

# Legislative Oversight Committee

## Study of the South Carolina State Election Commission *December 29, 2017*



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation;	Study available for consideration	September 1, 2017
(2) Approve the subcommittee's study; or	Study presentation and discussion	November 13, 2017 and December 19, 2017
(3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available	Approved study with an additional recommendation	December 19, 2017

# CONTENTS

<b>Agency Snapshot .....</b>	<b>5</b>
<i>Figure 1. Snapshot of agency's history, major programs, successes, and issues. ....</i>	<i>5</i>
<b>Executive Summary .....</b>	<b>6</b>
Purpose of Oversight Study .....	6
Study Process .....	6
<i>Figure 2. Summary of key dates and actions of the study process from January 10, 2017, to December 19, 2017. ....</i>	<i>7</i>
<i>Table 1. Summary of nineteen recommendations arising from the study process. ....</i>	<i>8</i>
<b>Agency Overview .....</b>	<b>10</b>
History .....	10
Organization.....	12
<i>Table 2. Agency commissioners and initial appointment dates. ....</i>	<i>12</i>
<i>Table 3. Executive directors of the agency and their years of service. ....</i>	<i>12</i>
<i>Table 4. State Election Commission Organizational Unit: Administration. ....</i>	<i>13</i>
<i>Table 5. State Election Commission Organizational Unit: Voter Services.....</i>	<i>13</i>
<i>Table 6. State Election Commission Organizational Unit: Public Information/Training.....</i>	<i>14</i>
<i>Figure 3. Organizational chart provided by the agency, current as of May 4, 2017. ....</i>	<i>14</i>
Products, Services, and Customers.....	15
<i>Table 7. List of agency's 53 products and services.....</i>	<i>16</i>
<i>Table 8. Sources of agency revenue for fiscal year 2014-15, fiscal year 2015-16, and estimates for fiscal year 2016-17.....</i>	<i>22</i>
Other Agencies Serving Similar Customers/Products/Services .....	22
Strategic Resource Allocation and Performance .....	22
<i>Table 9.1. Agency Goal 1: Provide for a system of voter registration that is free of barriers - strategies, objectives, and resource (human and financial) allocations. ....</i>	<i>23</i>
<i>Table 9.2. Performance measures associated with goal 1. ....</i>	<i>24</i>
<i>Table 10.1. Agency Goal 2: Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters - strategies, objectives, and resource (human and financial) allocations. ....</i>	<i>25</i>
<i>Table 10.2. Performance measures associated with goal 2. ....</i>	<i>25</i>



<i>Table 11.1. Agency Goal 3: Support counties in conducting voter registration and fair, open and impartial elections - strategies, objectives, and resource (human and financial) allocations.</i>	26
<i>Table 11.2. Performance measures associated with goal 3.</i>	27
<i>Table 12.1. Agency Goal 4: Effectively oversee all agency programs and operations - strategies, objectives, and resource (human and financial) allocations.</i>	28
<i>Table 12.2. Performance measures associated with goal 4.</i>	29
<i>Table 13. Details about the agency's different sources of funds and amounts remaining at the end of fiscal years 2015-16 and 2016-17 available to the agency.</i>	30
<b>Study Process</b>	<b>31</b>
Agency Selection	31
Subcommittee Membership	31
Agency Reports to Legislative Oversight Committee	31
Information from the Public	32
Meetings	33
Next Steps	37
<b>Finding &amp; Recommendations</b>	<b>38</b>
Finding	38
Recommendations	38
<i>Table 14. Summary of recommendations for pre-election.</i>	39
<i>Figure 4. SC mail-in voter registration application.</i>	39
<i>Table 15. Proposed statutory changes to allow additional time for individuals to vote.</i>	40
<i>Table 16. Summary of recommendations for elections.</i>	45
<i>Table 17. Proposed statutory changes to standardize municipal election protest time frames to mirror the state wide election protest schedule.</i>	46
<i>Table 18. Summary of recommendations for county boundaries utilized for elections.</i>	48
<i>Figure 5. Example of different interpretations of county boundary line provided by SCGS (Best viewed in color).</i>	50
Follow Up	52
<b>Selected Agency Information</b>	<b>53</b>
<b>Appendices</b>	<b>54</b>
Appendix A. County Boards of Registration and Elections	55
Appendix B. Notification Letter	69
Appendix C. Public Survey	72

Appendix D. Public Input provided via Oversight Webpage.....	121
Appendix E. January 10, 2017 Meeting Information .....	123
Appendix F. February 15, 2017 Meeting Information .....	178
Appendix G. March 9, 2017 Meeting Information .....	204
Appendix H. April 5, 2017 Meeting Information .....	314
Appendix I. April 18, 2017 Meeting Information.....	400
Appendix J. May 3, 2017 Meeting Information .....	509
Appendix K. May 9, 2017 Meeting Information .....	592
Appendix L. June 13, 2017 Meeting Information .....	752
Appendix M. June 27, 2017 Meeting Information.....	850
Appendix N. July 31, 2017 Meeting Information.....	940
Appendix O. Recommendation Details.....	1066
Appendix P. Election Types, Dates, Coordinating Entities, and Costs .....	1081
Appendix Q. Process of Geographically Positioning County Boundaries .....	1083
<b>Contact Information .....</b>	<b>1092</b>
<b>Endnotes.....</b>	<b>1092</b>
<b>Member Statements .....</b>	<b>1101</b>

# AGENCY SNAPSHOT

## State Election Commission

### History

Independent agency for almost half a century (since 1968)  
First state in the nation to have a statewide voter registration system

### Major Programs

#### ***Voter Services***

- (1) Maintains statewide voter registration system providing election-specific databases to produce ballots for county and municipal election commissions
- (2) Provides election support services and technical assistance related to statewide voting system to counties
- (3) Oversees election security and provides guidance to counties

#### ***Public Information/Training***

- (1) Administers mandatory statewide training and certification program for county and municipal election officials
- (2) Conducts ongoing training events and workshops
- (3) Furnishes poll manager training program/materials
- (4) Educates the public on the voter registration and election process
- (5) Dispenses information regarding elections and agency activities

#### ***Administration***

Provides leadership and direction for the agency, including administration, finance and support services

### **SUCCESSES**

- Conducting five statewide elections and partners with federal/state agencies to enhance security in 2016
- Conducting first county compliance audits in 2015, after being given responsibility over county boards of voter registration and elections in 2014
- Holding voting system fair to become familiar with current systems available around the country in 2015
- Implementing photo identification system in 2013

### **ISSUES**

- Replacing aging voting equipment
- Securing elections in an ever changing field of cyber security threats
- Meeting demands of voters (e.g., including more opportunities to vote prior to election day and improved accessibility of polling places)

Figure 1. Snapshot of agency's history, major programs, successes, and issues.<sup>1</sup>

## EXECUTIVE SUMMARY

### *Purpose of Oversight Study*

As stated in SC Code of Laws § 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee:

(1) **are being implemented** and carried out **in accordance with the intent of the General Assembly; and**  
 (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the committee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.<sup>2</sup>

### *Study Process*

The House Legislative Oversight Committee’s (Committee) process for studying the State Election Commission (agency, Election Commission, or SEC) includes actions by the full Committee; Executive Subcommittee (Subcommittee); the agency; and the public. A summary of the key dates and actions from January 10, 2017, to July 31, 2017 are listed below in Figure 2.

#### Legislative Oversight Committee Actions

- January 10, 2017 - Schedules the agency for study by the Executive Subcommittee.
- January 17, 2017 - Informs agency it has been selected for study.
- February 9 - March 13, 2017 - Solicits input from the public about the agency through an **online public survey**.
- March 9, 2017 - Holds **Meeting #2** with the agency to receive **public input**.
- November 13, 2017 - Holds **Meeting #10** to discuss study.
- December 19, 2017 - Holds **Meeting #11** to discuss study; approves study; and provides an opportunity for individual Committee Members to provide written comments for inclusion with the study.

#### Executive Subcommittee Actions

- February 15, 2017 - Holds **Meeting #1**, a **work session**, to discuss questions to send the agency.
- April 5, 2017 - Holds **Meeting #3** to discuss how county and district boundaries for elections are mapped.
- April 18, 2017 - Holds **Meeting #4** to discuss the agency's mission; responsibilities; successes; challenges and issues; emerging issues; history; and governing body.
- May 3, 2017 - Holds **Meeting #5** to receive testimony from a constituent and discuss deliverables (i.e. products and services); organizational units; and goals.
- May 9, 2017 - Holds **Meeting #6** to continue discussion of deliverables; organizational units; and goals.

- June 13, 2017 - Holds **Meeting #7** to tour the agency and to discuss resources available; methodology utilized to allocate resources to accomplish its strategic plan; and details about each of its goals, including, but not limited to, resources allocated, and performance measures.
- June 27, 2017 - Holds **Meeting #8** to discuss recommendations.
- July 31, 2017 - Holds **Meeting #9**, a **work session**, to discuss recommendations.

### State Election Commission Actions

- March 31, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**.
- January 12, 2016 - Submits its **Annual Restructuring Report**.
- September 20, 2016 - Submits its **2015-16 Accountability Report/2017 Annual Restructuring Report**.
- April 14, 2017 - Submits its **Program Evaluation Report**.

### Public's Actions

- February 9, 2017 - March 13, 2017 - Provides input about agency via **online public survey**.
- March 9, 2017 - Provides **testimony** to the full Committee.
- April 5, 2017 - Provides **testimony** to the Subcommittee.
- May 3, 2017 - Provides **testimony** to the Subcommittee.
- June 27, 2017 - Provides **testimony** to the Subcommittee.
- July 31, 2017 - Provides **testimony** to the Subcommittee.
- **Ongoing** - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov)).

*Figure 2. Summary of key dates and actions of the study process from January 10, 2017, to December 19, 2017.*

## Finding and Recommendations

The committee has one **finding** arising from its study of the agency, acknowledging differences in interpretations of county boundaries and its potential impact on elections. During the study process, representatives from the Revenue and Fiscal Affairs Office testify if you ask two different counties where the boundary between them is located, you may get two different answers.<sup>3</sup> Also, during the study process, a constituent testifies as to concerns that may arise with county boundary discrepancies including, taxation without representation, if a county tax map is utilized as the boundary of the county instead of the boundary described in state statute.

Acknowledging differences in interpretations of county boundaries and its potential impact on elections, the **committee finds until 2030, or such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as expressed in statute, practical problems may arise under various interpretations of a county boundary, including but not limited to, taxation without representation.**

The Committee has **nineteen substantive recommendations** arising from its study of the agency. These recommendations fall into four categories: (1) pre-election; (2) election; (3) training; and (4) county boundaries utilized for elections. These recommendations are summarized in Table 1.

There are **no specific recommendations with regards to continuance of agency programs or elimination of agency programs.**

Table 1. Summary of nineteen recommendations arising from the study process.

RECOMMENDATIONS	
Pre-Election	
1.	<b>Voter Registration</b> - Revise state voter registration applications to include a “Yes” and “No” box beside each eligibility qualification.
2.	<b>Incapacity</b> - Obtain notification when a court deems an individual mentally incapacitated so the agency may update the voter registration database.
3.	<b>Voter Registration Books</b> - Allow additional time for individuals to register to vote by changing the deadline to register to vote from 30 to 25 days prior to an election.*
4.	<b>Substitution of Nominee</b> - Limit the time prior to an election when a candidate may resign for non-political reasons and a substitute candidate may be nominated.*
5.	<b>Certification of Candidates</b> - Allow the agency sufficient time to prepare for elections by applying the August 15th requirement for certifying candidates in a statewide general election to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates.*
Elections	
6.	<b>Municipal Elections</b> - Standardize municipal elections by holding no more than three in an odd numbered year.*
7.	<b>Primaries</b> - Hold non-partisan primaries on a different day than partisan primaries.*
8.	<b>Poll Workers</b> - Allow a voter registered in South Carolina to serve as a poll worker anywhere in the state.*
9.	<b>Absentee Ballots</b> - Remove the requirement of a witness signature on the envelope of a mail-in absentee ballot as the signatures cannot be verified.*
10.	<b>Protest Time Frames</b> - Standardize municipal election protest time frames to mirror the state wide election protest schedule.*

Training
<b>11. County Board Orientation</b> - Require County Registration and Election Board Members to participate in an orientation, approved by the State Election Commission, within 30 days of appointment to a county board.*
County Boundaries Utilized for Elections
<p><u>In General</u></p> <p><b>12. Official Map</b> - Clarify South Carolina's official county boundary map is held by Revenue and Fiscal Affairs Office or its successor entity.*</p> <p><u>Surveying Geographic Coordinates</u></p> <p><b>13. Initial Public Notice</b> - Expand notification efforts during the county boundary geographic coordinate surveying process.*</p> <p><b>14. Streamline Process</b> - Streamline the geographic coordinate survey process by prohibiting simultaneous occurrence of: (1) a county annexing property impacting an individual boundary line of a county; and (2) SC Geodetic Survey surveying the same boundary line for its geographic coordinates.*</p> <p><u>After Geographic Coordinates Finalized</u></p> <p><b>15. Post-Work Notice</b> - Expand notification efforts after the geographic coordinate surveying process.*</p> <p><b>16. County Usage</b> - Confirm usage of boundary geographic coordinates by impacted counties.*</p> <p><b>17. Voter Database</b> - Address practical problems with updating the voter database during the geographic coordinate surveying process.*</p> <p><b>18. Future Annexations</b> - Provide for accuracy of county boundary lines after initial geographic coordinates are finalized (i.e., update the existing annexation process).*</p> <p><b>19. Enforcement</b> - Create an enforcement mechanism to ensure adherence to boundary geographic coordinates (i.e., authorize a private cause of action by a citizen).*</p>

Table Note: Asterisks denote recommendations to the General Assembly; all other recommendations are to the agency.

# AGENCY OVERVIEW

## *History*

The State Election Commission has provided the Committee with an overview of the agency's history.<sup>4</sup> In addition, Committee staff has confirmed the accuracy of any assertion of legislative action.

In 1968, the State Election Commission is created as an independent agency, and Mr. James B. Ellisor is named executive director, a position he holds until 1992. South Carolina organizes the first statewide voter registration system in the country.

In 1984, the SEC implements the federal Voting Accessibility for the Elderly and Handicapped Act. The same year the first two counties, Orangeburg and Spartanburg, in the state are provided online access to the statewide voter registration system.<sup>5</sup>

The State Election Commission launches a statewide project to replace paper ballots in 1986. Also, the agency implements voter registration by mail and the federal Uniformed and Overseas Citizens Absentee Voting Act. It transitions six counties to use electronic voting machines.<sup>6</sup> Those counties include Berkeley, Charleston, Colleton, Dorchester, Fairfield, and Greenwood.<sup>7</sup>

In 1992, the agency begins conducting statewide primaries. Prior to 1992, statewide primaries are conducted by political parties. Ms. Lynn McCants is named executive director of the SEC.

By 1993, all county election boards have online access to the statewide voter registration system. Mr. James F. Hendrix becomes executive director of the SEC in 1994, and he serves in the position for eight years.

The State Election Commission begins a training and certification program for county boards and launches a website providing information to voters in 1995. The SEC implements the National Voter Registration Act (i.e., Motor Voter) and participates in a technology exhibit for the U.S. Department of Commerce showcasing electronic voting machines in the state.

In 2000, the SEC participates in the Voting over the Internet Project, which is sponsored by the U.S. Department of Defense, Federal Voting Assistance Program.

Ms. Marci Andino becomes executive director of the agency in 2003, a position she currently holds. The same year the agency implements the federal Help America Vote Act (HAVA). Prior to enactment of HAVA, counties use different types of voting equipment including: (1) direct recording electronic voting machines; (2) punch cards; and (3) mark sense optical scan system.<sup>8</sup> Additionally, there are a number of dissimilar absentee voting systems in use.<sup>9</sup>

In 2004, the SEC implements a statewide electronic voting system in fifteen counties, moves the agency website to a new platform (i.e., scVOTES.org), and combines its Voter Services and Election Services Divisions to create the Public Information and Training Division. The statewide electronic voting system is completed in 2005. This is the first time South Carolina has a single voting system.



For military and overseas voters, the SEC implements instant voting (i.e., rank choice) in runoffs in 2006. This enables timely reporting of runoff votes from overseas voters, as runoffs are two weeks after a primary. The agency develops and begins using electronic voter registration lists at polling places and launches an intranet site to provide election related information to, as well as communicate with, county election officials.

The agency conducts the presidential preference primaries for the first time in 2008. In total, it conducts five statewide elections that year.

In 2010, the agency implements the federal Military and Overseas Voter Empowerment Act. Also, it develops and implements an electronic ballot delivery system for military and overseas citizens.

The agency implements the statewide voter registration and election management system in 2011. Also, the agency develops a voting system audit program to validate vote totals.

In 2012, the agency implements an online voter registration system, conducts the Republican presidential preference primary, and participates in an audit by the Legislative Audit Council.

During fiscal year 2012-13, the General Assembly provides recurring funding for the agency to conduct primaries and general elections.

In 2013, the agency implements photo identification requirements for voting. Also that year, the U.S. Supreme Court strikes down Section 4 of Voting Rights Act (i.e., requirement for pre-clearance of election changes by the U.S. Department of Justice.)

In 2014, the agency is given supervisory responsibility over county boards of voter registration and elections; responsibility for conducting county compliance audits and other postelection analysis; and responsibility for conducting candidate filing, which was previously conducted by political parties. Also, the agency creates an information security position.

The agency conducts the first county compliance audits in 2015, creates an area representative position, and holds a voting system fair to become familiar with current voting systems available around the country.

In 2016, the agency creates a staff attorney position, four additional area representative positions, and it conducts five statewide elections.<sup>10</sup>

## Organization

### Governing Body

The State Election Commission is composed of five commissioners, with at least one from the majority political party and at least one from the largest minority political party in the General Assembly.<sup>11</sup> Each commissioner is appointed by the Governor for a four-year term, and unless otherwise stated, holds the position until a successor is appointed.<sup>12</sup>

Commissioners are prohibited from (1) participating in political management or in a political campaign during their term of office, (2) making a contribution to a candidate, and (3) knowingly attending a fundraiser held for the benefit of a candidate.<sup>13</sup> Violators are subject to removal by the Governor.<sup>14</sup>

The chairman of the commission is appointed by the Governor and serves a two-year term.<sup>15</sup> Table 2 lists the current commissioners and the date they were appointed.

*Table 2. Agency commissioners and initial appointment dates.*

Commissioner	Date Appointed
Billy Way, Jr., Chair	September 2012 (4.5 years)
Mark A. Benson	September 2010 (6.5 years)
Marilyn Bowers	September 2011 (5.5 years)
Nicole Spain White	November 2011 (5.5 years)
E. Allen Dawson	September 2012 (4.5 years)

The commission meets in Columbia, South Carolina at least once each month and at such times as considered necessary by the commission.<sup>16</sup> The commission may change the location of the meeting for convenience of the commission or any parties scheduled to appear before the commission.<sup>17</sup>

The commission appoints an executive director of the agency who reports directly to, and serves at the pleasure of, the commission.<sup>18</sup> The executive director is the chief administrative officer for the State Election Commission.<sup>19</sup>

*Table 3. Executive directors of the agency and their years of service.*

Executive Director	Years of Service
Marci Andino	2003 - Present (14 years)
James F. Hendrix	1994 - 2002 ( 8 years)
Lynn McCants	1992 - 1994 ( 2 years)
James B. Ellisor	1968 - 1992 (35 years)

## Organizational Units

The agency's Program Evaluation Report (PER) includes information about its organizational units.<sup>20</sup> Every agency has some type of organization and hierarchy as reflected in the agency's organizational chart. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products. Figure 3 includes the agency's organizational chart, current as of May 4, 2017.

To ensure agency employees understand how their work contributes to the agency's overall ability to provide effective services and products in an efficient manner, each organizational unit has at least one (and in most cases multiple), objectives, strategies, or goals for which it is solely responsible.

**Administration** is one of the agency's organizational units. This unit provides leadership and direction for the agency, including administration, finance and support services. Table 4 provides additional information about the unit.

Table 4. State Election Commission Organizational Unit: Administration.

Details:	2013-14	2014-15	2015-16
What is the turnover rate?	60%	0%	0%
Is employee satisfaction evaluated?	Yes	Yes	Yes
Is anonymous employee feedback allowed?	Yes	Yes	Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	No	No	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	Yes

**Voter Services** is another organizational unit of the agency. This unit provides and supports the statewide voter registration system; provides election-specific databases to produce ballots for county and municipal election commissions; provides counties with election support services and technical assistance related to statewide voting system; and provides election security oversight and guidance to counties. Table 5 provides additional information about the unit.

Table 5. State Election Commission Organizational Unit: Voter Services.

Details:	2013-14	2014-15	2015-16
What is the turnover rate?	13%	10%	15%
Is employee satisfaction evaluated?	Yes	Yes	Yes
Is anonymous employee feedback allowed?	Yes	Yes	Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

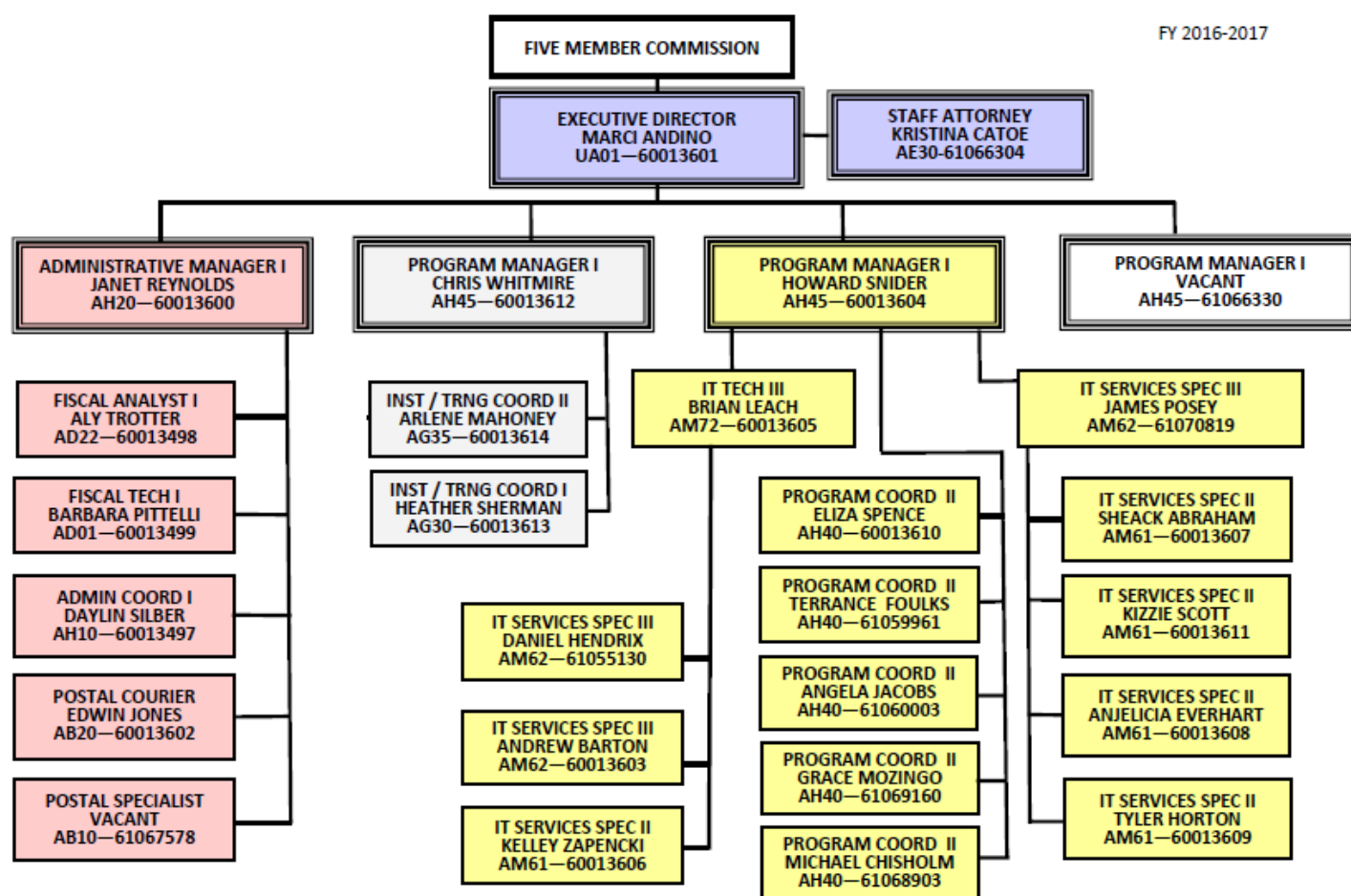
**Public Information/Training** is the third organizational unit of the agency. This unit administers mandatory statewide training and certification programs for county and municipal election officials; provides ongoing training events and workshops; provides a poll manager training program and materials; educates the public on the voter registration and election process; and provides information regarding elections and agency activities. Table 6 includes additional information about the unit.

Table 6. State Election Commission Organizational Unit: Public Information/Training.

Details:	2013-14	2014-15	2015-16
What is the turnover rate?	0%	0%	0%
Is employee satisfaction evaluated?	Yes	Yes	Yes
Is anonymous employee feedback allowed?	Yes	Yes	Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

### Organizational Chart

Figure 3 includes an organizational chart, current as of May 4, 2017. In the chart, Administrative Manager I, Janet Reynolds, serves as Director of the Administration unit; Program Manager I, Chris Whitmire, serves as Director of the Public Information/Training unit; and Program Manager I, Howard Snider, serves as Director of the Voter Services unit. Program Manager I, Vacant, supervises the area representatives the agency has recently hired.<sup>21</sup>

Figure 3. Organizational chart provided by the agency, current as of May 4, 2017.<sup>22</sup>

### *Relationship with County Boards of Registration and Elections*

County Boards of Registration and Elections are separate entities from the State Election Commission. While the **agency is not involved in the appointment of members to these boards, it is responsible for setting standards for these boards**. Appendix A includes information about the appointment of members, names of members by county, and a list of County Boards of Registration and Elections responsibilities.

### *Products, Services, and Customers*

During the study process, the **agency is asked to provide a list of all its deliverables** (i.e., products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts, about each deliverable. Table 7 includes a list of the agency's 53 deliverables.

Table 7. List of agency's 53 products and services.

Item #	Product or Service	Does law require, allow, or not address it?	Does agency know the number of potential customers?	Does agency know the number of customers served?	Does the agency evaluate customer service?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
1	Provide registration offices and polling places that are accessible to voters with disabilities and voters age 65 and older	Require; 42 U.S.C. §§ 1973ee-ee6. (1984); (Voting Accessibility for the Elderly and Handicapped)	No	No	No	No	No
2	Take appropriate steps to ensure communication with applicants, participants and members of the public with disabilities are as effective as communications with other individuals	Require; 42 U.S.C. § 12101, et seq. (1990); (Americans with Disabilities Act)	No	No	No	No	No
3	Provide opportunity to register to vote at certain agencies	Require; 52 U.S.C. § 20501, et seq. (1993); (National Voter Registration Act)	No	No	No	No	No
4	Provide programs and procedures for provisional voting, voting information, updating and upgrading voting equipment, establishing statewide voter registration databases, voter identification and administrative complaints	Require; 52 U.S.C. §§ 20901-21145 (2002); (Help America Vote Act)	No	No	No	No	No
5	Allow qualified service members and overseas citizens to register to vote and vote absentee	Require; 52 U.S.C. §§ 20301-20311, (1986); (Uniformed and Overseas Citizens Absentee Voting Act)	No	No	No	No	No

Item #	Product or Service	Does law require, allow, or not address it?	Does agency know the number of potential customers?	Does agency know the number of customers served?	Does the agency evaluate customer service?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
6	Send electronic communications materials and absentee ballots to UOCAVA voters at least 45 days prior to the election	Require; 42 U.S.C. § 1973ff-1 (2009); (Military and Overseas Voter Empowerment Act)	No	No	No	No	No
7	Conduct a training and certification program for municipal officials	Require; 7-3-20	No	Yes	Yes	No	Yes
8	Furnish precinct lists to a qualified elector	Require; 7-3-20	Yes	Yes	No	Yes	Yes
9	Audit the County Board of Voter Registration and Elections	Require; 7-3-20	Yes	Yes	No	No	No
10	Maintain master file of all qualified electors by county and precinct	Require; 7-3-20	No	No	No	No	No
11	Delete names of electors for certain statutory reasons	Require; 7-3-20	No	No	No	No	No
12	Furnish County Boards of Voter Registration and Elections with a master list of all registered voters in the county	Require; 7-3-20	Yes	Yes	No	Yes	No
13	Provide corrective action plan for non-compliant county Board of Voter Registration and Election members	Require; 7-3-25	Yes	Yes	No	No	No
14	Notify the Governor of any county board of voter registration and election official that fails to meet training and certification requirements	Require; 7-3-25	Yes	Yes	No	No	No
15	Notify any elector whose name has been deleted for reason of conviction or change of address	Require; 7-3-30	No	Yes	No	No	No

Item #	Product or Service	Does law require, allow, or not address it?	Does agency know the number of potential customers?	Does agency know the number of customers served?	Does the agency evaluate customer service?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
16	Provide training and certification for County officials	Require; 7-5-10	Yes	Yes	Yes	Yes	Yes
17	Provide supplement to county boards to defray expenses of the voter registration office	Require; 7-5-40	Yes	Yes	No	No	No
18	Provide written notification to any person who registers to vote and is found qualified to vote	Require; 7-5-125	No	Yes	No	No	No
19	Furnish voter registration forms to County Boards of Voter Registration and Elections	Require; 7-5-155	No	Yes	No	Yes	No
20	Maintain electronic voter registration application on the SEC website	Require; 7-5-185	No	Yes	No	No	No
21	Maintain statewide voter registration database	Require; 7-5-186	Yes	Yes	No	No	No
22	Provide method of complaint regarding interference with voter registration or privacy of decision to register	Require; 7-5-310	No	Yes	No	No	No
23	Remove of elector from official list	Require; 7-5-340	No	No	No	No	No
24	Prepare duplicate registration books for each ward or precinct for every county	Require; 7-5-660	Yes	Yes	No	No	No
25	Conduct candidate filing	Require; 7-11-15	No	Yes	No	No	No
26	Conduct presidential preference primary for certified political parties receiving at least five percent of the popular vote	Require; 7-11-20	Yes	Yes	No	Yes	No



Item #	Product or Service	Does law require, allow, or not address it?	Does agency know the number of potential customers?	Does agency know the number of customers served?	Does the agency evaluate customer service?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
27	Furnish petition forms to county election officials and interested persons	Allows; 7-11-80	No	No	No	Yes	No
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts	Require; 7-13-15	Yes	Yes	No	Yes	No
29	Conduct party primaries	Require; 7-13-40	Yes	Yes	No	Yes	No
30	Establish regular hours and publish notice of candidate filing	Require; 7-13-45	No	Yes	No	Yes	No
31	Conduct second or other primaries	Require; 7-13-50	Yes	Yes	No	Yes	No
32	Provide training and certification program for poll managers	Require; 7-13-72	Yes	Yes	No	No	No
33	Direct size and the color of the ballot	Require; 7-13-320	No	No	No	No	No
34	Place petition nominee on appropriate ballot	Require; 7-13-351	No	No	No	No	No
35	Print and deliver ballots for presidential electors, state officers, US Senators and members of Congress	Require; 7-13-340	Yes	No	No	No	No
36	Provide ballots that have proposed constitutional amendments	Require; 7-13-410	No	No	No	No	No
37	Prepare separate ballots for each political party holding a primary	Require; 7-13-610	Yes	No	No	No	No
38	Provide ballot labels	Require; 7-13-1360	No	No	No	No	No

Item #	Product or Service	Does law require, allow, or not address it?	Does agency know the number of potential customers?	Does agency know the number of customers served?	Does the agency evaluate customer service?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
39	Establish form of a sign to be displayed at polling places using optical scan devise	Require; 7-13-1371	No	No	No	No	No
40	Establish ballot forms	Require; 7-13-1371	No	No	No	No	No
41	Approve Voting System	Require; 7-13-1620	No	No	No	No	No
42	Approve One Voting System	Require; 7-13-1655	No	No	No	No	No
43	Determine form application for absentee ballot	Require; 7-15-340	Yes	Yes	No	Yes	No
44	Send ballots to qualified electors under Uniformed and Overseas Citizens Absentee Voting Act at least forty-five days prior to any election	Require; 7-15-406	Yes	Yes	No	Yes	No
45	Standards and guidelines for voting systems to count absentee ballots	Require; 7-15-470	No	No	No	No	No
46	Certify statement of all votes cast	Require; 7-17-240	No	Yes	No	No	No
47	Document declaration of elected officials	Require; 7-17-250	No	No	No	No	No
48	Decide cases held by State Board of Canvassers	Require; 7-17-260	No	No	No	No	No
49	Furnish jury list	Require; 14-7-130	Yes	Yes	No	Yes	No
50	Disburse aid to counties for county voter registration and elections board members	Require; Proviso 101.1 (County Boards of Voter Registration and Election Compensation), 2016-2017, Appropriations Act Part 1B)	Yes	Yes	No	Yes	No
51	Disburse additional funds to State Board of Canvassers for Protests and Hearings	Allows; Proviso 101.3 (Board of State Canvassers Compensation), 2016-2017, Appropriations Act Part 1B	Yes	Yes	No	Yes	No

Item #	Product or Service	Does law require, allow, or not address it?	Does agency know the number of potential customers?	Does agency know the number of customers served?	Does the agency evaluate customer service?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
52	Provide training courses with common curriculum available in various locations of the state	Require; Proviso 101.7 (Training and Certification Program), 2016-2017, Appropriations Act Part 1B	Yes	Yes	Yes	Yes	Yes
53	Submit information technology and security plan to Department of Administration	Require; Proviso 117.114 (Information Technology and Security Plans), 2016, 2017, Appropriations Act Part 1B	No	No	No	No	No

The **agency has various sources of revenue including both recurring and one-time revenue**. Table 8 provides information about the agency's revenue sources for the past three fiscal years.

*Table 8. Sources of agency revenue for fiscal year 2014-15, fiscal year 2015-16, and estimates for fiscal year 2016-17.*

<u>Source of Revenue</u>	<u>Recurring or one-time?</u>	<u>2014-15 Revenue</u>	<u>2015-16 Revenue</u>	<u>2016-17 Revenue Estimate</u>
General Appropriations	Recurring	\$0	\$0	\$0
General Revenue	Recurring	\$539	\$2,012	\$0
Candidate Filing Fees	Recurring	\$78,287	\$1,215,574	\$10,000
Training Program	Recurring	\$15,165	\$18,500	\$15,000
Sale of List Program	Recurring	\$104,637	\$175,957	\$100,000
Presidential Preference Primaries	One-time	\$0	\$360,000	\$0
Help America Vote Act Grant	One-time	\$5,476	\$4,755	\$4,000
Federal Voting Assistance Program Grant	One-time	\$0	\$8,652	\$0
Totals		\$204,104	\$1,785,450	\$129,000

### *Other Agencies Serving Similar Customers/Products/Services*

During the study of an agency the **Committee asks the agency if there are any other agencies serving similar customers or providing similar products or services**. The State Election Commission does not believe the products and services it provides are within the mission of any other state agency.<sup>23</sup>

### *Strategic Resource Allocation and Performance*

During the study of an agency, the **Committee asks an agency how it allocates its human and financial resources to accomplish its goals** (i.e., broad expression of a long-term priority) **and objectives** (i.e., specific, measurable and achievable description of an effort the agency is implementing to achieve a goal) in the agency's strategic plan.<sup>24</sup> The agency states it does not spend any funds on items not directly related to its strategic plan. Tables 9-13 includes an overview of the agency's strategic plan and resources allocated to its goals and objectives and amounts not utilized.<sup>25</sup>

Table 9.1. Agency Goal 1: Provide for a system of voter registration that is free of barriers - strategies, objectives, and resource (human and financial) allocations.

## GOAL 1 Provide for a system of voter registration that is free of barriers.

Responsible Employee(s): Mr. Howard Snider (responsible for more than three years)

<u>Strategies and Objectives:</u>	<u>2015-16</u>		<u>2016-17</u>	
	Number of FTEs authorized <sup>26</sup> (Number of equivalents)	Total spent (Percentage of total funds spent)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds spent)
<ul style="list-style-type: none"> <li>Strategy 1.1 - Maintain a statewide voter registration system that is convenient, accessible and meets the needs of counties               <ul style="list-style-type: none"> <li>Objective 1.1.1 - Provide a system that is available and take all reasonable measures to ensure cyber security of the voter registration system</li> <li>Objective 1.1.2 - Support county users in use of system to maintain accurate voter records</li> </ul> </li> <li>Strategy 1.2 - Ensure citizens have accessible methods to register to vote               <ul style="list-style-type: none"> <li>Objective 1.2.1 - Provide registration by mail, online voter registration, and in person registration at county offices and other designated voter registration agencies</li> </ul> </li> </ul>	26.5 (1.2)	\$413,930 (6.567%)	26.5 (1.3)	\$500,000 (5.46%)
	26.5 (1.8)	\$444,870 (7.05%)	26.5 (2.1)	\$500,000 (5.46%)
	26.5 (0.5)	\$73,209 (1.16%)	26.5 (0.5)	\$75,000 (0.82%)

Table 9.2. Performance measures associated with goal 1.

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Total active registered voters	Input/Activity	Actual: 2,911,101 Target: Did not exist (DNE)	Actual: 2,843,744 Target: DNE	Actual: 2,889,904 Target: DNE	Actual: 3,081,855 Target: DNE	Target: DNE
Voters registered in current fiscal year	Input/Activity	Actual: 218,989 Target: DNE	Actual: 139,903 Target: DNE	Actual: 158,213 Target: DNE	Actual: 244,741 Target: DNE	Target: DNE
Voters made inactive	Input/Activity	Actual: 68,280 Target: DNE	Actual: 180,441 Target: DNE	Actual: 82,610 Target: DNE	Actual: 60,025 Target: DNE	Target: DNE
Percentage of county election officials using electionnet*	Input/Activity	Data Not Available	Actual: 45% Target: 100%	Actual: 49% Target: 100%	Actual: 60% Target: 100%	Target: 100%
Percentage of registrations...						
submitted online	Outcome	Actual: 9.6% Target: DNE	Actual: 3.5% Target: DNE	Actual: 7.2% Target: DNE	Actual: 22.1% Target: DNE	Target: DNE
received by mail	Input/Activity	Actual: 31.3% Target: DNE	Actual: 16.2% Target: DNE	Actual: 15.4% Target: DNE	Actual: 11.3% Target: DNE	Target: DNE
in office	Input/Activity	Actual: 12% Target: DNE	Actual: 5.9% Target: DNE	Actual: 6.5% Target: DNE	Actual: 5.6% Target: DNE	Target: DNE
at Department of Motor Vehicles	Input/Activity	Actual: 46.1% Target: DNE	Actual: 73% Target: DNE	Actual: 68.1% Target: DNE	Actual: 58.5% Target: DNE	Target: DNE
at other public service agencies	Input/Activity	Actual: 0.9% Target: DNE	Actual: 1.4% Target: DNE	Actual: 2.8% Target: DNE	Actual: 1.9% Target: DNE	Target: DNE
Training and certification program ...						
Number of participants	Input/Activity	Actual: 507 Target: DNE	Actual: 493 Target: DNE	Actual: 517 Target: DNE	Actual: 505 Target: DNE	Target: DNE
Percentage not in compliance with requirements	Outcome	Actual: 7.1% Target: 0%	Actual: 4.9% Target: 0%	Actual: 3.9% Target: 0%	Actual: 4.5% Target: 0%	Target: 0%
Classes offered	Output	Actual: 18 Target: DNE	Actual: 28 Target: DNE	Actual: 26 Target: 25	Actual: 28 Target: 25	Target: 25
Total class attendees	Input/Activity	Actual: 504 Target: DNE	Actual: 663 Target: DNE	Actual: 657 Target: 625	Actual: 642 Target: 625	Target: 625
Total other training events	Output	Actual: 17 Target: DNE	Actual: 26 Target: DNE	Actual: 21 Target: DNE	Actual: 22 Target: DNE	Target: DNE

Table Note: All measures are agency selected, except percentage of registrations submitted at Department of Motor Vehicles and at other public service agencies, which are required by the federal government. "DNE" means did not exist. ElectionNET is a secure election portal for sharing information between the SEC and the 46 county voter registration and elections offices. For each measure, the agency identified which "type of measure" it considered the performance measure.

Table 10.1. Agency Goal 2: Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters - strategies, objectives, and resource (human and financial) allocations.

## GOAL 2 Certify and support a statewide voting system that meets state law, federal voting system standards, and is accessible for all voters

Responsible Employee(s): Mr. Howard Snider (responsible for more than three years)

<u>Strategies and Objectives:</u>	<u>2015-16</u>		<u>2016-17</u>	
	Number of FTEs authorized <sup>27</sup> (Number of equivalents)	Total spent (Percentage of total funds spent)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds spent)
<ul style="list-style-type: none"> <li>Strategy 2.1 - Support the statewide voting system ensuring it is easy to use, accurate and secure               <ul style="list-style-type: none"> <li>Objective 2.1.1 - Produce election-specific databases and ballots according to state law and ballot standards</li> <li>Objective 2.1.2 - Support users in set-up, testing, usage, maintenance and secure storage of voting system</li> <li>Objective 2.1.3 - Audit vote totals prior to certification of election results</li> </ul> </li> </ul>	26.5 (3)	\$217,272 (3.44%)	26.5 (3.3)	\$200,000 (2.18%)
	26.5 (1)	\$266,843 (4.23%)	26.5 (1.3)	\$250,000 (2.73%)
	26.5 (0.8)	\$89,767 (1.42%)	26.5 (1.1)	\$100,000 (1.09%)

Table 10.2. Performance measures associated with goal 2.

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Number of elections held in state	Input/Activity	Actual: 185 Target: Did not exist (DNE)	Actual: 313 Target: DNE	Actual: 166 Target: 166	Actual: 336 Target: DNE	Target: DNE
Number of counties served by SEC database coders	Input/Activity	Actual: 39 Target: 39	Actual: 39 Target: 39	Actual: 39 Target: 39	Actual: 39 Target: 39	Target: 39
Number of audits conducted on county election results	Input/Activity	Actual: 114 Target: DNE	Actual: 301 Target: DNE	Actual: 312 Target: DNE	Actual: 626 Target: DNE	Target: DNE
Number of final audits failed on county election results	Outcome	Actual: 3 Target: 0	Actual: 2 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Target: 0

Table Note: All performance measures are agency selected and not required by either the state or federal government. For each measure, the agency identified which "type of measure" it considered the performance measure.

Table 11.1. Agency Goal 3: Support counties in conducting voter registration and fair, open and impartial elections - strategies, objectives, and resource (human and financial) allocations.

