**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4935**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bustos, Leber, Hartnett, Landing, Pace, Burns, Haddon, White, Chumley, A.M. Morgan, T.A. Morgan, May, Kilmartin, S. Jones, Wooten, Harris and Magnuson

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Introduced in the House on January 24, 2024

Currently residing in the House

Summary: SAVE Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/24/2024 House Introduced and read first time ([House Journal‑page 18](h:\hj\20240124.docx))

1/24/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 18](h:\hj\20240124.docx))

1/25/2024 House Member(s) request name added as sponsor: Pace,
Burns, Haddon, White, Chumley, A.M. Morgan,
T.A. Morgan, May, Kilmartin, S. Jones

3/5/2024 House Member(s) request name added as sponsor: Wooten

3/11/2024 House Member(s) request name added as sponsor: Harris

3/21/2024 House Member(s) request name added as sponsor: Magnuson

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**VERSIONS OF THIS BILL**

[01/24/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4935_20240124.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SECURE, ACCURATE, AND VERIFIABLE ELECTIONS ACT” BY ADDING SECTION 7‑5‑200 SO AS TO REQUIRE THE USE OF PAPER POLL BOOKS ONLY AT VOTING LOCATIONS THROUGHOUT THE STATE; BY ADDING SECTION 7‑13‑870 SO AS TO REQUIRE THAT ALL VOTES CAST IN A STATEWIDE PRIMARY, GENERAL, OR SPECIAL ELECTION BE ON HAND‑MARKED, PAPER BALLOTS AND PRINTED ON SECURE PAPER, AND TO REQUIRE THAT ALL BALLOTS BE COUNTED IN VIEW OF THE PUBLIC; BY ADDING SECTION 7‑13‑880 SO AS TO REQUIRE THE USE OF CHAIN OF CUSTODY DOCUMENTATION FOR ALL ELECTION‑RELATED MATERIALS AND THE MAINTENANCE OF CHAIN OF CUSTODY RECORDS FOR A CERTAIN PERIOD OF TIME AFTER AN ELECTION; BY AMENDING SECTION 7‑15‑320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE REFERENCES TO EARLY VOTING, AND TO DELETE THE PROVISION ALLOWING PERSONS SIXTY‑FIVE YEARS OF AGE OR OLDER TO VOTE BY ABSENTEE BALLOT; AND BY AMENDING SECTION 53‑5‑10, RELATING TO THE ENUMERATION OF LEGAL HOLIDAYS, SO AS TO ESTABLISH GENERAL ELECTION DAY AS A STATE HOLIDAY.

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

SECTION 1. This act may be cited as the “Secure, Accurate, and Verifiable Elections Act”.

SECTION 2. Article 3, Chapter 5, Title 7 of the S.C. Code is amended by adding:

Section 7‑5‑200. Only paper poll books may be used at voting locations in any election throughout this State. The purchase of electronic poll books, or the use of electronic poll books during an election, is prohibited.

SECTION 3. Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

Section 7‑13‑870. (A) For each statewide primary, general, or special election conducted in South Carolina, all votes cast within each county must be on hand‑marked, paper ballots and counted by hand. The ballots will be printed on secure, watermarked paper.

(B) Each precinct within each county must hand count all ballots within the precinct in a manner that can be observed by the public both in‑person and online via streaming high‑definition video. Provided, the secrecy of the casting of the ballot must be maintained at all times such that the identity of a voter cannot be tied to a ballot cast.

(C) Nothing in this section may be construed as precluding the purchase of a voting system with features or components necessary to ensure compliance with other federal and state law requirements including, without limitation, at least one accessible voting system per polling place equipped for individuals with disabilities in accordance with 52 U.S.C. Section 21081 of the “Help America Vote Act of 2002”.

SECTION 4. Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

Section 7‑13‑880. (A)(1) Any and all parts and components of the voting system, as well as any other systems, equipment, hardware, materials, and devices used to conduct election‑related processes, must be accounted for throughout the time and place of their use.

(2) The provisions of this section apply to any off‑the‑shelf equipment or components used to conduct elections.

(3) The types of election equipment, components, and other items subject to the provisions of this subsection specifically include, but are not limited to, machines, ballots, poll books, Internet connectivity devices or hardware, ballots, tamper‑evident seals, flash drives, and printers.

(B) Each county board of voter registration and elections shall maintain such chain of custody records throughout the twenty‑four‑month retention period. Chain of custody documentation must include, without limitation, the location, ballot container seal numbers, date, time, and ballot couriers for every transfer or change made with respect to the materials or information referenced in this section. The name of any person who comes into contact with or modifies, moves, transfers, updates, or interacts with the materials referenced in this section must be recorded along with the reason for that person’s interaction.

SECTION 5. Section 7‑15‑320 of the S.C. Code is amended to read:

Section 7‑15‑320. (A) Qualified electors in the following categories who are unable to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day, must be permitted to vote by absentee ballot in an election:

(1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections;

(2) persons who will be attending sick or physically disabled persons;

(3) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or

(4) persons who are going to be absent from their county of residence.

(B) Qualified electors in the following categories must be permitted to vote by absentee ballot in an election, regardless of whether the elector is able to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day:

(1) physically disabled persons;

(2) persons sixty‑five years of age or older;

(3)(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them; or

(4)(3) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election, as provided in Section 7‑15‑330.

SECTION 6. Section 53‑5‑10 of the S.C. Code is amended to read:

Section 53‑5‑10. (A) The first day of January‑New Year’s Day, the third Monday of January‑Martin Luther King, Jr. Day, the third Monday in February‑George Washington’s birthday/President’s Day, the tenth day of May‑Confederate Memorial Day, the last Monday of May‑National Memorial Day, the fourth day of July‑Independence Day, the first Monday in September‑Labor Day, the eleventh day of November‑Veterans Day, National Thanksgiving Day and the day after, and the twenty‑fourth, twenty‑fifth, and twenty‑sixth days of December in each year are legal holidays.

(B) The holiday schedules of public colleges and universities, including technical colleges, shall not be in violation of this section so long as the number of holidays provided for in this section are not exceeded.

(C) General election day is a legal holiday in addition to the holidays provided in subsection (A).

SECTION 7. This act takes effect upon approval by the Governor.

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