eligibility criteria and who are not disqualified must be placed into the general pool.

Section 2‑80‑50. The State Ethics Commission shall work with the State Election Commission to identify eligible registered voters and shall make its best efforts to notify and invite all eligible voters to apply for the commission. These efforts shall include, but not be limited to:

(1) advertising the application period and criteria in all daily newspapers in the State for at least thirty consecutive days prior to the opening of the application period;

(2) advertising the application period on the home page of all state agency websites; and

(3) requesting all local television and radio stations to air frequent announcements that feature this information during the application period.

Section 2‑80‑60. (A) To be eligible to serve on the commission, a voter must possess a consistent record of regularly voting in the majority or minority party’s primaryelections. This provision does not apply to newly registered voters, or those who have not had primary contests on their ballot. The applicant for the commission must not be:

(1) a current or former state or federal office holder;

(2) a current or former state or federal agency executive director;

(3) an individual who, within the previous five years of their appointment, worked as a paid campaign staffer for a candidate for elected office;

(4) a paid staff member for an elected official in the five years leading up to their service on the commission;

(5) a declared candidate for partisan federal, state, or local office;

(6) an elected official to federal, state, or local office;

(7) an officer or member of a governing body for a federal, state, or local political party;

(8) a paid consultant or employee of a federal, state, or local elected official or political candidate’s campaign, or political action committee;

(9) an employee of the General Assembly; or

(10) a registered state or federal lobbyist, or any employee of a registered state or federal lobbyist.

(B) Applicants may not have:

(1) immediate family members who have served in any of the roles specified in subsection (A) in the five years preceding the applicant’s appointment; and

(2) donated more than a combined total of two thousand dollars to a candidate or candidates for elected office in the five years leading up to their service on the commission.

(C) The State Ethics Commission shall prepare the application for an applicant to be considered for appointment to the commission that shall also include an essay question regarding the voter’s reasons for desiring to serve on the commission. The applications must be available on the State Ethics Commission’s website and at every county board of voter registration and elections office. Accommodations must be made consistent with the American Disabilities Act regarding access to applications.

Section 2‑80‑70. (A) Upon the closing of the application period, the State Ethics Commission randomly shall select applicants from the general pool to create a fifty‑six member nominee pool. The nominee pool shall include eight residents from each of the state’s seven congressional districts, of whom four nominees from each district must be majority party voters, and four must be voters of the largest minority party.

(B) The methodology of the random selection process, ensuring that a partisan balance of nominees are chosen from each congressional district, must be determined by the State Ethics Commission.

(C) Decisions requiring a vote by the State Ethics Commission must be determined by a majority of the eight members that shall include two members of the majority party and two members of the minority party.

(D) The State Ethics Commission shall perform a review of the nominee pool to ensure that the fifty‑six member pool of applicants mirrors the geographic and demographic makeup of the State as closely as possible, that all eligibility requirements have been met, and that the applicants’ stated reasons for appointment included in their essays were found reasonable by a majority of the State Ethics Commissioners. The State Ethics Commission may remove members from the nominee pool and randomly select replacements of the same geographic and partisan designations to satisfy this requirement. Once completed, the State Ethics Commission randomly shall select the final fourteen commission members from the nominee pool who met all the criteria for membership. The Citizens Redistricting Commission shall consist of fourteen members, one majority party voter and one largest minority party voter drawn from each congressional district. The final commission must be selected randomly to ensure the commission’s membership reflects the state’s diversity including, but not limited to, racial, ethnic, geographic, and gender diversity; however, it is not intended that formulas or specific ratios be applied for this purpose.

Section 2‑80‑80. The State Ethics Commission simultaneously shall choose a panel of fourteen alternate commissioners using the same random selection method and selecting from a new pool of fifty‑six voters. Each alternate must be available to replace a commission member of the same party in his congressional district, if a commission member is unable to represent his district due to illness, death, or other significant impediment, as determined by a majority vote of the Citizens Redistricting Commission. If the originally impaneled commission fails to reach a decision on reapportionment congressional and state legislative districts pursuant to this chapter, the State Ethics Commission shall dissolve the original commission and impanel the alternates to complete the reapportionment duties. The alternate panel of commissioners may consider, but is not limited to, the original panel’s reapportionment proposals.

Section 2‑80‑90. (A) The commission shall convene on March first in calendar years that end with the numeral ‘1’. Commissioners shall serve from the time the commission convenes until the General Assembly adopts a final reapportionment plan. The commissioners’ terms shall expire once their duties and obligations are complete, but not prior to the conclusion of judicial review, if any. A commissioner may not serve more than one term.