### GOAL 3 Support counties in conducting voter registration and fair, open and impartial elections

Responsible Employee(s): Mr. Chris Whitmire and Mr. Howard Snider (Both responsible for more than three years)

<u>Strategies and Objectives Associated:</u>	<u>2015-16</u>		<u>2016-17</u>	
	Number of FTEs authorized <sup>28</sup> (Number of equivalents)	Total spent (Percentage of total funds spent)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds spent)
<ul style="list-style-type: none"> <li>Strategy 3.1 - Provide supervision, training, guidance and resources to counties to aid in voter registration and elections               <ul style="list-style-type: none"> <li>Objective 3.1.1 - Provide guidance and training for county and municipal election officials and poll managers</li> <li>Objective 3.2.1 - Provide candidate filing system, absentee tracking and ballot delivery tools, photo ID production, paper and electronic voter registration lists and capturing voter history</li> </ul> </li> <li>Strategy 3.2 - Ensure compliance with state and federal laws and agency policies and procedures               <ul style="list-style-type: none"> <li>Objective 3.2.1 - Conduct county compliance audits and assessments</li> </ul> </li> <li>Strategy 3.3 - Provide public education and information               <ul style="list-style-type: none"> <li>Objective 3.3.1 - Provide voters with online access to their voter record, polling place, absentee ballot request and tracking, sample ballot, and status of provisional ballot</li> <li>Objective 3.3.2 - Increase public knowledge of voting rights, responsibilities, and procedures</li> <li>Objective 3.3.3 - Provide information, statistics and election results</li> </ul> </li> </ul>	26.5 (2.8)	\$388,429 (6.15%)	26.5 (3.1)	\$410,000 (4.47%)
	26.5 (1.4)	\$98,291 (1.56%)	26.5 (1.4)	\$150,000 (1.64%)
	26.5 (1.4)	\$140,228 (2.22%)	26.5 (3.0)	\$200,000 (2.18%)
	26.5 (0.3)	\$44,428 (0.70%)	26.5 (0.3)	\$100,000 (1.09%)
	26.5 (0.8)	\$280,335 (4.44%)	26.5 (0.9)	\$220,000 (2.40%)
	26.5 (1.1)	\$120,691 (1.91%)	26.5 (1.2)	\$150,000 (1.64%)



Table 11.2. Performance measures associated with goal 3.

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Number of SEC voter education events	Output	Actual: 66 Target: Did not exist (DNE)	Actual: 32 Target: DNE	Actual: 25 Target: DNE	Actual: 41 Target: DNE	Target: DNE
Twitter followers	Input/Activity	Data Not Available	Actual: 968 Target: DNE	Actual: 1,084 Target: DNE	Actual: 1,341 Target: DNE	Target: DNE
Facebook likes	Input/Activity	Data Not Available	Actual: 3,080 Target: DNE	Actual: 3,091 Target: DNE	Actual: 3,509 Target: DNE	Target: DNE
Number of candidates filed for federal, state and county level offices in most recent general election	Input/Activity	Data Not Available	Actual: 1,339 (2014 GE) Target: DNE	Actual: 1,339 (2014 GE) Target: DNE	Actual: 1,604 (2016 GE) Target: DNE	Target: DNE
Filing Fees collected for...						
Statewide primaries	Input/Activity	Actual: \$5,936 Target: DNE	Actual: \$907,396 Target: DNE	Actual: N/A	Actual: \$1,210,926 Target: DNE	Target: DNE
Special primaries	Input/Activity	Actual: \$69,424 Target: DNE	Actual: \$14,651 Target: DNE	Actual: \$78,287 Target: DNE	Actual: \$4,648 Target: DNE	Target: DNE
Presidential preference primaries	Input/Activity	N/A	N/A	N/A	Actual: \$360,000 Target: DNE	Target: DNE
Scvotes.org...						
Total visits	Input/Activity	Actual: 370,524 Target: DNE	Actual: 176,420 Target: DNE	Actual: 169,247 Target: DNE	Actual: 237,217 Target: DNE	Target: DNE
Percentage returning visits	Input/Activity	Actual: 19.1% Target: DNE	Actual: 35% Target: DNE	Actual: 27% Target: DNE	Actual: 26% Target: DNE	Target: DNE
Percentage new visits	Input/Activity	Actual: 80.9% Target: DNE	Actual: 65% Target: DNE	Actual: 73% Target: DNE	Actual: 74% Target: DNE	Target: DNE

Table Note: All measures are agency selected except, tracking filing fees collected for statewide primaries; special primaries; and presidential preference primaries, which are required by state government. Also, agency selected for goal 3, all measures listed with goal 2 in Table 10.2; and the following listed with goal 1 in Table 9.2: Percentage of county election officials using electionnet; and Training and certification program number of participants, percentage not in compliance with requirements, classes offered, total class attendees, and total other training events. For each measure, the agency identified which "type of measure" it considered the performance measure.

Table 12.1. Agency Goal 4: Effectively oversee all agency programs and operations - strategies, objectives, and resource (human and financial) allocations.

## GOAL 4 Effectively oversee all agency programs and operations

Responsible Employee(s): Ms. Janet Reynolds (Responsible for more than three years)

<u>Strategies and Objectives Associated:</u>	<u>2015-16</u>		<u>2016-17</u>	
	Number of FTEs authorized <sup>29</sup> (Number of equivalents)	Total spent (Percentage of total funds spent)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds spent)
<ul style="list-style-type: none"> <li>Strategy 4.1 - Manage administrative and business activities of the agency               <ul style="list-style-type: none"> <li>Objective 4.1.1 - Prepare annual budget and fiscal impact statements, and process payroll, accounts payable, accounts receivable, county election reimbursements, and county board member stipends</li> <li>Objective 4.2.1 - Provide support services to include human resources, legal, procurement, records management, fleet management, election supplies and shipping</li> </ul> </li> </ul>	26.5 (1.7)	\$3,477,377 (55.08%)	26.5 (1.7)	\$6,010,000 (65.58%)
	26.5 (2.2)	\$257,598 (04.08%)	26.5 (2.8)	\$300,000 (03.27%)

Table 12.2. Performance measures associated with goal 4.

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Training and certification program fees	Input/Activity	Actual: \$7,700 Target: DNE	Actual: \$16,725 Target: DNE	Actual: \$15,165 Target: DNE	Actual: \$18,500 Target: DNE	Target: DNE
Sale of voter registration lists	Input/Activity	Actual: \$78,736 Target: DNE	Actual: \$108,621 Target: DNE	Actual: \$104,637 Target: DNE	Actual: \$175,957 Target: DNE	Target: DNE
Sale of publications	Input/Activity	Actual: \$55 Target: DNE	Actual: \$12 Target: DNE	Actual: \$39 Target: DNE	Actual: \$12 Target: DNE	Target: DNE
Voting system update/certification fees	Input/Activity	Actual: \$0 Target: DNE	Actual: \$1,000 Target: DNE	Actual: \$500 Target: DNE	Actual: \$2,000 Target: DNE	Target: DNE
Number of poll managers used (general election or primary/runoff)	Input/Activity	Actual: 14,306 (General) Target: DNE	Actual: 18,782 (Primary/Runoff) Target: DNE	Actual: 13,168 (General Election) Target: DNE	Actual: 12,274 (Primary/Runoff) Target: DNE	Target: DNE
Protests heard	Outcome	Actual: 3 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Target: 0
Appeals heard	Outcome	Actual: 5 Target: 0	Actual: 0 Target: 0	Actual: 3 Target: 0	Actual: 1 Target: 0	Target: 0

Table Note: Number of poll managers used, protests heard, and appeals heard are agency selected; all others are required by state government. For each measure, the agency identified which “type of measure” it considered the performance measure.

During the study, **the agency is asked to provide the amount of funds remaining at the end of the year** by fund source **and restrictions** on how the funds may be utilized. Table 13 includes this information.

Table 13. Details about the agency's different sources of funds and amounts remaining at the end of fiscal years 2015-16 and 2016-17 available to the agency.

Source of funds	State, other or federal funding?	Recurring or one-time?	External restrictions (from state or federal government, grant issuer, etc.) on use of funds:	2015-16		2016-17	
				Total available to spend this fiscal year:	Cash Balance Remaining (Percentage of total available from source)	Total est. to have available to spend this fiscal year:	Cash Balance Not Budgeted to Spend (Percentage of total available from source)
• General Appropriations	State	Recurring	None	\$7,264,086	\$4,116,468 56.67%	\$9,622,787	\$747,787 7.77%
• General Revenue	Other	Recurring	No authority to spend funds	\$0	\$0 0%	\$0	\$0 0%
• Candidate Filing Fees	Other	Recurring	SC Code of Law 7-11-15	\$1,300,000	\$500,927 38.53%	\$1,300,000	\$1,290,000 99.23%
• Training Program	Other	Recurring	Proviso 101.70	\$35,000	\$26,136 74.67%	\$35,000	\$5,000 14.29%
• Sale of List Program	Other	Recurring	SC Code of Law 7-3-20(C)(10); Proviso 101.4	\$305,700	\$206,960 67.70%	\$305,700	\$155,700 50.93%
• Help America Vote Act Grant	Federal	One-Time	Help America Vote Act; State Plan Proviso 101.10	\$450,249	\$399,929 88.82%	\$403,929	\$303,929 75.24%
• Presidential Preference Primaries	State	One-Time	SC Code of Law 7-11-20(B)(2)(a)	\$2,200,000	\$0 0%	\$0	\$0 0%
• FVAP/EVAT Grant	Federal	One-Time	Federal Voting Assistance Program	\$8,652	\$0 0%	\$0	\$0 0%
<b>Totals</b>				<b>\$11,563,687</b>	<b>\$5,250,418 45.40%</b>	<b>\$11,672,171</b>	<b>\$2,502,416 21.45%</b>

## STUDY PROCESS

### *Agency Selection*

The State Election Commission is a state agency subject to legislative oversight.<sup>30</sup> On January 10, 2017, the **Committee schedules the State Election Commission for study** by the Executive Subcommittee.<sup>31</sup>

The **Committee notifies the agency** about the study on January 17, 2017.<sup>32</sup> The notification letter is in Appendix B. As the Committee encourages **collaboration in its legislative oversight process**, the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor receive notice about the agency study.

### *Subcommittee Membership*

The **Executive Subcommittee of the House Legislative Oversight Committee has studied the agency**.<sup>33</sup> The study begins during the 122<sup>nd</sup> General Assembly. Throughout the study, the Honorable Gary E. Clary serves as chair. Subcommittee Members are listed below:

- The Honorable Gary E. Clary (122<sup>nd</sup> General Assembly);
- The Honorable Laurie Slade Funderburk (122<sup>nd</sup> General Assembly);
- The Honorable Wm. Weston J. Newton (122<sup>nd</sup> General Assembly); and
- The Honorable Robert Q. Williams (122<sup>nd</sup> General Assembly).

### *Agency Reports to Legislative Oversight Committee*

During the legislative oversight process, the **Committee asks the agency to conduct self-analysis** by requiring it to complete and submit Annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report which serves as the base document for the study. These reports are available to the public on the Committee's website.

#### *Seven-Year Plan for Cost Savings and Increased Efficiencies*

S.C. Code of Laws § 1-30-10 requires agencies to submit "a seven year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period."<sup>34</sup> The agency submits its plan on March 31, 2015.<sup>35</sup>

#### *Restructuring Report*

The Annual Restructuring Report fulfills the requirement in SC Code of Laws § 1-30-10(G)(1) that annually each agency report to the General Assembly "detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services."<sup>36</sup> The **agency submits its Annual Restructuring Reports (ARR)** on January 12, 2016, and September 20, 2016.<sup>37</sup> The agency's 2015-16 Agency Accountability Report to the Governor and General Assembly serves as its 2017 Annual Restructuring Report.<sup>38</sup>

### *Program Evaluation Report*

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, "requiring the agency to prepare and submit to the investigating committee a Program Evaluation Report (PER) by a date specified by the investigating committee."<sup>39</sup> SC Code of Laws § 2-2-60 outlines what an investigating committee's request for a program evaluation report must contain. It also provides a list of information an investigating committee may request.

The **PER serves as the base document for the Committee's study of the agency.** The Committee sends guidelines for the agency's PER on February 13, 2017. The agency submits the report on April 14, 2017.<sup>40</sup>

### *Information from the Public*

**Public input is a cornerstone of the House Legislative Oversight Committee's process.**<sup>41</sup> There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee's website, and appear in person before the Committee.<sup>42</sup>

#### *Public Survey*

From February 9, 2017, to March 13, 2017, the Committee posts an **online survey to solicit comments from the public about the State Election Commission** and three other agencies.<sup>43</sup> In an effort to communicate this public input opportunity widely, a statewide media release is issued.<sup>44</sup> House Members are provided copies of this media release and are encouraged to share notice of this public input opportunity with their constituents.

There are 619 responses to the survey, with at least one response coming from 45 of South Carolina's 46 counties.<sup>45</sup> These comments are not considered testimony.<sup>46</sup> As noted in the survey, "input and observations from those citizens who [chose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies."<sup>47</sup> Documents related to the public survey are in Appendix C. The **public is informed of a continuous opportunity to submit written comments about agencies online** after the public survey closes.<sup>48</sup>

Of those that respond to questions related to the SEC, 67% have a positive or very positive opinion of the agency.<sup>49</sup> Over 69% of respondents form their opinions via personal or business experience with the agency. Most of the respondents that provide written comments refer to the county boundary lines, agency's helpfulness during elections, and voter registration systems.<sup>50</sup> Responses to online surveys are posted on the Committee's webpage verbatim. They are not the comments or expression of the House Legislative Oversight Committee, any of its Committees, or the House of Representatives.

#### *Public Input via Committee Website*

Throughout the course of the study, the public is able to submit comments anonymously on the Committee website.<sup>51</sup> Any comments received are posted to the Committee's webpage verbatim. They are not the comments or expression of the House Legislative Oversight Committee, any of its Subcommittees, or the House of Representatives. One person submits a comment sharing a link to a 2015 report issued by Protection and Advocacy for People with Disabilities, Inc., entitled, "The Right to Vote in South Carolina:

People with disabilities still have unequal access to the electoral process.”<sup>52</sup> Appendix D includes public input received via the Committee website.

### *Public Input via In-Person Testimony*

The Committee offers the public an opportunity to appear and provide sworn testimony.<sup>53</sup> A meeting dedicated to public input is held on March 9, 2017.<sup>54</sup> A press release announcing this opportunity is sent to media outlets statewide on February 16, 2017.<sup>55</sup> Public testimony is received at the full Committee meeting and multiple Subcommittee meetings.

## *Meetings*

The full Committee meets with, or about, the agency on four occasions, and the Subcommittee meets with, or about, the agency on eight occasions. All meetings are open to the public and stream live online; also, the videos are archived and the minutes are available online. A timeline of meetings is in Figure 2 beginning on page seven.

### *122<sup>nd</sup> General Assembly (2017-2018)*

#### *January 2017*

On **January 10, 2017**, the full Committee selects the agency for study.<sup>56</sup> Appendix E includes the meeting packet.

#### *February 2017*

On **February 15, 2017**, the Subcommittee holds **Meeting # 1**, a member work session.<sup>57</sup> Among other things, the Subcommittee Chair provides an update on the status of the study of the agency, and the Subcommittee discusses questions to send the agency. Appendix F includes the meeting packet; Subcommittee’s February 21, 2017, letter to the agency; and agency’s March 3, 2017, response.

#### *March 2017*

On **March 9, 2017**, the full Committee holds **Meeting # 2** to receive public input about the agency.<sup>58</sup> A constituent from Richland County/Lexington County, and the Government Affairs Liaison for the Municipal Association of South Carolina testify about the agency.<sup>59</sup> As the constituent from Richland County/Lexington County testifies at subsequent meetings, unless otherwise noted, the term “constituent” refers to this individual. Members ask questions, which the constituent answers. The Subcommittee Chair requests the agency provide information related to the constituents’ testimony. Appendix G includes the statewide media release inviting the public to provide testimony; meeting packet; and documents provided by the agency after the meeting related to the county boundary and school board election dispute.

#### *April 2017*

On **April 5, 2017**, the Subcommittee holds **Meeting # 3** with the agency to receive an overview of how boundary lines applicable to elections are set within a county or election district.<sup>60</sup> Representatives from the Revenue and Fiscal Affairs Office (RFA) provide a presentation entitled, “Election Boundaries: Precincts, Districts, Census, Counties.”<sup>61</sup> Members ask questions, which representatives from RFA answer. Also,

present at the meeting are various representatives from the State Election Commission.<sup>62</sup> Members ask questions to agency representatives about the agency's role in determining boundaries applicable to elections. The agency executive director answers these questions. Further testimony is received from the constituent about election boundaries. Members ask questions, which the constituent answers. Appendix H includes the meeting packet.

On **April 18, 2017**, the Subcommittee holds **Meeting # 4** with the agency to discuss and analyze information related to the agency's mission; responsibilities; successes; challenges and issues; emerging issues; history; and governing body.<sup>63</sup> Members ask questions about topics including, but not limited to, (1) voter registration, including methods by which an individual's qualifications to vote (e.g., over 18, citizenship, etc.) are verified and locations where individuals can register to vote; (2) measures in place to prevent hacking of voter systems; (3) poll worker training; (4) precinct locations; and (5) early voting. Appendix I includes the meeting packet; agency's presentation; Subcommittee's April 19, 2017, letter to the agency; Subcommittee's April 19, 2017, letter to the Department of Motor Vehicles (DMV) about drivers' licenses and identification cards utilized to verify an individual is qualified to vote; DMV's April 26, 2017, response to the Subcommittee; and the SEC's April 28, 2017, response to the Subcommittee.

### *May 2017*

On **May 3, 2017**, the Subcommittee holds **Meeting # 5** with the agency. The Subcommittee receives further testimony from the constituent on county precinct lines and boundary maps.<sup>64</sup> Members ask questions, which the constituent and the RFA Precinct Demographics Manager answer. The SEC discusses its services, products, customers, organizational units, and goals. Members ask questions on topics including, but not limited to, (1) customer service, (2) cost to the agency per product/service it provides, and (3) training of County Registration and Election Board members. The agency executive director answers the questions. Appendix J includes the meeting packet and documents the constituent provides to the Subcommittee during the meeting.

On **May 9, 2017**, the Subcommittee holds **Meeting # 6** with the agency.<sup>65</sup> The agency executive director presents information on the agency's services and products, organizational units, overall agency goals, resources, and methodology for allocating its resources. Members ask questions related to the following topics: (1) ballot printing; (2) verification of citizenship voter qualification; (3) voter information for sale including what is for sale, revenue generated from sales, entities who typically purchase the information, and limitations on how information can be used; and (4) fees charged in presidential preference primaries. The agency executive director answers the questions.

The agency's Director of the Public Information and Training Division, presents information on the agency's training and certification program. Members ask questions on the following topics, which the SEC Director of the Public Information and Training Division answers: (1) compliance requirements for appointed County Registration and Election Board members; (2) steps taken when a county board member is non-compliant, including removal; (3) training schedule; (4) number of required classes; and (4) possible board member orientation/primer.

SEC Director of Administration, presents information related to the organizational chart, new area representatives, and employee demographics. Members ask questions which the SEC Director of Administration answers. Appendix K includes the meeting packet; agency presentation; Subcommittee's May 11, 2017, letter to the agency; agency's May 24, 2017, response to the Subcommittee; Subcommittee's June 12, 2017, letter to interested parties to invite public input on revisions to statutes



that may help clarify any situations relating county boundaries; and South Carolina Association of Registration and Election Officials, Inc.'s June 22, 2017, letter to the Subcommittee.<sup>66</sup>

### *June 2017*

On **June 13, 2017**, the Subcommittee holds **Meeting # 7** with the agency.<sup>67</sup> The Subcommittee tours the agency. After the tour, the Subcommittee discusses resources available to the agency, including funding and employees; relationships with other entities the agency utilizes to leverage its resources; methodology the agency utilizes to allocate resources to accomplish its strategic plan; and the following for each agency goal:

- a. strategies and objectives for achieving the goal;
- b. agency personnel who have primary responsibility and accountability for the strategies and objectives;
- c. additional information the agency reviews when prioritizing how to allocate its resources to each strategy and objective;
- d. actual amount of resources allocated; and
- e. key outcome and efficiency performance measures.

The agency executive director presents information on issues impacting the agency's budget, including cybersecurity, voting system, and special elections to fill vacancies. Members ask questions, which the agency executive director answers.

SEC Director of Administration, presents information on appropriations/authorization of funds, carry forward funds, revenue generated, cash balances, other similar agencies, and methodology for allocation of resources. Members ask questions on topics including: (1) election fees, total costs, and how elections are funded since fees do not cover the costs, and (2) national grants (e.g., federal Voter Assistance Program and Help America Vote Act), including limitations on how those funds can be used. SEC Director of Administration answers the questions.

SEC Director of Voter Services, presents information on the organizational units, agency goal one - system voter registration, and agency goal two - statewide voting system. SEC Director of the Public Information and Training Division, presents information on agency goal three - support counties in conducting voter registration and elections.

Further, the SEC Director of the Public Information and Training Division presents the agency's response to the Subcommittee's May 11, 2017, letter. Topics of the letter include: (1) SC political party fees, (2) candidate filing fees in other states; and (3) removal from the voter registration list. Members ask questions about (1) citizenship verification when individuals register to vote, (2) updating voter lists; and (3) voter information available for sale. SEC Director of the Public Information and Training Division answers the questions. SEC Director of Administration presents information on the agency's goal four - oversee agency programs. Members ask various questions, which agency representatives answer. Appendix L includes the meeting packet and agency presentation.

On **June 27, 2017**, the Subcommittee holds **Meeting # 8** with the agency to discuss the agency's recommendations for law changes and/or major internal changes that may improve efficiency and outcomes or update laws; to receive any constituent testimony about these, or any other, recommendations; and to discuss additional potential recommendations and findings.<sup>68</sup> The agency

executive director presents responses to the Subcommittee's follow up questions from the prior meeting. Further, the agency director discusses the agency's recommendations.

Subcommittee members ask questions about municipal and special elections, which the agency executive director answers. A representative of the Municipal Association of South Carolina (MASC), provides testimony municipality election dates.<sup>69</sup> Subcommittee members question the MASC representative about uniform election dates, referendums and municipal voter turnout, which the representative answers. Members ask agency representatives questions about hacking preventive measures, which agency representatives answer. A representative from The League of Women Voters of South Carolina comments on the work of the Subcommittee.<sup>70</sup> The constituent further testifies about county boundaries and potential issues in SC Code of Law § 27-2-105 (clarification of county boundaries; role of South Carolina Geodetic Survey; contested case hearings). Subcommittee members ask questions about recommendations, state mapping, and boundary lines, which the constituent answers. RFA Executive Director and RFA Precinct Demographics Manager, further testify about county boundary line issues. Subcommittee members ask questions, which the RFA representatives answer. Appendix M includes the meeting packet; agency presentation; Subcommittee's June 29, 2017, letter to the agency; MASC's June 28, 2017, letter to the Subcommittee; correspondence related to the Presidential Advisory Commission on Election Integrity (PACEI) request for SC voter information (June - July 2017); U.S. Department of Justice's June 28, 2017, letter to the agency; and agency's July 7, 2017, response to the Subcommittee.

### *July 2017*

On **July 31, 2017**, the Subcommittee holds **Meeting # 9** with the agency to receive an update on the requests the agency received from PACEI and the U.S. Department of Justice; further discuss potential recommendations and findings; and receive any constituent testimony.<sup>71</sup> The agency executive director testifies about the requests from PACEI and the U.S. Department of Justice and the status of the agency's communication with these federal entities. The First Vice President of SC Association of Registration and Election Officials (SCARE), comments on the work of the SEC.<sup>72</sup> The Director of Elections in York County, who is also the Chair of the Legislative Committee of SCARE, provides testimony on SCARE's legislative priorities.<sup>73</sup> Members ask questions about the following topics, which SCARE's legislative committee chair answers: (1) early voting and (2) pay for poll workers. Members ask about procedures if a natural disaster disrupts an election, which SCARE's legislative committee chair and SEC's executive director answer. The constituent further testifies about county boundary lines. Appendix N includes the meeting packet and potential recommendations and findings.

### *November 2017*

On **November 13, 2017**, the Committee holds **Meeting # 10** to discuss the Subcommittee's study, with the Honorable Wm. Weston J. Newton presiding.<sup>74</sup> The Honorable Gary E. Clary, Subcommittee Chair, provides an overview of the study and responds to questions about the study. Members ask questions, which Director Marci Andino and her staff answers, about various topics, including, but not limited to: (a) scheduling of primaries and municipal elections; (b) orientation for new board members; (c) absentee ballots; (d) responsibility for elections; (e) county usage; (f) notification of polling place changes to the public; and (g) election results protests. Members ask questions, which Mr. Will Roberts, Mapping Program Director with the Revenue and Fiscal Affairs Office, answers about various topics, including, but not limited to: (a) geographic boundaries; and (b) geodetic surveys. A constituent, Ms. Kim Murphy, addresses the committee regarding her concerns about issues relating to county boundaries. The meeting packet is available on the Committee's website.<sup>75</sup>

### *December 2017*

On **December 19, 2017**, the Committee holds **Meeting # 11** to discuss the Subcommittee's study, with the Honorable Wm. Weston J. Newton presiding.<sup>76</sup> The Honorable Gary E. Clary, Subcommittee Chair, provides an update on the study of the State Election Commission. Mr. Scott Slatton, Municipal Association of South Carolina, and Mr. Owen McBride, South Carolina Association of Counties, answer questions regarding county and municipality election responsibilities. Members ask questions, which Mr. Slatton and Mr. McBride answer.

Also, State Election Commission Director Marci Andino addresses the Committee. Members ask questions regarding protest time frames, which Director Andino answers. The Honorable Gary E. Clary moves the recommendation presented by the State Election Commission regarding the standardization of protests be adopted. A roll call vote is held, and the motion passes.

Mr. Will Roberts, Mapping Program Director, and Mr. David Ballard, County Boundary Program, both with the Revenue and Fiscal Affairs Office, address the Committee. Members ask questions, which Mr. Ballard and Mr. Roberts answer about various topics, including, but not limited to geographic boundaries and geodetic surveys.

The Committee approves the Subcommittee's study of the State Election Commission. Pursuant to Committee standard practice, Committee members have an opportunity to provide written comments for inclusion with the study. The meeting packet, and documents discussed during the meeting which relate to the agency, are available on the Committee's website.<sup>77</sup>

### *Next Steps*

To support the Committee's ongoing oversight by maintaining current information about the agency, the agency receives an annual Request for Information.

## FINDING & RECOMMENDATIONS

### *Finding*

The Committee has one **finding** arising from its study of the agency, acknowledging differences in interpretations of county boundaries and its potential impact on elections. During the study process, representatives from the Revenue and Fiscal Affairs Office testify if you ask two different counties where the boundary between them is located, you may get two different answers.<sup>78</sup> Also, during the study process, a constituent testifies as to concerns that may arise with county boundary discrepancies including, taxation without representation, if a county tax map is utilized as the boundary of the county instead of the boundary described in state statute.

Acknowledging differences in interpretations of county boundaries and its potential impact on elections, the **Committee finds until 2030, or such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as expressed in statute, practical problems may arise under various interpretations of a county boundary, including but not limited to, taxation without representation.**

### *Recommendations*

#### *General Information*

The following recommendations include areas identified for potential improvement by the Committee. The Committee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency. These recommendations are based on the agency's self-analysis requested by the Committee, discussions with the agency and constituents during multiple meetings, and analysis of the information obtained by the Committee. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee's website.

#### *Continue*

The **Committee does not have any specific recommendations with regards to continuance of agency programs.**

#### *Curtail (i.e. Revise)*

The Committee has **nineteen substantive recommendations** arising from its study of the agency. These recommendations fall into four categories: (1) pre-election; (2) election; (3) training; and (4) county boundaries utilized for elections. An overview of these recommendations is provided in Table 1 on page 9. Appendix O includes the text of recommendations as adopted by the Committee.

### Recommendations for pre-election

The Committee has **five recommendations related to pre-election issues**, and a summary is in Table 14.

Table 14. Summary of recommendations for pre-election.

RECOMMENDATIONS	
Pre-Election	
1. <b>Voter Registration</b> - Revise state voter registration applications to include a “Yes” and “No” box beside each eligibility qualification.	
2. <b>Incapacity</b> - Obtain notification when a court deems an individual mentally incapacitated so the agency may update the voter registration database.	
3. <b>Voter Registration Books</b> - Allow additional time for individuals to register to vote by changing the deadline to register to vote from 30 to 25 days prior to an election.*	
4. <b>Substitution of Nominee</b> - Limit the time prior to an election when a candidate may resign for non-political reasons and a substitute candidate may be nominated.*	
5. <b>Certification of Candidates</b> - Allow the agency sufficient time to prepare for elections by applying the August 15th requirement for certifying candidates in a statewide general election to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates.*	

Table Note: Asterisks denote recommendations to the General Assembly; all other recommendations are to the agency.

**1. Voter Registration** - The Committee recommends the agency revise state voter registration applications to include a “Yes” and “No” box beside each eligibility qualification. Currently, the application requires the person registering to individually indicate yes or no beside two of the qualifications at the top of the form, but then groups other qualifications together at the bottom, as seen in Figure 4. The County Registration and Election Board relies on an individual’s signed affirmation that the individual meets all of the qualifications required to vote.<sup>79</sup>

**SOUTH CAROLINA VOTER REGISTRATION MAIL APPLICATION**

Registration Number: \_\_\_\_\_

Check One:

☐ New Registration  
(Check above if moving from one county)

☐ Address or name change within the county

Are you a citizen of the United States of America? Yes ☐ No ☐  
 Will you be 18 years of age on or before election day? Yes ☐ No ☐  
 If you checked 'NO' in response to either of these questions, DO NOT complete this form.

**NAME** Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_ Suffix: \_\_\_\_\_

**SEX** Male ☐ Female ☐

**RACE** White ☐ Black/African American ☐ Asian ☐ Hispanic ☐ Native American ☐ Other Specify: \_\_\_\_\_

**ADDRESS WHERE YOU LIVE** (Physical Address)  
 Street: \_\_\_\_\_ Apt Number: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**MAILING ADDRESS** (if different from above)  
 Street or Post Office Box: \_\_\_\_\_  
 City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**BIRTHDATE** Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

**PREVIOUS REGISTRATION/NAME** Precinct: \_\_\_\_\_ County: \_\_\_\_\_ Previous Name: \_\_\_\_\_

**Voter Declaration** – (read and sign below)  
 I swear or affirm that:  
 -I am a citizen of the United States of America  
 -I will be 18 years of age on or before Election Day  
 -I am a resident of South Carolina, this county and precinct  
 -I am not under a court order declaring me mentally incompetent  
 -I am not confined in any public prison resulting from a conviction of a crime  
 -I have never been convicted of a felony or offense against the election laws OR  
 if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction  
 -the address listed above is my only legal place of residence,  
 and I claim no other place as my legal residence

**Signature** \_\_\_\_\_ **Date of Application** \_\_\_\_\_

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

If you do not have a street name or number, draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

**Attach ID Here**

Figure 4. SC mail-in voter registration application.

**2. Incapacity** - The Committee recommends the agency obtain notification when a court deems an individual mentally incapacitated so the agency may update the voter registration database. Pursuant to statute, an individual “is disqualified from being registered or voting if he: is mentally incompetent as adjudicated by a court of competent jurisdiction.”<sup>80</sup> Changes in mental capacity may occur after initial registration (e.g. accident or illness). The agency updates the voter database based on information it receives about voter qualifications. Currently, there is no requirement for courts to send a notice to the agency when this occurs.<sup>81</sup>

**3. Voter Registration Books** - The Committee recommends the General Assembly allow additional time for individuals to register to vote by changing the deadline to register to vote from 30 to 25 days prior to an election. Proposed language to implement this recommendation is included in Table 15.

The deadline to register to vote varies depending on the method of registration (e.g., in person, by mail, or online).<sup>82</sup> A 25-day time period allows the deadline to occur on a weekday for elections held on both Tuesdays and Saturdays.<sup>83</sup> According to the SEC executive director, the 30-day deadline has been in place for decades.<sup>84</sup> A deadline is necessary to allow for receipt and review of registrations and production and distribution of a voter registration list.<sup>85</sup> However, the agency asserts 30 days is no longer necessary. The agency believes it may be possible to shorten the time even more in the future, but it prefers to reduce the time in small increments to gauge effectiveness.<sup>86</sup> In regards to federal regulations, the agency states the time period can be no more than 30-days.<sup>87</sup>

Table 15. Proposed statutory changes to allow additional time for individuals to vote.

Statute	Proposed Language <sup>88</sup>
7-5-150	<p><b>§ 7-5-150. Closing registration books; registration of persons coming of age while books closed.</b></p> <p>The registration books shall be closed <del>thirty</del> <u>twenty four</u> days before each election, but only as to that election or any second race or runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided that the registration books shall be closed <del>thirty</del> <u>twenty four</u> days before the June primary and shall remain closed until after the second primary and shall likewise be closed <del>thirty</del> <u>twenty four</u> days before the November general election. They shall thereafter be opened from time to time in accordance with the provisions of this article. Any person eligible to register who has been discharged or separated from his service in the Armed Forces of the United States, and returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the next ensuing election after the discharge or separation from service, up to 5:00 p.m. on the day of the election. This application for registration must be made at the office of the board of voter registration and elections in the county in which the person wishes to register, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during this period of <del>twenty four</del> <u>thirty</u> days shall be entitled to register before the closing of the books if otherwise qualified.</p>

7-5-155	<p><b>§ 7-5-155. Registration of electors by mail.</b></p> <p>(a) Notwithstanding any other provision of law, the following procedures may be used in the registration of elections in addition to the procedure otherwise provided by law.</p> <p>(1) Subject to the provision of § 7-5-150, any qualified citizen may register to vote by mailing or having delivered a complete state registration by mail application form or a completed national registration by mail application form prescribed by the Federal Election Commission not later than <del>thirty</del> <u>twenty five</u> days before any election to his county board of voter registration and elections. The postmark date of a mailed application is considered the day of mailing. If the postmark date is missing or illegible, the county board of voter registration and elections must accept the application if it is received by mail no later than five days after the close of registration books before any election.</p> <p>(2) If the county board of voter registration and election determines that the applicant is qualified and his application is legible and complete, the board shall mail the voter written notification of approval on a form to be prescribed and provided by the State Election Commission pursuant to § 7-5-180. When the county board of voter registration and elections mails the written notification of approval, it must do so without requiring the elector to sign anything in the presence of a member of the board, a deputy member, or a registration clerk and the attestation of the elector's signature is not required so long as the conditions set forth above are met.</p> <p>(3) Any application must be rejected for any of the following reasons:</p> <ul style="list-style-type: none"> <li>(i) any portion of the application is not complete;</li> <li>(ii) any portion of the application is illegible in the opinion of a member and the clerk of the board;</li> <li>(iii) the board is unable to determine, from the address stated on the application, the precinct in which the voter should be assigned or the election districts in which he is entitled to vote.</li> </ul> <p>(4) Any person whose application is rejected must be notified of the rejection together with the reason for rejection. The applicant must further be informed that he still has a right to register by appearing in person before the county board of voter registration and elections or by submitting the information by mail necessary to correct his rejected application. The form for notifying applicants of rejection must be prescribed and provided by the State Election Commission pursuant to § 7-5-180.</p> <p>(b) Every application for registration by mail shall contain spaces for home and work telephones numbers of the applicant and the applicant shall enter the numbers on the application where applicable.</p> <p>(c) The State Election Commission shall furnish a sufficient number of application forms to the county boards of voter registration and elections and voter registration agencies specified in § 7-5-310(B) so that distribution of the application forms may be made to various locations throughout the counties and mailed to persons requesting them.</p> <p>County boards of voter registration and elections shall distribute application forms to various locations in their respective counties, including city halls and public libraries, where they must be readily available to the public.</p>
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	<p>(d) The original application must remain on file in the office of the county board of voter registration and elections.</p> <p>(e) The State Election Commission may promulgate regulations to implement the provisions of this section.</p>
7-5-185	<p><b>§ 7-5-185. Electronic applications for voter registration.</b></p> <p>(A) A person who is qualified to register to vote and who has a valid South Carolina driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the Internet website of the State Election Commission.</p> <p>(B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received <del>thirty</del> <u>twenty five</u> days before an election to be held in the precinct of the person submitting the application.</p> <p>(2) The applicant shall attest to the truth of the information provided in the application.</p> <p>(3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver's license or state identification card issued by the Department of Motor Vehicles.</p> <p>(4) For each electronic application, the State Election Commission shall obtain an electronic copy of the applicant's signature from his driver's license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.</p> <p>(5) An application submitted pursuant to this section must contain the applicant's name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: "I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence." An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.</p> <p>(C) Upon submission of an application pursuant to this section, the electronic voter registration system shall provide immediate verification that the:</p> <p>(1) applicant has a South Carolina driver's license or state identification card issued by the Department of Motor Vehicles and that the number for that driver's license or identification card provided by the applicant matches the number for that person's driver's license or state identification card that is on file with the Department of Motor Vehicles;</p> <p>(2) date of birth provided by the applicant matches the date of birth for that person, which is on file with the Department of Motor Vehicles;</p>



	<p>(3) name provided by the applicant matches the name for the person which is on file with the Department of Motor Vehicles; and</p> <p>(4) State Election Commission employs security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this section.</p> <p>(D) Should there be a failure to match any of the information required in this section with the Department of Motor Vehicles, the State Election Commission immediately shall notify the applicant of the failure to match information and inform the applicant that his application for registration was not accepted.</p> <p>(E) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.</p>
7-5-220	<p><b>§ 7-5-220. Certificates shall be invalid at election within <del>thirty</del> <u>twenty four</u> days of issuance.</b></p> <p>Except as provided in Section 7-5-150, registration made <del>thirty</del> <u>twenty four</u> days or less before any election is not valid for that election or any second race or runoff resulting from that election but such registration shall be valid in any other election.</p>
7-5-330	<p><b>§ 7-5-330. Voter registration application; discretionary removal of elector.</b></p> <p>(A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than <del>thirty</del> <u>twenty five</u> days before the date of the election.</p> <p>(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than <del>thirty</del> <u>twenty five</u> days before the date of the election.</p> <p>(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than <del>thirty</del> <u>twenty five</u> days before the date of the election.</p> <p>(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than <del>thirty</del> <u>twenty five</u> days before the date of the election.</p> <p>(E)(1) The county board of voter registration and elections shall:</p> <p>(a) send notice to each applicant of the disposition of the application; and</p> <p>(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.</p> <p>(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file and may remove this elector upon compliance with the provisions of Section 7-5-330(F).</p> <p>(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:</p> <p>(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or</p> <p>(b)(i) has failed to respond to a notice described in item (2); and</p>

	<p>(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.</p> <p>(2) "Notice", as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:</p> <p>(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than <u>thirty</u> <del>thirty</del> <u>twenty five</u> days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;</p> <p>(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.</p> <p>(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.</p> <p>(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.</p>
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**4. Substitution of Nominee** - The Committee recommends the General Assembly limit the time prior to an election when a candidate may resign for non-political reasons and a substitute candidate may be nominated.<sup>89</sup> Currently, there is no time limit specified for candidate resignations which creates the potential for a candidate resignation to impact the timing of the election.<sup>90</sup> Also, this proposed change assists overseas citizens and members of the military, to whom the agency must mail a ballot at least 45 days prior to an election, in voting for the replacement candidate in an election.<sup>91</sup>

**5. Certification of Candidates** - The Committee recommends the General Assembly allow the agency sufficient time to prepare for elections by applying the August 15th requirement for certifying candidates in a statewide general election to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates. For a statewide general election, political parties currently must certify candidates by noon on August 15th, but several school districts and municipalities do not comply because candidate filing opens/closes after the certification date.<sup>92</sup> This recommendation affords the agency and counties time to prepare databases for the ballots to be used in the general election to be built and tested; further, it helps ensure overseas citizens and members of the military voting absentee are mailed ballots at least 45 days prior to an election as required by law.<sup>93</sup>

### Recommendations for elections

The Committee has **five recommendations related to elections**, and a summary is in Table 16.

Table 16. Summary of recommendations for elections.

RECOMMENDATIONS	
Elections	
6.	<b>Municipal Elections</b> - Standardize municipal elections by holding no more than three in an odd numbered year.*
7.	<b>Primaries</b> - Hold non-partisan primaries on a different day than partisan primaries.*
8.	<b>Poll Workers</b> - Allow a voter registered in South Carolina to serve as a poll worker anywhere in the state.*
9.	<b>Absentee Ballots</b> - Remove the requirement of a witness signature on the envelope of a mail-in absentee ballot as the signatures cannot be verified.*
10.	<b>Protest Time Frames</b> - Standardize municipal election protest time frames to mirror the state wide election protest schedule.*

Table Note: Asterisks denote recommendations to the General Assembly.

**6. Municipal Elections** - The Committee recommends the General Assembly standardize municipal elections by holding no more than three in an odd numbered year. Municipal general elections are held in all twelve months of the year.<sup>94</sup> Each municipality governing body may, by ordinance, establish ward lines and times for general and special elections within the municipality.<sup>95</sup> According to the agency, as of January 2015, 45% of municipalities hold elections in November of odd years, 13% hold elections in November of even years, and 42% hold elections on Tuesdays throughout the year.<sup>96</sup>

The agency requests the general elections of municipalities be standardized to the first Tuesday of November in odd numbered years to avoid conflict with statewide general elections held in even calendar years, simplify the conduct of elections, provide cost savings for counties and municipalities, improve voter education on the dates of municipal elections, and encourage more participation in municipal elections.<sup>97</sup> When asked about cost savings for the agency, the agency executive director testifies those savings, if any, may be seen at the county level.<sup>98</sup>

The South Carolina Association of Registration and Election Officials, Inc. (SCARE) supports a single date as expressed in testimony and a letter to the Subcommittee.<sup>99</sup> The Municipal Association of South Carolina (MASC) agrees standardization of general election dates is helpful but prefers several potential dates for municipalities to hold their general elections.<sup>100</sup>

Appendix P includes a chart with election types, dates, coordinating entities, and average costs.

**7. Primaries** - The Committee recommends the General Assembly hold non-partisan primaries on a different day than partisan primaries. Most elections of school district trustees include a non-partisan filing period with candidate placement on the general election ballot.<sup>101</sup> At least, one school district holds a non-partisan primary on the same day as the statewide primaries (i.e., the second Tuesday in June of even-numbered years).<sup>102</sup> This recommendation seeks to provide uniformity in the election of school district trustees and to avoid voter confusion on primary day for the general election as all other ballots issued to voters are based upon party preference expressed by the voter at the polls.<sup>103</sup>

**8. Poll Workers** - The Committee recommends the General Assembly allow a voter registered in South Carolina to serve as a poll worker anywhere in the state.<sup>104</sup> This recommendation seeks to expand the pool of potential poll workers to include colleges students and those who live further than an adjoining county, among others.<sup>105</sup> During the study process, a representative from SCARE testifies there are counties that have difficulty recruiting poll workers.<sup>106</sup>

**9. Absentee Ballots** - The Committee recommends the General Assembly remove the requirement of a witness signature on the envelope of a mail-in absentee ballot as the signatures cannot be verified. This recommendation seeks to streamline the absentee voting process by acknowledging there is no way to validate the witness signature required on the back of the envelope when an individual submits an absentee ballot.<sup>107</sup>

**10. Protest Time Frames** - The Committee recommends the General Assembly standardize municipal election protest time frames to mirror the state wide election protest schedule. Proposed language to implement this recommendation is included in Table 17.

*Table 17. Proposed statutory changes to standardize municipal election protest time frames to mirror the state wide election protest schedule.*

Statute	Proposed Language <sup>108</sup>
5-15-80	<p><b>§ 5-15-80. Results of political party primaries; protests and contests.</b></p> <p>The results of any political party primary shall be declared by the party conducting the election <u>by 1:00 p.m. on Thursday following the primary.</u> Protests and contests shall be filed in writing with the municipal party chairman <u>no later than noon on Monday following certification</u> <del>within two days after the day of the declaration</del> of the results of the election and the municipal party executive committee shall determine such protests <u>on Thursday following the deadline to file a protest</u> <del>within five days after the filing thereof</del>. From the decision of the municipal party committee an appeal may be made to the Board of State Canvassers of Municipal Primaries as provided in Section 7-17-580. Notice and grounds of appeal must be filed in writing with the chairman of the Board of State Canvassers of Municipal Primaries within five days following the date on which the decision of the municipal committee is declared.</p> <p>Any appeal thereafter shall be to the court of common pleas of the county in which the municipality is situate. Notice and grounds of appeal shall be served on the opposing parties or their attorneys within ten days following the decision of the Board of State Canvassers of Municipal Primaries.</p>
5-15-100	<p><b>§ 5-15-100. Functions, powers and duties of municipal election commission.</b></p> <p>The municipal election commission shall be vested with the functions, powers and duties of Municipal Supervisors of Registration if no such supervisors have been appointed pursuant to Section 7-5-640, and shall also have the functions, powers and duties of commissioners of election, as set forth in Section 7-5-10 and other provisions of Title 7. The municipal election commission shall insure proper books of registration are provided for each ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of election for each polling place and</p>

	<p>otherwise supervise and conduct all municipal, special and general elections. The managers shall <del>certify report</del> the results of the election to the commission within one day and the commission shall declare the results <del>not later than three days</del> <u>by 1:00 p.m. on Friday</u> following the election.</p> <p>Nominees in a party primary or party convention and nominees by petition shall be certified to the municipal election commission within the time specified herein and when so certified, the commission shall place the names of such nominees upon the ballots.</p>
5-15-130	<p><b>§ 5-15-130. Procedures for contesting results of election</b></p> <p><del>Within forty-eight hours after the closing of the polls</del> <u>No later than noon on Wednesday following certification,</u> any candidate may contest the result of the election as reported by the managers by filing a written notice of such contest together with a concise statement of the grounds therefor with the Municipal Election Commission. <u>On Monday following the deadline to file a protest,</u> <del>Within forty-eight hours after the filing of such notice,</del> the Municipal Election Commission shall, after due notice to the parties concerned, conduct a hearing on the contest, decide the issues raised, file its report together with all recorded testimony and exhibits with the clerk of court of the county in which the municipality is situated, notify the parties concerned of the decisions made, and when the decision invalidates the election the council shall order a new election as to the parties concerned.</p> <p>Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any contest in which he is a party.</p>

### *Recommendation for training*

The Committee has **one recommendation related to training**.

**11. County Board Orientation** - The Committee recommends the General Assembly require County Registration and Election Board Members to participate in an orientation, approved by the State Election Commission, within 30 days of appointment to a county board. This recommendation seeks to provide new board members basic training, relative to their duties, in a timely manner.<sup>109</sup> Currently, each member of the board must complete a training and certification program conducted by the agency within 18 months after initial appointment.<sup>110</sup> If a member does not complete the program within that time, the Governor, upon notification, must remove the member from the board unless an extension is granted to complete the program based upon exceptional circumstances.<sup>111</sup> In making this concept recommendation, the Committee anticipates these compliance provisions being applicable to the new orientation program. While the agency currently does not have an orientation, during the study process testimony is received that it is open to considering an online orientation available to newly appointed board members.<sup>112</sup>

### Recommendations for county boundaries utilized for elections

The Committee has **eight recommendations related to county boundaries utilized for elections**, and a summary is in Table 18.

*Table 18. Summary of recommendations for county boundaries utilized for elections.*

RECOMMENDATIONS
County Boundaries Utilized for Elections
<u>In General</u>
<b>12. Official Map</b> - Clarify South Carolina’s official county boundary map is held by Revenue and Fiscal Affairs Office or its successor entity.*
<u>Surveying Geographic Coordinates</u>
<b>13. Initial Public Notice</b> - Expand notification efforts during the county boundary geographic coordinate surveying process.*
<b>14. Streamline Process</b> - Streamline the geographic coordinate survey process by prohibiting simultaneous occurrence of: (1) a county annexing property impacting an individual boundary line of a county; and (2) SC Geodetic Survey surveying the same boundary line for its geographic coordinates.*
<u>After Geographic Coordinates Finalized</u>
<b>15. Post-Work Notice</b> - Expand notification efforts after the geographic coordinate surveying process.*
<b>16. County Usage</b> - Confirm usage of boundary geographic coordinates by impacted counties.*
<b>17. Voter Database</b> - Address practical problems with updating the voter database during the geographic coordinate surveying process.*
<b>18. Future Annexations</b> - Provide for accuracy of county boundary lines after initial geographic coordinates are finalized (i.e., update the existing annexation process).*
<b>19. Enforcement</b> - Create an enforcement mechanism to ensure adherence to boundary geographic coordinates (i.e., authorize a private cause of action by a citizen).*

*Table Note: Asterisks denote recommendations to the General Assembly.*

**12. Official Map** - The Committee recommends the General Assembly clarify South Carolina’s official county boundary map is held by Revenue and Fiscal Affairs Office (RFA) or its successor entity. This recommendation seeks to provide clarity to government and private entities on the issue of the authority of maps held by RFA.<sup>113</sup> During the study process, RFA personnel testify the federal Census Bureau has requested statutes that show the state has authority to determine county boundaries.<sup>114</sup> Notably, individual boundaries of each of the states’ 46 counties are described in separate state statutes.<sup>115</sup>

**13. Initial Public Notice** - The Committee recommends the General Assembly expand notification efforts during the county boundary geographic coordinate surveying process. More specifically, the Committee recommends the General Assembly require SCGS: (1) send notice to the county administrator and publish this notice (a) in a local newspaper, and (b) on RFA’s website 30 days prior to SCGS starting their work of surveying the geographic coordinates of an individual county boundary; and (2) work with the county administrator to hold a public meeting, after SCGS has preliminary geographic coordinates, to provide information on the preliminary coordinates and obtain additional public input prior to finalizing the plat of the individual county boundary line. This recommendation seeks to provide more opportunities for public involvement at the start of the process of geographically surveying a county boundary line.<sup>116</sup> Currently, SCGS has an informal process for communicating with counties prior to starting its work and there is a

process outlined in statute after SCGS finishes its work.<sup>117</sup> Appendix Q includes a flow chart of the process with sample correspondence sent to involved parties. The Committee recommendation seeks to codify SCGS' informal process.

**14. Streamline Process** - The Committee recommends the General Assembly streamline the geographic coordinate surveying process by prohibiting simultaneous occurrence of: (1) a county annexing property impacting an individual boundary line of a county; and (2) SC Geodetic Survey surveying the same boundary line to position geographic coordinates. This recommendation seeks to minimize potential confusion over boundaries while SCGS is in the process of surveying a particular boundary line.<sup>118</sup> Notably, the recommendation impacts only counties - not municipalities.<sup>119</sup> According to representatives of SCGS and the Municipal Association of South Carolina, municipal annexations have no effect on county lines.<sup>120</sup>

**15. Post-Work Notice** - The Committee recommends the General Assembly expand notification efforts after the geographic coordinate surveying process. Under current law, RFA is required to provide geographic coordinates of a boundary to the Secretary of State, Department of Archives, and Register of Deeds in each affected county.<sup>121</sup> This recommendation seeks to alert additional impacted entities as to which map of the county boundary to utilize.<sup>122</sup> Additional impacted entities include: State Election Commission; County Registration and Election Boards; county council; county assessor; county emergency services; and affected school boards. RFA testifies this is no great additional burden.<sup>123</sup>

**16. County Usage** - The Committee recommends the General Assembly confirm usage of boundary geographic coordinates by impacted counties. More specifically, the Committee recommends the General Assembly require a county council, within 180 days of receiving the geographic coordinates of a boundary (which may only be one boundary line of the county and not the county's entire boundary) from SCGS, to provide written confirmation to RFA that the county has taken necessary steps, which may include grandfathering in certain residents for periods of time as long as those residents are not being taxed in an area in which they cannot vote, to adhere to the boundary geographic coordinates for all purposes, including but not limited to, elections, tax assessments, emergency services, school districts, and permits. This recommendation seeks to minimize discrepancies in county boundary interpretations (e.g., avoid taxation without representation).<sup>124</sup>

During the study process, RFA provides an example of unclear county boundaries, which is included in Figure 5.<sup>125</sup>



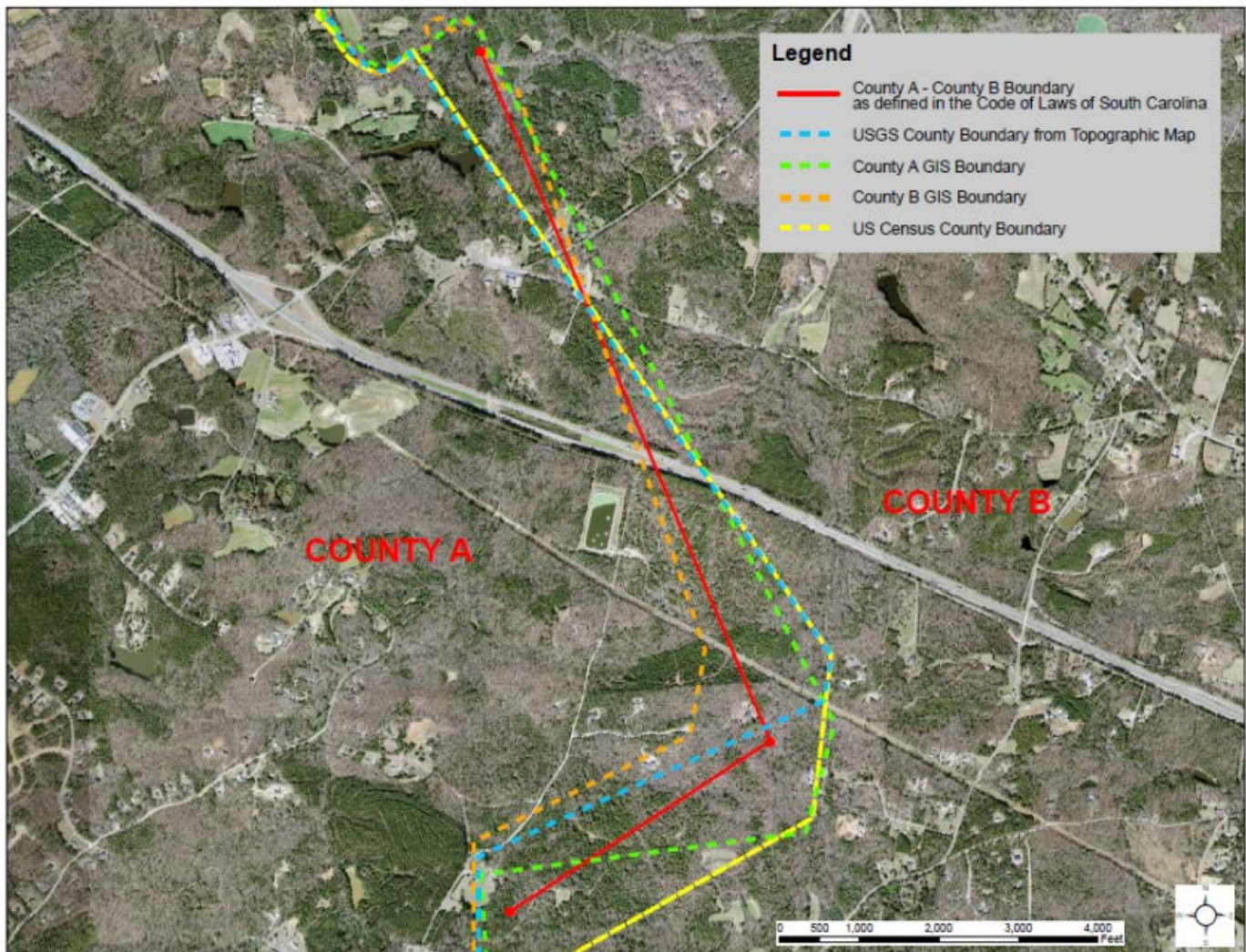


Figure 5. Example of different interpretations of county boundary line provided by SCGS (Best viewed in color).

As background, in Act 262 of 2014, the General Assembly has found:

1. that exact and **precise locations of boundaries** of this state's political subdivisions **are critical for the efficient provision of services**, enforcement of property rights, and election of public officials;
2. that the **passage of time and growth in society has led to confusion over statutory county descriptions and the locations of county boundary lines**;
3. that **technology now exists to cost-effectively provide definite and permanent markers** of boundary lines;
4. that it is necessary for the effective and efficient operation of state government and its political subdivisions that county boundaries are clearly and accurately determined as expeditiously as possible; and
5. that the South Carolina Geodetic Survey is the appropriate instrument to vest with the necessary authority to resolve county boundary issues.<sup>126</sup> (emphasis added)



The General Assembly has further found it appropriate to statutorily allow SCGS to clarify unclear boundaries.<sup>127</sup> The statutory geographic coordinate surveying process is conducted on each individual county boundary line - not the entire county boundary at once - as the statutory description of a county is broken down into the different individual boundary lines (e.g., Abbeville County is bounded as follows: **on the southwest** by the Savannah River, by which it is separated from Georgia; **on the northwest** by Anderson County, from which it is separated by a line (the old Indian boundary) drawn from a marked black gum, on the east bank of the Savannah River, at the foot of Grape Shoals, N. 50° E. to a willow oak, marked "A. & P.," on the south side of Saluda River; **on the northeast** by Laurens County, from which it is separated by the Saluda River, and by Greenwood County; and on the southeast by McCormick County.)<sup>128</sup> At the completion of the process the geographic coordinates of the individual line surveyed take effect since the geographic coordinates mark the individual line already described in statute.<sup>129</sup>

If a county desires a different boundary, there is a process for annexing land of another county. The State Constitution states in part, "[t]hat before any existing County line is altered the question shall be first submitted to the qualified electors of the territory proposed to be taken from one County and given to another, and shall have received two thirds of the votes cast."<sup>130</sup>

**17. Voter Database** - The Committee recommends the General Assembly address practical problems with updating the voter database during the geographic coordinate surveying process, which SCGS strives to complete by the 2030 census.<sup>131</sup> Given the amount of time SCGS anticipates it will take to complete this process, this recommendation seeks to ensure the map which governs where a citizen votes is the same map which governs the county in which a citizen is taxed.<sup>132</sup>

**18. Future Annexations** - The Committee recommends the General Assembly provide for accuracy of county boundary lines after initial geographic coordinate surveying (i.e., update the existing annexation process). More specifically, the Committee recommends the General Assembly update statutes to ensure that after initial geographic coordinates of a boundary line take effect, (1) any future annexations impacting that line include geographic coordinates and descriptions of the proposed new line, which SCGS will verify, as part of the information available to those within the counties who are voting on the annexation (vote by citizens is required as part of the current process to annex), and (2) within 30 days of the certification of election results approving an annexation, counties must provide the geographic coordinates and description of the new boundary line to SCGS who will update the official map. This recommendation seeks greater efficiency in utilization of government resources.<sup>133</sup>

**19. Enforcement** - The Committee recommends the General Assembly authorize a private cause of action, which includes reasonable attorney's fees, against any county that, after 180 days of receiving the geographic coordinates of a boundary line from SCGS, taxes citizens outside the county boundary's geographic coordinates, contained in the official county boundary map held by RFA.<sup>134</sup> While statute states the geographic coordinates of a boundary line take effect at the end of the geographic coordinate surveying process, RFA representatives testify that when a county actually complies with the geographic coordinates is out of their control.<sup>135</sup>

### *Eliminate*

The Committee does not have any specific recommendations with regards to elimination of agency programs.

### *Follow Up*

The Committee recommends the full Committee may follow up with the agency at any time about (1) the status of implementing the Committee's recommendations, and (2) any other questions the full Committee has for the agency.

## SELECTED AGENCY INFORMATION

**State Election Commission. "Program Evaluation Report, 2017."**

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/PER%20Extension%20Request%20Granted%203.31.17.pdf> (last accessed July 10, 2017).

**State Election Commission. "Restructuring and Seven-Year Plan Report, 2015."**

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2015AgencyRestructuringandSevenYearPlanReports/2015%20Election%20Commission.pdf> (last accessed July 10, 2017).

**State Election Commission. "Agency Accountability Report, 2015-16."**

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (last accessed July 10, 2017).

**State Election Commission. "Annual Request for Information, 2017."**

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FilesforAllAgenciesNewWebsite/2017%20-%20ARR%20Guidelines%20\(June%2020,%202016\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FilesforAllAgenciesNewWebsite/2017%20-%20ARR%20Guidelines%20(June%2020,%202016).pdf) (last accessed July 10, 2017).

**SC House of Representatives, Legislative Oversight Committee. "February/March 2017 Survey Results."**

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20\(2\\_9%20-3\\_13\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20(2_9%20-3_13).PDF) (last accessed July 10, 2017).

APPENDICES

## *Appendix A. County Boards of Registration and Elections*

### Appendix Includes:

- Statutes applicable to appointment of County Boards of Registration and Elections members
- County Boards of Registration and Elections members as of April 28, 2017
- List of responsibilities for which the County Boards of Registration and Elections are responsible as opposed to the State Election Commission

## ATTACHMENT C

### County Boards of Registration and Elections

**SECTION 7-5-10.** Appointment of board members; previous offices abolished; training and certification requirements.

(A)(1) The Governor shall appoint, upon the recommendation of the legislative delegation of the counties, competent and discreet persons in each county, who are qualified electors of that county and who must be known as the "Board of Voter Registration and Elections of \_\_\_\_\_ County". The total number of members on the board must not be less than five nor more than nine persons. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution: "I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God."

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member's initial appointment or his reappointment following a break in service, or within eighteen months after a staff person's initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

(3) Following completion of the training and certification program required in item (1), each

board member, and each staff person designated by the board or commission, must take at least one training course each year.



<b>County</b>	<b>Current Board Members</b>	<b>Years Served on Board</b>
Abbeville (7)	Teresa Bannister Laura Baughman Betty Bowen Betty Henry Janet Miller Conway Shirley Brenda Tolbert	Unknown 6 3 10 Unknown 3 2
Aiken (9)	James Cosnahan Douglas Gantt Paul Hudak Ron Kolosek Amanda Kay McIver Andrew Marine Moses Myers Sarah Rutland Blanche S. Wimberly	3 1 3 Less than 1 Unknown 5 Unknown 5 2
Allendale (4)	Edwina Bing Robert Connelly, III Jacob Prince Georgia Williams	3 3 3 3
Anderson (7)	Linda Burdette Karen Claflin Jean Holloway Craig Isom Melissa Ledford William Orr Peggy Taylor	Unknown 5 5 Unknown Less than 1 Unknown 11
Bamberg (7)	Verline Baucham Patricia Blume Jimmy Brickle Jannie Johnson Dorothy Lee Eva Manigault Curtis Tyler, Jr.	Unknown Unknown 9 10 Unknown 3 2
Barnwell (7)	Ivan Cohen Bobby Hundley Harriett McKnight Gwendolyn Neal Caroline Nolte Myrtle Smoak Mary Kathleen Thomas	3 10 2 11 4 5 11
Beaufort (8)	William Bronson Tyrone Clifford Beverly Dore Dean Hewitt Bruce Massey James Rowe William Severns Henry Waddington	3 Unknown 7 11 3 8 5 Unknown

Berkeley (9)	Wade Arnette Leon Brown Orval Mills Judy Moody Zonda Powell Donald Rose Don Saturday Frances Taylor Darel Trout	1 Unknown Unknown 11 2 Unknown Unknown Unknown 2
Calhoun (8)	Johnnie Bates Vivian Bodrick Catherine Crosby Rebecca Keller Pamela Phillips Jeff Reid, Jr. Ashley Summers Judy Taylor	Unknown Unknown Unknown Unknown Unknown Unknown 11 Unknown
Charleston (9)	John Bourne Carolyn Lecque Dan Martin Robin Poliakoff Charles Shine June Smith Mary Ann Taylor Christine Varnado Troy Watson	Unknown Unknown Unknown 3 Unknown Unknown 4 Unknown Unknown
Cherokee (8)	Richard Baines Lamar Batchelor Jason Blanton Carlton Bridges Mike Byars James Elliott John Hoilo Meredith McKey	3 Unknown 5 3 1 1 1 1
Chester (6)	Anna Boulware Luke Cameron Andrew Johnson William (Bill) Marion Debbie Parsons Bobbie Starks	3 9 7 Unknown 9 9
Chesterfield (5)	Gerald Baker Martha Charles Roy Neal Phillip Powell Donald Sellers	11 4 Unknown Less than 1 Unknown

Clarendon (9)	Paula Bryant Jeremy Cannon Nancy Cave Gregory Holliday Mattie Johnson Sharon Ridgeway Maggie Robertson Beatrice Simon Betsy Watson	Unknown 1 5 Unknown 1 Unknown 9 Less than 1 2
Colleton (7)	Queenie Crawford Lynette Fryar Angela Gilliard Scott Harvin Dale Headden Celia Price Randall Ulmer, Sr.	7 Unknown 6 6 11 11 2
Darlington (4)	Ellen Causey Hannah Dixon Thomas Heatley Hamer Parnell	Unknown 12 9 6
Dillon (8)	Wilson Brown James Calhoun Amy Cardwell Dorothy Carmichael Mary Davis Michael Grice Ralph Herndon Melissa Thompson	Less than 1 Less than 1 3 3 3 Less than 1 Less than 1 1
Dorchester (5)	Queen Bowman Ronald Jaicks Rodney Profit Arthur Shields Cecil Toulon	Unknown 3 Unknown Unknown 3
Edgefield (6)	Vickie C. Butler Eddie Feagin Donna Lybrand Bob Ramsey David Satcher Beatrice Scott	Less than 1 Unknown Less than 1 Unknown 10 Unknown
Fairfield (7)	Thomas Chase Robert Drake John Glenn, Sr. Carolyn Prioleau Alice Rice Donna Royson Betty Trapp	6 5 9 10 5 3 Unknown

Florence (6)	Gary Cooper Helen Dimery Becky Docherty Rudy Hughes Quincy Kennedy Ashley Nance	1 3 3 Unknown 9 5
Georgetown (8)	Billy Altman Nancy Brown Tracy Gibson Mary Joyce Holmes Jan Lane Dean Smith Robert Wigglesworth Jimmy Young	Unknown Unknown Less than 1 5 4 6 Less than 1 Unknown
Greenville (8)	Jerry Barron Wayne Davis Joyce Hoffman Bill Lynch Bunny Phillips Glenn Phillips Bob Schaffner Markylena Tolbert-Wydman	Unknown Unknown 2 7 Unknown 2 Unknown 7
Greenwood (8)	Ann Broome Jack Chalock David Connor David Eddy Don Going Beth Rembert Derwin Sthare James Wilson	3 Unknown 4 9 3 7 6 Unknown
Hampton (5)	Mark Altman Linda Givens Elise McQuire Kakela Robinson Carlar Williams	3 Unknown 1 9 4
Horry (8)	Vickie Autry Charlie Bellamy, II James Michael Frazier Deborah Johnson Maurice Jones Lawrence Leagans Dorsey Strickland Wiley Taylor, III	Unknown 2 Unknown Unknown 7 Unknown 2 5

Jasper (9)	Joseph Arzillo Rodney Catterton Timothy Crosby Denise Davidson Carrie Fair John Kemp Regenia Scott Carl Tyler Pamela Williams	3 3 1 1 Less than 1 1 Less than 1 12 Unknown
Kershaw (7)	Marvin Best Julia Brock Sally Brown John Clinton Anna Isgett Morris Pate Thoyd Warren	7 Unknown 2 7 Unknown 1 Unknown
Lancaster (4)	Marshall Benson Rick Crimminger Elvira McIlwain-Faulkner Ronnie Wall	9 Unknown 9 8
Laurens (9)	William Adair Chip Brownlee Marilyn Easter Ralph Hardy John Henley Tim Howard Patrick Jackson Reynold Stoddard Cathy Williams	Unknown 3 Unknown 9 3 8 2 5 Unknown
Lee (5)	Herbert Brisbon, Jr. Mary LeGrant Sytricia Price George Wallace Carl Whetsel	2 5 2 1 2
Lexington (9)	Ben Barfield Freddie Black Frenche Brewer John Carrigg Constance Flemming Wilfred Laintz Frances Lindler Jerry McCormick Wyman Merchant	1 7 2 2 1 Less than 1 2 3 2
McCormick (6)	Larry Baker Martha Brown Suffie Jennings Laverne James Moss Peter Shumway Rita Smith	1 5 1 Unknown 1 5

Marion (8)	Curtis Campbell Norma Coote Lewis Evans Linda Godfrey Brenda Hatfield Wallace Hayes Jacqueline McGill David Stone	10 1 11 12 Unknown 10 Unknown 3
Marlboro (8)	James Abraham Keith Brewington Weldon Bruce Chavis Brenda Dixon Phyllis Hagan Ray Howe Marion Smith Sharon Thomas	1 12 2 Unknown Unknown Unknown 4 12
Newberry (6)	Brenda Fulmer John Glasgow Samuel Price, Jr. Doretha Simpson Henry Summer Martha Waller	3 Less than 1 Unknown 3 5 5
Oconee (5)	Robert Brock Edna Reid Flora Riley Webb Smathers, Jr. Bobbie Wilhite	2 15 20 3 7
Orangeburg (6)	Gayle Brown Rose Carson Broadus Jamerson, III Katherine John Jimmy Johnson, Jr. Cornelius Sumpter	5 3 2 Unknown Unknown 3
Pickens (7)	June Bowers Gretchen Campbell Sheree Chapman Kathleen Hane Geneva Robinson William Thompson, Jr. Mary Jane Weeks	12 12 2 3 3 Unknown 6
Richland (5)	Adell Adams Jane Emerson Sylvia Holley Peter Kennedy Shirley Mack	6 2 2 2 Less than 1
Saluda (4)	Jack W. Atkinson Johnny Bosket Ruby Jean Mobley Charles Rentz	6 6 6 5

Spartanburg (6)	Dorothy Broyles Rosemary Byerly Cynthia Church Ruth Littlejohn William Thompson, Jr. Don Watson	8 5 Unknown 3 3 Unknown
Sumter (6)	Leroy Blanding Goliath Brunson, Jr. Edgar Donnalld Glenn Harrell Charles Moore Selena Smith	Unknown Unknown Less than 1 4 Unknown 4
Union (8)	Harriette Belk Doug Gilliam Roger Gregory Pat Littlejohn Deborah O'Daniel Grover Allen Owens Dianne Spencer Keith Vanderford	Unknown Unknown 5 Unknown 4 1 5 Unknown
Williamsburg (7)	Robert Brown Ernest Jarrett Helen McFadden Richard Nelson Glannie Tisdale Sharon Washington Brenda Woods	Unknown 7 Unknown 2 5 Unknown Unknown
York (7)	Joseph Berger Sadie Culp Jonell Hagner Diane Linkous Kenneth Love James Mabrey Steven Rast	Unknown 3 3 Unknown Unknown Unknown Unknown

## ATTACHMENT B

### Election Official Responsibilities

State Election Officials	County Boards of Voter Registration and Elections
Supervise the conduct of county boards of voter registration and elections.	
Conduct reviews, audits or other post-election analysis of county boards to ensure compliance.	
Maintain the statewide voter registration database and provide access to county boards.	Add new registrations and make changes to existing registrations. Determine assignment of proper precinct and election districts.
Remove name of any elector who is no longer qualified to vote and notify electors.	
Furnish voter registration lists to county boards for all elections.	
Procure, lease and contract for use of equipment and services used by agency.	
Furnish at a reasonable price lists of voters to any qualified elector.	
Serve as chief state election official for implementing Federal Acts.	
Publish on agency website changes to voting procedures enacted by state or local governments.	
Administer training and certification program for county and municipal election officials.	
Report noncompliant county board members to legislative delegations and Governor.	
Recommend corrective action plans for non-compliant County Board members.	
	Conduct voter registration and notify applicant of disposition of application.
	Hold hearings when the legal qualifications of a voter are challenged.
Furnish registration forms and other election materials to county boards.	
Coordinate a registration program with state agencies designated to conduct voter registration activities under the National Voter Registration Act.	Process applications received from agencies designated to conduct voter registration activities under the National Voter Registration Act.
Maintain a record of voter participation for all elections.	



State Election Officials	County Boards of Voter Registration and Elections
	Determine polling places/alternative polling places.
	Perform reassignment of precincts and/or reapportionment when precincts and/or district lines are changed.
Certify/decertify political parties.	
Provide a candidate filing and tracking system for use by county boards and the public.	
Conduct candidate filing for statewide offices, Congressional, and Solicitor.	Conduct candidate filing for State Senate, State House, countywide and less than countywide offices.
Provide petition forms.	
Receive petitions for new political parties.	Check petitions for new political parties.
	Check all petition forms.
Receive petitions for candidates wishing to run for statewide offices, Congressional, and Solicitor/determine candidate qualifications.	Receive petitions for candidates wishing to run for State Senate, State House, countywide and less than countywide offices/determine candidate qualifications.
Provide a system for candidate filing.	
Determine if a candidate for statewide or multicounty office has withdrawn for a legitimate nonpolitical reason.	Determine if a candidate for countywide or less than countywide office has withdrawn for a legitimate nonpolitical reason.
Train/advise county boards in conducting primaries.	Conduct primaries and runoffs.
Train/advise county boards in conducting general and special elections.	Conduct general and special elections.
Train/advise county boards in conducting municipal elections.	Conduct municipal elections (duties vary depending on agreement with municipality).
Provide poll manager training materials: handbook, PowerPoint and online training management system.	Recruit and train poll managers. Determine number of poll managers to be used in an election.
Support statewide voting system by determining ballot standards and providing election databases used to produce electronic and paper ballots for primaries and elections.	Establish election definitions following ballot standards for an upcoming election. Eight counties create own their own election databases for primaries and elections. Prepare voting system for use in elections.
Certify and approve voting systems for use in South Carolina. Decertify voting systems that no longer meet the requirements of Title 7.	
Select statewide voting system.	
	Conduct provisional ballot hearings.
	Determine number of voting machines to be assigned to each precinct.

State Election Officials	County Boards of Voter Registration and Elections
	Secure and maintain voting system to include voting machines and equipment.
Provide absentee voting system for use by county boards.	Conduct absentee voting/track absentee voter participation.
Provide electronic ballot delivery system for military and overseas citizens.	Receive/duplicate ballots received from military and overseas citizens by electronic means.
	Determine absentee voting locations.
Canvass votes for multicounty offices.	Canvass votes cast in county.
Conduct pre-certification audit of tabulated results for statewide and county wide elections. Other election audits are preformed upon request.	Submit pre-certification audit files to SEC.
Certify results of multicounty offices.	Certify votes cast in county.
Conduct post-certification audit of tabulated results for statewide and county wide elections. Other election audits are preformed upon request.	Submit post-certification audit files to SEC.
Order mandatory recounts for statewide or multicounty offices.	Order mandatory recounts for countywide and less than countywide offices.
Conduct protest hearings for statewide or multicounty offices.	Conduct protest hearings for countywide and less than countywide offices.
Conduct appeal hearings for countywide and less than countywide offices.	
	Conduct mandatory recounts; canvass and certify.
Report election winners to Secretary of State's Office.	
Conduct voter education and outreach program to educate the public about voter registration, elections and changes in election law.	Conduct voter education and outreach program to educate the public about voter registration, elections and changes in election law.
Complete Federal surveys following statewide elections.	

## *Appendix B. Notification Letter*

### Appendix Includes:

- Letter from Oversight Committee to the State Election Commission (January 17, 2017)
  - The Oversight Committee notifies the agency it has been selected for study.



January 17, 2017

Marci Andino, Director  
South Carolina Election Commission  
P.O. Box 5987  
Columbia, South Carolina 29250

RE: Legislative Oversight Study of the South Carolina Election Commission

Dear Director Andino:

On January 10, 2017, the House Legislative Oversight Committee approved the South Carolina Election Commission for review, investigation and study. In conducting studies, it is the Legislative Oversight Committee's goal to partner with the agency to help it identify areas in which it can continue to improve upon the positive results it has generated for the people of South Carolina.

In the near future, the Committee will schedule a meeting with your agency to discuss preliminary matters relating to the agency. The agency will have an opportunity provide a brief overview of its programs and ask questions. Also, please do not hesitate to contact Committee staff at any time with questions.

The Committee wants to ensure the agency has as much information as possible and ample opportunity to review materials prior to the meeting. Therefore, enclosed is a flow chart with an overview of the process the Committee intends to follow, copy of the Committee's Rules and copy of the Committee's Standard Practices (please note these may be modified). Also, below is a brief summary of the Committee's expectations.

The Committee expects the following of each agency under study:

- Inform its staff that the agency is undergoing the legislative oversight study process as well as the purpose of the study;
- Appoint a liaison to assist the Committee with all activities;
- Respond to its requests in a concise, complete and timely manner;

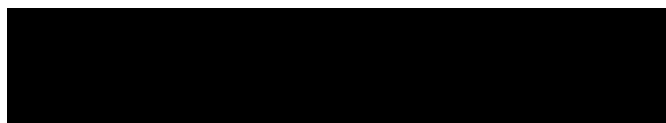
Page Two  
Director Andino

- Be candid with the Committee and to promptly discuss with the Committee any concerns or questions the agency may have related to the legislative oversight study process, including any concerns the agency may have that the Committee has drawn an incorrect conclusion;
- Realize written information provided to the Committee is considered sworn testimony; and
- Inform the Committee if any information requested by the Committee, or provided by the agency, cannot be published online due to provisions in contract or law.

Enclosed please find information to share with agency employees in the manner in which the agency regularly communicates with its employees.

I hope the information above and enclosed is helpful to you and your agency in understanding the process the Committee intends to following in conducting its study and investigation process.

Sincerely,

A large black rectangular redaction box covering the signature of the sender.

Wm. Weston J. Newton  
Chairman, House Legislative Oversight Committee

Enclosures

cc: House Legislative Oversight Committee  
Commissioner Billy Way, Jr., Chair  
Commissioner Mark A. Benson  
Commissioner Marilyn Bowers  
Commissioner E. Allen Dawson  
Commissioner Nicole Spain White

## *Appendix C. Public Survey*

### Appendix Includes:

- Press release announcing public survey (February 9, 2017)
- Results from the 2017 survey of the Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; and John de la Howe School (February 9, 2017 - March 13, 2017)

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



**South Carolina House of Representatives**

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
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*Charles L. Appleby IV  
Legal Counsel*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

### **MEDIA RELEASE**

February 9, 2017  
For Immediate Release

Contact: Chairman Weston Newton  
Email: [WestonNewton@schouse.gov](mailto:WestonNewton@schouse.gov)

**S.C. HOUSE LEGISLATIVE OVERSIGHT COMMITTEE ANNOUNCES AN  
ONLINE SURVEY SEEKING CITIZENS' INPUT ON FOUR AGENCIES UNDER STUDY BY THE COMMITTEE**  
*Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; John de la Howe School*

**Columbia, SC** - Speaker Jay Lucas and the South Carolina House of Representatives' Legislative Oversight Committee are pleased to announce an online survey seeking citizens' input on the next four agencies under study by the Committee. The next four agencies under study by this House Committee are the Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; and John de la Howe School. Citizens are encouraged to take the survey, which provides an opportunity to share with the Committee any comments, concerns, or suggestions citizens may have about these four agencies. To take the survey, go to [www.statehouse.gov](http://www.statehouse.gov), click on the "Citizens' Interest" tab on the top row, then click on the "Agency Oversight by House Legislative Oversight Committee" link. While the survey will only be open until March 13, 2017, citizens may contact the Committee anytime to share comments, concerns, or suggestions about state agencies. There have been over 1,000 responses to each of the previous surveys conducted.

Input and observations from those citizens who choose to provide responses are important to the Members of the House Legislative Oversight Committee because they may help direct the Committee to potential areas for improvement with these agencies. The Committee's vision is for South Carolina agencies to become, and continuously remain, the most effective state agencies in the country through processes which eliminate waste and efficiently deploy resources thereby creating greater confidence in state government.

The specific task of the House Legislative Oversight Committee is to conduct legislative oversight studies on agencies at least once every seven years. The purpose of a legislative oversight study is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether or not they should be continued, curtailed or even eliminated. Also, the Committee recognizes that a legislative oversight study of an agency serves the purpose of informing the public about an agency. Any legislator may file legislation, which will go through the normal legislative process, to implement recommendations this Committee may have relating to the agencies being studied.

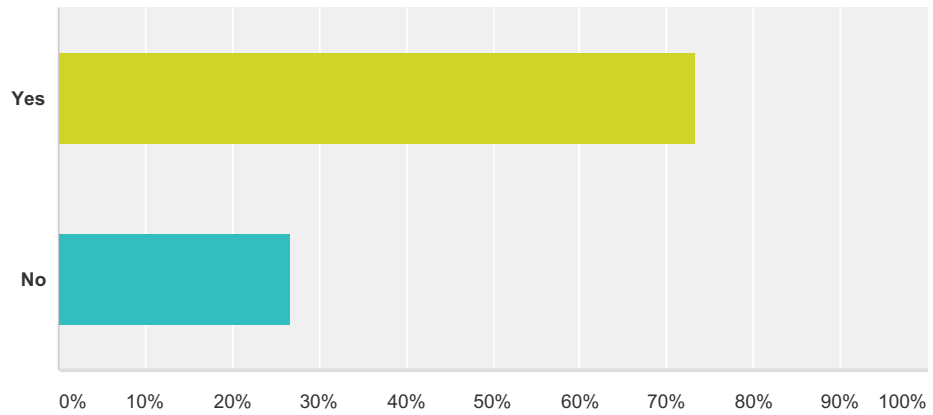
**What:** Online survey seeking citizen's input  
**When:** February 9, 2017 until March 13, 2017  
**Where:** Online; from home, school or public library  
The link to take the survey is <https://www.research.net/r/February2017LOCPublicSurvey>  
**Who:** Entire public and agency personnel are encouraged to take the survey

Suggestions for additional ways to inform the public about this survey and the House Legislative Oversight Committee's process are welcomed.