(B) The commission shall elect its own chairperson and vice chair. The chairperson and vice chair must not be of the same political party affiliation. The Department of Administration shall provide staff support for the commission’s work. The commission shall have the sole power to make its own rules, have procurement and contracting authority, and may hire staff and consultants as needed, including legal representation.

(C) Redistricting commission members and staff may not communicate with or receive communications about redistricting matters from anyone outside of a public hearing. This does not prohibit communication between commission members, staff, legal counsel, and consultants retained by the commission.

(D) The commission shall establish clear criteria for the hiring and removal of staff and consultants, communication protocols, and a code of conduct. The commission shall apply the conflicts of interest standards set forth in this chapter to the hiring of staff to the extent applicable. The Department of Administration shall provide support functions to the commission until its staff and office are fully functional. Commission employees are exempt from civil service requirements. The commission shall require that at least one of its hired legal counsel possess demonstrated extensive experience and expertise in implementation and enforcement of the federal Voting Rights Act of 1965 (42 U.S.C. Sec. 1971 et seq.). The commission shall make hiring, removal, or contracting decisions on staff, legal counsel, and consultants by a majority vote.

(E) Each commissioner, including alternates, shall receive per diem for each day of actual work.

(F) To ensure transparency and accountability, the minutes of all the meetings shall be publicly posted on the commission’s website.

Section 2‑80‑100. The commission shall establish fair and reasonable written criteria appropriate for reapportionment that it shall follow in formulating plans of reapportionment. The Department of Administration shall provide technical staff and clerical services to the commission. The various county boards of voter registration and elections are also authorized to provide technical and administrative assistance to the commission upon request.

Section 2‑80‑110. (A) In developing reapportionment plans or maps, the commission shall consider the following five factors, in priority order:

(1) population equality;

(2) Voting Rights Act compliance;

(3) communities of interest, which include, but are not limited to, populations that share cultural or historical characteristics or economic interests. Communities of interest do not include relationships with political parties, incumbents, or political candidates;

(4) competitiveness of district; and

(5) consistency with existing local boundaries.

(B) Once the mandatory criteria are achieved, the commission shall consider contiguity and compactness of districts. Islands are contiguous by land to the county of which they are a part.

The commission shall count incarcerated persons as residing at their most recent home addresses, not at the address of the place of incarceration.

(C) The commission shall propose plans or maps with districts that:

(1) are of equal population as mandated by the U.S. Constitution and shall comply with the Voting Rights Act and all other federal laws;

(2) are geographically contiguous;

(3) reflect the state’s diverse population and communities of interest;

(4) do not provide a disproportionate advantage to any political party;

(5) reflect consideration of county, city, and township boundaries; and

(6) are reasonably compact.

(D) Before voting to adopt a plan, the commission shall ensure that the plan is tested, using appropriate technology, for compliance with the criteria required pursuant to this section. All commission decisions must be determined by a majority of at least ten members that includes at least four Democrats and four Republicans.

Section 2‑80‑120. After formulating a proposed plan, the commission shall open a forty‑five day public comment period to host public hearings across the State beginning no later than June first in calendar years that end with the numeral ‘1’. The commission shall establish and implement an open hearing process for public input and deliberation that must be subject to public notice and promoted through a thorough outreach program to solicit broad public participation in the reapportionment public review process. Notice of all public hearings must be published in daily newspapers of general circulation covering all areas of the State for at least fourteen days prior to the hearing date. The commission shall hold at least seven public hearings across the State, with at least one in each congressional district, and the commissioners from that district must be in attendance. The public hearings must be supplemented with other activities as appropriate to increase opportunities for the public to observe and participate in the review process. The commission shall display, and post on their website, the maps for public comment in a manner designed to achieve the widest public access reasonably possible.

Section 2‑80‑130. (A) Within thirty days of the completion of the public comment period, but no later than August fifteenth, the commission shall make any amendments to the proposed map or plan and vote to adopt a final version. At least ten members, including at least four majority party members and four largest minority party members, shall approve the final version no later than August fifteenth in calendar years that end with the numeral ‘1’. The final version, to include maps, must be presented to the public, General Assembly, and congressional offices by September first in calendar years that end with the numeral ‘1’.

(B) If the commission is unable to come to such an agreement, the State Ethics Commission shall dissolve the original commission and convene the alternate commission within fourteen calendar days of the original commission’s dissolution. The alternate commission shall have sixty days to conclude the reapportionment duties as described in this chapter, to include the delivery of the final version along with maps to all of the parties specified in subsection (A).