###

### Q1 Would you like to provide input about the Department of Disabilities and Special Needs?

Answered: 619 Skipped: 10

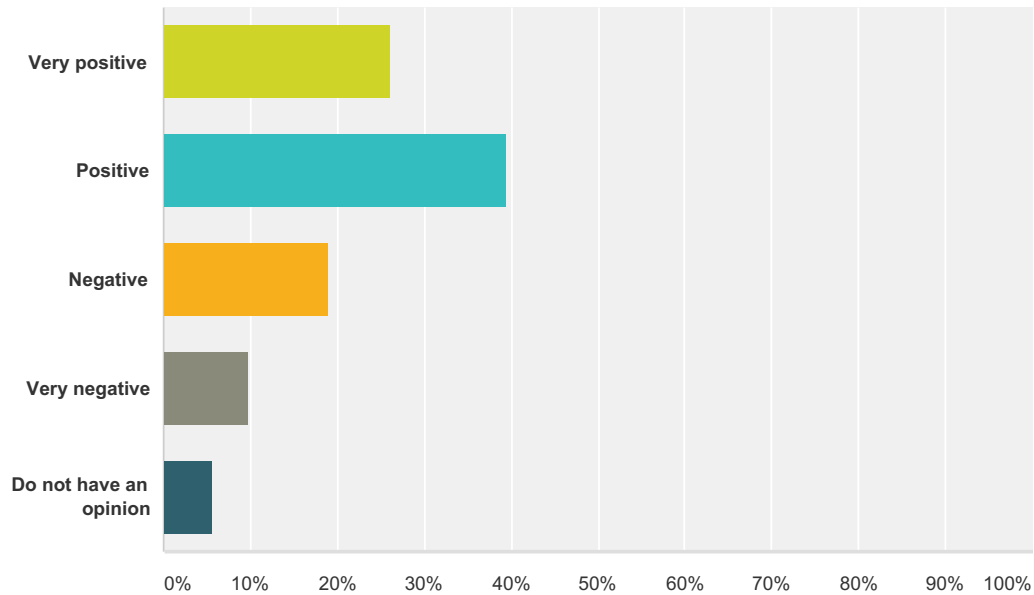


Answer Choices	Responses	
Yes	73.18%	453
No	26.82%	166
Total		619



## Q2 Overall, what is your opinion of the Department of Disabilities and Special Needs?

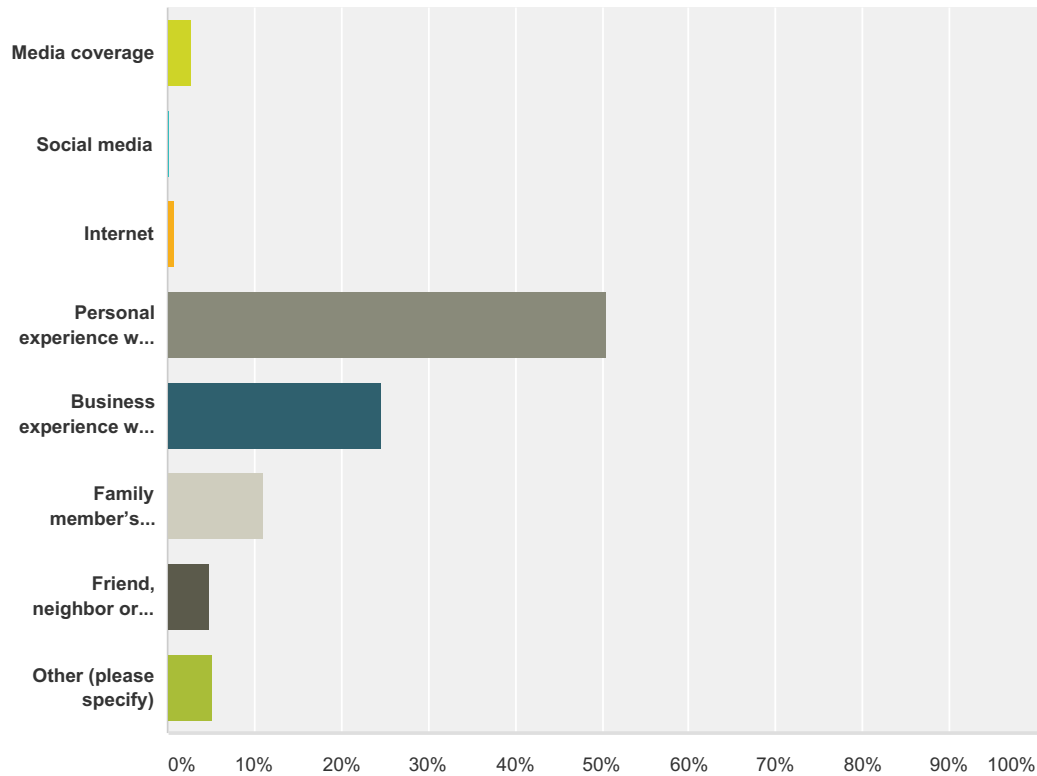
Answered: 377 Skipped: 252



Answer Choices	Responses	
Very positive	25.99%	98
Positive	39.52%	149
Negative	19.10%	72
Very negative	9.81%	37
Do not have an opinion	5.57%	21
<b>Total</b>		<b>377</b>

### Q3 Which of the following has most influenced your opinion of the Department of Disabilities and Special Needs?

Answered: 378 Skipped: 251



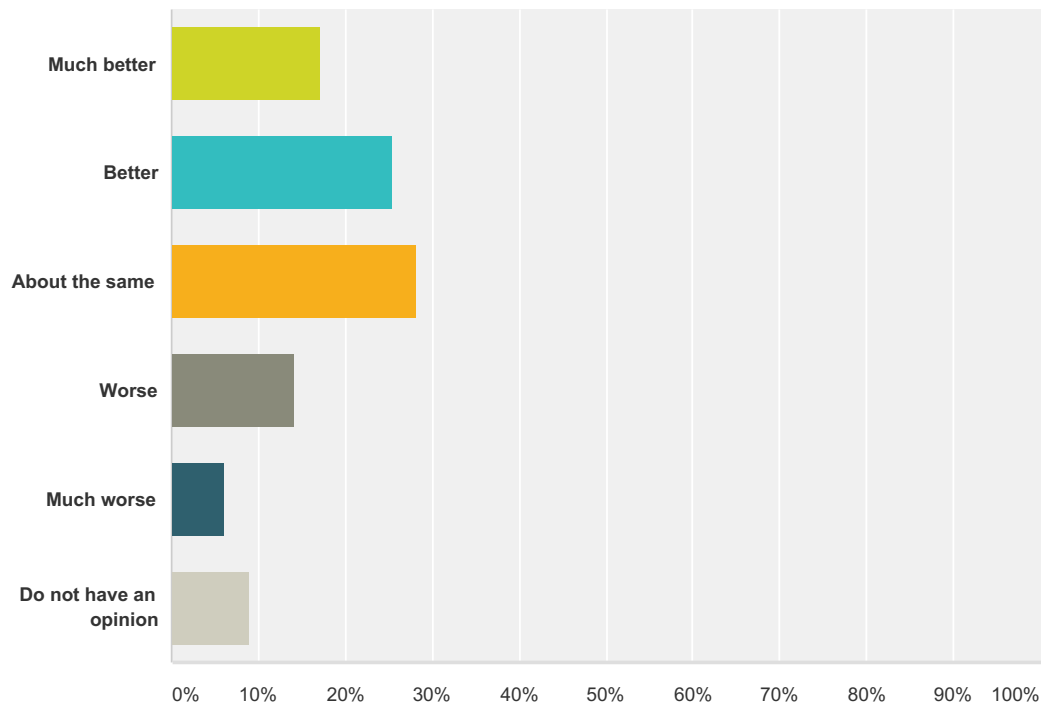
Answer Choices	Responses
Media coverage	2.65% 10
Social media	0.26% 1
Internet	0.79% 3
Personal experience with the agency	50.53% 191
Business experience with the agency	24.60% 93
Family member's experience with the agency	11.11% 42
Friend, neighbor or colleague's experience with the agency	4.76% 18
Other (please specify)	5.29% 20
<b>Total</b>	<b>378</b>

#	Other (please specify)	Date
1	As a Special Education teacher, DDSN has served many of my former students. They are treated with love and respect and taught job skills and most live independently in group homes.	3/8/2017 5:25 PM
2	Lack of interaction with the agency	3/6/2017 11:08 PM
3	BIASC	3/3/2017 3:45 PM

4	Being a provider	3/3/2017 1:26 PM
5	patients with disabilities	3/3/2017 12:57 PM
6	patients with disabilities	3/3/2017 12:55 PM
7	Employment	2/28/2017 1:50 PM
8	Personal experience, business experience and friend's experience with the agency	2/24/2017 10:00 AM
9	work experience	2/21/2017 10:49 AM
10	Community Board Experience	2/17/2017 10:47 AM
11	Interaction on many levels as try to help my child get into the system to qualify for benefits	2/16/2017 1:22 PM
12	Employee	2/15/2017 10:02 AM
13	More information should be communicated what benefits this department provides.	2/14/2017 1:05 PM
14	Early Interventionists	2/14/2017 12:14 PM
15	None. I have not heard or seen much about this department.	2/14/2017 12:02 PM
16	Lack of overall knowledge about the agency	2/13/2017 6:36 PM
17	work maintenance	2/13/2017 1:50 PM
18	Case Management	2/13/2017 12:06 PM
19	As a sitting Commissioner	2/10/2017 6:56 PM
20	Y	2/10/2017 11:01 AM

**Q4 How do you think the Department of Disabilities and Special Needs functions on an overall basis in comparison to other state agencies in South Carolina?**

Answered: 376 Skipped: 253



Answer Choices	Responses	
Much better	17.02%	64
Better	25.53%	96
About the same	28.19%	106
Worse	14.10%	53
Much worse	6.12%	23
Do not have an opinion	9.04%	34
<b>Total</b>		<b>376</b>

**Q5 Please list any comments, concerns, or suggestions you may have about the Department of Disabilities and Special Needs. Your response may be quoted verbatim in a Committee report.**

Answered: 201 Skipped: 428

#	Responses	Date
1	1.DDSN has wait listed 5,000(+) people on the ID/RD Waiver with no expectation the persons will receive waiver supports or have access to programs in their lifetime. 2.DDSN has established waivers to fund ABA (Applied Behavior Analysis) therapy services and resources to the Autism community and has missed the importance/effectiveness that other children with varying diagnoses respond favorably to ABA as well. 3.DDSN has been ineffective in increasing the number of medical and therapeutic providers in SC to serve the increasing #of families requiring assessments and intensive interventions. 4.DDSN does not provide sufficient day treatment services for ages 6 -21 b/c this group falls under the responsibility of the DOE. The DOE is not required to provide all the interventions medically prescribed and under the law provides service delivery based upon common curriculum assessments. It does not seem like there is too much concern for a child's overall LT development until they reach 22	3/13/2017 11:09 PM
2	I have lived here two and a half years, and my family has been through 6 different agencies, with absolutely no success, and with not even one hint of progress. There are simply not enough providers in the state to service the needs of the State of South Carolina. This is the basic and undeniable reality for families like ours. We need programs that have supported, visual evidence of progression toward a better quality of life.	3/13/2017 10:08 PM
3	DDSN and/or its case management agent Channel The Beacon suffered a major data security breach, resulting in the exposure of 61 children's case files, including sensitive medical history. That is 61 HIPAA violations! My son now needs credit monitoring to avoid the theft of his identity. This is irresponsible in the extreme.	3/13/2017 9:53 PM
4	There is not sufficient accountability for care services at the client level. There is not enough choice or flexibility for client services.	3/13/2017 5:24 PM
5	The media coverage appears very unfair. The same people always state the same old complaints. This seems like personal attacks instead of facts	3/13/2017 10:10 AM
6	More thorough screening of commission nominees by Senate to identify and not approve nominees with a political or personal agenda/vendetta against DDSN or staff. Most of the recent complaints are generated by just a few people, their political friends and their friends in the media. DDSN has competent qualified staff that does an excellent job in serving individuals with disabilities and special needs. DDSN needs more funds to try and eliminate some of the waiting lists. Commission needs to stay out of the day to day operation of the Agency. Local boards for the most part are functioning well. As with any large organization there will always be bumps in the road. Find a solution, smooth them out and move on. DDSN should not be a cabinet Agency! Thanks for the opportunity to comment.	3/13/2017 9:43 AM
7	Its worse because the some upper level staff can misuse funds of the Special Needs people they are supposed to care for.	3/13/2017 9:25 AM
8	The department does a very good job of assisting people with disabilities to help improve their quality of life.	3/12/2017 10:01 PM
9	As a past DDSN commissioner, I found Dr. Buscemi and her staff professional & responsive. They always met my needs for information. Although some stakeholders disagreed with actions taken by DDSN or how quickly decisions were made, I believe the staff reached fair decisions to provide the best service possible to the entire community. Issues that affect vulnerable loved are very emotional. Diverse needs competing for limited resources lead to strong differences of opinion. Changes imposed by the federal government have also stressed the system. In my opinion, these differences have led to accusations & negativism that is unfair to DDSN staff & counterproductive. In spite of this, the staff continues to do its best. I have observed them firsthand; my brother has been a resident of Whitten Center since 1970. My family is thankful & indebted to all of the staff from the state level to the direct caregivers who do so much for my brother & others who depend on DDSN.	3/12/2017 8:40 PM
10	Tribble Center, Seneca, SC...Clients are mistreated & scared of the staff which I have seen first hand. Not enough client/staff ratio. Expired food/meds given to clients. Overheard Jerry Mize boasting about how easy it was to get money from clients without family. Even one of the founders, LJ Powell, did not leave Tribble to care for his son! Please do an investigation of this center!	3/12/2017 8:29 PM

11	The local board is not in tune with what is happening. There needs to be more oversight of the local boards. The board members seem to be serving the Executive Director. Programs for the disabled are not always in accordance with best practices, especially the workshops where elderly disabled and mentally challenged consumers spend many hours mostly sitting. And some board members have served many years and are now well into their eighties and not aware of new practices that need to be implemented.	3/11/2017 7:27 PM
12	For over 30 years I have been skeptical of how The Tribble Center in Seneca operates. Too much knowledge by director of consumers' finances, too pushy to get consumer in group trust and on Medicaid when family members not interested. A lot of questionable initiatives.	3/11/2017 5:35 PM
13	From the beginning I have questioned Jerry Mize's real intentions as director of The Tribble Center. He seems more concerned with the consumer's finances than worried about their well being. I have never had a good feeling about what's going on at The Tribble Center.	3/11/2017 5:27 PM
14	The state DDSN is out of touch with the local boards. Some local board members have served for decades and are merely figureheads who seem to rely on the local Executive Director to make every decision. Board members are not attuned to consumer needs. Direct staff are overworked and underpaid. There are few innovative programs. Consumers shuffle into the workshop and shuffle home. Those who are unable to work simply sit all day, coloring or watching TV. There are few opportunities for social activities. The activities provided are designed for higher functioning Consumers. It's obvious that leadership and accountability are missing at the local as well as state level.	3/11/2017 12:08 PM
15	My experience has been positive they return calls and provide adequate information. They process request timely.	3/9/2017 10:39 PM
16	Patient Vital Record Storage, Relationship with Private Providers, Relationship with MMO	3/9/2017 12:52 PM
17	i cannot say enough about the efficiency and effectiveness of this department. As previously stated, I am a retired high school Special Education teacher, so i have first hand knowledge of the positive influences this agency has had on the lives of these adults. Many would be destitute and unproductive citizens if not for the assistance, guidance, job skills training, and respect shown to these vulnerable individuals.	3/8/2017 5:25 PM
18	The administration and personnel are experienced and knowledgeable about the individuals supported. Considerable effort is made to communicate issues, changes and concerns with key stakeholders.	3/8/2017 2:10 PM
19	Do away with DDSN's Good Ole Boy system!	3/8/2017 11:53 AM
20	We deal specifically with CHESCO and i find them to be a well managed organization and very responsive to our state agency (DSS).	3/7/2017 4:35 PM
21	There needs to be more services for individuals with traumatic brain injury	3/7/2017 3:10 PM
22	Concerned that infrequent problems are being blown up and out of proportion compared to the total service hours and the audited services scores verifying good services are being provided by the Providers who are contracted with the Dept of Disabilities & Special Needs...someone has an agenda not based on the real facts and are blowing one time incidents out of proportion, and those doing this know little about the programs.	3/7/2017 9:29 AM
23	Communication needs to improve, oversight needs to be beefed up, DDSN administration has a very difficult task with given level of funding.	3/6/2017 6:11 PM
24	Several reports on DDSN blown out of proportion. Making it a cabinet agency will not rid preceived problem as other cabinet agencies such as DSS, DJJ and DMH regularly experience. Advocates such as McPherson and Harrison do more to hurt services for special needs individuals and to make a name for themselves.	3/6/2017 3:08 PM
25	I am an employee of the John De La Howe school in their equine program. The changes I see on a daily basis in the students of the school is absolutely amazing in this program. To be able to see a child interact for the first time with a horse (or cow, or pig or goat) is such a wonderful experience. These students have never seen a horse up close and for them to be able to work with the animals, groom them, perform barn chores and become close friends with these animals is an experience of a life time. On a weekly basis, we get new students that have never touched a horse and from day one, we take them from being timid with them to having them perform full care for them. Equine therapy is a proven form of positive therapy both physically and mentally. I couldn't be prouder of these kids for overcoming their fears and becoming responsible for these animals. To see this school close and this program come to an end would be a huge blow to these students.	3/6/2017 11:25 AM
26	The agency has a difficult mission where it is going to be impossible to please everyone. They have been audited many times. Health and Human Services has audited almost every complaint and while they have recommended some changes, they have not found retaliation or broken laws and issue. Parents care about there children as they should. But that does not mean they are without self interest. This work is hard. But this agency makes a difference in so many lives. And the state is better for this.	3/6/2017 11:23 AM

27	This agency must be put in the cabinet. The amount of federal and state revenue received by DDSN and the critical nature of the services provided require cabinet level oversight. DDSN serves some of the most vulnerable people in this state and warrants cabinet level oversight. DDSN's Commission should be made to serve as an advisory Board and serve as the voice of the families and as an advocacy group. The LAC should review all prior audits both federal and state in nature and compile results. By doing so it will be clear, through pattern and practice, that this agency continues to fail to evolve and improve.	3/6/2017 11:06 AM
28	DDSN denies placement to persons needing services as adults, especially those served by DSS. DSS is not equipped to provide special needs services to vulnerable adults or to children aging out of foster care.	3/5/2017 11:50 PM
29	Web information is old, the department has no task force, getting statistics is jumping through hoops, many years ago a statewide stakeholders meeting was held with being told when the information and feedback would be on the website, weeks that has not come to fruition to this date. Information is not disseminated downward to families. It is very frustrating maneuvering the system. More contact with families of children with autism and questions answered and the best possible assistance provided. It feels the employees are in the big building and only communicate with whom they choose. Get out of the Offices. Lastly, put more pressure on SC Autism Society, Resources. Many people do not know what is out there and available.	3/5/2017 11:38 PM
30	Sometimes more concerned with numbers than the actual care of individuals.	3/5/2017 3:25 PM
31	DDSN provides services to clients that takes care of all of their need--it is especially good for those that do not have a family to help care for them.	3/4/2017 8:45 PM
32	The Dept needs to focus more on consumer outcome and less on paper.	3/4/2017 5:24 PM
33	still not enough handicapped parking spaces and bathrooms in restaurants are pitiful	3/4/2017 3:11 PM
34	I really don't have any dealings with them that I know of , I may have had unknowingly so	3/4/2017 1:25 PM
35	SCDDSN needs to be accountable to their consumers providers the taxpayers and the public the present commission format does not provide this. Moving the agency to the Governor's cabinet would provide for direct line authority and accountability. The present management group is authoritative vindictive and totally resistant to change. They make decisions with their bloated structure as the first priority and their consumers a distant second.	3/4/2017 11:36 AM
36	Greater accountability and oversight from the Commission is needed. I received the following statement in an email: Fwd: Fwd: They say Carmen mcutchen had been assigned to us regarding the house oversight. They think she doesn't like us so much. She worked with LAC and was one of the auditors during our last audit. I wonder how she would feel to know they lied about the number of deaths? It appears from the statement made by a Central Office staff member that the DDSN administration lied about the number of deaths that had occurred in its report to the LAC. How many other things has the DDSN administration lied about?	3/3/2017 8:42 PM
37	Seem to be committed people running it	3/3/2017 8:00 PM
38	DDSN needs to be made a cabinet agency under the Governor. The present system with commission members does not work. There needs to be more accountability.	3/3/2017 3:42 PM
39	DDSN should ensure more money should go to the local Boards. We are clinging by our fingertips. The Boards should have more money to support the folks who live in the residential homes. The staff do not make enough with all the duties which are required. Please think about it. People with Mental Illness can take medicine to help them function on a daily basis. But people with Intellectual Disabilities will stay the same until the day they die. No medicine can help Intellectual-Developmental Disabilities	3/3/2017 3:36 PM
40	DDSN commission meetings have become a joke. No issues are addressed and no information (minus gossip) comes from the meetings. It in no way assists the providers or consumers. At this time DDSN has failed our individuals with special needs by allowing the commission to continue.	3/3/2017 3:24 PM
41	They seem not to care about the real providers of service. They can pay whatever they want to their employees but do not provide sufficient funding to providers. They create positions and do not properly advertise or advertise in house and then hire from outside of the agency, They need more accountability.	3/3/2017 3:23 PM
42	glad to see new staff come in that are not influenced by biased opinions of others	3/3/2017 3:12 PM
43	I have served as volunteer, worked for and received services from many agencies over the years. DDSN and the provider system is by far superior to most other entities in S.C.	3/3/2017 2:56 PM
44	closer monitorship of capital grant funds are needed to ensure timely and proper use of these funds.	3/3/2017 2:47 PM
45	Would be helpful for General Assembly to allocate more funds to DDSN to raise pay level for Direct Support Staff.	3/3/2017 2:45 PM
46	DDSN provided compassionate and timely services for our son who sustained a moderate to severe TBI. What is lacking though is a continuum of services that help a TBI victim become gainfully reemployed or a decision that that will not happen.	3/3/2017 1:54 PM

47	SCDDSN keeps too much money that should go to providing services. We are also told how much we can pay staff and how much we can retain each year and a cap on that once a certain amount is reached. The Commission does not seem to have any authority over the director. It is evident that the executive staff makes decisions and the Commission, or at least most, supports those decisions without fact checking. DDSNs spending is out of control and wasteful. Their is no support from DDSN when some providers have issues. This was especially true when the HUD issue related to room and board mistakes were made. Those providers were made to repay thousands when DDSN should have paid the total amount and not 1/2 as that training was provided by them. Some providers seem to be used as scapegoats.	3/3/2017 1:26 PM
48	A local arm of the agency closed down a program that was benefitting my disabled adult child on some kind of technical nonsense. Four weeks later, they were open again without much explanation. To the state agency's credit, they responded fairly quickly (for a state agency) to alleviate the "technical issue", but in the meantime my wife was in tears and having a breakdown because of the closure. The state doesn't provide squat diddley for my son, and I am not asking for anything at this point, but when the state interferes with private programs that ARE providing services, it is very frustrating.	3/3/2017 1:19 PM
49	very detacated people who work long hours	3/3/2017 1:06 PM
50	Information to the public needs to be more forthcoming on the services provided/available. Human contact and guidance is essential. Information on computers is great, however not everyone knows how to dig it up.	3/3/2017 12:52 PM
51	Upper level management in the ID/RD is very friendly and are passionate about their work. They do need to increase partnerships with providers and partners to insure that decisions are not made that have negative impact. Making decision without fully understanding the programs impacted creates delays in services and unnecessary work for providers and partners. Increased communication and ongoing support would be appreciated.	3/3/2017 12:20 PM
52	DDSN provides an invaluable service to individuals with disabilities and their families.	3/3/2017 11:40 AM
53	The process for applying for Medicaid TEFRA is too confusing and it takes too long to complete. It took us a year to get our son approved. There was no one place to go and get a list of all the steps to follow or what to expect. So I just kept filling out forms and waiting two weeks for the next list of instructions, bear in mind I am juggling a very emotional autistic boy with a full time job and applying for help because I am reaching the end of my rope too. This is a very stressful process where parents feel like anything they say or do could cost their child much needed care.	3/2/2017 3:27 PM
54	Employment opportunities need to be more accessible to people outside of the State System.	3/2/2017 1:42 PM
55	Sometimes I feel that the staff who work in the residential and day programs are under appreciated. Having to assist and support a vast array of individuals with many different special needs requires patience and empathy. It takes a lot out of a person to do this job, but we continue to do so everyday. I think that the current rate of pay for DSP's and HSP's should be increased.	3/2/2017 1:38 PM
56	Great help with young children, could have been more helpful in teen years.	3/1/2017 8:25 PM
57	DDSN is faced with limited funds and unlimited need -- a dauntless task	3/1/2017 4:06 PM
58	The pay rate is not where it needs to be. I'm in this field because I have a heart for people with special needs but due to the lack of raises and incentives, it makes working here difficult. this however, does not detract from the genuine love that I have for the consumers I provide services for. My compassion will always rank high and I will always go above and beyond to keep them safe.	3/1/2017 4:04 PM
59	With dealing with DDSN you have to reach the right person. If you reach an employee who doesn't care to help you any further or doesn't want to take the time to help (which is to often ) you don't get the help. However, if you reach an employee who cares about your concern they will go above and beyond to help you. There services especially for Autism is needed, but it takes jumping through so many hoops before you find someone to help you. As a parent with a special needs child it's heart breaking to feel as if no one cares to help, not even the agency that is setup to help you.	3/1/2017 2:22 PM
60	Concern that administration changes the rules depending on the circumstances.	3/1/2017 11:53 AM
61	It takes people with compassion, concern and a love for people in general to work with individuals with special needs and for the most part my co-workers and I have these qualities. However, due to the lack of revenues allotted for salary increases, it's hard to keep qualified people. I do believe that salary increases and or merit raises will make a difference in the quality of services provided. Let me perfectly clear: I'm not saying that it's all about the money or that the money should be a determining factor but suffice it to say if I'm working at an agency making \$10 an hour, been there for 10, 20 years and someone walks in off the street and makes the same as I do, i will feel some type of way and my level of input may not be the same. I will not love my individuals any less, but my quality of work may not be the same.	3/1/2017 9:40 AM
62	Agency is committed to serving its clients. Too bad families are sometimes bitter.	2/28/2017 10:08 PM



63	Stop governing by audit. Focus on meaningful quality outcomes for consumers . Reduce time and resource waste auditing local boards that are stable and functional. Use tiered supervision/auditing based on consumer outcomes, and board fiscal stability. Allow boards to retain at least 6 months of funds in order to prepare for growth in consumer demand. Relieve state bottleneck on waivers. Allow direct billing for Medicaid reimbursed services.	2/28/2017 6:17 PM
64	The people that work there, while often stuck in the bureaucracy of State Government, really care for the people they are serving. They make their decisions based on what they think will be best for those they serve using the information that is available to them. If anything they are too kind to their provider network and often that kindness is only returned with spite. Overall the agency does more good than harm and is an asset to South Carolinians with Disabilities.	2/28/2017 2:58 PM
65	None	2/28/2017 1:50 PM
66	No concerns	2/28/2017 1:41 PM
67	Support for South Carolinians' with disabilities and special needs is an absolute must.	2/28/2017 1:24 PM
68	Employees in residential facilities need more money to be able to make a difference and to lure staff to make a career with special needs individuals.	2/27/2017 11:04 PM
69	I do not live in SC but a family members in SC including a sister with severe developmental disabilities and physical limitations (cannot perform any activities of daily living, including walking, eating, drinking, toileting) who lives in Whitten Center. My parents are both gone now, and neither I nor my sisters are able to care for Katie, who has a feeding tube and needs 24-hour nursing care.I understand DDSN is talking of moving more toward in-home services, possibly at the cost of regional centers. In-home services are important, but regional centers cannot be shut down. There is a segment of the population who will always need them. Also, DDSN should not become a cabinet agency under the supervision of the Governor, with leadership and staff hired at the Governor's wishes. This is not a political football -- these are real people that need steady services that are not subject to political whims.	2/27/2017 6:54 PM
70	The agency works diligently to improve the lives of individuals with disabilities and special needs.	2/27/2017 2:01 PM
71	Without the services of the SC DDSN my twins would not receive the services that they do.	2/27/2017 1:14 AM
72	I'm unsure why the Department of Disabilities and Special Needs only serves a few types of disabilities (autism, TBI, etc.). This is confusing.	2/25/2017 6:03 PM
73	This is a department that is vital to the well-being of our most vulnerable South Carolinians.	2/25/2017 12:22 PM
74	Overall, services are very positive. I do feel that more funding for additional therapies should be made available (ie equine, music, art, dance therapies)	2/25/2017 12:04 PM
75	I needed this agency!! My child is special needs and would not have gotten accommodations if it weren't for the services provided by this agency!	2/25/2017 12:03 PM
76	The DDSN is drastically underfunded, therefore understaffed, therefore carrying too large a client/staff work load, therefore not able to give the attention, care and service that we as a state need to provide for those they are trying to care for. It is an embarrassment that the great state of SC can do no better in their care of some of the most needy citizens of our state.	2/24/2017 5:14 PM
77	The service contractor model is a problem because it does not provide for the capacity to have enough oversight controls. Staff quality is only as good as the service contractor management. Management is not selected by the state agency. Improve this and the system can be made stronger and better. It would also be helpful is the legislative members spent more time with the Agency leadership to understand the system and support it rather than having knee jerk reactions to problems and being manipulated by complainers. This only distracts the staff from doing the work they need to so to move the agency forward.	2/24/2017 5:02 PM
78	Issues: High expectations for providers, low rates . Rate of pay for direct support staff and the risk they take on when serving high risk people. We are expected to deliver individualized care while paying 10.11 per hr.Lack of behavior support providers due to the USC process for certifying new providers . National credentials are not accepted in SC and limit who can provide. (That process is arbitrary.) Our DDSN District Office Director (Coastal/Pee Dee) is exceptional and supports us as we need help. I find DDSN to always be responsive to our agency.	2/24/2017 10:39 AM
79	The "consumer" is first with DDSN including his/her services and assuring he/she is treated with dignity and respect. DDSN is a very good steward of State funds seeing that the disabled are provided the best services and care. DDSN strives to keep and care for people in their homes with Medicaid Waiver supports/services instead of institutions/including providing respite and behavioral support services. DDSN should remain a separate agency and not be in the Governor's Cabinet. Meet with families in your community so you can see the good services and supports provided by DDSN.	2/24/2017 10:00 AM

80	My son is living at Whitten Center, and we have been very pleased with the care he has received there. These regional centers are vitally important to the group of individuals who have such extensive medical needs that they require 24 hour nursing care. These centers provide a wonderful option for families in having their loved ones cared for. Also, I am concerned about the amendments being proposed in Bill 180. If DDSN is moved under the oversight of the governor, with no clear guidelines for a director's qualifications, I am concerned about the lack of stability that could result, should this person not be as "in tune" with individuals with special needs.	2/23/2017 10:40 PM
81	Our son is a resident at Whitten Center and we are tremendously satisfied with the care he receives there.	2/23/2017 10:03 PM
82	The DDSN system is in desperate need of more facilities to house individuals with special needs. It seems a person must be in a crisis situation before being eligible for placement, and even then, stay on a wait list for months. Having so few regional centers, and a majority "contracted" facilities is a huge detriment to the system because the contracted agencies have the option of being very selective in whom they serve. Unfortunately, the clients and their struggling families suffer greatly because of it.	2/23/2017 8:12 PM
83	needs more focus on people receiving services	2/23/2017 12:04 PM
84	I have concerns for the way workers comp claims are done, when a person with a concern voices it and then how it is handled, these are two more recent concerns.	2/23/2017 10:04 AM
85	I work at the midlands center. I note poor resources to allow work to be completed (one printer for 40+ people to use), refusing to provide several employees with reasonable workplace accommodations, filth (mold growth due to roof leaking for at least 4 years), roach problems due to water/mold, ceiling tiles falling due to leaks, unclean/sanitary bathrooms, and some employees working on 3 to 4 hours daily (Brian Hawkins/nepotistic behavior).	2/23/2017 9:15 AM
86	Consumers treated very well, however staff especially residential are not treated well and their pay is pitiful	2/22/2017 3:55 PM
87	This agency is a much agency that need to continue providing the services they do.	2/22/2017 3:36 PM
88	not transparent; fails to be fully accountable to public and the Legislature; maintains contracts at the expense of patient safety; is management top-heavy and should consider spreading high salaries to direct-care staff in the field/Regional Centers;	2/22/2017 1:37 PM
89	Medicaid services are more difficult to access when provided by DDSN. DDSN imposes additional requirements, over and above Medicaid requirements. If you are a Medicaid eligible individual and want to receive a Medicaid waiver service you are required to go through DDSN - unnecessary step(s) and cumbersome process. If the vast majority (+75%) of services DDSN provides are Medicaid funded, why have DDSN as a middle man increasing the cost of service? They are an administrative burden, with high personnel salaries. Shift the funding to Medicaid and have a uniform process for access and service delivery.	2/22/2017 12:57 PM
90	I believe South Carolina needs to step up more and make sure extensive resources are available to families that have children with special needs and/or disabilities.	2/22/2017 12:54 PM
91	Overall, DDSN is a great facility for those who are intellectually disabled. They receive great care. My concern is that staff and professionals are very underpaid. The professional staff pay is well below the salary compared to other state agencies, as well as, in the private sector. Most employees that work for this agency have been there for years because they love the consumers that they serve; the pay is NOT a factor and most all employees have to work a second job to make their ends meet.	2/22/2017 10:58 AM
92	While DDSN has assisted many clients over the years, they lack the backing from their administration and treat their employees horribly.	2/21/2017 7:05 PM
93	I would like to see staff members work together more, as a team, to insure a better quality of life for the consumers.	2/21/2017 4:32 PM
94	As a provider you are held to a standard and expected to follow any and all demands from DDSN, however, those same standards and demands are not reciprocated.	2/21/2017 1:09 PM
95	extreme difficulty in keeping facilities staffed due to low pay rate and forced OT hours	2/21/2017 12:06 PM
96	The Department needs to invest in a quality training and supervision of their employees on each level, starting from direct care, through middle management, QIDPS, and professional personal such as nurses and others. The Department needs to provide quality supervision which it doesn't. The high management is mostly interested in collecting high salaries, their presence in some centers is minimal, communication minimal and appreciation of the workers non-existent. The Department needs to also invest in team building training. right now it is every man for themselves. It has not been that way when I first started working here 15 years ago.	2/21/2017 10:49 AM

97	There have been many multi-million \$errors made by the staff at SCDDSN such as:2012 OIG investigation regarding administrative cost allocations; the infamous HUD fiasco; not maximizing the Fed Medicaid match in 2009 2010 by cutting provider reimbursement rates; LAC audits where recommends go unheeded; move functions around without fully understanding the implications; hiring the SIG Director, Pat Maley, who has been investigating DDSN activities for the past 2 years ethics concerns; running 2 expensive inadequate computer systems because they refused to work with DHHS and their Phoenix system; a district director who is spending all of his time at the local country club in Laurens country, drinking at the 19th hole and getting in a state vehicle to drive home is being allowed to retire without investigation. What we have ended up with is a shadow agency in the SC state government operating outside the fences of accountability.	2/20/2017 4:36 PM
98	Initially, the experience was negative due to staff turn-over. My son's case was transferred three times in as many months and information was not carried over. However, once the staff remained, the experience was much more positive.	2/20/2017 10:44 AM
99	Funding for individuals does not include enough guardian awareness	2/20/2017 9:12 AM
100	There needs to be additional funding to increase direct care wages. These individuals are the backbone for the direct care services provided to the consumers.	2/20/2017 1:31 AM
101	SCDDSN has worked to improve services and involve numerous stakeholders.	2/19/2017 9:38 PM
102	The DDSN seems to work extremely hard to make sure those persons with a disability and/or special need are cared for properly and appropriately. This department has an awesome task due to the varying degrees of disabilities and special needs in the population that it serves. From what I have observed, the focus of this department has been to assure that the needs of this population are met, whether it be in a residential center, community based group home, or in home assistance.	2/18/2017 11:17 AM
103	I think that the huge overturn of employees could be prevented with a higher pay rate. For all of the responsibilities that we as direct support and house supervisors have.	2/18/2017 8:06 AM
104	DDSN does not need to control funding for individuals with disabilities that comes from DHHS. That simply introduces another layer of cost and confusion. My personal experience with DDSN as a parent of a child with disabilities is that it is an extremely slow and inefficient agency. I am NOT talking about the regional board, but the central DDSN in Columbia.	2/17/2017 2:12 PM
105	They are a vital source of help for me to live a happy fulfilling life despite my disability	2/17/2017 1:06 PM
106	Need to focus on funding and direct care wages	2/17/2017 10:47 AM
107	My two boys were served over 34 years by DDSN. Always helpful, open door policy, willing to work with parents. Truly understand the many unique needs of the people they serve. I understood that there was one pot of money that had to be divided among 36,000 other people with developmental disabilities, so I couldn't have it all. DDSN director and staff have great knowledge of policy and practices. They have to work with other state and federal agencies and that can be challenging when services are needed immediately. I will always be grateful for the compassion and care that I received for many years as my children's needs changed, DDSN was there to provide services to meet those needs. I am so impressed with their mission that I continue to support them even after the passing of my two children. There are few states that give the care that DDSN does. Thanks to the General Assembly for their funding for DDSN.	2/17/2017 10:30 AM
108	The oversight of the agencies supported by DDSN is very unprofessional and not consistent with other public and private organizations.	2/17/2017 9:33 AM
109	I have seen 1st hand how DDSN support of organizations like The Charles Lea Center can change and enhance lives. I've talked to the individuals they serve at Charles Lea and I am inspired by the work they do and the value they contribute. Thank you for supporting those individuals AND their families!	2/17/2017 9:26 AM
110	The DDSN has the potential to operate at a much higher level of functioning to provide services to those in need. There are too many errors and too much confusion. Sometimes it seems there are too many chiefs and not enough braves. There are policies that need to be reviewed, rewritten, or completely gotten rid of. There are people in charge who seem out of touch with the reality of the way things actually function. There are too many errors that carry the consequences of harming those they are meant to benefit. There needs to be investigations into practices to make the DDSN function more efficiently for those who they serve as well as those employed by the DDSN who suffer from the lack of proper administration	2/17/2017 4:52 AM
111	The DDS needs to be followed more closely and held more accountable for how they use their financial assets and resources, as they tend to misappropriate their finances.	2/17/2017 12:15 AM
112	DDSN must continue to work with the legislature to improve the salaries for direct care staff so that the providers can compete with other alternative employment opportunities that are available to these individuals.	2/16/2017 9:13 PM
113	I think the Commission selection process needs to be re-evaluated. It is concerning that Commission members are influencing decisions based on their personal interests and bias.	2/16/2017 4:06 PM

114	I feel that the intention of the Department is good, but overall planning of the efforts needed is not. Therefore, follow through is not strong, or needs many revisions.	2/16/2017 3:58 PM
115	A self-advocate's father reports that he had thought about moving to Florida. He checked with the the Florida Agency for Persons with Disabilities. The person he spoke with told him that he needed to keep his son in South Carolina because the SCDDSN was one of the top rated programs in the nation. I am not sure where this person got their information however, if it is true, we have a lot to be proud of in South Carolina. The legislature has made it possible for us to move folks off of the Medicaid Waiver waiting lists and more and more folks are receiving needed services.	2/16/2017 3:52 PM
116	Staff are friendly and want to help but wait time for services can be very long and frustrating	2/16/2017 3:22 PM
117	The agency needs to be overhauled. It's disjointed. No consistency among providers. It should be run like other state agencies. Far more accountability is needed.	2/16/2017 3:10 PM
118	They are there to protect the concerns of the Dept of Ed	2/16/2017 2:43 PM
119	Over loaded with cases. Staff is spread too thin.	2/16/2017 2:33 PM
120	DDSN is a much needed agency as it was instituted to advocate for and provide services to those who have lifelong developmental disabilities. Please do not consider combining it with another agency because it is unique in its approach to our children/adults needs. No other agency can do what DDSN can do.	2/16/2017 1:46 PM
121	Make ABA therapy available to children with an autism diagnosis only and not children labeled as at risk.	2/16/2017 1:45 PM
122	DDSN has done a good job of caring for our loved one while meeting state and federal regulations. Even with limited funds they have done a good job addressing waiting lists.	2/16/2017 1:40 PM
123	All of the employees need to get on the same page. All of the departments need to understand the individual functions of each individual department. There is no consistency and many times there are conflicting responses within the agency.	2/16/2017 1:34 PM
124	DSN does not understand the current environment for disability needs with regards to planning and implementing person centered programming. It would be valuable to have an agency like DSN who's role was to be on the leading edge of what's appropriate in today's society versus an agency that does not want to be dragged forward.	2/16/2017 1:33 PM
125	Residential placement needs to be a priority. The emotional and physical toll on families caring for adults unable to live independently is substantial and we need a resolution that doesn't involve death or the potential for death of a primary caregiver. Or we need the ability to say no to life-saving medical care for our special-needs population (from the very beginning). My therapist and psychiatrist bills are substantial and the situation isn't sustainable for the next 10/20/30 years.	2/16/2017 1:32 PM
126	More funding is needed in this area	2/16/2017 1:27 PM
127	There needs to be a chart or checklist of the steps one needs to take when entering under the DDSN agency. There are so many things you can't easily find out with multiple calls to multiple people. Even they say they do not know the answers sometimes and are frustrated with their own agency. The transparency needs to be for within the agency itself as well as for those trying to get help. It is so very complicated.	2/16/2017 1:22 PM
128	They change policy without thinking of how it will affect all aspects of the agency. They don't follow up with problems in a timely manner. There are EI agencies who have repeatedly failed families and there is no consequence for that.	2/16/2017 1:20 PM
129	Had difficulties in obtaining an advocate or assistance for family and self	2/16/2017 1:20 PM
130	cannot get a worker to call back, minimum care for patients	2/16/2017 1:12 PM
131	Unfortunately, the people who are in higher positions don't tell the truth, their salaries are over the top. When someone in the agency does something wrong, they leave that position, only to be hired by another department within the agency instead of being fired. It happens over and over again. The sad part are the employees who are working directly w/our loved ones make next to nothing while the people at the top are making a lot of money. The entire agency needs to be revamped.	2/16/2017 9:40 AM
132	Direct care Staffing is very poor to provide proper care for the consumer. Staff being held shift after shift puts the consumer at a greater risk for injuries, proper care, and more behavioral issues.	2/16/2017 5:19 AM
133	The Department needs to change. Nothing positive happens.	2/15/2017 7:51 PM
134	DDSN serves a wide variety of disabled citizens. They cannot be all served in the same manner. The director and administrative staff do an excellent job keeping aware and best serving all of these disabled citizens within the guidelines of the state and federal regulations. It is a very complex system, but individuals depend on the care provided by DDSN for their quality of life and often for basic survival needs.	2/15/2017 6:06 PM

135	The Department of Disabilities & Special Needs SERVES the UNDERSERVED is South Carolina. No longer keep our family members with developmental and or Intellectual disabilities locked in the back room or placed in some institution where they are treated less than human. We now serve them at home, have programs they can attend, they are welcome in our communities, we have residential HOMES they can take pride and ownership in. Our Intellectual disabled populations have so, so many positive options these days and SCDDSN plays a vital roll in making sure that population is served with dignity and respect.	2/15/2017 5:24 PM
136	Too much tax money wasted--top management overpaid leaving little for the needs of disabled individuals	2/15/2017 10:44 AM
137	As an employee, having worked briefly with the school district, and now privileged to return, I think accountability is our greatest strength. Most of the people I have worked with care deeply, and behave ethically for the people we serve.	2/15/2017 10:02 AM
138	Working with the Department of Disabilities and Special Needs is a very rewarding job. However, we do not get paid enough for what all we do.	2/15/2017 8:46 AM
139	It saddens me that a few disgruntled former DDSN employees are creating so much negativity against an agency that ranks 8th in the nation in providing services. These people are only hurting the people we serve.	2/15/2017 8:13 AM
140	Continues to provide a variety of quality services to people with special needs and disabilities and it is very important that regional centers remain open to meet the needs of challenging clients and to serve as a safety net for the community	2/14/2017 8:11 PM
141	The Department of Disabilities and Special Needs is enriching the lives of people who don't have a voice. They are leading productive lives and are able to do much more for themselves with the assistance of people who are employed with the SC Department of Disabilities and Special Needs.	2/14/2017 5:39 PM
142	DDSN provides services for individuals with disabilities and special needs that other states are not able to provide. Some staff members are the only "family" that the individual has.	2/14/2017 4:02 PM
143	The reported incidents of abuse, neglect and injury last year increased by 25%. The Department head should be under direct hiring and firing by the Governor.	2/14/2017 3:23 PM
144	DDSN has a hard time putting people with disabilities first. They seem more concerned with budget than the clients. They are slow to respond to concerns and communicate poorly.	2/14/2017 2:46 PM
145	Better communication is needed on how this department serves it's citizens.	2/14/2017 1:05 PM
146	Appears to be based on a buddy system at lower levels, such as contractual agencies	2/14/2017 12:34 PM
147	I have had a disability since 2004. I find that in the state of South Carolina there are very minimal opportunities and activities for persons with disabilities. Of the opportunities that are available, I find that they are difficult to find and are not broadcast very well. I am a very active person with my disability and would love to see more opportunities and activities for persons with disabilities in the state I would like to see them gain more exposure.	2/14/2017 12:02 PM
148	I believe that staff should be paid based off of their knowledge and not a degree. Doing such will allow the employee to see that their knowledge is valuable and acknowledged. I can personally say that I am an employee with an agency that pays people based on a degree but allows individuals to work for little or no compensation at all for what he/she knows.	2/14/2017 11:28 AM
149	they are never there when you need them!	2/14/2017 11:12 AM
150	Department has improved the technical support to providers and more services to persons with disabilities.	2/14/2017 9:12 AM
151	I think this is a very needed program on the community.	2/14/2017 8:39 AM
152	Spinal Cord Injury is different for everyone....Sometimes the cookie cutter you use does not fit...My husband's experience has been laden with long time delays the DDSN counselor says is out of her hands...Approval...mostly denial...	2/14/2017 8:29 AM
153	Most of the agency dollars are kept at Central Office and wasted on staff who are clueless about the regional centers and community programs.	2/13/2017 8:06 PM
154	The agency no longer provides adequate or appropriate services for the individuals they serve. Although the money is available it is not being used for purposes intended.	2/13/2017 7:39 PM
155	Agency is doing a great job for a population of our state that has many unique needs that must be provided.	2/13/2017 7:02 PM
156	More advocacy and awareness campaigns are needed to make the public aware of your agency and any resources you may offer	2/13/2017 6:36 PM
157	does not put patients first, does not have adequate staffing, very dangerous schedules for staff coming in at 3am	2/13/2017 3:51 PM

158	DDSN is the victim of biased reporting by the Greenville News. While there are issues that need to be addressed, the agency, as a whole is running efficiently and effectively. The Commission, however, is not running smoothly. One member of the Commission is feeding inappropriate information to the media and does not conduct herself appropriately in public meetings. Her behavior has caused major harm to the Agency's public image.	2/13/2017 3:09 PM
159	I have had the pleasure of sitting across the table from Dr. Beverly Buscemi, DDSN State Director, during meetings of high importance. I have listened to her words and looked her in the eye. She is a highly intelligent person, able to synthesize large amounts of data and multiple pieces of information, and make sense of them to everyone present. She listens with her intellect as well as with her heart. As Albert Einstein said, "If you can't explain something simply, you don't understand it well enough." Dr. Buscemi understands and she can explain even the most complex set of issues in an understandable way. She is compassionate and she has what it takes to lead a diverse set of providers and stakeholders to provide high quality supports to citizens with lifelong disabilities and their family members.	2/13/2017 2:43 PM
160	My concerns center around the lack of care for people that are housed in the group homes. I have had several clients that have lived in group homes and each one states there is a problem with lack of supervision. This lack of supervision led to anything from residents having sex with one another to residents having very poor personal hygiene. I have had several reports that kids from DJJ are housed with kids with mental disabilities. This coupled with a lack of supervision is a dangerous mix.	2/13/2017 1:52 PM
161	It seems with proper design, homes would be better if designed and were built from the ground up, rather than remodel of older homes, to suite the needs of consumers, And would be more cost effective to the state/tax payers in the long outcome. Totally designed to accomplish the meeting of all goals and of the care of the consumers as mandated by the State. We live in an ever changing society and the needs of every one are different. The goal should be to stay ahead of them, not behind changing something already done. Thank you for this opportunity to express my views.	2/13/2017 1:50 PM
162	Ease of communication needs to improve. Sometimes it is difficult to figure out who to call or where to get specific information. However, once I get ahold of the correct person, I get the information I need. Our case manager is awesome, but sometimes I have a general question that I feel should be able to be answered in a "handbook" or through a basic listing of services on a website.	2/13/2017 12:53 PM
163	I feel like DDSN is out of touch with reality when it comes to the individual provider agencies and the boards. A visit from the State level officials with the Direct Caregivers would be beneficial to both.	2/13/2017 12:28 PM
164	There needs to be more outside monitorship of how things are managed besides auditors, such as links to other successful programs for the adults in the sheltered workshop. Realizing that each board is managed differently, but having the workshop open for the adults should provide more activities.	2/13/2017 12:06 PM
165	The upper management!	2/13/2017 10:37 AM
166	professional staff such as case managers have case loads that are too high and are asked to keep up with impossible amount of workload for minimal pay	2/13/2017 10:26 AM
167	There is a SEVERE staffing shortage in the residential units at our staff's regional facilities. The sad part is the direct care staff who provide daily living needs, supervise, behavioral support, and currently work mandatory overtime at state regional facilities (despite having family and personal lives of their own) get paid the least. This is an ongoing problem and placing more employment adds is not the answer. Everyone deserves a LIVING WAGE! Especially if they are changing diapers, dealing with aggression, completing documentation, and cleaning up for 8 hours per day (often having to stay an extra 4 or 8 hours unexpectedly with no regards to their personal obligations) several days a week. The problem will continue unless we value our direct care as much as we value the individuals in offices making the rules and most of the money.	2/13/2017 10:18 AM
168	Cut down on the hoops parents have to jump through to get services. Simplify the service access.	2/13/2017 10:04 AM
169	I feel that people within the agencies are not considered fairly for raises. Most people are not paid for their experience, quality of work and or knowledge of the field of work they are in .	2/13/2017 9:59 AM
170	I think most people are not paid for their quality of work or self worth. It appears that some get raises and those that deserve a raise do not get one.	2/13/2017 9:59 AM
171	Senate Bill 180 (to make DDSN a cabinet agency) is currently in sub-committee. Two recent hearings were held with this bill being continued each time. I think S180 should not be voted on until the House and Senate Oversight Committee reviews of DDSN are complete.	2/13/2017 9:56 AM

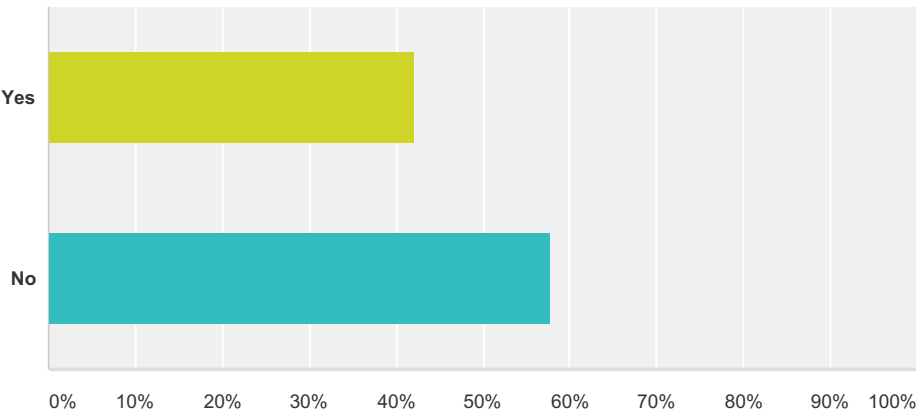
172	The main issue is that needs to be addressed, is that better pay should be provided for persons who are providing direct care services to persons with developmental disabilities. Why? For this agency, the director makes almost six to seven times more than what a direct care staff makes. However, if there were no direct care staff, who would provide care for these persons, who need (24/7) assistance? I feel that a staff "Advisory Group" (not a political group) needs to be assembled and provide recommendations to the DDSN Commissioners regarding ways the agency could improve their direct care services. The agency needs to provide better pay to bring in more qualified individuals who perform the brunt of the work. Finally, putting the agency under a cabinet is not going to improve it, better salaries and benefits will motivate folks.	2/13/2017 9:56 AM
173	All employees are not treated the same. Employees who make over \$50,000 get raises continually throughout the year, while some employees go years without raises.	2/13/2017 9:51 AM
174	I feel that DDSN does a wonderful job.	2/13/2017 9:33 AM
175	Does an excellent job of addressing needed services to people with lifelong disabling conditions. Paperwork and procedures need to be streamlined.	2/13/2017 9:33 AM
176	There are many clients and persons within this department that desperately need the life line called DDSN. So, many of these persons can not and do not have the necessary basic skills to operate effectively within the Community. Alone, without the services of DDSN, these individuals would be lost, ostracized or improperly forced into community or worse wrongly imprisoned due to their inability to cope, understand basic rules/law, etc. It is very clear that the population that DDSN services needs DDSN. It operates as "the" life line. The place of comfort, protection, guidance and balance to a very rigid world that has very little consideration, compassion or understanding for/of their very real and often times difficult conditions. Facilities such as Midlands Center, Whitten Center and others are and remain absolutely vital to caring for, protecting, educating and being "the Home" for many of these persons whom society has all but forgotten.	2/13/2017 9:32 AM
177	There is a male psychologist in the Sequoia building at the Midlands center who never puts in more than half a day. He will either take a lunch and another 2 hour break to play at the gym..Or just leave for home at the half day mark twice a week. There are limitations in equipment too. For instance, a building of fifty will have one printer. People with visible disabilities are also denied accommodations. The furniture for clients to sit on is filthy. Many areas of the Midlands center buildings smell of toxic mold. The roof on the Sequoia building has been leaking for years. People wear load perfume when dealing with sensitive populations.	2/13/2017 9:29 AM
178	DDSN focuses on specific needs of those who cannot help themselves, which is essential for America to maintain its moral integrity.	2/13/2017 9:22 AM
179	Pay rates lower than other state agencies. No annual or merit based raises provided to compensate for increased cost of living or recognition of service. Will be seeking alternative employment opportunities for this reason, despite enjoying my job.	2/13/2017 9:18 AM
180	DDSN is reactive to issues rather than proactive.	2/13/2017 9:01 AM
181	Very responsive to needs & approachable	2/13/2017 8:53 AM
182	I have always found working with DDSN a positive experience. Dr. Buscemi and others have listen to concerns and worked with community leaders to improve problems on the state and local level. A good example is how DDSN helped Greenville County reorganize after a failure of local leadership. DDSN has also worked with the Autism Community to improve services to the best of their ability and within their limitations.	2/13/2017 8:44 AM
183	I find that the eligibility Division works tirelessly on a daily basis. Very thorough and detailed in decision making...Represent the agency and standards of practice in determinations and when needed in appeal decisions. Decisions hold to statute and to psychological standards in the field...very consistent. I have been in the Division for 10 years and have served in state gov. for 21 years. I believe it has been the most consistent place of employment that I have been involved in with prior employment at DJJ and DSS.	2/13/2017 8:33 AM
184	My concern is because the lack of funding provided to the Department of special needs persons with special needs are not getting immediate attention. Employers are underpaid as well.	2/13/2017 8:31 AM
185	not ADA compliant	2/13/2017 8:22 AM
186	DDSN operates much better than similar agency's with governor appointed heads (i.e. DSS, DJJ, etc.). Moving this function into a governor appointed situation will create chaos much like it has for DSS over the years.	2/13/2017 8:17 AM
187	Although the media seems to have a negative attitude toward SCDDSN and the provider network, I think the providers do an excellent job of taking care of people with disabilities in our State. There are always a few agencies that need more oversight and some employees that give the rest a bad name, but I think that 98% of the agencies and employees do an outstanding job.	2/13/2017 8:16 AM
188	Would like for DDSN to be more transparent and willing to back providers in their overall day to day operations.	2/13/2017 8:01 AM

189	Psychiatric services for consumers need to be dramatically improved. There are an insufficient number of professionals available to support the population living in residential homes. The few that are available have case loads that do not allow the professionals to give quality care. Any follow-up on the department needs to study this issue, particularly in rural areas of the state.	2/13/2017 7:48 AM
190	Overall training when policies and procedures are altered is lacking but the staff appear to adjust well in the chaos.	2/13/2017 7:44 AM
191	DDSN needs to short changing their consumers by short changing the local providers. Local providers are penalized for managing their money well via not being allowed to keep an appropriate reserve.	2/12/2017 10:47 PM
192	Restructuring would be an essential part of changing the dynamics of the Department of Disabilities and Special Needs. I would also look at why this particular State Agency is allowed to have a stand alone computer system when they paid the Budget and Control Board several million dollars to buy into the SC Centralized System - a system that would have brought greater transparency, but in this age of technology they have a mainframe system. Lastly, a system of accountability is needed and not just lip service to change like we hear at every Senate Oversight Committee. Yes we have fixed all the issues that were raised in the Legislative Audit Council findings. When in fact they have not been addressed and we have greater risk for death in group homes than we had 2 years ago. This Department is broken from the top down to the local boards with an agenda to cover up critical incidents rather than fix the system than perpetuates them.	2/12/2017 9:15 PM
193	Four people are pushing a negative campaign which will falsely influence many people, and you!	2/12/2017 6:26 PM
194	Time Clocks are Needed and Management accountability	2/12/2017 2:15 AM
195	The current leadership of SCDDSN acts in a dictatorial fashion. They do not seek stakeholder involvement in decisions. They are unresponsive to concerns expressed about directives. Their internal audit function is out of control citing everything without basis for many of the citations. They also have no concept of materiality. They do not allow for any measure of human error and expect perfection. None of the leadership of SCDDSN has worked in the provider network and thus are way out of touch with the agencies that they contract with.	2/11/2017 5:30 PM
196	I served as a Commissioner from the 1st Congressional District for DDSN from 2009-2012. From that vantage point I can state that this agency would benefit by moving it to the Governor's cabinet in order to have oversight.	2/11/2017 4:55 PM
197	When you look at the structure of DDSN and the accountability they expect of providers in comparison to other agencies they have a great deal more oversight and safety policies and procedures in place. They hold providers accountable and have an expectation of performance.	2/11/2017 2:03 PM
198	Needs additional staff and more compassionate staff.	2/11/2017 10:09 AM
199	I would like to meet with committee members to share my experiences. DDSN pays no attention to state or federal law, they retaliate against anyone who complains about their services. There has been no accountability for the funds paid to DDSN. The problems identified in the 2008 LAC audit continue, without improvement. Nothing has gotten better since the current director was hired.	2/11/2017 12:49 AM
200	The Department has a personal and vested interest in supporting people with disabilities and their families. While the Department has always been responsive and genuine advocates of people with disabilities and special needs, the Department seems to be distracted by the demands of the disjointed Commission who has lost sight of the true intent of the Department which is to ensure quality services.	2/10/2017 9:53 PM
201	Lack of transparency, lack of accountability by staff, overall defiant attitude towards any kind of authority, only 5 policies allowed by Commissioners, lack of meaningful reporting	2/10/2017 6:56 PM



Q6 Would you like to provide input about the Election Commission?

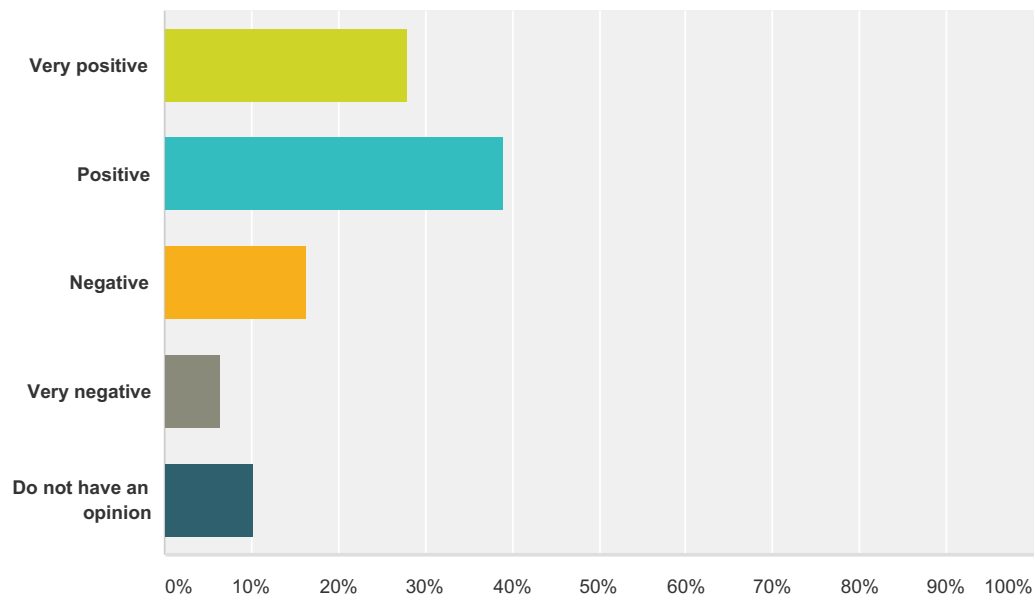
Answered: 534 Skipped: 95



Answer Choices	Responses	
Yes	42.13%	225
No	57.87%	309
Total		534

### Q7 Overall, what is your opinion of the Election Commission?

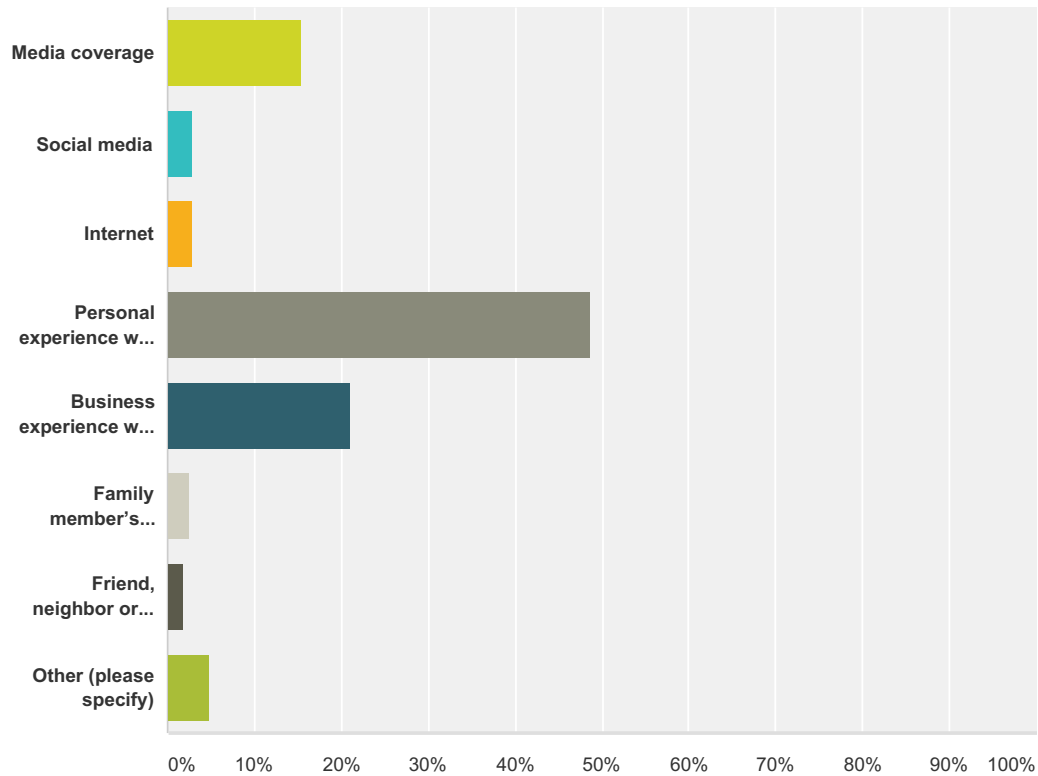
Answered: 215 Skipped: 414



Answer Choices	Responses	
Very positive	27.91%	60
Positive	39.07%	84
Negative	16.28%	35
Very negative	6.51%	14
Do not have an opinion	10.23%	22
<b>Total</b>		<b>215</b>

### Q8 Which of the following has most influenced your opinion of the Election Commission?

Answered: 208 Skipped: 421



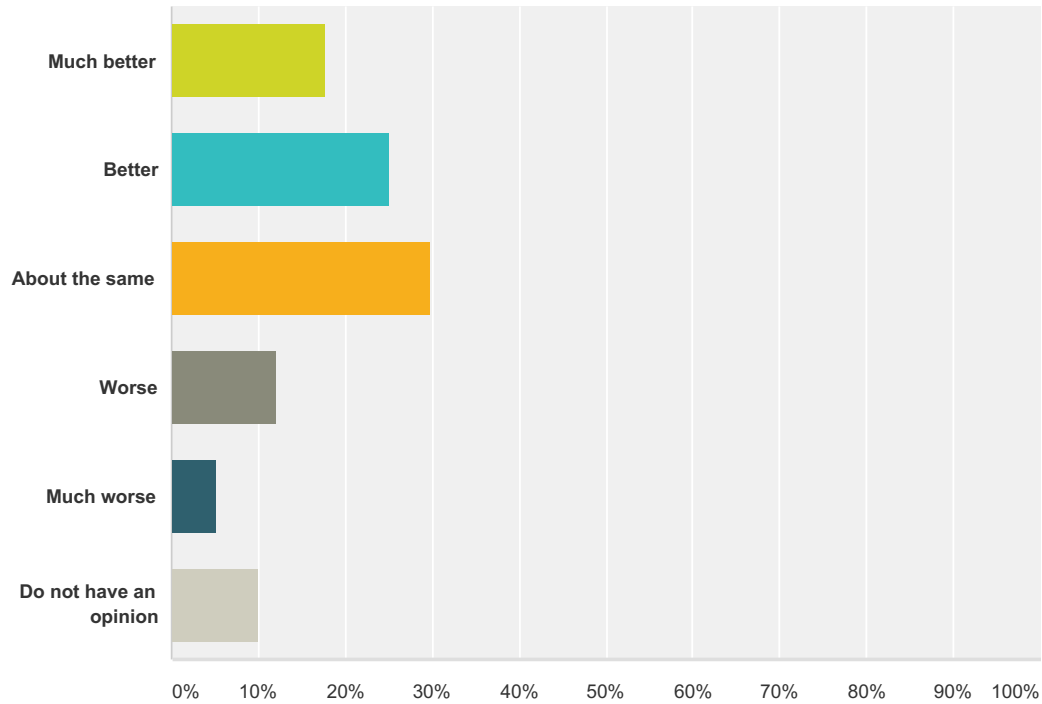
Answer Choices	Responses
Media coverage	15.38% 32
Social media	2.88% 6
Internet	2.88% 6
Personal experience with the agency	48.56% 101
Business experience with the agency	21.15% 44
Family member's experience with the agency	2.40% 5
Friend, neighbor or colleague's experience with the agency	1.92% 4
Other (please specify)	4.81% 10
<b>Total</b>	<b>208</b>

#	Other (please specify)	Date
1	don't know much about it.	3/4/2017 3:16 PM
2	I have never even heard of it !	3/4/2017 1:27 PM
3	Need to be more visible as they are out of touch with centers	2/22/2017 3:57 PM

4	Don't know much about this committee	2/17/2017 1:08 PM
5	na	2/15/2017 10:03 AM
6	Employee	2/15/2017 9:04 AM
7	employee	2/14/2017 11:43 AM
8	Who are they?	2/11/2017 4:37 AM
9	my role as VP of the League of Women Voters of SC has led to interaction over a period of 5 years	2/10/2017 7:22 PM
10	I was appointed to county board and saw first hand the corruption and favortism.	2/10/2017 11:03 AM

**Q9 How do you think the Election Commission functions on an overall basis in comparison to other state agencies in South Carolina?**

Answered: 208 Skipped: 421



Answer Choices	Responses
Much better	17.79% 37
Better	25.00% 52
About the same	29.81% 62
Worse	12.02% 25
Much worse	5.29% 11
Do not have an opinion	10.10% 21
<b>Total</b>	<b>208</b>

**Q10 Please list any comments, concerns, or suggestions you may have about the Election Commission. Your response may be quoted verbatim in a Committee report.**

Answered: 69 Skipped: 560

#	Responses	Date
1	Too partisan.Richland County Election Commission is incompetent, rude to voters and should NOT come under the Richland Legislators.It should come under the Control of Richland County Council	3/13/2017 4:41 PM
2	County boundary lines need to conform to county precinct lines. An example is the dispute of Ms. Kim Murphy located in Richland Co but not allowed to vote in Richland Co.	3/13/2017 3:45 PM
3	Needs total overhaul with trained staff	3/13/2017 10:11 AM
4	Need to have more control & fire Jerry Mize	3/12/2017 8:47 PM
5	What is there functional purpose.	3/9/2017 10:40 PM
6	Bring under the oversight of the Governor	3/8/2017 12:10 PM
7	Commissions provide oversight and need to insure legislators understand the real facts. Commissioners shold not have their own agenda that does not agree with the level of good services provided....have some personal problem with someone or something, not the system. Commissioners need to listen to Providers and review the audit scores from Alliant, and realize the percentage of incidents compared to the total service hours across the State shows incidents are few and far between, and realize in the business where you pay direct care only \$10.11 you will have some measure of incidents but it is very, very small compared to the total hours of service rendered.	3/7/2017 9:34 AM
8	The State Election Commission is the finest example of what public service is all about. The men and woment of theis agemncy should be commended for their outstanding service, civility, focus on a common goal.	3/5/2017 8:08 PM
9	some South Carolinians are taking advantage of the disability programs that we are so fortunate to have.	3/4/2017 3:16 PM
10	Make your organization known to the grunts .	3/4/2017 1:27 PM
11	The State Election Commission runs very well with the resources that it has available. They have to work with old equipment as well as underpaid poll workers and staff in the counties.	3/3/2017 2:21 PM
12	they need to interact with other agencies aboutproblem they has esseciallt the DOT who lies to it's consumers	3/3/2017 1:08 PM
13	Greenwood County Election Commission is very helpful.	3/3/2017 12:53 PM
14	There are local regualtions which need to be overhauled to streamline the election process.	3/3/2017 11:41 AM
15	I want to see the voting process to be more streamlined. We need more voting booths onsite, people should not have to stand in line for so long. Perhaps a live feed on election days showing the people traffic would allow people the option to decide the least busy time to come vote.	3/2/2017 3:35 PM
16	Well run, non partisan agency. A model for other states.	2/28/2017 10:09 PM
17	My biggest concern is that the public's faith in the Election Commission's mission as a necessary function, is being shaken and undermined by unethical persons.	2/28/2017 3:48 PM
18	SC needs open early voting to accommodate working voters. Voter ID laws are discrimantory and unccessary.	2/28/2017 1:24 PM
19	How about we have some working f..... voting machines?	2/25/2017 12:04 PM
20	We saw a dramatic improvement in our last election cycle!	2/25/2017 12:04 PM
21	None	2/24/2017 11:49 AM
22	All voting precincts be equiped with electronic voters lists	2/23/2017 4:16 PM
23	there needs to be an easier way for people to get registered to vote...ID Pics on SS Cards to prevent fraud..etc.; state need to be connected in a network to prevent fraud too.	2/23/2017 9:17 AM
24	This agency has a big responsibility without adequate staff and pays low wages compared to other agencies.	2/22/2017 10:15 PM

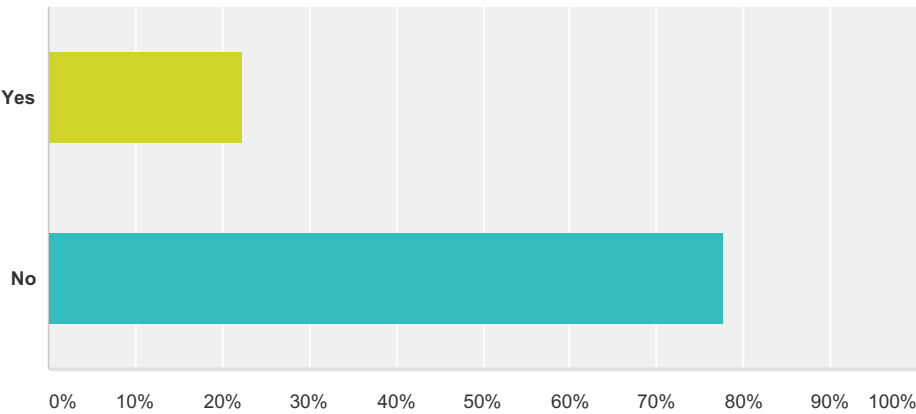
25	They have established a core team and consistency in their election processes that I do not see much in other states	2/22/2017 7:06 PM
26	Would love to have them more visible to the centers	2/22/2017 3:57 PM
27	excellent in response to questions and/or concerns	2/22/2017 12:23 PM
28	I feel that my tax money is well spent for the Election Commission	2/20/2017 4:27 PM
29	The Election Commission always appears to be fully dedicated to secure and accurate elections.	2/20/2017 10:51 AM
30	It seems the voice of those they represent is not included or valued.	2/20/2017 10:45 AM
31	Need to reach out to the community so people can be more aware of its purpose and mission	2/17/2017 1:08 PM
32	The State Election Commission (SEC) has done an excellent job working in a non-partisan manner on behalf of the voters of South Carolina. In addition, the SEC continues to advocate on behalf of county election officials, poll workers, and the election's process as a whole. As the lead agency overseeing elections in this state, I would like our legislators to be more supportive of agency initiatives such as early voting and the planning of the replacement of the statewide voting system. The State Election Commission has been repeating the need for both of these year after year to no avail. I believe our legislators hold a great deal of respect for the State Election Commission as a state agency, but I do not feel our legislators (as a whole) value the SEC with equal importance and significance compared to other state agencies. The State Election Commission deserves better.	2/16/2017 4:36 PM
33	There is no reason or justification as to why individuals should not be issued a proper form of identification during the electoral process	2/16/2017 1:21 PM
34	I think SEC is doing a great job with the counties to enhance the election process. Their motto has always been to ensure every vote matters and every vote counts by providing quality training and support to all counties in the state of South Carolina.	2/16/2017 9:03 AM
35	More attention needs to be placed on accommodations for people with disabilities at polling locations.	2/15/2017 7:48 PM
36	Efficient and well managed organization. Good stewards of the State's resources.	2/15/2017 3:57 PM
37	Funding is key to survival of any organization. The Election Commission is a vital part of democracy and without adequate funding the integrity of the elections in SC runs a risk of becoming tarnished in the eyes of voters, the nation and the world. We not only stand the chance of losing confidence in our voters but in the entire electoral process nationwide.	2/15/2017 1:19 PM
38	They implement changes to the voter registration system on very short timelines and often very close to large elections which don't give the counties much time to implement changes without often requiring overtime.	2/15/2017 10:29 AM
39	Very helpful, in assisting the Counties with elections	2/15/2017 9:54 AM
40	Liz Simmons with SCEC is a valuable asset and has always been very helpful.	2/15/2017 9:47 AM
41	Our ability to remain politically neutral in all ways is very important to our successful elections.	2/15/2017 8:41 AM
42	They simply do NOT offer enough of the required Core Training classes each year. AND they allow only 30 adults in each classes they offer. Now if there are 46 counties in SC and folks all over the state need these classes, how many are left out annually. The staff was quite rude, unbending (stating they were following state law!). In the year that I was not in good standing, i continued to do everything required of me. The entire situation was embarrassing and should have been avoidable if they would only offer more of the required training!!	2/14/2017 7:07 PM
43	I interface with election commissions of almost all of the states in the US. The SC Election Commission has always been very responsive with accurate information.	2/14/2017 3:28 PM
44	There are many including the Executive Director, that advise the counties on issues that deal with day to day operations of county offices. Many staff members of the EC do not have the knowledge of elections laws needed to run the office or give "advise" to those that work in the county offices. It is mandated by state law that all election workers be certified with 18 months of employment but the classes do not meet the needs of the county agencies which they serve. Most of the certification classes are taught by the EC staff who again do not have the knowledge needed to teach the classes.	2/14/2017 2:50 PM
45	Very frugal within the confines of its allocated budget	2/14/2017 2:17 PM
46	They continue to not be influenced by any particular elected official and/or political party . Would like them to make recommendations to strengthen our citizens' confidence in our voting system- especially purchasing voting machines that can be audited with a paper backup .	2/14/2017 1:04 PM
47	Hard working commisson and very professional staff	2/14/2017 12:04 PM
48	Lack of opportunity for growth within the agency. Atmosphere becomes stagnant.	2/14/2017 12:03 PM

49	Keep up the great work.	2/14/2017 11:51 AM
50	The filing process between candidate's, the state election commission and the state political parties needs to be reviewed. The candidate qualifications and actual filing process should be better streamlined.	2/14/2017 11:21 AM
51	What are the security of the polling machines? Who does the programming? Overall, is all the polls performing to regulations?	2/14/2017 9:30 AM
52	Our precinct is not able to offer Disability curbside service...They are to small and old...Sure, The sign is out on the side walk behind all the crowd but no one is there...I am not able to vote curbside myself...So I must go past the crowd...Of which they DO NOT LIKE...To ask for help with Handicapped curbside...Then go get in line and we both wait and wait...So we vote absentee ballot now...	2/14/2017 8:32 AM
53	I worry about corruption and innaccuracy in our electoral process (whether intentional or not)	2/13/2017 6:38 PM
54	Would it save money if various elections were held at the same time vs. different elections during different "months"?	2/13/2017 2:38 PM
55	After 20 years +/- working in this enviroment, I have to say it is nothing like turning hamburgers. Once you see what these workers do to care for someone elses relatives.In no way does the type of work come close to the pay they receive. I know the caregivers/ Staff do it because of love. At any given time it could be one of us needing care.	2/13/2017 2:03 PM
56	The election commision is important to maintaining the integrity of elections.	2/13/2017 12:55 PM
57	This is a comission that is responsible for ensuring "every citizen" is provided an opportunity vote because that is their right. As well having procedures and rules in place for all county officials to abide by. If anything needs to be changed, it is to stop voter supression via our "DC" legislators and pay more money for working on election day(s);although that is not their responsibility. The second thing would be to start exposing and training people to run this commision and to work at the polls. Finally, people need to become mor einformed, but f they are not reading an dimparting knowledge upon themselves, then that is their fault.	2/13/2017 10:02 AM
58	Voters should be assisted to get IDs and transportation should be made available to those without it.	2/13/2017 9:31 AM
59	What's an election commission?	2/11/2017 4:37 AM
60	SC is very fortunate to have an independent, very professional and responsible state elections commission. Their work in overseeing elections, training election personnel throughout the state, and overseeing voting technology is exceptionally important and they do it very well indeed.	2/10/2017 7:22 PM
61	Regarding the Election Commission, I would say that proper training and education of poll workers is critical, particularly when it comes to precincts with two different ballots in an election.	2/10/2017 2:39 PM
62	The Elections Commission does an excellent job of providing guidance for the 46 county election commissions. They have also been very responsible in the way in which they purge citizens who have moved our of state or died from the voter registration rolls.	2/10/2017 1:13 PM
63	It's a small agency with a critical mission. Living in Richland County, I know from personal experience what happens when local elections are botched and how hard the State Election Commission staff worked to mitigate a situation they were not responsible for but determined to address in a professional manner. Leadership worked to address issues not persons or personalities. I was impressed and reassured. I also appreciated how they handled the silliness over dead voters. Took the issue seriously and addressed it directly and again professionally.	2/10/2017 12:44 PM
64	The SC Election Commission has taken advantage of the available media, including online voter registration and mobile device applications in order to make voter registration and other functions easier and more accessible to the public.	2/10/2017 12:07 PM
65	The State Election Commission presented itself in a positive and informed manner internally and publically during the General and Primary Elections in 2016.	2/10/2017 11:54 AM
66	The SC Election Commission does an outstanding job informing the public on election activities - including registration, voting requirements, locations to vote, etc...	2/10/2017 11:31 AM
67	I am very impressed with the South Carolina election commission and their important work to assist the voters of South Carolina. I have worked extensively with executive director Marci Andino over the last 3 years as she has participated on a national working group to assist military and overseas voters. Ms. Andino and her staff do an excellent job in assisting all voters and ensuring the Integrity of her state's election process.	2/10/2017 10:45 AM
68	The Election Commission has a national reputation for outstanding leadership and commitment to the voters of South Carolina.	2/10/2017 10:40 AM
69	My overall impression of the local voting agency is positive. The workers are helpful, knowledgeable and courteous. I am a bit disappointed that the state level did not follow through with my new photo Id voter card, but my local representatives have consistently been high quality.	2/10/2017 5:17 AM



Q11 Would you like to provide input about the Human Affairs Commission?

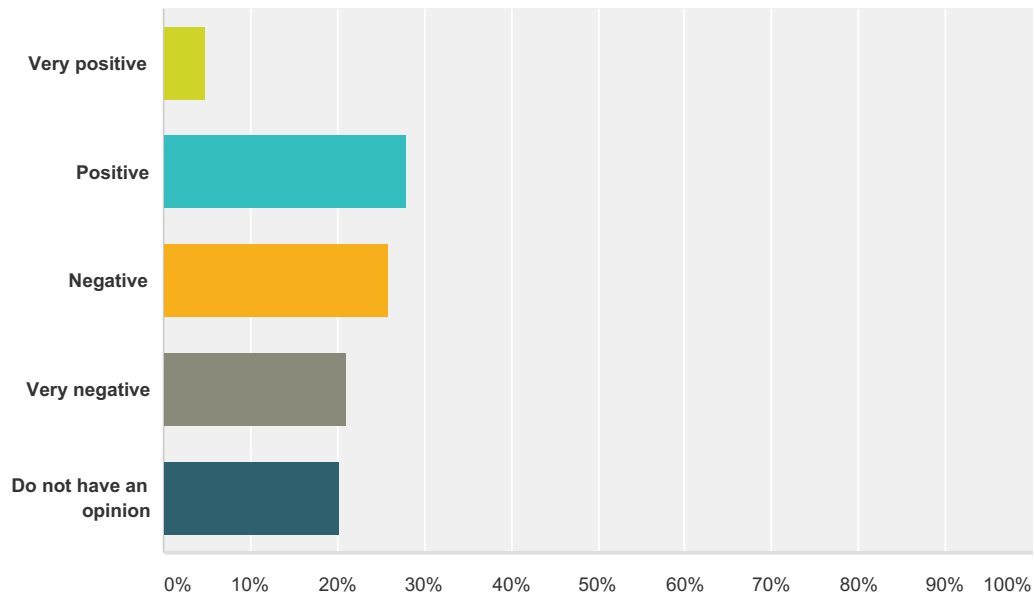
Answered: 505 Skipped: 124



Answer Choices	Responses	
Yes	22.38%	113
No	77.62%	392
Total		505

## Q12 Overall, what is your opinion of the Human Affairs Commission?

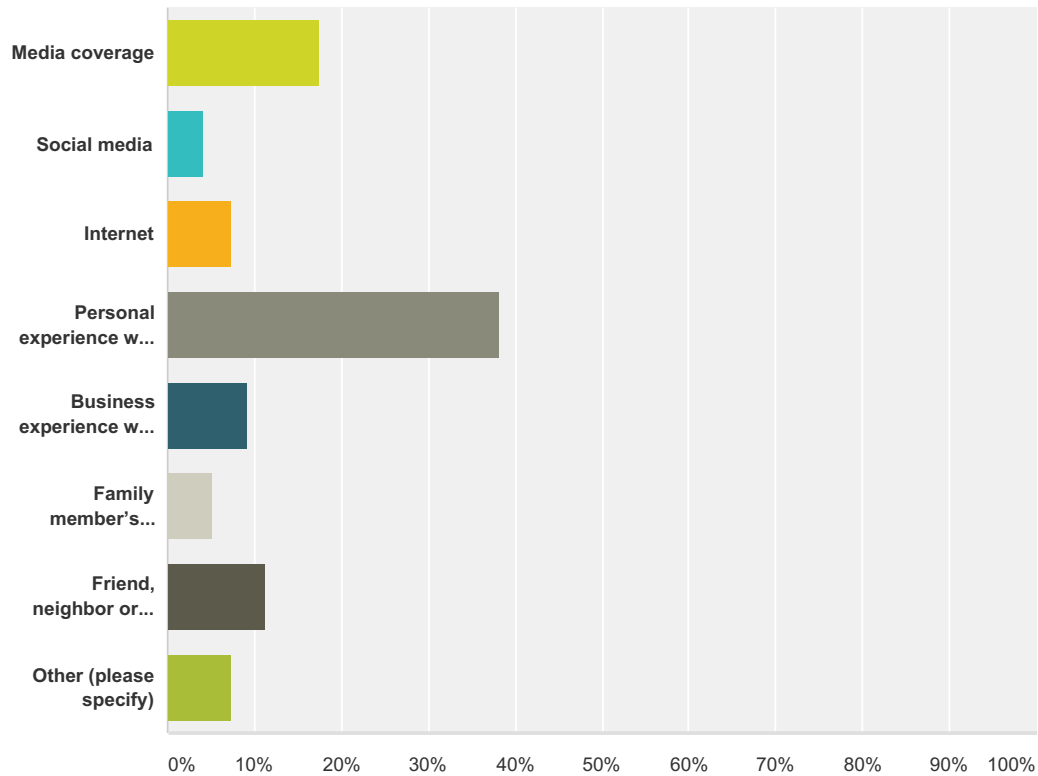
Answered: 104 Skipped: 525



Answer Choices	Responses	
Very positive	4.81%	5
Positive	27.88%	29
Negative	25.96%	27
Very negative	21.15%	22
Do not have an opinion	20.19%	21
<b>Total</b>		<b>104</b>

### Q13 Which of the following has most influenced your opinion of the Human Affairs Commission?

Answered: 97 Skipped: 532



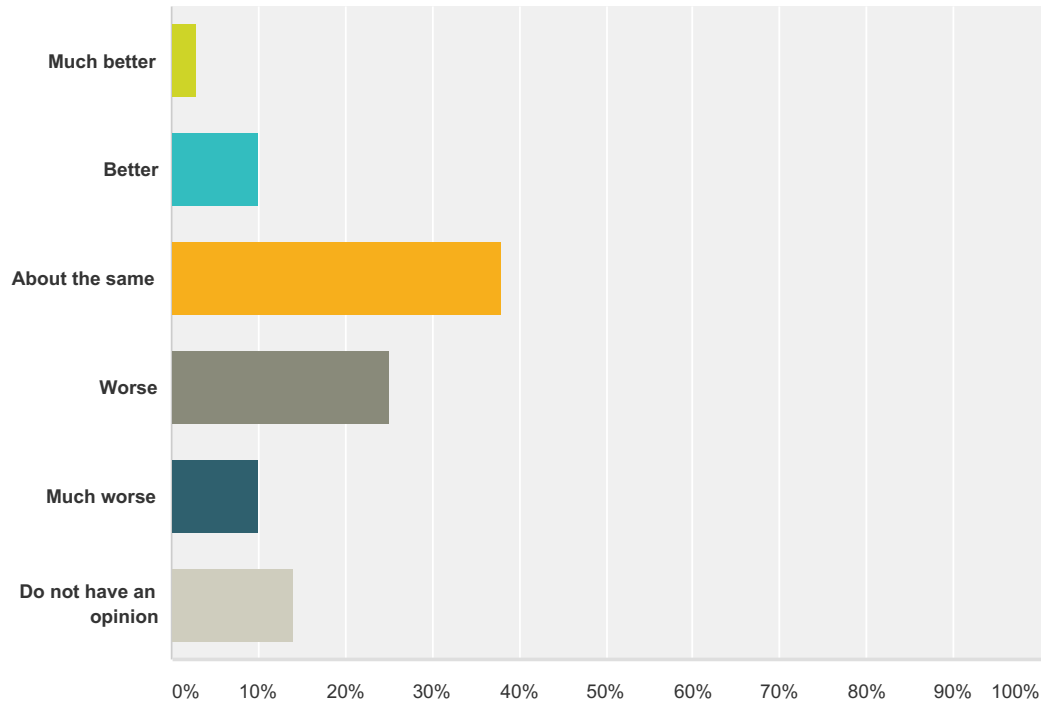
Answer Choices	Responses
Media coverage	17.53% 17
Social media	4.12% 4
Internet	7.22% 7
Personal experience with the agency	38.14% 37
Business experience with the agency	9.28% 9
Family member's experience with the agency	5.15% 5
Friend, neighbor or colleague's experience with the agency	11.34% 11
Other (please specify)	7.22% 7
<b>Total</b>	<b>97</b>

#	Other (please specify)	Date
1	I've have had limited personal experience and experience it through friends and colleagues	3/13/2017 10:01 AM
2	none	3/8/2017 12:12 PM
3	Investigators are treated unfairly and are excluded from social activities within the agency	3/7/2017 3:25 PM

4	My family takes the place of Human Affairs .	3/4/2017 1:30 PM
5	Don't know much about it	2/17/2017 1:10 PM
6	None	2/14/2017 12:04 PM
7	Have not heard anything about this agency	2/10/2017 3:58 PM

**Q14 How do you think the Human Affairs Commission functions on an overall basis in comparison to state agencies in South Carolina?**

Answered: 100 Skipped: 529



Answer Choices	Responses	
Much better	3.00%	3
Better	10.00%	10
About the same	38.00%	38
Worse	25.00%	25
Much worse	10.00%	10
Do not have an opinion	14.00%	14
<b>Total</b>		<b>100</b>

**Q15 Please list any comments, concerns, or suggestions you may have about the Human Affairs Commission. Your response may be quoted verbatim in a Committee report.**

Answered: 41 Skipped: 588

#	Responses	Date
1	The Human Affairs Committee failed to investigaty14 charges of mistreatment and racial discrimination at the Medical University of South Carolina in Charleston. The personal racism of some managers and the institutional racism of MUSC need to be investigated and dealt with. And do not be fooled by the"window dressing" of the Diversity and Inclusion Committee--it avoids dealing with the mistreatment of the largely black and female workforce there. A real and full investigation of MUSC is needed!	3/14/2017 1:11 AM
2	The agency I complained about had twenty individuals who filed similar complaints alleging discrimination and retaliation. However, all of the claims were dismissed. I was told my case showed cause for retaliation by an investigator at Human Affairs. I was also told that my case would be forwarded to EEOC and they would make the final decision. I filed my complaint with human affairs and they should have followed through with the findings they communicated to me. I don't feel like the agency is fulfilling the purpose for which they were created.	3/13/2017 9:20 PM
3	The Commissioner is duplicitous. He causes disharmony by seeking employees to spy on other employees, and he rewards his spies by giving them either raises, promotions, or bonuses. He favors white employees over black ones. He is more interested in closing employment cases quickly without a thorough investigation than seeing that the cases are fully investigated. When some employees bring concerns of inequities to his attention, he uses subterfuge, delaying tactics, or outright lies to avoid dealing with the issues. Consequently, this causes poor morale, distrust and frustration. This is counter-productive to the administration of justice to employees and the public. It is ironic that the agency entrusted to eradicate discrimination is headed by a Commissioner who seems to be committed to being unjust, sexist, and racist.	3/13/2017 8:40 PM
4	My intake was lost by the director. Eeoc. From Greenville sent Human Affairs an investigation. That was sent to Human Affairs. They closed my case in 3 days I have the paper work to show human Affairs tried to cover up for Sodexo. Please let me show. You the details of paper work I have. Please I beg you.	3/13/2017 5:16 PM
5	They discriminate against Blacks. Uncaring whites like Dan Koon run the agency. The Commissioner Ray Buxton is NOT concerned about his staff or Charging Party.They only care about receiving money from EEOC for no cause cases. Cases aren't thoroughly investigated.All employees under TERRA should be discharged! Too many hires based on fraternity connections and positions in the community instead of qualifications.Cherey Dow doesn't meet the bare minimum qualifications for her job.The Commissioner's secretary is overpaid.The Legislative Audit Council failed to interview the right people for an accurate view of the agency.Finally, just because the Commissioner is African-American there is NO reason to accept Incompetence or be afraid to CUT their budget.The agency should be CLOSED and Rep. Leon Howard should Stop defending them!The current Commissioner and Deputy Commissioner are ruining the great Legacy of Rep. James E . Clyburn.	3/13/2017 4:56 PM
6	The Commissioner allegedly covered up for a while male who used agency equipment to view pornography. He pays ( though trying to cover it up now) males more than black females. He causes disharmony.	3/13/2017 4:55 PM
7	It was my understanding that the Human Affairs Commission Office protects an employee from employment discrimination when it involves unfair treatment, harassment, and/or retaliation because of race, age, sex, color, disability, retaliation and a few other types of discrimination. It has been proven that this is not the case. Revisit the many reported discriminated and retaliation cases that have been sent to this office from Medical University of South Carolina. This office needs to be thoroughly investigated. Once this office receives complaints regarding the employer, the investigations are not properly handled. Many (if not all) of these cases are not handled in a timely manner. It is the belief of many that this office works solely for the employer not the employee. It is a waste of the employee time and taxpayer's dollars.	3/13/2017 4:23 PM