Section 2‑80‑140. There is no mechanism for executive or legislative alteration or veto power over the commission’s final reapportionment plan and maps. Any legal challenges to the commission’s final reapportionment plan or maps must be filed in state circuit court or federal district court pursuant to state and federal law. An appeal of a state court decision regarding reapportionment must be heard in the South Carolina Supreme Court.

Section 2‑80‑150. Each alternate must be available to replace a commission member of the same party in his congressional district, if a commission member is unable to represent his district due to illness, death, or other significant impediment, as determined by a majority vote of the Citizens Redistricting Commission. If there is a vacancy, the State Ethics Commission randomly shall draw a name from this alternate pool, according to the respective congressional district and political party. The alternate pool must be refreshed and maintained throughout the original process. Alternates must be kept abreast of commission proceedings either through attendance or electronic communications throughout the process.

Section 2‑80‑160. (A) In calendar years that end with the numeral ‘9’, prior to the decennial census, the Governor shall submit a budget to the General Assembly that includes funding sufficient to meet the estimated expenses of the entire redistricting process required by this chapter. The Governor also shall make adequate office and meeting space available for commission operations. The General Assembly shall make the necessary appropriation for the commission in the appropriate annual appropriations act, and the appropriation must be available during the entire redistricting process. The General Assembly shall appropriate funds sufficient to compensate the commissioners and to enable the commission to execute its functions, operations, and activities, which may include, but are not limited to:

(1) retaining independent, nonpartisan subject matter experts and legal counsel;

(2) conducting hearings;

(3) publishing notices;

(4) maintaining a record of the commission’s proceedings; and

(5) other activities necessary for the commission to conduct its business.

(B) The General Assembly shall provide adequate funding to allow the commission to defend itself against any action regarding an adopted plan.

(C) The commission shall furnish reports of expenditures to the Governor and the General Assembly and must be subject to an audit as provided by law.

(D) The commission shall notify the General Assembly if it determines that funds or resources are inadequate.

(E) The State shall indemnify the commission for costs actually incurred that exceed the commission’s appropriations.

Section 2‑80‑170. For purposes of this chapter, the most recently completed United States Census qualifies as the decennial enumeration required by Section 3, Article III of the Constitution of South Carolina, 1895.

Section 2‑80‑180. For five years following the expiration of a former commissioner’s term of service, a former commissioner may not:

(1) serve as a lobbyist within the meaning of Chapter 17, Title 2;

(2) offer as a candidate for elected office, or be appointed to fill a vacancy in an elected office;

(3) be appointed to serve as a state agency executive director; or

(4) contribute more than a combined total of two thousand dollars to a candidate or candidates for elected office in a single election cycle.”

SECTION 3. Chapter 3, Title 7 of the 1976 Code of Laws is amended by adding:

“Section 7‑3‑65. The Department of Corrections and the Department of Probation, Parole and Pardon Services shall inform an adult who has been convicted of a felony or an offense against the election laws that when he has served the sentence imposed for the conviction, including probation and parole time unless sooner pardoned, he is eligible to register to vote if he meets all conditions contained in Section 7‑5‑120. An electronic file containing the name, date of birth, social security number, residential address at which the individual can receive mail or his county of residence must be sent to the executive director of the State Election Commission each month. For individuals who were registered to vote prior to conviction, the executive director of the State Election Commission shall instruct election officials in the appropriate county to reinstate the individual’s eligibility to vote in all future elections.”

SECTION 4. Article 3, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7‑5‑275. (A) The State Department of Education, the State Election Commission, and the county boards of voter registration and elections shall ensure that all high school students seventeen years of age have completed a voter registration form. The high school shall submit the form to the appropriate registration office.

(B) A student may opt out of the voter registration process for religious or philosophical reasons.

(C) All students, through their social studies, civics classes, or a manner decided by the local school board, shall have the opportunity to discuss the importance of registering to vote and voting.

(D) A registrant must be mailed a voter registration card before the first election in which he is eligible to vote. Each registrant must be added to the list of voters in his precinct and on the master list of registered voters.”

SECTION 5. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) The authority charged by law with conducting an election shall establish a procedure by which a qualified elector, who is not registered to vote, may register and cast his ballot on that date. The qualified elector may accomplish this by registering at a voting place that has access to the state voter registration database. If a qualified elector registers and votes at one of these voting places, the entity charged by law shall note in the state registration database that the new voter has voted.