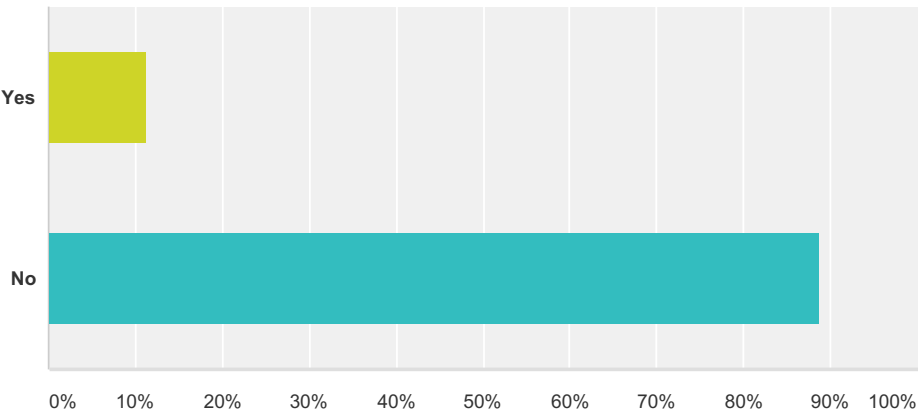
8	My experience is the commission is ineffective, biased towards state employees, and does not serve its purpose in addressing racial discrimination concerns. The commission seems to operate in a mode of 'red tape' denying all racial discrimination complaints and ruling in favor of the state agency. The investigation process is ineffective. The process depends on witnesses who fear retaliation to come forward rather than using resources to investigate and address concerns. I have had this poor experience twice over the years in attempts to address problems at the MUSC. Most recently, staff from the commission's housing unit was sent to take statements regarding racial discrimination. They were not equipped to answer important questions. In coming to a conclusion, the employee information is given to the agency and the employee does not gain an understanding of the employer's response. The employee is left exposed to face to retaliation.	3/13/2017 10:34 AM
9	HAC is severely under staffed and as a result they are very slow and lethargic about responding to complaints. I've witness investigations that last much too long and we're definitely not well done. They have in some cases not contacted pertinent parties to the investigation.	3/13/2017 10:01 AM
10	Employees need to pass a training period, better pay & less clients per employee.	3/12/2017 8:56 PM
11	They need to follow through when complaints are made against agencies.	3/12/2017 8:02 PM
12	Improper investigations about MUSC discrimination and termination of African Americans especially the African American females. Poor promotion and hiring practices. Discriminatory treatment of patients.	3/12/2017 7:36 PM
13	The Commissioner is vindictive. His actions cause poor morale among staff. He pretends to want to know how things can be better, but when employees give their opinions, if it doesn't agree with Commissioner's, he retaliates. He should be replaced with someone competent and committed to the agency's commission. He's well known for "alternative facts." The Committee should look into pay disparities based on race, national origin, and gender.	3/12/2017 6:58 PM
14	Current commissioner's attitude and treatment of some employees is antithetical to the mission of SHAC. He gives preferential treatment to white employees. He should be replaced for the good of the agency.	3/12/2017 6:52 PM
15	They are not very helpful. They are judgemental before getting all the facts. They are biased if you are filing a claim against a state agency because they are a state agency. They judged me because I once filed a claim against a state agency, when I came to an interview with SHAC the person who took my claim was on the interview panel and recognized me. Next thing I know the manager literally kicked me out before I could finish the skills test I was taking for the job. How is that for an agency protecting equal opportunity!	3/9/2017 10:52 PM
16	The SCHAC leadership is the main problem with the agency success or lack of leadership. The leadership lack the knowledge or compassion in actually following its mission of trying to prevent and eliminate discrimination. There is discrimination within its own agency.	3/9/2017 1:00 PM
17	The agency is sexist, racist. The board members serve for several years beyond their time. They are ineffective. Employees are told not to have ANY contact with the board; therefore, when the Commissioner refuses to deal with internal problems, there is no one to turn to. The Commissioner threatens employees to file a complaint with EEOC if they don't like what he does.	3/8/2017 9:46 PM
18	none	3/8/2017 12:12 PM
19	A review of the salaries since Commissioner Buxton came to the Agency will show that essential personnel (investigators) have received lesser money in pay raises than the nonessential employees.	3/7/2017 10:16 PM
20	The agency is unfair and some positions are made and should not exist. Other sections make decisions for the investigators that should not be allowed to make those decisions. Although investigators bring in revenue, they are treated poorly.	3/7/2017 3:25 PM
21	Take into consideration the number of hours of service compared to the extremely small number of incidents considering this level of services 24/7, 365 days per year.	3/7/2017 9:35 AM
22	none	3/4/2017 1:30 PM
23	Make it more about the people and not the legal system.	3/3/2017 12:54 PM
24	I know so little about this commission that I don't know what it does! What is its purpose?	3/2/2017 1:45 PM
25	Policies should be in place to ensure that employees are being paid fairly.	3/1/2017 4:08 PM
26	There seems to be a lack of management structure that supports whatever their mission is at this time. Basically I see not purpose for the agency.	3/1/2017 11:54 AM
27	I've seen them personally in court fighting for human rights protection. This is a must in a society so easily preyed on by big business.	2/25/2017 12:05 PM
28	Not an effective agency	2/24/2017 9:17 AM
29	They should be protecting ADA rights but do not investigate complaints	2/23/2017 9:18 AM

30	Oversight of salaries; how money distributed once budget approved	2/20/2017 9:15 AM
31	4. A review of the pay increases for the past 5 years will show the partiality and the discriminatory treatment with reference to unequal pay/unfair wages; this crucial evidence (contact Human Affairs HR). African American, essential employees with tenure of 16+ years, (i.e., females age 40+), were given lesser percentage than Caucasian and male employees (who were more nonessential than essential) will be obvious in these reports. Collusion among the Commissioner, Board Chair, and management team to discriminate against certain groups of people is contradictory to Section 1-13-20, Declaration of Policy of the South Carolina Human Affairs Law. To correct the injustice done to these violated employees, make them whole by giving them equal pay in accordance with the services they have rendered to the Commission that they were not compensated for the past 5 years.	2/17/2017 5:55 PM
32	Reach out to the community more	2/17/2017 1:10 PM
33	I am concerned about the ill treatment of select female employees; compensation afforded upper level administrators, seemingly at the expense of neglecting lower level staff members; and closed communications to staff below the leadership level	2/15/2017 2:39 PM
34	NA	2/15/2017 1:04 PM
35	a. Commissioner Buxton asked for input from the employees for a SWOT analysis and then after they gave him their feedback, he proceeded to badger certain employees simply because he disagreed that the input included concerns about the existing discriminatory treatment of certain employees who currently work at the Agency. Were these actions intended to intimidate the employee(s)? Are these the actions of an unstable person? Is this a perfect example of an Abuse of Power?	2/13/2017 6:15 PM
36	Agency Audit and Restructuring	2/13/2017 12:17 PM
37	they need to be more helpful to employees who have been discriminated against	2/13/2017 10:27 AM
38	It is largely invisible. By virtue of its name, many of the wrongs and atrocities are left unpunished; often time even allowing the victim(s) to be blamed or mistreated. Where is the accountability. Where exactly is this department helping?	2/13/2017 9:32 AM
39	HAC needs to have a bigger role in performing the mission. Not many people have heard of the HAC.	2/13/2017 8:20 AM
40	Extremely positive experience each time that our agency works with the Human Affairs Commission. The employees have a solid response time to my questions, concerns, and complete the course of their work with an open mind and open door philosophy.	2/13/2017 8:03 AM
41	Management has allowed Customer Service to deteriorate at Human Affairs. Constituents who come to the Agency as customers/complainants for assistance are being denied the use of the restrooms. Just recently, the children of an African American Complainant who was there for Mediation were denied the use of the restroom by a Caucasian female manager. Management needs to be reminded that the Agency is there to serve the constituents and without the constituents, the Human Affairs Commission is not needed. Further, the Caucasian female manager needs to be properly trained in customer service and reminded that she is employed to serve the customers and not to offend them.	2/12/2017 11:08 PM



Q16 Would you like to provide input about the John de La Howe School?

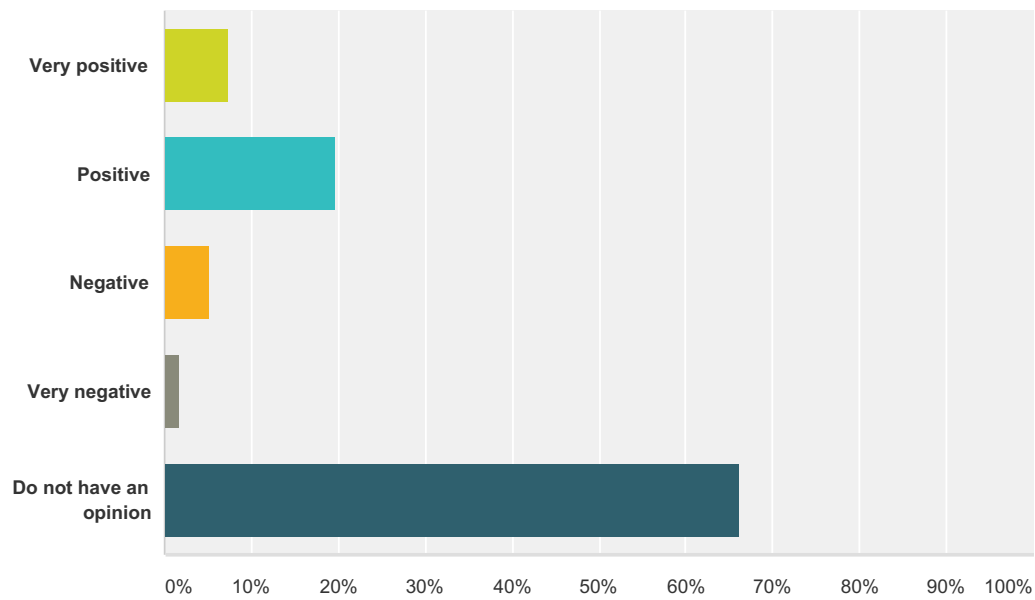
Answered: 486 Skipped: 143



Answer Choices	Responses	
Yes	11.32%	55
No	88.68%	431
Total		486

### Q17 Overall, what is your opinion of the John de La Howe School?

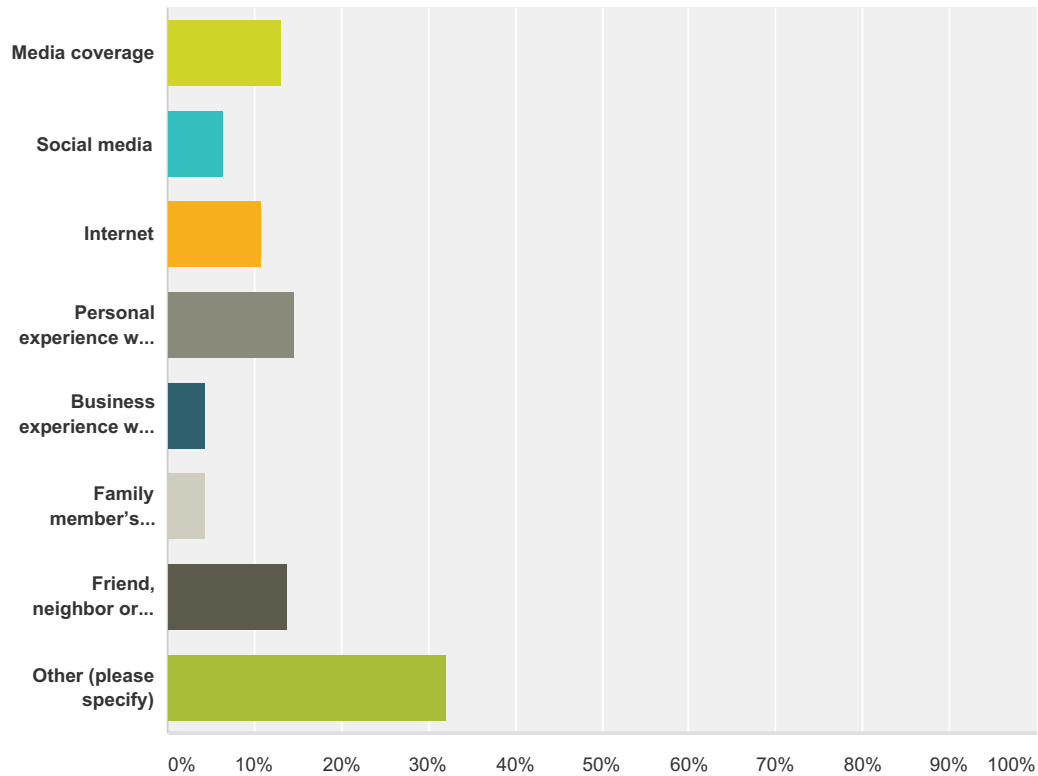
Answered: 189 Skipped: 440



Answer Choices	Responses	
Very positive	7.41%	14
Positive	19.58%	37
Negative	5.29%	10
Very negative	1.59%	3
Do not have an opinion	66.14%	125
<b>Total</b>		<b>189</b>

### Q18 Which of the following has most influenced your opinion of the John de La Howe School?

Answered: 137 Skipped: 492



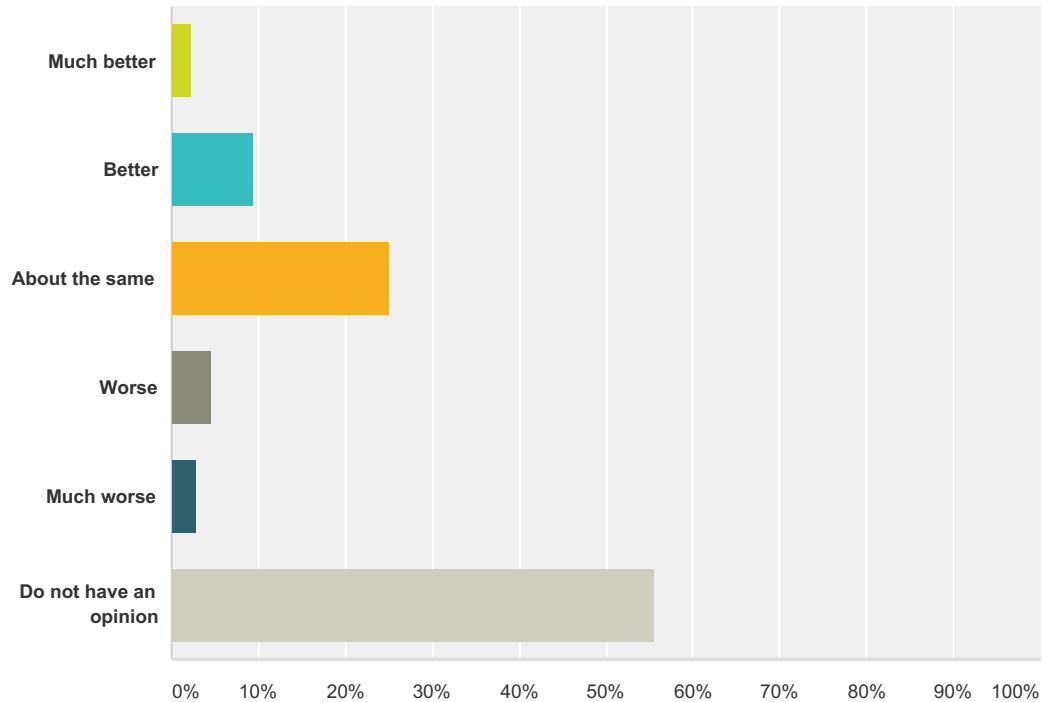
Answer Choices		Responses	
Media coverage		13.14%	18
Social media		6.57%	9
Internet		10.95%	15
Personal experience with the agency		14.60%	20
Business experience with the agency		4.38%	6
Family member's experience with the agency		4.38%	6
Friend, neighbor or colleague's experience with the agency		13.87%	19
Other (please specify)		32.12%	44
<b>Total</b>			<b>137</b>

#	Other (please specify)	Date
1	Just research on my own	3/3/2017 3:49 PM
2	Research I have personally done on the history of the school along with the media coverage.	3/3/2017 12:58 PM
3	work with clients who have used their services	3/1/2017 11:56 AM

4	No opinion	2/27/2017 11:48 AM
5	N/a	2/16/2017 1:46 PM
6	Never heard of it.	2/16/2017 1:33 PM
7	None	2/15/2017 7:49 PM
8	None	2/15/2017 7:27 PM
9	I'm not familiar with the John de La Howe Shcool. I WILL research it once I complete this survey	2/15/2017 5:26 PM
10	no influence	2/15/2017 8:18 AM
11	I've never heard of it till now.	2/14/2017 3:49 PM
12	none	2/14/2017 2:19 PM
13	None	2/14/2017 12:04 PM
14	N/A	2/14/2017 11:52 AM
15	never have heard of it before	2/14/2017 11:15 AM
16	Hit no on previous page	2/14/2017 10:24 AM
17	do not know what this School is about	2/14/2017 9:31 AM
18	no opinion	2/14/2017 8:33 AM
19	No knowledge to speak of	2/13/2017 6:40 PM
20	no opinion	2/13/2017 3:10 PM
21	n/a	2/13/2017 2:05 PM
22	i never heard of the school.	2/13/2017 10:41 AM
23	no knowledge	2/13/2017 10:27 AM
24	it is in my hometown	2/13/2017 10:25 AM
25	Didn't know this existed	2/13/2017 10:08 AM
26	I have never heard of them.	2/13/2017 10:03 AM
27	Do not have an opinion.	2/13/2017 10:02 AM
28	no opinion	2/13/2017 10:00 AM
29	no opinion	2/13/2017 9:59 AM
30	N/A	2/13/2017 9:35 AM
31	Not familiar with this school.	2/13/2017 9:19 AM
32	Do not know anything about it.	2/13/2017 8:45 AM
33	not familar with the school	2/13/2017 8:43 AM
34	no opinion	2/13/2017 7:58 AM
35	NA	2/12/2017 10:48 PM
36	v	2/12/2017 6:29 PM
37	none	2/11/2017 5:31 PM
38	none	2/11/2017 12:53 PM
39	No experience	2/11/2017 10:12 AM
40	What's that?	2/11/2017 4:37 AM
41	Not a relevant question for DDSN	2/10/2017 6:59 PM
42	N/A	2/10/2017 6:35 PM
43	Never heard of it	2/10/2017 3:59 PM
44	Don't know what it is.	2/10/2017 11:31 AM

### Q19 How do you think the John de La Howe School functions on an overall basis in comparison to other state agencies in South Carolina?

Answered: 171 Skipped: 458



Answer Choices	Responses	
Much better	2.34%	4
Better	9.36%	16
About the same	25.15%	43
Worse	4.68%	8
Much worse	2.92%	5
Do not have an opinion	55.56%	95
<b>Total</b>		<b>171</b>

**Q20 Please list any comments, concerns, or suggestions you may have about the John de La Howe School. Your response may be quoted verbatim in a Committee report.**

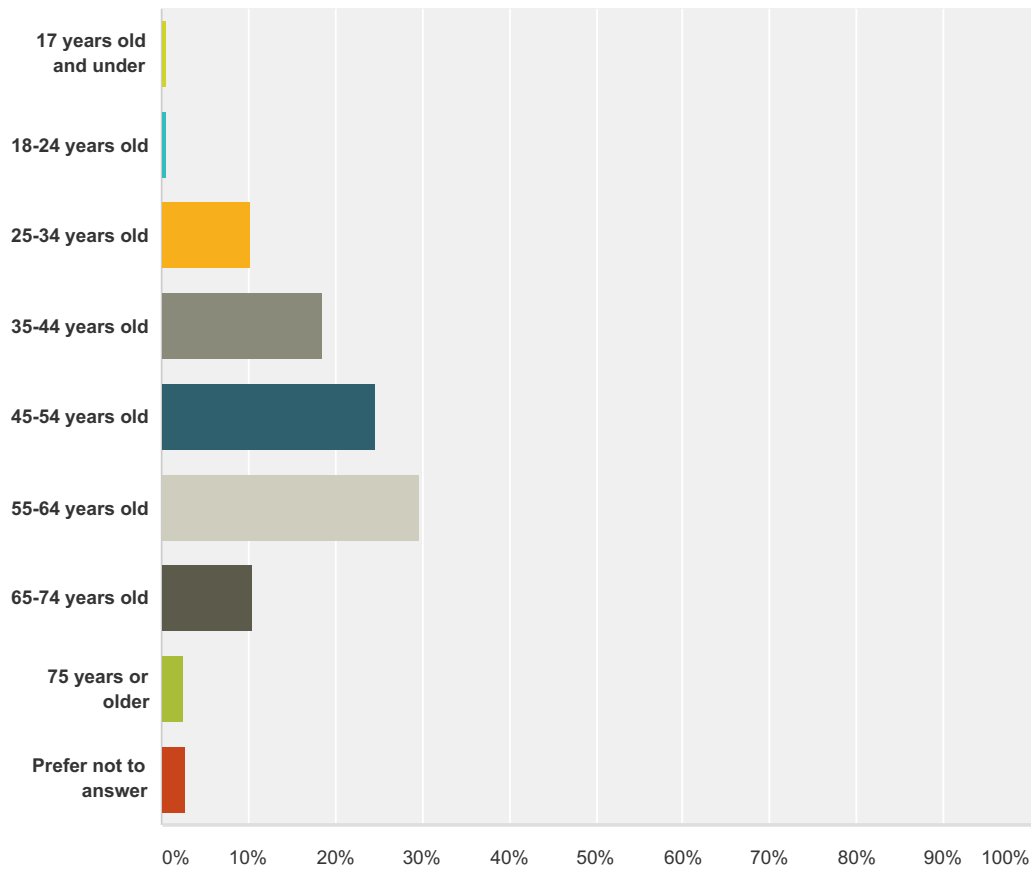
Answered: 30 Skipped: 599

#	Responses	Date
1	In addition to my previous comments, it would be an absolute travesty for these kids to loose out on the benefits of the equine and agricultural programs that the De La Howe School has to offer. The mismanagement of the Brice School should be corrected and the programs that make this school special and assist these kids in ways no other facility can, should be addressed and corrected to the children aren't the ones to suffer due to the mismanagement of the educational part of the school. There are so many opportunities that have been missed at JDLH and the kids are the ones that will suffer.	3/6/2017 11:33 AM
2	Enrollment process at John de La Howe should be streamlined. John de La Howe should accept more foater children.	3/5/2017 11:52 PM
3	I am very concerned that the school could close or change to no longer provide services to troubled children. We desperately need this facility. There are little to no other places to serve these children. I believe this was obviously the intent of the land donor, who served orphans and poor children in need. I have custody of an orphaned child with difficulties who very much needs this type of facility, as do I. I cannot meet his needs and don't know of any other option for kids in this situation in our area. We need to keep this school running and serving the same population. Improve the school. Don't close it or change who it serves!	3/4/2017 10:45 PM
4	It would be nice to have a house for adult folks with ID	3/3/2017 3:49 PM
5	John de La Howe School does not need the government/taxpayer dollars being involved in it. Leave it operate on its own and if it does not have the funds, let them come up with he monies or let it go under. Government should only insure it has the proper license, teacher certifications, but no funding.	3/3/2017 12:58 PM
6	Historically they have provided much needed services to youth with few resources that meet their needs.	3/1/2017 11:56 AM
7	I very much support the mission of the John de La Howe School.	2/28/2017 1:25 PM
8	Lack of Leadership and commitment to meeting the needs of the children in our State. They have had several different leaders in the past ten years. I have helped raise money through the work of the Lions Club for JDLH. You can tell by walking on campus that they are not fully investing in our youth. Mis management of funds. This should be a model School for the State of SC. Needs upgrades, new programs on site where children can get the help they need to become productive citizens. Invest and hire quality leaders who put the needs of children first.	2/23/2017 10:25 PM
9	JDLH is being set up for failure from outside the agency while simultaneously educating and correcting student's behaviors.	2/23/2017 1:39 PM
10	They have a difficult job and are not supported by many. Especially in the Legislature.	2/22/2017 10:35 PM
11	There have been instances where the JDLHS admin. has sought guidance with compliance to a myriad of requests with minimal cooperation from the same entities requiring that compliance. There seems to be a different set of rules that the JDLH has to adhere to relevant to other Agencies and school systems. There seems to be a neg. relationship b/w some of the governing bodies and the JDLHS. Those poor relationships have led to some negative press (and premature info leaks). The JDLHS has seen significant turnover and a decline in student pop. directly correlated to this neg press. There has to be a collaboration b/w all vested entities including those with oversight. I believe this has been the largest hindrance to the success of the JDLHS in its recent past. With cooperation and support from the governing bodies, the JDLHS could make substantial progress towards supplying our young people with an opportunity to be successful and marketable in today's social and vocational environments.	2/21/2017 10:37 PM
12	N/A	2/15/2017 5:26 PM
13	NA	2/15/2017 1:05 PM
14	Excellent option for some of the most vulnerable youth in our state...truly a gem!	2/14/2017 5:06 PM
15	It needs more publicity	2/14/2017 3:49 PM
16	none	2/14/2017 2:19 PM
17	I have never here of this school , before what do they do?	2/14/2017 11:15 AM

18	None	2/14/2017 9:17 AM
19	No comments	2/13/2017 7:41 PM
20	N/a	2/13/2017 6:40 PM
21	N/A	2/13/2017 12:09 PM
22	Do not have any comments or concerns. The sole suggestion would be better pay for staff.or	2/13/2017 10:02 AM
23	There are a large number of familes in this state that need the help of JDLH school, but JDLH also needs help. With the proper investment, lost and misguided adolescent males and females can find there way back towards being productive, non violent, cooperative students instead of being left on the track of junvenile and deliquent which only leads to more tax payer funds being wasted in housing these same persons in jails and prisons. The financial investment will be made in one way or the other. Either through front end rehabilitation through teaching, training, non adversive methods, proper counsel, etc. in JDLH or through rehabilitation through the justice department.	2/13/2017 9:32 AM
24	It is an essential function of the State, but tends to have terrible management and oversight. The employees bifurcate on the excellent or the negligent.	2/13/2017 9:24 AM
25	None	2/13/2017 9:19 AM
26	Need to look at overall performance in last few years. Seems like some operational leadership issues.	2/13/2017 8:24 AM
27	NA	2/12/2017 10:48 PM
28	v	2/12/2017 6:29 PM
29	told you i did not want to give input but this thing still popped up	2/11/2017 5:31 PM
30	Should not be asking this question in a DDSN survey!	2/10/2017 6:59 PM

## Q21 What is your age?

Answered: 464 Skipped: 165

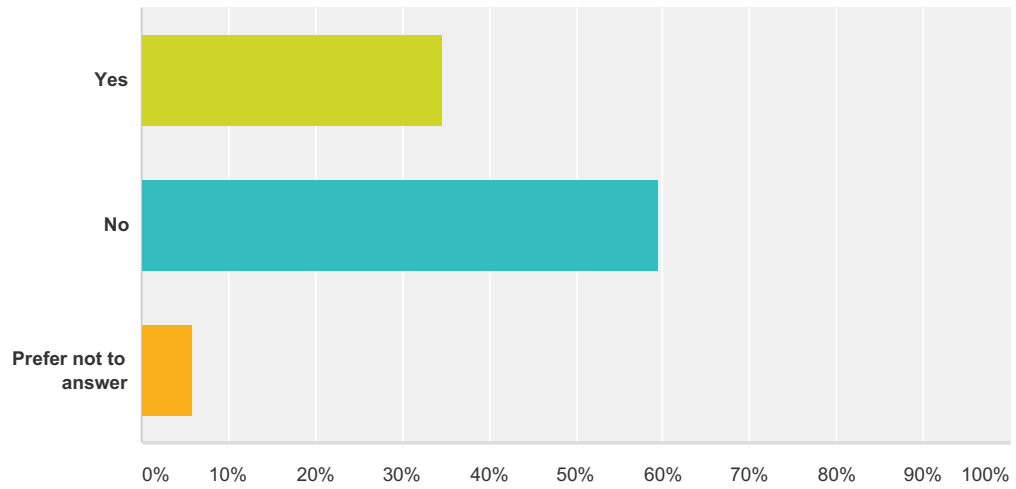


Answer Choices	Responses	
17 years old and under	0.65%	3
18-24 years old	0.65%	3
25-34 years old	10.13%	47
35-44 years old	18.53%	86
45-54 years old	24.57%	114
55-64 years old	29.74%	138
65-74 years old	10.34%	48
75 years or older	2.59%	12
Prefer not to answer	2.80%	13
<b>Total</b>		<b>464</b>



## Q22 Are there any children, seventeen years old and under, currently living in your home?

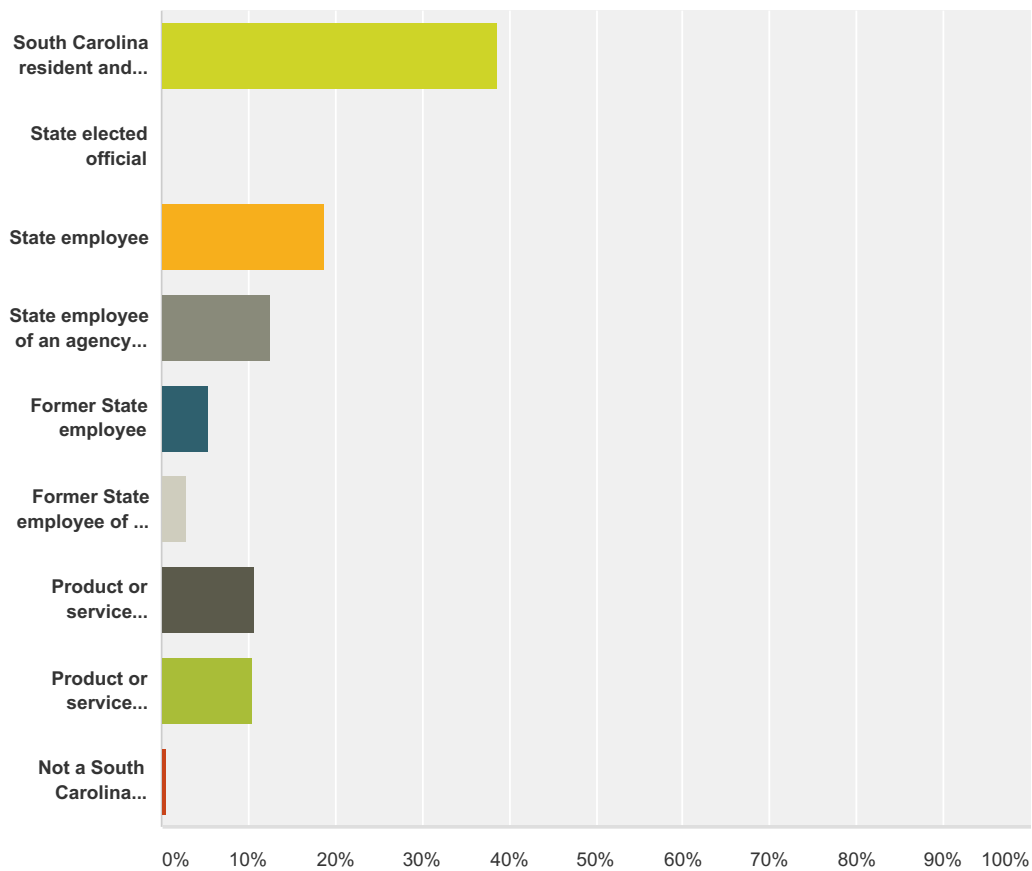
Answered: 460 Skipped: 169



Answer Choices	Responses	
Yes	34.57%	159
No	59.57%	274
Prefer not to answer	5.87%	27
<b>Total</b>		<b>460</b>

## Q23 Which best describes your current role?

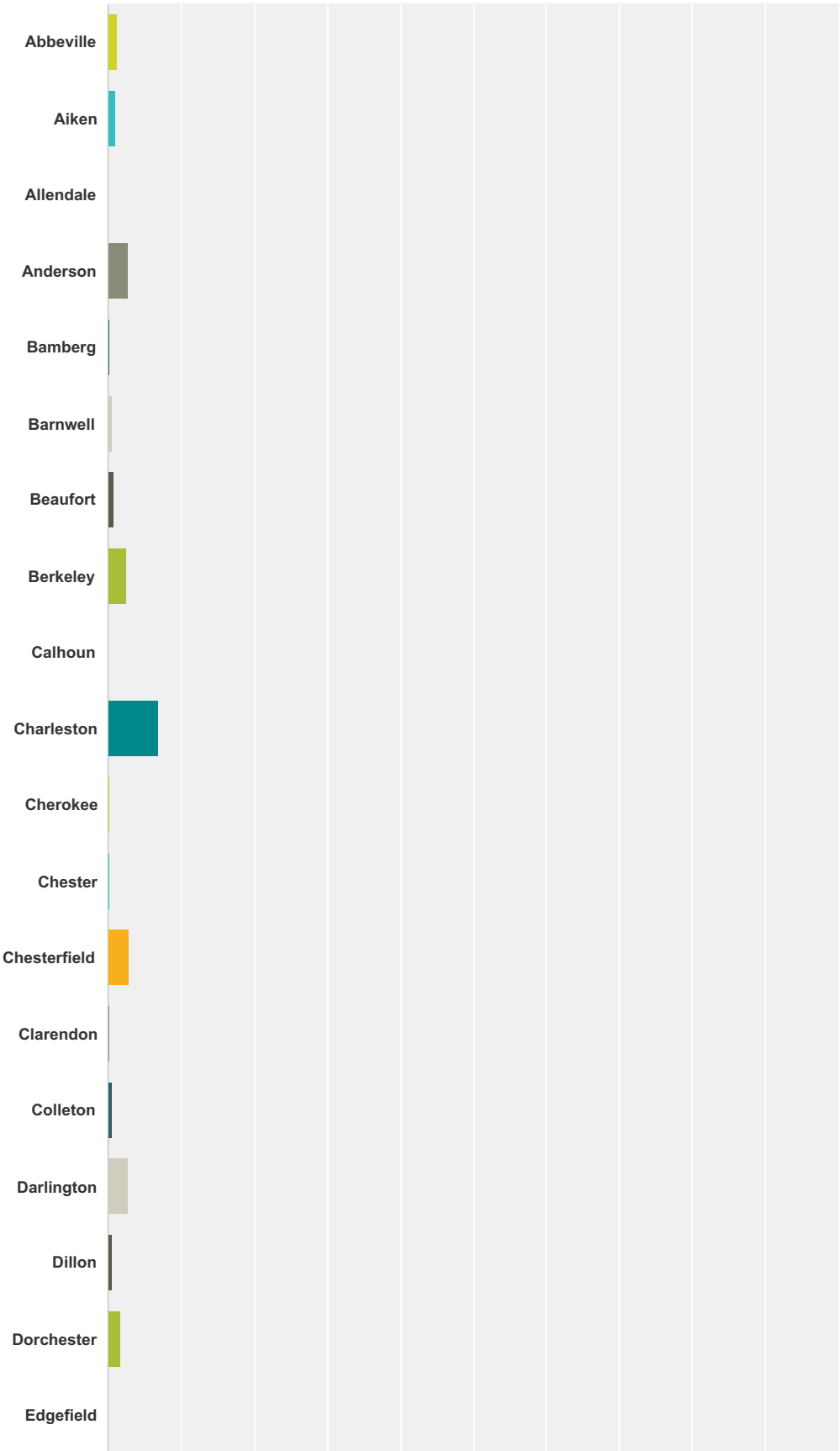
Answered: 450 Skipped: 179

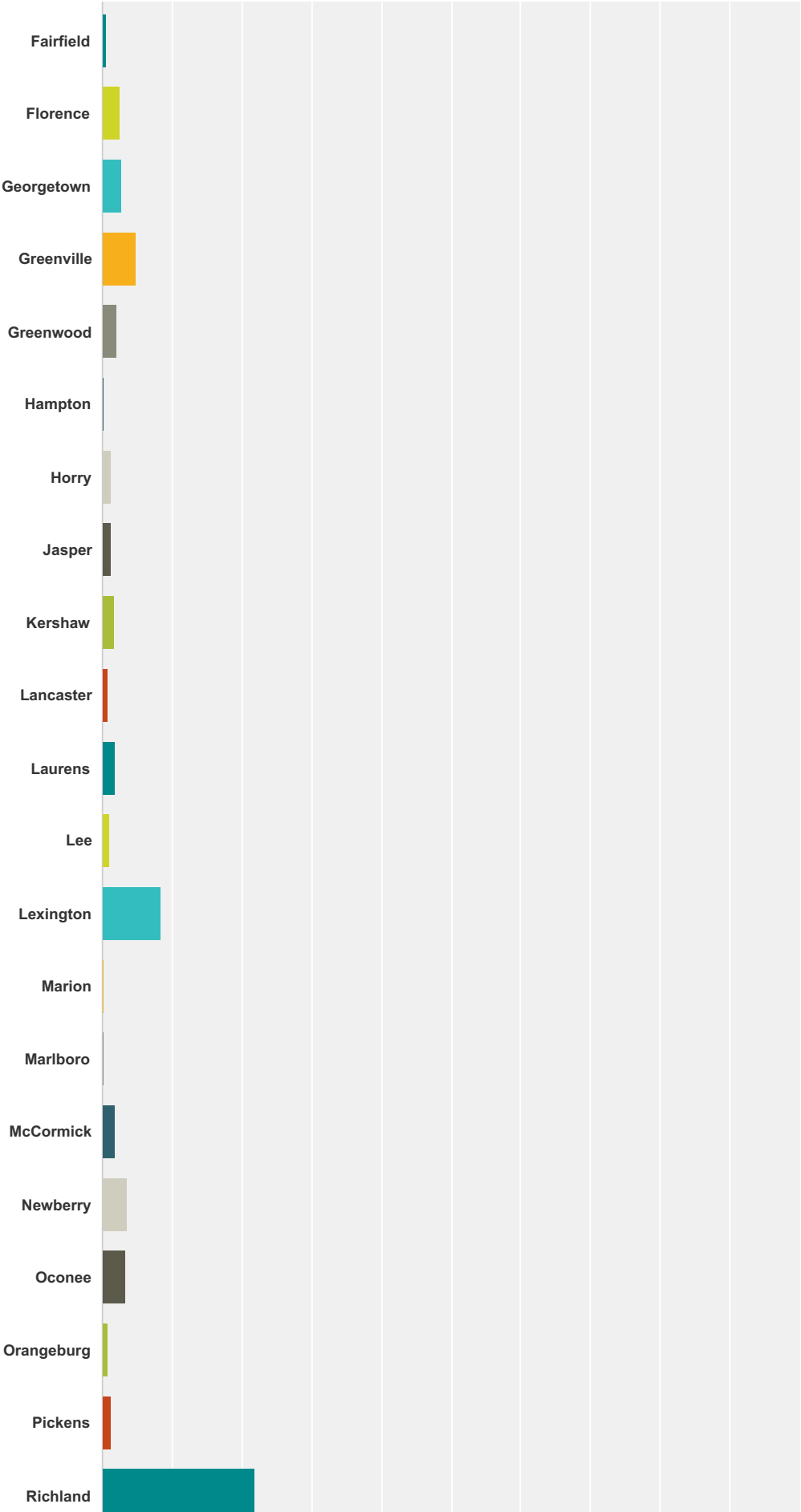


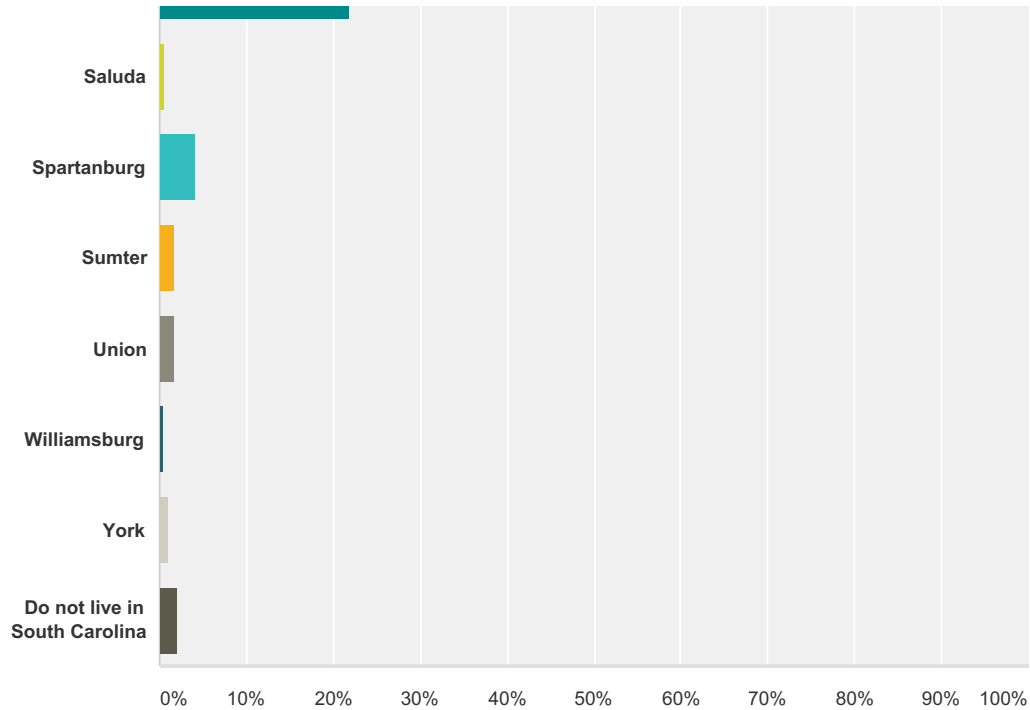
Answer Choices	Responses	
South Carolina resident and do not fall into any of the categories below	38.67%	174
State elected official	0.00%	0
State employee	18.89%	85
State employee of an agency under study	12.44%	56
Former State employee	5.33%	24
Former State employee of an agency under study	2.89%	13
Product or service provider or other partner to a State agency	10.67%	48
Product or service provider or other partner of a State agency under study	10.44%	47
Not a South Carolina resident and do not fall into any of the categories above	0.67%	3
<b>Total</b>		<b>450</b>

Q24 In which county do you live?

Answered: 444 Skipped: 185







Answer Choices	Responses
Abbeville	1.35% 6
Aiken	1.13% 5
Allendale	0.00% 0
Anderson	2.70% 12
Bamberg	0.23% 1
Barnwell	0.68% 3
Beaufort	0.90% 4
Berkeley	2.48% 11
Calhoun	0.00% 0
Charleston	6.98% 31
Cherokee	0.23% 1
Chester	0.23% 1
Chesterfield	2.93% 13
Clarendon	0.23% 1
Colleton	0.68% 3
Darlington	2.70% 12
Dillon	0.68% 3
Dorchester	1.58% 7
Edgefield	0.00% 0

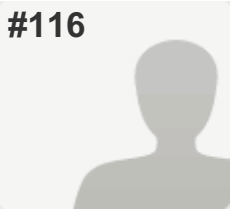
Fairfield	0.68%	3
Florence	2.48%	11
Georgetown	2.70%	12
Greenville	4.73%	21
Greenwood	2.03%	9
Hampton	0.23%	1
Horry	1.35%	6
Jasper	1.35%	6
Kershaw	1.58%	7
Lancaster	0.90%	4
Laurens	1.80%	8
Lee	1.13%	5
Lexington	8.33%	37
Marion	0.23%	1
Marlboro	0.23%	1
McCormick	1.80%	8
Newberry	3.60%	16
Oconee	3.38%	15
Orangeburg	0.90%	4
Pickens	1.35%	6
Richland	21.85%	97
Saluda	0.68%	3
Spartanburg	4.28%	19
Sumter	1.58%	7
Union	1.58%	7
Williamsburg	0.45%	2
York	1.13%	5
Do not live in South Carolina	2.03%	9
<b>Total</b>		<b>444</b>

## *Appendix D. Public Input provided via Oversight Webpage*

### Appendix Includes:

- Public input about State Election Commission received via Committee webpage (February 21, 2017)

#116

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Tuesday, February 21, 2017 1:59:20 PM**Last Modified:** Tuesday, February 21, 2017 2:10:17 PM**Time Spent:** 00:10:56

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**PAGE 2: About Agencies Scheduled for Study**

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**Q1: Please share any comments, suggestions or concerns you may have about these agencies. Please note your responses will be posted online and may be included in a Committee report.**

SC Election Commission

<http://www.pandasc.org/wp-content/uploads/2016/07/Right-to-Vote-2014.pdf>

---

**PAGE 3: There are three questions seeking general information.**

---

**Q2: What is your age?**

Prefer not to answer

**Q3: Which best describes your current role?**

South Carolina resident and do not fall into any of the categories below

**Q4: In which county do you live?**

Richland



## *Appendix E. January 10, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - Subcommittee assignments
  - December 7, 2016 - Meeting minutes
  - Constituent input on agencies
    - Department of Disabilities and Special Needs
    - Vocational Rehabilitation Department
    - Letter from Oversight Committee to State Inspector General Patrick J. Maley referring information related to the SC Vocational Rehabilitation Department (January 4, 2017)
  - Summary of proposed revisions to Committee standard practices
  - Draft standard practices

**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***Tuesday, January 10, 2017***

***Room - 516 Blatt Building (full Judiciary Committee Room)***

***10:00 a.m.***

***Pursuant to Committee Rule 4.9, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**Revised\* AGENDA**

**(\*Order of agenda items has been changed.)**

- I. Approval of minutes from December 7, 2016 meeting**
- II. Discussion of recommendations to the Speaker for agencies to schedule for study in 2017 (publication of an agency review schedule in the House Journal the first day of session)**
- III. Discussion of organizational matters**
- IV. Adjournment**

# LEGISLATIVE OVERSIGHT COMMITTEE

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## SUBCOMMITTEE ASSIGNMENTS

## **Legislative Oversight Subcommittees 2017-2018**

### **Economic Development, Transportation, and Natural Resources**

Rep. Ralph W. Norman - Chair  
Rep. Neal A. Collins  
Rep. Mandy Powers Norrell  
Rep. Robert L. Ridgeway, III

### **Education and Cultural**

Rep. James E. Smith, Jr. - Chair  
Rep. Joseph H. Jefferson, Jr.  
Rep. Tommy M. Stringer  
Rep. Raye Felder

### **Executive**

Rep. Gary E. Clary - Chair  
Rep. Laurie Slade Funderburk  
Rep. Wm. Weston J. Newton  
Rep. Robert Q. Williams

### **Healthcare and Regulatory**

Rep. Phyllis J. Henderson - Chair  
Rep. William K. "Bill" Bowers  
Rep. MaryGail K. Douglas  
Rep. Bill Taylor

### **Law Enforcement and Criminal Justice**

Rep. Edward R. "Eddie" Tallon, Sr. - Chair  
Rep. Katherine E. "Katie" Arrington  
Rep. William M. "Bill" Hixon  
Rep. J. Todd Rutherford

# LEGISLATIVE OVERSIGHT COMMITTEE

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## MINUTES FROM DECEMBER 7, 2016 MEETING

*Chair Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. (Katie) Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
James E. Smith Jr.  
Edward R. Tallon Sr.  
Robert Q. Williams*

**South Carolina House of Representatives**

*Jennifer L. Dobson  
Research Director*

*Cathy A. Greer  
Administration Coordinator*

**Post Office Box 11867  
Columbia, South Carolina 29211  
Telephone: (803) 212-6810 • Fax: (803) 212-6811  
Room 228 Blatt Building**

*Charles L. Appleby IV  
Legal Counsel*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

**Legislative Oversight Committee Meeting  
Wednesday, December 7, 2016  
Blatt Building Room 110**

### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee (Committee) Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Finally, click on *Video Archives* for a listing of archived videos for the Committee.

### **Minutes**

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.

### **Attendance**

- I. Pursuant to Committee Rule 3.1, the organizational meeting of the House Legislative Oversight Committee was called to order by Temporary Chair, Ralph W. Norman, in Room 110 of the Blatt Building. All members of the Committee were present for all or a portion of the meeting, except: Representative Mandy Powers Norrell.

	8. Phyllis Henderson	✓		
	9. Bill Hixon	✓		
	10. Joseph H. Jefferson, Jr.	✓		
	11. Wm. Weston J. Newton	✓		
	12. Ralph W. Norman	✓		
	13. Mandy Powers Norrell			NP
	14. Robert L. Ridgeway, III	✓		
	15. Todd Rutherford	✓		
✓	16. James E. Smith, Jr.	✓		
	17. Tommy M. Stringer	✓		
	18. Edward R. "Eddie" Tallon	✓		
	19. Bill Taylor	✓		
	20. Robert Q. Williams	✓		

III. First Vice-Chair Funderburk made brief remarks.

### Administrative Matters

- I. The next order of business was discussion of organizational matters, beginning with a vision and mission statements. Representative Joseph H. Jefferson, Jr., moved that the Committee approve mission and vision statements as adopted and utilized by the Committee in the 121<sup>st</sup> General Assembly. A roll call vote was held, and the motion passed.

Motion made by:	Member	Yea	Nay	Not Voting (NP for Not Present)
	1. Katherine E. "Katie" Arrington	✓		
	2. William K. "Bill" Bowers	✓		
	3. Gary E. Clary	✓		
	4. Neal Collins	✓		
	5. MaryGail Douglas	✓		
	6. Raye Felder			NP
	7. Laurie Slade Funderburk	✓		
	8. Phyllis Henderson	✓		
	9. Bill Hixon	✓		
✓	10. Joseph H. Jefferson, Jr.	✓		
	11. Wm. Weston J. Newton	✓		
	12. Ralph W. Norman	✓		
	13. Mandy Powers Norrell			NP
	14. Robert L. Ridgeway, III	✓		
	15. Todd Rutherford	✓		
	16. James E. Smith, Jr.	✓		
	17. Tommy M. Stringer	✓		
	18. Edward R. "Eddie" Tallon	✓		

## Minutes

- I. Representative Phyllis Henderson moved to approve the minutes from the Committee's meeting on October 31, 2016, the last meeting during the 121<sup>st</sup> General Assembly. A roll call vote was held, and the motion passed. New members of the Committee abstained from the vote.

Motion made by:	Member	Yea	Nay	Not Voting (NP for Not Present)
	1. Katherine E. "Katie" Arrington			NV
	2. William K. "Bill" Bowers	✓		
	3. Gary E. Clary	✓		
	4. Neal Collins			NV
	5. MaryGail Douglas			NV
	6. Raye Felder	✓		
	7. Laurie Slade Funderburk	✓		
✓	8. Phyllis Henderson	✓		
	9. Bill Hixon			NV
	10. Joseph H. Jefferson, Jr.	✓		
	11. Wm. Weston J. Newton	✓		
	12. Ralph W. Norman	✓		
	13. Mandy Powers Norrell			NP
	14. Robert L. Ridgeway, III	✓		
	15. Todd Rutherford			NV
	16. James E. Smith, Jr.	✓		
	17. Tommy M. Stringer	✓		
	18. Edward R. "Eddie" Tallon	✓		
	19. Bill Taylor	✓		
	20. Robert Q. Williams	✓		

- II. The meeting was adjourned.



# LEGISLATIVE OVERSIGHT COMMITTEE

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## CONSTITUENT INPUT ON AGENCIES

**Cathy Greer**

**From:** DOUGLAS W MCPHERSON <dcmcpherson@bellsouth.net>  
**Sent:** Sunday, December 11, 2016 3:14 PM  
**To:** House Committee on Legislative Oversight  
**Subject:** Greenville News Article

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**TimeMattersID:** MBFE9A6F580D9329  
**TM Contact:** LOC Healthcare  
**TM Contact No:** 3000  
**TM Matter No:** 15-176  
**TM Matter Reference:** Disabilities and Special Needs, Department of

This article focuses on a death that occurred at a Care Focus home in Fountain Inn, SC in July 2016. A second death occurred at another Care Focus death in September 2016 in Taylors, SC. Care Focus is a private provider, like SC Mentor, that DDSN contracts with to provide residential services.

Deborah McPherson

## Panel finds some vulnerable adult deaths preventable

Tim Smith, tcsmith@greenvillenews.com 9:49 p.m. EST December 10, 2016



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(Photo: Heidi Heilbrunn/Staff )

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**COLUMBIA** — On the night of her death, the 35-year-old resident of a Fountain Inn group home for the intellectually disabled went to bed normally.

According to police records, the woman had lost a "severe" amount of weight in the previous six months and had experienced several falls earlier in the year. But staff noted nothing unusual about her health during the evening of July 29, 2016.

But sometime during the night, the woman swallowed her own fecal matter and choked. She was discovered the next morning unresponsive in her bed, and attempts by staff and EMS workers to revive her failed. Her death would eventually be ruled accidental.

Her suffocation is one of more than 100 deaths that occur each year among vulnerable adults in state care.

"Each death we look at is different," said Anderson County Coroner Greg Shore, chairman of the state Vulnerable Adult Fatality Review Committee, which looks into many of the deaths. "Some deaths are autopsied, some are not. Some were in the care of the hospital. Some were still at the institute they were living in."

The details of such deaths are often cloaked in secrecy, the result of a desire to protect the privacy of families, and state laws that shield from public view inquiries or reviews into their deaths.

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Even commissioners with the state Department of Disabilities and Special Needs, which cares for thousands of people with intellectual disabilities, autism, brain or spinal cord injuries, are not routinely told the details of deaths.

But Shore's committee, which reviews deaths of those in the care of DDSN and the state Department of Mental Health, has compiled statistics on the causes, finding most are natural.

In fact, according to the panel's latest report, issued in 2015 and covering the years from 2007 to 2014, only 103 out of 1,436 vulnerable adult deaths in the state were not classified as natural.

But not all death certificates list causes, according to the committee, and some are undetermined.

"It has been the committee's experience that underlying causes are often not clear on certificates of death," the report stated. "Additional training for those responsible for signing death certificates in South Carolina is recommended."

The committee meets every other month to review deaths, ask questions and issue recommendations. It is made up of representatives from a bevy of state agencies, including the State Law Enforcement Division, as well as from the group Protection and Advocacy for People with Disabilities, a county coroner, a physician, an attorney, a prosecutor, a forensic pathologist, and representatives of community residential care facilities.

According to the panel's latest report, since 2007 there have been 47 accidental deaths, four suicides, three homicides and 59 deaths in which a cause was not recorded, not indicated on the death certificate or undetermined.

The panel's report does not mention any individual case and is in fact prevented by law from doing so. But it does discuss trends, issues and suggestions.

While most of the deaths are natural, according to the report, some could have been prevented.

"The patient may have had some swallowing issues but yet they were on solid food," Shore told *The News*. "We usually ask for more information or go back and re-educate the staff. It may have been just a standard protocol that may not have been followed. Or there may be a protocol the committee recommends they develop."

For example, the panel noted in its report that aspirational pneumonia "continues to be among the top contributors of deaths among vulnerable adults in South Carolina,"

It recommended staff pay attention to those who have difficulty swallowing, taking safety precautions during feeding, avoiding medications that make swallowing hard or limit secretions, and that staff ensure proper oral hygiene.

Deaths from bowel obstruction "continue to be a concern," according to the report, concluding that some of those deaths are preventable.

"Large bowel obstruction in the elderly patient is a frequent, serious surgical emergency," the report noted. "If left untreated the outlook is poor."

It recommended training to recognize the signs of such obstructions, especially in non-compliant consumers, as people under DDSN care are called.

Nationally, it appears natural causes are behind the deaths of most intellectually disabled, though causes can vary by state. Studies show that the intellectually disabled have shorter lifespans than the general population.

In one national presentation in 2014, the causes of death for the intellectually disabled were examined in four states. The rank varied but the top causes included heart disease, cancer, aspirational pneumonia, septicemia, congenital diseases and conditions, influenza and respiratory disease. For the general population, the presentation found, the top causes were heart disease, cancer, respiratory disease, stroke and accidental injury.

The reviews of South Carolina vulnerable adult deaths, Shore said, are a check and balance on the system to try and reduce preventable deaths.

*The News* reported earlier this year that between 2011 and May of 2016, 10 deaths had been reported at facilities of South Carolina Mentor, one of the largest private providers of care for DDSN. Only one of those was classified as a substantiated case of abuse or neglect, according to the agency, which has frozen admissions to Mentor three times for issues unrelated to the deaths.

In two cases, *The News* reported, including one in Greenville County, residents of Mentor group homes wandered away and were struck and killed by cars. In another, a resident choked on a cracker after returning from a hospitalization for pneumonia, records show.

SLED's vulnerable adult unit, which investigates all deaths of vulnerable adults in state care, supplies Shore's panel with records and information and gathers more information if the panel requests it.

Among the most common non-natural causes of deaths by vulnerable adults, according to the report, are choking and falling. Others include drug reactions and medication errors.

In 2014, a 55-year-old resident of a group home in Chesterfield County died in part from an overdose of fluvoxamine, one of his medicines, according to his death certificate.

Neither the coroner's report nor police reports disclosed how the drug overdose occurred. But a worker at the home was subsequently charged and indicted for abuse or neglect of a vulnerable adult in connection with his death.

County disability agencies and other DDSN providers are required to report medication errors. DDSN and its providers are allowed by law to use unlicensed workers who have been trained as medication technicians to hand out medications.

John Cocciolone, executive director of Thrive Upstate in Greenville, told *The News* previously that since 2013 no deaths or serious injuries have resulted from any medication errors in Greenville County's agency, though he said the agency did have a death years before he arrived that was due to such an error.

Other vulnerable adult deaths, according to the committee's report, have been caused by motor vehicle accidents, sepsis, heat stroke, hypothermia and cardiac arrest.

Lois Park Mole, a spokeswoman for DDSN, said none of the 26 DDSN deaths reported in the most recent quarter were substantiated cases of abuse or neglect. In fact, she said, 69 percent occurred in hospitals.

DDSN Commissioner Vicki Thompson of Seneca said details of deaths could help commissioners spot trends so officials can improve care.

"We have received, as a commission, more information on deaths from reporting by *The Greenville News* than we have ever received as a commission member from that department," she said. "We should receive information on deaths and we should receive information on all critical incidents with a little bit more detail because we need to be looking for patterns."

"We're not told critical incidents by location, for example. To me that's a very important thing to look at because we need to know who's doing a really good job and who we need to look at closer."

While not all deaths are autopsied, Shore said he does not believe autopsies should be mandatory. He said in cases outside a hospital, the local coroner is notified and can require an autopsy, and the deaths are reviewed by SLED.

"I think it really needs to be on a case by case basis," he said. "Some of these cases we see are patients who had chronic health issues and things like that, and the cause of death looks like it is appropriate to what the symptoms (are) the patient was having. I think you should certainly autopsy these cases where there is not a clear understanding of what is going on."

The state's coroner system is much improved over what it used to be, he said, though part-time coroners in some counties are "problematic."

He said he thinks the state's current system is a good one to provide safeguards in the deaths of vulnerable adults.

"Is it the perfect system? No," he said. "We don't catch 100 percent of an abuse or something like that. But I do think they are vetted pretty well where if there is an organization or a group home having some issues we certainly see those problems through our review."

The woman who died in the Fountain Inn home had been there 10 years, according to police records. Her mother visited her regularly, took her out to eat on weekends, and had been having tests done to determine why she was losing weight.

Staff at the home always got the woman up last, a staff member told police, because she took additional time to get ready. But on this morning, the staff member told police, the woman did not

respond, and after determining something was wrong, the staff member pulled her onto the floor and began giving chest compressions while EMS was summoned.

An autopsy found nothing unusual in her internal organs, according to the police report, but did find a "vast amount" of excrement in her esophagus, some in her stomach, and some pieces of styrofoam in her stomach as well.

Sharon Craver, case manager for the Greenville County Coroner's Office, said this week that the cause of death was asphyxia due to aspiration of foreign material and it was classified as an accidental death.

**Cathy Greer**

---

**From:** DOUGLAS W MCPHERSON <dcmcpherson@bellsouth.net>  
**Sent:** Monday, December 12, 2016 10:26 AM  
**To:** House Committee on Legislative Oversight  
**Subject:** DDSN Service Coordinator referred the family to this private provider, Palmetto Pee Dee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**TimeMattersID:** M6AE3A6F5A13C888  
**TM Contact:** LOC Healthcare  
**TM Contact No:** 3000  
**TM Matter No:** 15-176  
**TM Matter Reference:** Disabilities and Special Needs, Department of

## Mom finds infected bite mark, weight loss in autistic son in facility

Tim Smith, [tcsmith@greenvillenews.com](mailto:tcsmith@greenvillenews.com) 7:30 a.m. EST December 12, 2016



(Photo: Provided)

**COLUMBIA** — The state Department of Health and Environmental Control is investigating allegations that an autistic patient of a residential treatment facility for children and adolescents in Florence was repeatedly bitten and has lost almost 40 pounds during his stay.

A spokesperson for the agency, which licenses the Palmetto Pee Dee Behavioral Health Center, told *The Greenville News* a complaint was made against the facility last week and is being investigated. The facility, a private provider in the state Department of Disabilities and Special Needs network, also was investigated and cited by DHEC in September after a complaint that a staff member had "popped" the hand of a patient who was acting out, records show.

"DHEC investigated that complaint and found two violations: (1) the facility's failure to submit an incident report to DHEC within 24 hours; and (2) the facility failed to ensure a resident's right to be free from harm," said spokesperson Adrianna Bradley. "The facility submitted an acceptable plan of correction for the cited violations."

A spokeswoman for the facility issued a statement about the most recent allegations saying the company was dedicated to patient care. "The care and safety of our patients, including their privacy, is Palmetto Pee Dee Behavioral Health's top priority," Halle Michling, director of business development for the facility, said in a statement. "Due to the Health Insurance Portability and Accountability Act (HIPAA), the federal law that establishes standards for the privacy of health information, the facility is precluded from discussing any details regarding the care and treatment of any patient." She said additionally that the facility "remains dedicated and committed to its mission of providing the highest quality of care to its patients and to offering services that improve the overall health and well-being of patients and their families."

Liane Hughes Turner, the mother of the autistic patient, also alleges that the facility has refused to provide her with incident reports of the biting, even though she is his legal guardian. The facility, according to its website, handles patients of ages 7-21 with various conditions, including intellectual disabilities and autism.

According to the website, it is part of the national chain Universal Health Services, which was the subject of a critical investigative report last week by BuzzFeed, a report the company has said "we dispute and deny."

UHS patients consistently report high levels of satisfaction with the care they receive, according to the company. In 2015, according to the company, UHS patient satisfaction survey scores averaged 4.5 out of 5. In 2015, UHS Behavioral Health facilities treated almost 450,000 inpatients, amounting to over 5.8 million patient days, the company said.

Turner said her son was placed there in April by a coordinator for the Richland-Lexington Disabilities and Special Needs Board. The executive director of that agency, Mary Leitner, told *The News* she was prohibited from discussing any individual case. She said the agency does look into complaints and can refer them to the appropriate authorities, including the State Law Enforcement Division.

Turner said her 20-year-old son, who has the mind of a 3-4-year-old, has not been unhappy with the facility. But she has been alarmed by his weight loss and the bite injuries, as well as what she sees as inattention to her son's condition.

She said it was she who pointed out that a bite wound on his shoulder was infected, prompting a doctor to prescribe an antibiotic. But she said the prescription could not be found and another was recently written.

"I raised a special needs son for 16 years by myself," she said. "I put him through school. I put him through therapy. He had heart problems when he was born. He survived all of that because of me. If I don't advocate for him, then who will?"

She said her son is a picky eater, but when she eats with him outside the facility he eats an entire meal. She said she had given the facility a list of what he eats and she believes the facility should have had plenty of food on that list.

"It's not that hard to have peanut butter and bread on hand," she said. Turner said she attended a Nov. 22 treatment team meeting at the facility and the doctor prescribed peanut butter sandwiches for snacks and meals for her son.

"They went on Dec. 5, 14 days later, and bought a jar of peanut butter," she said. She said her son now weighs 96 pounds, almost 40 pounds lighter than he did upon admission. She said he is 5 feet tall.

"He is very thin," she said.

Turner said her son has been bitten four to five times by another child or children at the facility during the past several months and had been bitten previously at the facility. Staff there, she said, told her they had separated the child or children responsible. But on Nov. 22 she spotted an infection on a bite wound on her son's shoulder. She took photos of the bite marks as well as of his weight loss and showed them to the newspaper. She also mentioned the biting to staff. At the treatment meeting, she said, she mentioned the infection to the doctor and he looked at the wound and prescribed an antibiotic.

According to DHEC records of the September investigation, a staff member who struck the hand of a resident said he did so because the resident was biting his hands.

Turner said she asked officials at the facility for incident reports of the biting of her son and was told she could not have them. She has since filled out paperwork to get a copy of his medical charts. She

Page 138 of 1104  
said she wonders what is in the incident reports that the facility does not want her to see. She said she has noticed that her son's face and clothes are often dirty and his teeth "junked up" when she picks him up. Turner said she has mentioned the dirtiness to staff.

She said her son was raised at home until he was 16 and she could no longer handle him. "He's always been extremely well cared for and the center of everyone's attention," she said. "He's very likable. He does have some behavioral issues that we could not handle at home. When he does not have the behavioral issues, he's wonderful to be around." Turner said she is frustrated. "I don't know what I have to do to get help for him or who I need to talk to because I keep getting referred to someone else," she said. "He cannot keep losing weight or he will die."



**Cathy Greer**

---

**From:** DOUGLAS W MCPHERSON <dcmcperson@bellsouth.net>  
**Sent:** Tuesday, December 13, 2016 7:56 PM  
**To:** House Committee on Legislative Oversight  
**Subject:** Greenville News Article

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## Senator pre-files bill to move DDSN to governor's cabinet

Tim Smith, tcsmith@greenvillenews.com 7:18 p.m. EST December 13, 2016



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**COLUMBIA** — A state senator has prefiled a bill to move the South Carolina Department of Disabilities and Special Needs into the governor's cabinet, saying the move is necessary to improve the care and accountability for the state's vulnerable adults.

The legislation by Sen. John Scott, a Columbia Democrat, is similar to a bill he filed during the past session that failed to pass.

This time, however, Scott has the backing of some other senators, including Sen. Harvey Peeler of Gaffney, a Republican and chairman of the Senate Medical Affairs Committee, which oversees DDSN.

"It's not going to go away," Scott told *The Greenville News* concerning issues with the agency. "We're going to have to fix these problems."

Scott's bill would require that the agency, which is now governed by a seven-member commission appointed by the governor, be overseen instead by a director appointed by the governor, with the advice and consent of the Senate. The director would serve at the pleasure of the governor.

The director could then hire and remove any employee at the agency, under the bill, while the commission would become an advisory board.

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DDSN serves thousands of those with intellectual disabilities, autism, brain and spinal injuries through its system of regional centers, private providers and county disabilities agencies. It employs more than 2,100 workers full time and another almost 9,000 are employed in the agency's provider network. The agency's current budget totals \$729 million, most of which is federal money.

Scott told *The News* in August that he planned to file the bill again, saying he had lost faith in the agency and believes change was needed.

On Tuesday he said there have been more questions raised since then about deaths and injuries as well as spending by the agency. He said he believes the agency has failed to take responsibility for incidents with vulnerable adults.

Scott pointed to articles in *The Greenville News* as evidence of the problems that remain with the agency.

He also cited the recent remarks of the board's chairman, Bill Danielson, who criticized senators for questions posed to the agency's director at a recent hearing.

Last month, Danielson said during a commission meeting that he was speaking for himself, not the agency or commission but was unhappy with the Senate hearing, describing some of the questions to DDSN's director as "intolerable."

"It was an embarrassment to our executive director," he told *The News* last month. "She'll never say that. But I'll say that. To sit there and some of the insinuations and the direct questions, I found appalling, frankly."

The chairman of the panel then, Sen. Thomas Alexander, a Walhalla Republican, said none of his questions were inappropriate or improper and were not intended to be.

"These kinds of things should not be tolerated," Scott said of the criticism. "We are public servants. We work for the people of the state. We don't always like some things that are said or done but we have to remain respectful. It's not about us. It's about making sure the most vulnerable population in this state is well taken care of."

Danielson said in August when asked about Scott's bill that the agency would work with whatever model lawmakers decided best.

"The Commission on Disabilities and Special Needs and the department will abide by the General Assembly and governor," he said. "That goes without saying. There are benefits to both the cabinet model and the commission model. In either model, both the governor and the Legislature are involved in deciding the leadership."

Asked Tuesday about Scott's bill, Chaney Adams, press secretary for Gov. Nikki Haley, said, "the governor believes more accountability would be a good thing for DDSN."

Scott said governors in the past have tried replacing board members in an effort to make the agency better.

"The agency hasn't gotten better, it's gotten worse," he said.

Deborah McPherson, a former DDSN commissioner and advocate for vulnerable adults, said she thinks if the choice is moving DDSN into the state's Medicaid agency or the cabinet, the cabinet would be the better move.

She said if a governor can appoint a director who then has the ability to replace any employee, the agency can be improved.

"I feel like it would improve the service delivery system by the governor being responsible for the selection of the state director," she said.

Last year, Scott filed a bill with Sen. Kevin Bryant of Anderson to place the agency in the state Department of Health and Human Services, which administers Medicaid funding used by many vulnerable adults.

Officials estimated the bill would initially cost the state \$1.1 million in technology and communication costs if enacted. The legislation did not make it out of committee.

McPherson said she fears if the agency was placed in HHS, it might not get the attention it needs compared to making it part of the governor's cabinet.

The Legislature returns to work in January with a new, two-year session.

## House Committee on Legislative Oversight

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**From:** DOUGLAS W MCPHERSON <dcmcperson@bellsouth.net>  
**Sent:** Wednesday, January 04, 2017 5:49 PM  
**To:** House Committee on Legislative Oversight  
**Subject:** Fw: [Post and Courier] Add S.C. Division of Disabilities and Special Needs to governor's Cabinet

[http://www.postandcourier.com/opinion/editorials/add-s-c-division-of-disabilities-and-special-needs-to/article\\_3e76783a-d206-11e6-845b-572aa7b07ddf.html?utm\\_medium=social&utm\\_source=email&utm\\_campaign=user-share](http://www.postandcourier.com/opinion/editorials/add-s-c-division-of-disabilities-and-special-needs-to/article_3e76783a-d206-11e6-845b-572aa7b07ddf.html?utm_medium=social&utm_source=email&utm_campaign=user-share)

[http://www.postandcourier.com/opinion/editorials/add-s-c-division-of-disabilities-and-special-needs-to/article\\_3e76783a-d206-11e6-845b-572aa7b07ddf.html](http://www.postandcourier.com/opinion/editorials/add-s-c-division-of-disabilities-and-special-needs-to/article_3e76783a-d206-11e6-845b-572aa7b07ddf.html)

## Add S.C. Division of Disabilities and Special Needs to governor's Cabinet

Jan 4, 2017

Restructuring state government to shift agencies to the authority of the governor rather than appointed boards and commissions provides for greater accountability in their operation and expenditures.

That's not always evident to the S.C. Legislature, which usually has been reluctant to diminish its considerable authority over state government.

But when the agency becomes an embarrassment to the state, legislators are more willing to act. That happened with the Division of Motor Vehicles (DMV) and with the Employment Security Commission (ESC).

DMV, which had been a perennial problem, vastly improved under executive branch management, beginning with Gov. Mark Sanford.

The Legislature got around to making ESC a Cabinet agency, and changing its name to the Department of Employment and Workforce, after legislators learned it was \$900 million in debt because of excess unemployment payments related to the 2008 recession.

A change in the governance of the state Division of Disabilities and Special Needs could happen this year as a legislative response to complaints about the agency, which is responsible for South Carolinians with intellectual disabilities, autism and brain and spinal injuries.

Internal agency audits reported by The Greenville News last year cited failures in managing agency funds and property of their clients.



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A bipartisan effort is under way to put DDSN in the Cabinet, thereby giving the governor the authority to appoint the agency director. Currently a seven-person commission chooses the director.

Sen. John Scott, D-Richland, has prefiled legislation to advance the restructuring proposal, and has the support of Sen. Harvey Peeler, R-Greenville, who chairs the Senate committee with oversight responsibility for DDSN. Both legislators cite a growing dissatisfaction with the job that DDSN is doing.

The News has cited DDSN shortcomings and allegations of abuse and neglect by a major agency contractor.

Sen. Scott says the agency has failed to take responsibility for incidents with vulnerable adults. "It's not going to go away," he told The News. "We're going to have to fix these problems."

DDSN officials have defended the agency's record and object to the plan to alter its governance. The legislative proposal would retain the commission strictly as an advisory board.

The experience of other agencies that have become part of the Cabinet system says it works better for accountability and transparency. The state's chief executive is a better choice to lead state agency operations than an appointed board or commission.

**Cathy Greer**

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**From:** DOUGLAS W MCPHERSON <dcmcpherson@bellsouth.net>  
**Sent:** Sunday, January 08, 2017 12:19 PM  
**To:** House Committee on Legislative Oversight  
**Subject:** Greenville News Article

Tim Smith with The Greenville News did this investigative story about Palmetto Pee Dee Behavioral Health. Mrs. Hughes' son was placed at that facility through Richland/Lexington Disabilities and Special Needs (DSN) Board service coordinator. Why did the service coordinator not assist in advocating for this child and his health and safety?

Workers allege host of problems  
 Children's treatment facility in poor condition

**TIM SMITH**

[TCSMITH@GREENVILLENEWS.COM](mailto:TCSMITH@GREENVILLENEWS.COM)

COLUMBIA - Children at a residential treatment facility that is under state investigation have been hurt after altercations with staff, given inadequate food and programming, and the facility often has been short-staffed, current and former workers at the facility have told *The Greenville News*.

Workers also say the aging facility has suffered a host of maintenance problems, including broken laundry equipment, malfunctioning showers and mold.

Training has been inadequate, workers have been forced to work 16-hour shifts, staff infections and scabies have been found at the facility, and children there have been subjected to verbal abuse by staff, the concerned workers say. An official of the facility, Palmetto Pee Dee Behavioral Health in Florence, labeled the allegations as "dubious" and said in a statement to the newspaper that the residents' care is the company's highest priority.

"First and foremost, patient care and patient safety are the primary concerns of the administration and staff of Pee Dee Palmetto Behavioral Health," Halle Mechling, business development director for the facility, said in a statement.

The latest allegations come after the state Department of Health and Environmental Control confirmed it was looking into complaints by a Columbia mother that her autistic child had lost excessive weight at the facility and had been repeatedly been bitten while there, with one of the wounds becoming infected, *The News* reported Dec. 12.

After reading that story, Melissa Boyter, an Easley mother of another autistic child at the facility, told *The News* she has seen a bite mark on her 16-yearold daughter's shoulder and bruising on her lip. She said the facility told her they believe her daughter bruised her lip, but she feels her child is in danger.

The facility is licensed by DHEC and children are referred a variety of sources, including local disabilities boards, although the center is not a qualified provider of the state Department of Disabilities and Special Needs, and it does not oversee its care.

Adrianna Bradley, a DHEC spokesperson, told *The News* that the agency

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has recently received additional allegations and "the investigation into the facility is ongoing." Palmetto Pee Dee is owned by Universal Health Services, the largest facility-based behavioral health provider in the nation, with more than 230 facilities in 37 states, according to its website. UHS facilities, according to its website, outperformed the industry in 2015 in Joint Commission surveys and many were recognized as "Top Performers" in key metrics.

Mechling, the company spokeswoman, said, "It's important to understand that behavioral health care is highly specialized and personalized, and we treat people when they are most vulnerable. Every

day, our facility delivers compassionate, high-quality care to the residents we serve. All treatment is tailored to the individual and the care provided is overseen by licensed, trained professionals including a board certified psychiatrist." Page 14 of 1104

She said the facility is licensed, fully accredited and "complies with all required state and federal regulations including patient staff ratios, training and credentialing."

Mechling said federal regulations prohibit facility officials from discussing details of the care and treatment of any individual.

In tape-recorded interviews and written statements, 13 current and former employees, some of whom said they were fired after voicing concerns, said they were speaking out because they are frustrated at the lack of change and because of their love for the children. Each of the employees said they do not believe the children have been properly cared for at the facility.

"The residents would always express their concerns to me and other staff members on how they wish they would close the facility because they felt they were being treated inhumanely," said Annika Brown, one of several former workers who agreed to go on the record with the newspaper and who said she was discharged from her job after lodging a sexual harassment complaint.

Ethel Dixon, a former manager of the facility who relocated from Baltimore to take the job, said she was "horried" at what she saw. She said she left the facility in 2015 after she was told she was not performing her duties, a claim she said was untrue.

"I think kids were neglected," she said. "I wouldn't put my kid in a place like that."

According to Palmetto Pee Dee's website, the facility accepts children ages 7-21 who have autism, intellectual disabilities, psychiatric or various behavioral disorders. Some of them come from the state Department of Juvenile Justice, the workers say, while others are sent from out of state. Some are non-verbal.

While workers said they cared about the children and believe most at the facility do, they said some employees became frustrated at those acting out and sometimes expressed anger at the children, or worse.

Ahmad Belton, a current "as needed" mental health technician at the facility and former supervisor there, said he witnessed another worker choke a resident in October. The staff member was written up and returned to work three days later, he said.

Belton said he also witnessed an employee threaten a child. He reported him, he said, but he saw no indication the employee was disciplined.

Ross Bethea, a former mental health technician there who left about a month ago, said when he first arrived he was told by several other staff members that if residents acted out, he should take them to a room with no cameras and beat them up.

"I said if this is the only way I can get a child to respect me, then this is not the job for me and I'm quitting," he said.

After word got out about what he was told, a manager told him that was not true, Bethea said.

But he believes assaults happened.

"You see a kid's face busted up or I do their laundry and I see blood on their clothes, blood on their pillowcases and blood on their sheets, and it's not being done by other residents," he said. "It's done by staff. That's how they handle kids."

He said he was called "weak" because he refused to "cuss the kids out or I didn't want to put my hands on them."

Lora Cannon, who said she worked there for about 10 years as a mental health tech until she was dismissed in 2014 after rejecting the sexual advances of a superior, said some children who were acting out had their legs and arms broken during attempts to restrain them to calm them down. She said the reason cameras were installed was in response to some of the injuries but she said staff were aware of rooms or areas where the cameras didn't reach. Those areas, she said, were called "blind spots."

Dixon, who left in February of last year, said while she was there two staff members were fired after they were accused of physically abusing a non-verbal child who had bruises.

"Sometimes I would be in my office and staff would be screaming and yelling at the kids, talking to them like they were on the street," she said. "I would come out and say, 'Excuse me, don't talk to them like that.'"

Mike Pitts, a former mental health technician who worked at the facility about a year, said he was accused of breaking a child's arm after the child acted out. But he said a subsequent investigation cleared him and he has no idea how the child's arm was broken.

Normally, he said, when a child acts out, he places the child in a bathroom to calm down. But he said when the child whose arm was broken was released from the bathroom, he began acting out again "so we had to put him in a hold."

Two days later, he said, it was discovered the child's arm was broken. Because he was the one placing the child in the bathroom, he said he was blamed. But he said he took a lie-detector test and was cleared by the Florence Police Department.

"I know there was no way I broke his arm," he said.

He said he was fired over the incident for violating policy.

Lt. Mike Brandt with the Florence Police Department said a supplemental report about the case concluded that "there was not sufficient evidence nor testimony to pursue criminal charges against the suspect."

A DHEC investigation earlier this year found a staff member "popped" the hand of a resident who was acting out, *The News* previously reported.

Workers at the facility say the modern lobby and gleaming website belie conditions inside, where workers said they found a different world with floors sometimes cluttered, walls, tables or windows sometimes smeared with blood or feces, mold on walls, laundry machines that didn't always work and supplies that were sometimes hard to find.

Cannon and other workers said they brought laundry detergent and hygiene supplies from home because the facility did not always have them. Some workers said they also brought clothes and shoes.

Karimha Bethea, a mental health technician at the facility, said the building is old.

"The kids do have a tendency to punch holes in the wall," she said. "There's a lot of patch-up work, a lot of painting over things."

Some of the showers, she said, are non-working.

"Often times you cannot even find soap or laundry detergent or body wash for these kids to have proper hygiene," she said.

Ross said he acted as janitor of the facility even though his job was mental health technician because he didn't like to see it so dirty.

Ross said when the facility knows visitors are coming onto the floor of the units, "they will get on the intercom, 'make sure you guys get the blood and the feces off the walls.'"

"That's why I started cleaning the whole facility," he said.

All of the employees or former employees questioned had complaints about the food, with most saying the portions were inadequate for teenagers and some saying special dietary requests were not always accommodated.

Liane Hughes Turner, the Columbia mother of the autistic boy who is the subject of the DHEC complaint, said her son has lost almost 40 pounds since his admission earlier this year.

She said her son is a picky eater, but when she eats with him outside the facility he eats an entire meal. She said she had given the facility a list of what he eats and she believes the facility should have had plenty of food on that list.

"It's not that hard to have peanut butter and bread on hand," she said.

Turner said she attended a Nov. 22 treatment team meeting at the facility and the doctor prescribed peanut butter sandwiches for snacks and meals for her son.

"They went on Dec. 5, 14 days later, and bought a jar of peanut butter," she said.

Ross Bethea said he has seen children who are slow eaters have their food trays removed by impatient staff.

Page 146 of 1104  
“When I first started I was told, ‘Oh, if you let them eat too much they will get sick and throw up,’” he said. “Over time I was like, these kids aren’t eating the food. You all just want to rush because you all don’t have enough staff so you can get somebody off the clock who has been there 16 hours.” He said even when parents give the facility what their child likes, “they give them what they give them. If they eat it, they eat it, if they don’t they go without food.”

He said staff believe one reason behind some children acting out at the facility is they are not getting enough food. He said many lose weight while there.

“It was heartbreaking to be completing rounds, and residents begging the employees to seek additional food for them because at dinner they were being given just a sandwich or just not enough food and often criticized or dismissed when they asked for me,” Brown said. Dixon said when the children said they had certain dietary requirements, the facility would inform the referral agency that they would accommodate them. “But those kids were not accommodated,” she said. Another concern of the workers was the lack of programming, especially for autistic children. “Our program states we provide for autistic youth,” Belton said. “But all the children do is sit in a classroom or group room and do nothing. It’s worse on the weekends.”

Pitts said he saw the same thing. “They would just be there,” he said. “There wasn’t any classes for them. There wasn’t anything for autistic kids to do. They were just there.” Dixon said the facility “was not equipped to deal with the types of kids they were getting,” Boyter, the Easley parent, said she recently learned that her autistic daughter was not getting an education, almost four months after being there. She said the facility recently brought in a teacher for her child who she said will see her three days a week. The workers said the facility was often understaffed and there was constant turnover. Cannon said she once worked 15 girls on her unit by her self. India Waiters, a former admissions coordinator who said she was fired in April 2015 after a little more than a year, said most of the workers she knew while she was there did not stay more than a year. Some workers did not want to work the 16-hour shifts or were dismissed for various infractions, workers said. In fact, most of the former workers who spoke with the newspaper said they were dismissed, though they felt they were treated unfairly. Ross Bethea said he was so tired after one 16-hour shift that he had an accident on the road back to his home after falling asleep while driving. He said he lives about 45 minutes away. He said sometimes he would leave the facility at 8:30 a.m. and have to be back by 4 p.m. He said workers were told their jobs would be in jeopardy if they refused overtime.

“You’re working with children, you’re fatigued, you’re understaffed and then they tell you that you still have to be back or you could be suspended, or it could be your job,” he said. Brown said the residents of the facility were the only ones who seemed to recognize how hard the staff worked.

“They became so familiar with seeing the same working faces literally every day or the week sometimes working seven days straight,” she said. “I remember one resident expressing to me that they couldn’t wait to be discharged from the facility so that they could get a job at the facility so that they could relieve some of the strain off the staff.”

Karimha Bethea, who holds a bachelors degree in psychology, said the economics of the facility do not drive quality care. She said those who work directly with the children are the lowest paid and have the least educational requirements. “If they had qualified professionals, they would have to pay them what they are worth,” she said.

She said she hopes the care of the children will improve. “At the end of the day, this is about these kids getting the highest level of care as stated in their mission statement,” she said. Cannon agreed. “These children deserve better than that,” she said.





**An autistic 20-year-old is shown before he lost 40 pounds while in the care of a facility in Florence. The facility is under state investigation.**

Cheaters Address  
 Neil Getsinger 576 Oak Park Dr  
 Mt. Pleasant SC 29464

Debra Getsinger  
 4<sup>th</sup> Grade Teacher  
 Angel Oak Elementary  
 Johns Island

Why hasn't The South Carolina Vocational Rehabilitation been investigated? Tax payers have no idea!