(B)(1) A qualified elector, who is registered, may cast his ballot during a seven‑day period beginning on the second Saturday before the election and ending on the first Saturday before the election.

(2) A qualified elector, who is not registered, shall cast his ballot on the same day during the early voting period provided for in item (1).

(C) A high school and a public library maintaining an early voting center must be compensated two hundred dollars a day by the State Election Commission. A poll manager must be present at an early voting center for at least four hours each day during the early voting period.

(D) Early voting centers in high schools shall operate after school hours in a manner not disruptive of school business.”

SECTION 6. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑27. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center. The county board of registration and elections shall determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins thirty days before an election and ends three days prior to the election.

(F) The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however, each early voting center must be open no fewer than three Saturdays within the early voting period for statewide primaries and general elections.

(G) A sign must be posted prominently in the early voting center and shall have printed on it, ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.”

SECTION 7. Section 7‑3‑20(C) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 8. Section 7‑15‑320 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) A qualified elector may vote during the early voting period pursuant to Section 7‑13‑27.”

SECTION 9. Section 7‑5‑320 of the 1976 Code is amended to read:

“Section 7‑5‑320. (A)(1) Each state identification card application or motor vehicle driver’s license application, including a renewal application, submitted to the Department of Motor Vehicles serves as an application for voter registration ~~unless the applicant fails to sign the voter registration application. Failure to sign the voter registration portion of the driver’s license application serves as a declination to register~~. For voter registration purposes, the applicant shall consent to the use of his signature from his state identification card or driver’s license issued by the Department of Motor Vehicles.

(2) An application for voter registration submitted under item (1) is considered to update ~~any~~ a previous voter registration by the applicant.

(B) ~~No information relating to the failure of an applicant for a state motor vehicle driver’s license to sign a voter registration application may be used for any purpose other than voter registration.~~ If a person who registers to vote pursuant to subsection (A) will be under eighteen years of age on the date of the next general, special, or primary election, the person’s name and other identifying information may not be disclosed as a public record.

(C)(1) The Department of Motor Vehicles shall include a voter registration form as part of an application for a state identification card application or motor vehicle driver’s license.

(2) The voter registration application portion of an application for a state motor vehicle driver’s license:

(a) may not require any information that duplicates information required in the driver’s license portion of the form, other than ~~a second signature or other~~ information necessary under subitem (c);

(b) may require only the minimum amount of information necessary to:

(i) prevent duplicate voter registrations; and

(ii) enable a county board of voter registration and elections to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(c) includes a statement that:

(i) states each eligibility requirement, including citizenship;

(ii) contains an attestation that the applicant meets each requirement; ~~and~~

(iii) ~~requires the signature of the applicant under penalty of perjury~~ explains that under penalty of perjury the applicant has consented to the use of his signature from his South Carolina state identification card or driver’s license for voter registration purposes; and

(iv) explains that if a person who registers to vote pursuant to this section will be under eighteen years of age on the date of the next general, special, or primary election, the person’s voter registration information, including, but not limited to, the person’s name and other identifying information, may not be disclosed as a public record;

(d) includes the information required in subitem (c) in print identical to that used in the attestation portion of the application~~:~~; and

~~(i) the information required in Section 7‑5‑320(C)(2)(c);~~

~~(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and~~

~~(iii) a statement that, if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and~~

(e) must be made available, as submitted by the applicant, to the county board of voter registration and elections in which the application is made.

(D) A change of address form submitted in accordance with state law for purposes of a state identification card or motor vehicle driver’s license serves as notification of change of address for voter registration unless the qualified elector states on the form that the change of address is not for voter registration purposes.

(E)(1) A completed voter registration portion of an application for a state motor vehicle driver’s license accepted at a state motor vehicle authority must be transmitted to the county board of voter registration and elections no later than ten days after the date of acceptance.

(2) Upon receipt of the voter registration portion of the application described in this section, the county board of voter registration and elections shall notify each person of the process to decline being registered as a voter.

(3) If a person notified pursuant to this subsection does not decline to be registered as a voter within fifteen calendar days after the county board issues the notification, the person’s voter registration portion shall constitute a completed registration for purposes of this chapter.

(4) If a registration application is accepted within five days before the last day for registration to vote in an election, the application must be transmitted to the county board of voter registration and elections not later than five days after the date of acceptance.

(F) The Executive Director of the State Election Commission and the Executive Director of the South Carolina Department of Motor Vehicles shall work together to ensure full compliance with the requirements of this section.”

SECTION 10. This act takes effect upon approval by the Governor.

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