1. Former Commissioner Barbra Hollis was asked to Resign by Head Board Member Roxanne Breland. Which this Board is Joke! You have board members that are what they Call Clients that Receive services from VR. So anyways....Barbra Hollis Retired ☺ and is still Receiving a check for a little less than \$8,000.00 a month. And she is receiveing it from a non profit Company Called Allied Opportunities. (Little Brick Bldg. across from Airport High School that has no sign or windows.) How Weird! I think this is where VR is laundering Tax Payer Money. She is Living life well at Hilton Head. (Port Royal)
2. Commissioner Neil (crooked) Getsinger. He's all up in the middle, He's already gave his girlfriend Darlene Graham 3 Raises 3 months, That Thang must be good! How unethical...Lindsey Graham's sister the Home wrecker. I wonder what Mr. Getsinger's wife and son would think if they knew this. What a Scum Bag. The whole agency is laughing at him and her. He also fired Mike Pitts Daughter. I understand that they are sueing VR.
3. Preston Coleman - Tax Payers Built his house at Edisto Beach. Yes, He gets A Check from Allied too. They started a new Company called the Foundation. These people need some accountibility. I'm sure Preston is the Master Mind behind Allied and The Foundation. Also can you tell me how VR covered up the Sex Scandle with the women Inmates that use to keep the STATE OFFICE grounds up. VR - Maintenance Employees was having sex with these ladies. I Know. You cant Beleive it can you. Did Mark Wade OR VR Attorney JEB Batten cover this up? How many people Have been payed off with the Tax Payers \$. VR Would Pick these women Inmates up every morning from Broad River Rd Facilities and take them back that evening. This was done By Male employees.
4. Deputy Commissiones Anne Iriel's Husband (former Fireman) work for VR. His Check is from Allied. So much for Neputisism. That whole Agency Stinks!
5. You have former Commissioner Larry Bryant's Secretary who also worked for Commissioner Hollis and Now Crooked Neil Getsinger. Do you know this lady Make \$74,000 a year as a secretary. Although she does decorate the Agency office's and pick's paint colors out. Good Job Joanie Hess. How much does she know? Does former Commissioner Bryant still Receive a Check?

There needs to seriously be a full launched investigation on this agency. Who protecting this agency? Employee's are scared of Neil Getsinger. They Fear loosing there Job. You will be shocked what you will find when you start digging. everyone's wach watching.

**Constituent comments, including requests for revisions, and Committee staff notes summarizing those comments are not the comments or expression of the House Legislative Oversight Committee, any of its Subcommittees, the House of Representatives, or any of these entities staff.**

Also Check Joanie Hess's Live in Ronnie Weed.  
 He works at the Training Center where they supp "Help"  
 People. They paid (VR) for him to have knee surgery as  
 A client. What the crapp?



January 4, 2017

State Inspector General Patrick J. Maley  
111 Executive Center Drive, Suite 204  
Synergy Business Park Enoree Building  
Columbia, South Carolina 29210 - 8416

Dear Inspector General Maley:

The purpose of this letter is to share information provided by the public about the South Carolina Vocational Rehabilitation Department, an agency which is not presently under study by the Committee. The public has the opportunity to provide input about any agency the House Legislative Oversight Committee has identified it will study as a part of its seven-year review cycle. Interactions with constituents that wish to remain anonymous pursuant to Committee Standard Practice 10.4, are not considered testimony or offered for the truth of the matter asserted but may nevertheless serve the purpose of directing the Committee to potential issues with an agency.

Enclosed for your review please find a verbatim copy of information received by the Committee for your consideration as to whether it rises to the level of necessitating an investigation by the State Inspector General's Office. This information may be viewed as potential fraud, waste, abuse, mismanagement, misconduct and wrongdoing at the agency. While unsubstantiated, nevertheless, these are not insignificant allegations.

Thank you for your review of these allegations and for your dedication to the important issues facing the people of this State.

Sincerely,

A handwritten signature in cursive script, reading "Wm. Weston J. Newton".

Wm. Weston J. Newton

Enclosure

# LEGISLATIVE OVERSIGHT COMMITTEE

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## SUBCOMMITTEE ASSIGNMENTS WITH AGENCIES

Executive	Education and Cultural	Healthcare and Regulatory	Economic Development, Transportation, and Natural Resources	Law Enforcement and Criminal Justice
<ol style="list-style-type: none"> <li>1. <del>Comptroller General's Office</del></li> <li>2. <u>Treasurer's Office</u></li> <li>3. <u>Retirement System Investment Commission</u></li> <li>4. <i>Election Commission</i></li> <li>5. <i>Parks, Recreation and Tourism, Dept. of</i></li> <li>6. <i>Secretary of State's Office</i></li> <li>7. <i>Aeronautics Commission</i></li> <li>8. <i>Adjutant General</i></li> <li>9. <i>Ethics Commission</i></li> <li>10. <i>Financial Institutions, Board of</i></li> <li>11. <i>Lt. Governor's Office on Aging</i></li> </ol>	<ol style="list-style-type: none"> <li>1. <del>Deaf and Blind, School for</del></li> <li>2. <del>First Steps</del></li> <li>3. <u>Archives and History, Dept. of</u></li> <li>4. <i>Education, Dept. of</i></li> <li>5. <i>ETV Commission</i></li> <li>6. <i>John de la Howe School</i></li> <li>7. <i>Patriots Point Authority</i></li> <li>8. <i>Arts Commission</i></li> <li>9. <i>Higher Education Commission</i></li> <li>10. <i>Library, State</i></li> <li>11. <i>Museum Commission and Confederate Relic Room</i></li> <li>12. <i>Technical and Comprehensive Education Board</i></li> <li>13. <i>Tuition Grants Commission</i></li> <li>14. <i>Wil Lou Gray Opportunity School</i></li> </ol>	<ol style="list-style-type: none"> <li>1. <del>Social Services, Dept. of</del></li> <li>2. <del>Blind, Commission for the</del></li> <li>3. <u>Health and Environmental Control, Department of</u></li> <li>4. <i>Alcohol and Drug Abuse, Dept. of</i></li> <li>5. <i>Disabilities and Special Needs, Dept. of</i></li> <li>6. <i>Labor, Licensing and Regulation, Dept. of</i></li> <li>7. <i>Mental Health, Dept. of</i></li> <li>8. <i>State Accident Fund</i></li> <li>9. <i>Consumer Affairs, Dept. of</i></li> <li>10. <i>Health and Human Services, Department of</i></li> <li>11. <i>Insurance, Dept. of</i></li> <li>12. <i>Patients' Compensation Fund</i></li> <li>13. <i>Vocational Rehabilitation, Department of</i></li> <li>14. <i>Workers' Compensation Commission</i></li> </ol>	<ol style="list-style-type: none"> <li>1. <del>Transportation, Dept. of</del></li> <li>2. <u>Transportation Infrastructure Bank</u></li> <li>3. <u>Agriculture, Dept. of</u></li> <li>4. <i>Employment and Workforce, Dept. of</i></li> <li>5. <i>Human Affairs Commission</i></li> <li>6. <i>Motor Vehicles, Dept. of</i></li> <li>7. <i>Commerce, Dept. of</i></li> <li>8. <i>Conservation Bank</i></li> <li>9. <i>Forestry Commission</i></li> <li>10. <i>Housing Finance and Development Authority</i></li> <li>11. <i>Jobs Economic Development Authority</i></li> <li>12. <i>Minority Affairs, Commission on</i></li> <li>13. <i>Revenue, Dept. of</i></li> <li>14. <i>Rural Infrastructure Authority</i></li> <li>15. <i>Sea Grants Consortium</i></li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Law Enforcement Training Council</u></li> <li>2. <u>Juvenile Justice, Dept. of</u></li> <li>3. <u>Public Safety, Dept. of</u></li> <li>4. <i>Indigent Defense</i></li> <li>5. <i>Natural Resources, Dept. of</i></li> <li>6. <i>Prosecution Coordination Commission</i></li> <li>7. <i>Administrative Law Court</i></li> <li>8. <i>Attorney General's Office</i></li> <li>9. <i>Corrections, Dept. of</i></li> <li>10. <i>Probation, Parole and Pardon, Dept. of</i></li> <li>11. <i>State Law Enforcement Division</i></li> </ol>
Chair: Rep. Clary Rep. Funderburk Rep. Newton Rep. Williams	Chair: Rep. Smith Rep. Jefferson Rep. Stringer Rep. Felder	Chair: Rep. Henderson Rep. Bowers Rep. Douglas Rep. Taylor	Chair: Rep. Norman Rep. Collins Rep. Norrell Rep. Ridgeway	Chair: Rep. Tallon Rep. Arrington Rep. Hixon Rep. Rutherford

# **LEGISLATIVE OVERSIGHT COMMITTEE**

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## **PROPOSED REVISIONS TO STANDARD PRACTICES**

## **SUMMARY OF PROPOSED REVISIONS TO COMMITTEE STANDARD PRACTICES FOR THE 122<sup>ND</sup> GENERAL ASSEMBLY**

**The changes listed below were made to the version provided during the December 7, 2016, full Committee meeting. Generally, the changes were made to group together practices which related to similar subject matters and to memorialize the Committee's current general practices.**

- Standard Practices 9.1.5 and 9.1.6 were added to memorialize the Committee's general practice of (1) informing agencies that information provided by the agency was considered sworn testimony and (2) agencies were expected to inform the Committee if any information requested by the Committee or provided by the agency, could not be published online due to provisions in contract or law.
- Standard Practice 9.2 through 9.2.2 were added to memorializes the Committee's current general practice of (1) posting letters between the Committee and Agency online; (2) posting documents received from the agency online; and (3) returning documents to the agency which the agency indicated, due to confidentiality provisions in contract or law, may not be posted online.
- Standard Practices 9.2.3 through 9.2.4.1 were previously Standard Practices 3.9 through 3.10.1. Since these practices address Interaction between Committee Staff and Agency Staff they were moved from Section 3. Constituents to Section 9. Expectations of an Agency Undergoing Investigation in an effort to group together practices which related to similar subject matters.
- Standard Practice 11.10.1 was added to state the Final Staff Study, if there was one, shall be published online. The language mirrors the language stating the full Committee's oversight study shall be published online. This Standard Practice memorializes the Committee's current general practice.
- Standard Practice 12.5.1 was added to state the Subcommittee or Ad Hoc Committee Study shall be published online. The language mirrors the language stating the full Committee's oversight study shall be published online. This Standard Practice memorializes the Committee's current general practice.

Topic	Summary of Proposed Revision(s)	Section(s)	Page Number(s) in Draft Standard Practices Document
<b>Committee Staff</b>	Clarifies committee staff work for the South Carolina House of Representatives (the entity), not just the Committee.	2.1	5
<b>Agency Annual Restructuring Report</b>	Reflects committee's efforts to streamline agency reporting requirements by integrating and combining aspects of the Annual Restructuring Report into the Annual Accountability Report.	4.1.1 4.1.2 4.1.3	7
<b>Restructuring Recommendations</b>	Makes a stylistic change.	4.4	9
<b>Priority/Order of Agencies Scheduled for Investigation in a Given Year</b>	Adds the length of time the agency head has been in office as a consideration for priority/order of agencies scheduled for investigation during a given year.  Clarifies the committee may place a current study on hold and move forward with the study of another agency for good cause.	7.2.1  7.3	10
<b>Required Written Notification</b>	Requires agency to forward the committee's written notification about the agency being under study to all agency employees.  Includes the following as a part of the written notification the agency receives from the committee:  the committee encourages employees and other stakeholders to provide testimony and respond to the public survey  methods by which employees and other stakeholders may communicate with the committee, including the option to communicate anonymously.	8.1   8.2.4  8.2.5	11
<b>Introduction of Agency and Public Input Meeting</b>	Provides for one full committee meeting with all agencies scheduled for study to obtain brief information about what agencies do and receive public input.  <i>Currently, each subcommittee may hold a separate meeting with agencies to discuss preliminary matters with an agency.</i>	8.3	12
<b>Expectations of an Agency undergoing Investigation</b>	Clarifies informing agency staff that the agency is undergoing an oversight study includes informing agency staff on how to access the committee's website for information.  Clarifies an agency liaison's activities include sharing any specified committee correspondence with agency staff.  Memorializes the Committee's general practice of informing agencies that information provided by the agency is considered sworn testimony.  Memorializes the Committee's general practice of requesting agencies to inform the Committee if any information requested or provided by the agency cannot be published online.  Removes a reference to confidentiality.  Memorializes the Committee's general practice of posting letters between the Committee and agency online; posting documents received from the agency online; and returning documents to the agency which the agency indicates due to confidentiality provisions in contract or law, may not be posted online.	9.1.1  9.1.2  9.1.5  9.1.6  9.2 9.2.1 9.2.2	13-14



THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE COMMITTEE OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.

Page 155 of 164

	Standard Practices 9.2.3 through 9.2.4 were previously Standard Practices 3.9 through 3.10. These were moved in an effort to group together practices related to similar matters.	9.2.3 9.2.4 9.2.4.1	
<b>Information from Agencies - Program Evaluation Report</b>	Provides an agency 45 days to respond to a request for a Program Evaluation Report (PER), if a PER is requested.  <i>Agencies have 45 days to respond to a Request for Information (RFI) in statute.</i>	10.1	14
<b>Online Publication of PER</b>	Provides that the Committee will send an electronic copy of a PER (Program Evaluation Report) to all House Members	10.2	15
<b>Comments submitted via email or other correspondence (provided to agency upon request)</b>	Provides the remitter's name and contact information is redacted when the agency requests a copy of the information. Makes stylistic changes.  Clarifies comments may be received over the phone from constituents. Provides, unless specifically requested by the person providing information, staff notes will be considered to come from an anonymous constituent.	10.4.8  10.4.10	17
<b>Staff Oversight Studies and Agency Responses</b>	Clarifies reasonable efforts are made for each legislative oversight study to begin the same way.  Authorizes committee staff to periodically share summaries of agency information with the committee; a staff study of the agency is optional.  Provides that a Final Staff Study, if there was one, shall be published online.	11 11.1 11.2 11.3 11.4 11.5 11.6 11.7 11.8 11.9 11.10 11.10.1	17-18
<b>Determine Other Investigative Tools</b>	Makes stylistic changes to change terminology to investigative resources and partners rather than investigative tools.  Includes a reference to the State Inspector General as an investigative partner.  Authorizes subcommittees in a new General Assembly to affirmatively approve recommendations made by the members of the subcommittee or ad hoc committee in a prior General Assembly.	12 12.1 12.2 12.2.3  12.2.7	19
<b>Approve, Add Written Statements &amp; Refer to Full Committee</b>	Clarifies a copy of the subcommittee or ad hoc committee study shall be provided to members of the subcommittee and members of any legislative standing committee in the House sharing subject matter jurisdiction over the agency. Memorializes the Committee's general practice of posting a Subcommittee or Ad Hoc Committee study online.	12.3.1  12.5.1	19-20
<b>Approve, Add Written Statements &amp; Publish</b>	Provides approval of a committee study does not conclude the study of the agency; the agency remains under study, should additional issues arise, until the end of the seven-year cycle.  Provides a procedure for follow up with an agency after approval of a full committee study.	13.3  13.7	21

## LEGISLATIVE OVERSIGHT COMMITTEE

# Standard Practices



Approved Pursuant to Legislative Oversight Committee Rule 7.1  
Revised **DECEMBER 29, 2016**



## Contents

<b>PART I - GENERAL PRACTICES .....</b>	<b>5</b>
<b>1. AUTHORITY, MODIFICATION AND GENERAL INFORMATION RELATING TO STANDARD PRACTICES .....</b>	<b>5</b>
<b>2. COMMITTEE STAFF .....</b>	<b>5</b>
<b>3. CONSTITUENTS .....</b>	<b>5</b>
Constituents .....	5
Chairman and Committee .....	6
Interaction between Committee Staff and the Press .....	6
<b>PART II - PRACTICES RELATING TO REPORTS RECEIVED BY THE LEGISLATIVE OVERSIGHT COMMITTEE .....</b>	<b>7</b>
<b>4. AGENCY ANNUAL RESTRUCTURING REPORT .....</b>	<b>7</b>
ARR Submission .....	7
Online Publication of ARR .....	8
Restructuring Recommendations .....	9
Notification to Members of the House .....	9
<b>5. GOVERNOR'S RESTRUCTURING REPORT .....</b>	<b>9</b>
<b>6. AGENCY SEVEN-YEAR PLAN FOR COST SAVINGS &amp; EFFICIENCIES .....</b>	<b>9</b>
<b>PART III - PRACTICES RELATING TO THE COMMITTEE'S STUDY AND INVESTIGATION PROCESS .....</b>	<b>10</b>
<b>7. AGENCY INVESTIGATION SCHEDULE &amp; TIME FOR COMPLETION .....</b>	<b>10</b>
Recommendations as to the Seven-Year Investigation Schedule .....	10
Priority/Order of Agencies Scheduled for Investigation during a Given Year .....	10
Investigations Outside Schedule .....	10
Time Frame for Completion of Agency Investigations .....	11
<b>8. ADVANCED NOTIFICATION PROVIDED TO AGENCIES .....</b>	<b>11</b>
Required Written Notification .....	11
Optional Preliminary Introduction of Agency and Public Input Meeting .....	11
<b>9. EXPECTATIONS OF AN AGENCY UNDERGOING INVESTIGATION .....</b>	<b>13</b>
<b>10. INITIAL COLLECTION AND REVIEW OF INFORMATION .....</b>	<b>14</b>
Information from Agencies - Program Evaluation Report .....	14
Online Publication of PER .....	15
Information from the Public, House or other State Entities .....	16
<b>11. STAFF SUMMARIES, OVERSIGHT STUDIES, &amp; AGENCY RESPONSES .....</b>	<b>17</b>
Agency Information Summaries and/or Agency Oversight Study prepared by Staff .....	18
Final Agency Oversight Study prepared by Committee Staff & Responses Provided to Subcommittee or Ad Hoc Committee .....	18
<b>12. SUBCOMMITTEE AND AD HOC COMMITTEE REVIEW, ADDITIONAL INVESTIGATION, &amp; APPROVAL .....</b>	<b>19</b>
Determine Other Investigative Tools to Utilize Resources and Partners .....	19
Approve, Add Written Statements & Refer to Full Committee .....	19
Address Any Allegations of Violations of Contempt of the General Assembly (S.C. Code of Laws §2-2-100) .....	20
Address Any Allegations of Violations of Criminal Contempt of the General Assembly (S.C. Code of Laws §2-2-120) .....	20
<b>13. FULL COMMITTEE REVIEW &amp; REFERRAL, APPROVAL OR FURTHER INVESTIGATION .....</b>	<b>21</b>
Schedule a Full Committee Meeting .....	21
Options for Handling the Oversight Study .....	21
Approve, Add Written Statements & Publish Final Approved Full Committee Oversight Study .....	21

<b>14. POST REVIEW PROCESS .....</b>	<b>22</b>
Briefings.....	22
Legislation to Implement Recommendations.....	22
Post Review Assessments Developed by Committee .....	22

## **PART I - GENERAL PRACTICES**

### ***1. AUTHORITY, MODIFICATION AND GENERAL INFORMATION RELATING TO STANDARD PRACTICES***

- 1.1 Legislative Oversight Committee (Committee) Rule 7.1 authorizes the committee to develop and adhere to standard practices.
- 1.2 Committee standard practices may be modified pursuant to Committee Rule 7.1.
- 1.3 Whenever the pronoun 'he' appears in any rule, it shall be deemed to designate either the masculine or feminine.

### ***2. COMMITTEE STAFF***

- 2.1 Committee staff work for ~~all Members of~~ the South Carolina House of Representatives (House).
- 2.2 Committee staff shall assist any Member of the House with matters relating to legislative oversight, and any Member of the House may request that Committee staff hold these matters in confidence.

### ***3. CONSTITUENTS***

#### ***Constituents***

- 3.1 Constituents may request to be notified as to when a particular agency is scheduled for legislative oversight study and investigation by the Committee.
- 3.2 Constituents may contact the Committee about matters relating to legislative oversight, and Members of the House may forward constituent matters relating to legislative oversight to the Committee.
- 3.3 Committee staff shall make reasonable efforts, as determined by the Committee Chairman, to contact any constituent requesting notification as to when a particular agency is scheduled for legislative oversight study and investigation.
- 3.4 If a constituent has concerns about an agency currently undergoing legislative oversight study and investigation, the constituent shall be informed
  - 3.4.1 about the process,
  - 3.4.2 notified about any opportunities to participate in the process, and
  - 3.4.3 Section 2-2-70 requires all testimony provided to the committee to be under oath, and anyone knowingly furnishing false information will be subject to the penalties provided by law.

3.5 If a constituent has concerns about an agency not currently undergoing legislative oversight study and investigation by the Committee, Committee staff shall refer the constituent to appropriate resources, if available, that may be able to address the constituent's concerns about an agency.

***Chairman and Committee***

3.6 Committee staff shall inform the Committee Chairman, on a schedule as determined by the Chairman, about the concerns received from constituents, House Members and other state entities, which relate to agencies. Dissemination and publication of these concerns is governed by Standard Practice 10.4.

***Interaction between Committee Staff and the Press***

3.7 Committee staff shall direct questions from the press to the Committee Chairman. The Committee Chairman, at his discretion, may authorize Committee staff to answer specific questions from the press.

3.8 If the Committee Chairman is unavailable to answer questions from the press and has not authorized Committee staff to respond to the specific questions, Committee staff shall direct the questions from the press to the First Vice-Chairman or to the appropriate subcommittee or ad hoc committee chairman.

## **PART II - PRACTICES RELATING TO REPORTS RECEIVED BY THE LEGISLATIVE OVERSIGHT COMMITTEE**

### **4. AGENCY ANNUAL RESTRUCTURING REPORT**

Section 1-30-10(G)(1) requires agencies to submit annual reports to the General Assembly giving detailed or comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs or personnel within each department for a more efficient administration of government services ("Annual Restructuring Report" or "ARR"). If an agency has no restructuring recommendation, the statute requires the report to contain a statement to that effect.

#### ***ARR Submission***

4.1 The Committee shall provide agencies with a uniform format, as approved by the Committee Chairman, for submitting their Annual Restructuring Reports to the Committee. The Annual Restructuring Report format will include a section which allows an agency to indicate it has no restructuring recommendations.

4.1.1 The Committee shall continue efforts to integrate and combine aspects of the ARR into the Annual Accountability Report submitted pursuant to S.C. Code Section 1-1-810, so that completion of the annual Accountability Report by the stated deadline in the report fulfills the requirements to complete an ARR.

4.1.2 The Committee recognizes that not every agency the Committee has identified it will study files an Annual Accountability Report. For these agencies the Committee shall provide the guidelines for the Accountability Report, which includes the deadline for submission.

4.1.3 Should the Committee require an agency to complete a separate ARR, the Committee shall make efforts to comply with Standard Practices 4.2 through 4.3.3. If the committee is able to incorporate requirements of the ARR into the Annual Accountability Report, Standard Practices 4.2 through 4.3.3 will not apply.

4.2 The Committee shall provide agencies with the Restructuring Report Guidelines by November thirtieth of each year. Agencies must submit the Annual Restructuring Report by the first day of session each year ("Deadline").

#### **Failure to Provide Responses to All Questions in ARR**

4.2.1 The Chairman may require any agency that has submitted its Annual Restructuring Report which does not include responses to all questions to amend its submission so as to provide responses to all questions. The Chairman may provide the agency with a list of questions that do not have responses. The agency will determine the response it would like to make, but the agency will need to provide some type of response to all questions.

#### **Extensions for ARR**

4.2.2 The Chairman may, for reasons he determines as good cause, provide an agency an extension and new deadline to submit its Annual Restructuring Report ("New Deadline"). The Chairman will not provide more than two extensions without unanimous consent from the full committee.



4.2.3 Before the Chairman will consider a request from an agency for an extension, the agency must fully complete a Committee Extension Request form, as approved by the Committee Chairman, and provide it to the Chairman for consideration.

4.2.4 Until the agency receives a response, it should continue to complete the report to the best of its ability as if it is due on the original deadline.

#### **Amended ARR Submitted Prior to Online Publication**

4.2.5 The Chairman may, for reasons he determines as good cause, allow an agency to provide an amended version of its Annual Restructuring Report ("Amended Report") prior to online publication.

4.2.6 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

4.2.7 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Annual Restructuring Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any versions of an agency's Annual Restructuring Report. The Committee will only discard an old Annual Restructuring Report, if a complete Amended Report is provided.

#### **Failure to Submit ARR or Respond to All Questions**

4.2.8 If an agency fails to submit responses to all questions in its Annual Restructuring Report by the Deadline, or New Deadline applicable to the agency, the Committee may request the Executive Director of the agency and, if applicable Board/Commission Chair, appear at a full committee meeting to explain, under oath, why the agency has failed to provide the information requested and when it will be provided.

#### ***Online Publication of ARR***

4.3 The Committee will post in a central location online, access to all of the following information: a) Annual Restructuring Reports; b) Extension Request Forms; and c) Letters requesting submission of an Amended Report.

#### **Amended ARR Submitted After Initial Online Publication**

4.3.1 The Chairman may, for reasons he determines as good cause, allow an agency to provide an Amended Report after initial online publication.

4.3.2 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

4.3.3 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Annual Restructuring Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any versions of an agency's Annual Restructuring Report. The Committee will only discard an old Annual Restructuring Report, if a complete Amended Report is provided.

***Restructuring Recommendations***

4.4 The Committee shall indicate online, via a list or other means, the agencies that did and did not provide a restructuring recommendation ~~in their Annual Restructuring Report~~.

Notification to Members of the House

4.5 Committee staff shall provide notification, in a manner determined by the Committee Chairman, to all Members of the House about the publication of this information online.

**5. GOVERNOR'S RESTRUCTURING REPORT**

Section 1-30-10(G)(1) provides that the Governor periodically must consult with the governing authorities of the various departments and upon such consultation, the Governor must submit a report of any restructuring recommendations to the General Assembly for its review and consideration ("Governor Restructuring Report").

5.1 The Committee will post in a central location online, access to ~~all~~ Governor Restructuring Reports received from the Governor pursuant to Section 1-30-10(G)(1).

**6. AGENCY SEVEN-YEAR PLAN FOR COST SAVINGS & EFFICIENCIES**

Section 1-30-10(G)(2) requires agencies to submit a seven-year plan that provides initiatives or planned actions that implement cost saving and increases efficiencies within the projected seven-year period to the General Assembly ("Seven-Year Plans").

6.1 The Committee shall provide agencies with a uniform format, as approved by the Committee Chairman, for submitting their Seven-Year Plans to the House.

6.1.1 The following subparts of Section 4 of the Standard Practices shall apply to Agency Seven-Year Plans in the same manner they apply to Annual Restructuring Reports: Failure to Provide Responses to All Questions; Extensions; Amended Reports Submitted Prior to Online Publication; Failure to Submit Report or Respond to All Questions; Online Publication; and Amended Reports Submitted After Initial Online Publication.

6.2 The Committee will post in a central location online, access to all Seven-Year Plans.

## PART III - PRACTICES RELATING TO THE COMMITTEE'S STUDY AND INVESTIGATION PROCESS

### 7. AGENCY INVESTIGATION SCHEDULE & TIME FOR COMPLETION

Section 2-2-30(C) requires a seven-year review schedule to be published in the House Journal the first day of session each year. Further, this statute provides that the Speaker of the House, upon consulting with the chairmen of standing committees in the House and the Clerk of the House, determines the agencies for each standing committee to conduct oversight studies and investigations. The Committee recognizes there is no requirement in the statute that an agency oversight study and investigation be completed within a certain timeframe, except the overall seven year cycle.

#### *Recommendations as to the Seven-Year Investigation Schedule*

7.1 The Committee may adopt recommendations for the Speaker of the House relating to the publication of the seven-year review schedule in the House Journal the first day of session each year.

#### *Priority/Order of Agencies Scheduled for Investigation during a Given Year*

7.2 The Committee **may establish** the priority or order of current agencies scheduled for a legislative oversight study and investigation during a given year.

7.2.1 In establishing a priority or order of current agencies scheduled for legislative oversight study and investigation during a given year, the Committee may consider the length of time the agency director has been in office.

7.3 The Committee may, for reasons it determines as good cause, **change the priority** or order of agencies scheduled for a legislative oversight study and investigation during a given year, including placing a current study on hold and moving forward with the study of another agency.

#### *Investigations Outside Schedule*

7.4 In addition to the seven-year oversight studies and investigations,

7.4.1 a standing committee of the House may initiate an oversight study and investigation of an agency within its subject matter jurisdiction pursuant to Section 2-2-40(A)<sup>1</sup>; and

7.4.2 the Speaker of the House or chairmen of standing committees may authorize and conduct legislative investigations into agencies functions, duties and activities pursuant to Section 2-2-40(B)<sup>2</sup>.

<sup>1</sup> "...The motion calling for the oversight study and investigation must state the subject matter and scope of the oversight study and investigation. The oversight study and investigation must not exceed the scope stated in the motion or the scope of the information uncovered by the investigation."

<sup>2</sup> "Nothing in the provisions of this chapter prohibits or restricts the President Pro Tempore of the Senate, the Speaker of the House of Representatives, or chairmen of standing committees from fulfilling their constitutional obligations by authorizing and conducting legislative investigations into agencies' functions, duties, and activities."

### ***Time Frame for Completion of Agency Investigations***

7.5 The Committee may establish a time frame for the legislative oversight study and investigation of an agency.

7.6 The Committee may, for reasons it determines as good cause, change the time frame for a legislative oversight investigation and review of an agency.

## **8. ADVANCED NOTIFICATION PROVIDED TO AGENCIES**

Section 2-2-30(C) requires a seven-year review schedule to be published in the House Journal the first day of session each year. In addition to this notice available to agencies, the Committee will also follow the notice procedures below.

### ***Required Written Notification***

8.1 The Committee shall provide written notification to an agency that it is scheduled for legislative oversight study and investigation prior to the start of the investigation. The agency shall forward this notification to all employees at the agency.

8.2 The written notification to the agency shall include the following:

8.2.1 information about the Committee's expectations of the agency during the investigation, as outlined under Standard Practice ~~40~~ 9,

8.2.2 purpose of the investigation, as outlined in Section 2-2-20(B)<sup>3</sup>, and

8.2.3 what must be considered in the investigation, as outlined in Section 2-2-20(C)<sup>4</sup>,

8.2.4 encourage employees and other stakeholders (e.g., partners, customers, and vendors) to provide testimony and respond to the public survey, and

8.2.5 methods by which employees and other stakeholders (e.g., partners, customers, and vendors) may communicate, including the option to communicate anonymously, with the Committee.

### ***Optional Preliminary Introduction of Agency and Public Input Meeting***

~~8.3 A subcommittee or ad hoc committee chairman that has been assigned a legislative oversight study and investigation of an agency may schedule a subcommittee or ad hoc committee meeting~~

<sup>3</sup> "The purpose of these oversight studies and investigations is to determine if agency laws and programs within the subject matter jurisdiction of a standing committee: (1) are being implemented and carried out in accordance with the intent of the General Assembly; and (2) should be continued, curtailed, or eliminated."

<sup>4</sup> "The oversight studies and investigations must consider: (1) the application, administration, execution, and effectiveness of laws and programs addressing subjects within the standing committee's subject matter jurisdiction; (2) the organization and operation of state agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within the standing committee's subject matter jurisdiction; and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within the standing committee's subject matter jurisdiction."

~~with the agency to discuss preliminary matters relating to the legislative oversight study and investigation process.~~

8.3 The Full Committee may schedule an Introduction of Agency and Public Input meeting with the agenc(ies) scheduled for study to (1) obtain a brief (2-3min) explanation of what each agency does; and (2) receive public input about each agency.

~~8.3.1 Matters discussed during a preliminary meeting may include, but are not limited to, the Committee's expectations of the agency as listed in Standard Practice 9 and a brief overview of the agency.~~

~~8.3.1.1 Any brief overview provided by an agency as part of a preliminary meeting of the legislative oversight study and investigation process shall not be considered testimony.~~

## **9. EXPECTATIONS OF AN AGENCY UNDERGOING INVESTIGATION**

Section 2-2-20(B) states the purpose of the legislative oversight study is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly, and should they be continued, curtailed, or eliminated. Further, the Committee recognizes that a legislative oversight study and investigation of agency serves the purpose of informing the public about the agency.

### **9.1 The Committee expects an agency to:**

9.1.1 Inform its staff that the agency is undergoing a legislative oversight study and investigation as well as the purpose of the investigation; and how to access the Committee's website for information about the study and investigation.

9.1.2 Appoint a liaison to assist the Committee with all activities; including but not limited to, sharing Committee correspondence with agency staff.

9.1.3 Respond to its requests in a concise, complete and timely manner.

9.1.4 Be candid with the Committee and to promptly discuss with the Committee any concerns or questions the agency may have related to the legislative oversight study and investigation process, including any concerns the agency may have that the Committee has drawn an incorrect conclusion.

9.1.5 Realize written information provided to the Committee is considered sworn testimony.

9.1.6 Inform the Committee if any information requested by the Committee, or provided by the agency, cannot be published online due to provisions in contract or law.

~~9.2 An agency may expect the legislative oversight study to be confidential until such time as the agency receives notification from the Committee that a copy of the Committee staff's final report and the agency's response, if there is one, has been provided to the appropriate subcommittee, ad hoc committee, and any legislative standing committees in the House that may share subject matter jurisdiction over an agency.~~

### **9.2 The Agency may expect the Committee to:**

9.2.1 Post on the Committee's webpage: (1) letters between the Committee and Agency sent via U.S. Mail or as attachments to an email; (2) documents received from the agency in person, via U.S. Mail, or as attachments to an email; and (3) any other materials pursuant to Committee Rule 8.1.

9.2.2 Return documents to the agency which the agency has indicated, due to confidentiality provisions in contract or law, may not be posted online.

9.2.3 Instruct Committee staff to interact with agency staff for the purposes of discussing procedural matters, including review of draft submissions of Accountability Reports, Program Evaluation Reports or Requests for Information, and/or answering agency staff questions at any time.

9.2.4 Instruct Committee staff to meet with agency staff for the purposes of asking substantive questions and/or reviewing agency files on behalf of a Subcommittee, upon approval of a motion to do so during a Subcommittee meeting.

9.2.4.1 If such action is taken by Committee staff, the information obtained during the meeting between committee staff and agency staff will be memorialized in a letter from committee staff to agency staff, which may be incorporated into the meeting minutes of the Subcommittee's next meeting.

## **10. INITIAL COLLECTION AND REVIEW OF INFORMATION**

In recognizing the importance of fairness in the legislative oversight process, every legislative oversight study and investigation shall begin the same way. The initial step involves Committee staff obtaining and reviewing information.

### ***Information from Agencies - Program Evaluation Report***

10.1 Committee staff ~~shall~~ may request the agency complete a Program Evaluation Report ("PER") pursuant to Sections 2-2-50(D) and 2-2-60, within forty five days of receiving the guidelines for the PER; and

10.1.1 A state agency that is vested with revenue bonding authority may submit annual reports and annual external audit reports conducted by a third party in lieu of a program evaluation report pursuant to Section 2-2-60(E).

### **Failure to Provide Responses to All Questions in PER**

10.1.2 The Chairman may require any agency that has submitted a Program Evaluation Report which does not include responses to all questions to amend its submission so as to provide responses to all questions. The Chairman may provide the agency with a list of questions that do not have responses. The agency will determine the response it would like to make, but the agency will need to provide some type of response to all questions.

### **Extensions for PER**

10.1.3 The Chairman may, for reasons he determines as good cause, provide an agency an extension and new deadline to submit its Program Evaluation Report ("New Deadline"). The Chairman will not provide more than one, thirty day extension without unanimous consent from the full committee.

10.1.4. Before the Chairman will consider granting an extension, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency is requesting the extension and the number of days it is requesting, not to exceed thirty.

10.1.5 Until the agency receives a response, it should continue to complete the report to the best of its ability as if it is due on the original deadline.

**Amended PER Submitted Prior to Online Publication**

10.1.6 The Chairman may, for reasons he determines as good cause, allow an agency to provide an amended version of its Performance Evaluation Report ("Amended Report") prior to online publication.

10.1.7 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

10.1.8 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Program Evaluation Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any prior versions of an agency's Program Evaluation Report. The Committee will only discard an old Program Evaluation Report, if a complete Amended Report is provided.

**Failure to Submit PER or Respond to All Questions**

10.1.9 If an agency fails to submit responses to all questions in its Program Evaluation Report by the Deadline, or New Deadline applicable to the agency, the Committee may request the Executive Director of the agency and, if applicable Board/Commission Chair, appear at a full committee meeting to explain, under oath, why the agency has failed to provide the information requested and when it will be provided.

***Online Publication of PER***

10.2 The Committee will post in a central location online, access to all of the following information: a) Program Evaluation Report; b) Correspondence related to a Request for Extension, if any is required; and c) Letters requesting submission of an Amended Report, if any is required. After posting online, the Committee will send an electronic copy of the PER to all House Members.

**Amended PER Submitted After Initial Online Publication**

10.2.1 The Chairman may, for reasons he determines as good cause, allow an agency to provide an Amended Report after initial online publication.

10.2.2 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

10.2.3 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Program Evaluation Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any versions of an agency's Program Evaluation Report. The Committee will only discard an old Program Evaluation Report, if a complete Amended Report is provided.

10.3 The Committee may approve additional requests for information to be submitted to the agency pursuant to section 2-2-50(A).



***Information from the Public, House or other State Entities***

10.4 Committee members and Committee staff may also collect information from the public, House Members and staff or other state entities. Information from the “public” includes information from individuals, associations, groups, organizations, etc., who are not members of the House of Representatives or submitted on behalf of a state entity.

**Solicitation of Information**

10.4.1 Written comments and other information shall be solicited from the public, House Members and staff, or other state entities concerning the agency in a manner approved by the Chairman. The comments shall not be considered testimony and offered for the truth of the matter asserted but nevertheless may serve the purpose of directing the Committee to potential issues with an agency.

**Types of Information and Method of Publication**

**Comments submitted via the Committee website (publication online)**

10.4.2 Concerns and comments provided by the public, House Members and staff, or other state entities via **online surveys on the Committee website**, will be provided verbatim to the Committee Chair or Vice-Chair, who will identify any profanity and replace all letters, after the first letter, of the profane word with asterisks. Other than replacing all letters, after the first letter, of a profane word with asterisks, no members of the Committee or Committee staff shall alter the comments prior to their publication on the Committee webpage.

10.4.3 When an agency is currently under study, concerns and comments constituents provide via online surveys on the Committee website, will be provided to all House Members and the public, via **publication** on the website, at the time the survey is over or once a month.

10.4.4 When an agency is not currently under study, concerns and comments constituents provide via online surveys on the Committee website, will not be provided to all House Members and the public until such time as the agency is under study. Once the agency is under study, the provisions of 3.6 shall apply.

**Reports created by other Legislative Entities (publication online)**

10.4.5 The Committee recognizes that under diverse existing laws agencies are required to submit reports to various legislative entities. The Committee shall use its best efforts to review these reports as part of its legislative oversight study and investigation of agencies.

10.4.6 The Committee recognizes that under diverse existing laws other legislative entities study and review some agencies, and the Committee may make efforts, at the discretion of the Chairman, to consult these legislative entities during the legislative oversight study and investigation process.

10.4.7 Information provided by other state entities may be **published** on the Committee’s website as an additional location for the Committee, House Members and public to obtain the information.

**Comments submitted via email or other correspondence (provided to agency upon request)**

10.4.8 Concerns and comments may be provided by the public, House Members and staff, or other state entities via email, letter or other written form ("correspondence"). ~~When such comments are provided directly to the Committee or forwarded to the Committee,~~ The Committee will make efforts to communicate to the ~~send to the remitter~~ correspondence which states (1) the agency, about which the comments relate, may request copies of the correspondence; (2) the Committee cannot control how the agency utilizes the information; and (3) the remitter has the option to: submit revised correspondence, request to withdraw the correspondence, or ~~request that the correspondence not reference a source.~~ Unless specifically requested by the remitter, ~~Any~~ correspondence not referencing a source will be considered to come from an anonymous constituent. The Committee will consider any correspondence, for which it does not receive a reply from the remitter within ten business days, to be approved by the remitter, ~~in the form as submitted,~~ for submission to the agency with the remitter's name and contact information redacted, should the agency request any correspondence the Committee has received relating to it.

10.4.9 The Committee Chairman, at his discretion, may determine the form in which the agency must submit the request for correspondence the Committee has received from the public, House Members and staff, or other state entities. The Committee Chairman, at his discretion, may also determine when and to whom at the agency the correspondence is published.

**Comments obtained in person or over the phone (provided to agency upon request)**

10.4.10 Committee staff may take notes for use in conducting a study of an agency. Prior to taking any notes that reflect the comments of an individual, staff will make efforts to inform that individual notes are being taken and of the individual's options relating to staff notes. An individual has the option to review staff notes from the individual's conversation with staff and after review: submit revisions to comments or, request to withdraw comments, ~~or request that the staff notes not reference a source.~~ Unless specifically requested by the person providing the information, ~~Any~~ staff notes not referencing a source will be considered to come from an anonymous constituent.

10.4.11 The Committee Chairman, at his discretion, may determine when and to whom staff notes are disseminated or published.

## **11. STAFF SUMMARIES, OVERSIGHT STUDIES, & AGENCY RESPONSES**

In recognizing the importance of fairness in the legislative oversight process, reasonable efforts are made for each legislative oversight study and investigation ~~shall to~~ begin the same way. After the Committee Staff obtains and reviews relevant information the staff will ~~create studies and~~ communicate further with the agency, periodically share summaries of agency information with the Committee and may create a staff study of the agency.

**Agency Information Summaries and/or Agency Oversight Study prepared by Staff**

11.1 Committee staff shall compile and review all relevant information obtained, ~~and periodically prepare an oversight study summarizing summaries of this information, and may draft an oversight study of the agency.~~

11.2 In preparing ~~the~~ a summary or an oversight study, Committee staff may make recommendations based upon its review of the information.

11.3 Committee staff may provide the agency under investigation a draft version of the Committee staff's summary or oversight study.

11.4 Committee staff shall provide the agency under investigation with a copy of ~~the~~ any final oversight study prepared by Committee staff.

**Agency Response to any final Agency Oversight Study prepared by Committee Staff**

11.5 The agency shall have ten business days to respond to ~~the~~ any final oversight study prepared by Committee staff.

11.6 An agency may request an extension to respond to ~~the~~ any final Committee staff report. The request must be in writing and provide good cause as to why the extension is needed. Upon receipt of the written request, the Chairman, at his discretion, may grant an extension. However, the extension may be no longer than five additional business days.

11.7 An agency is not required to provide a response to ~~the~~ any final Committee staff oversight study.

11.8 Any response provided by an agency shall be attached to ~~the~~ any final oversight study prepared by Committee staff.

**Final Agency Oversight Study prepared by Committee Staff & Responses Provided to Subcommittee or Ad Hoc Committee**

11.9 A copy of the Committee staff's final oversight study, if there is one, and an agency response to this study, if there is one, shall be provided to:

11.9.1 the appropriate subcommittee or ad hoc committee and

11.9.2 the Members of any legislative standing committees in the House that may share subject matter jurisdiction over the agency.

11.10 The agency will receive notice that a copy of the Committee staff's final oversight study, if there is one, and the agency's response, if there is one, has been provided to the appropriate subcommittee, ad hoc committee, and any legislative standing committees in the House that may share subject matter jurisdiction over an agency.

11.10.1 The Committee staff's final study, if there is one, and the agency's response, if there is one, shall be published online.

## **12. SUBCOMMITTEE AND AD HOC COMMITTEE REVIEW, ADDITIONAL INVESTIGATION, & APPROVAL**

### **Determine Other Investigative Tools to Utilize Resources and Partners**

The Committee recognizes that Section 2-2-50 allows evidence or information related to a study and investigation to be acquired by any lawful means. Further, the Committee recognizes that Section 2-2-70 requires all testimony given to the Committee to be under oath, and anyone knowingly furnishing false information will be subject to the penalties provided by law.

12.1 After receiving summaries from Committee staff<sup>s</sup> or a staff oversight study, if there is one, and an agency response to the study, if there is one, the subcommittee or ad hoc committee assigned to study and investigate an agency shall review the oversight study and response information and determine what other tools investigative resources or partners, if any, of legislative oversight should be utilized in studying and investigating the agency.

12.2 Other ~~tools~~ investigative resources or partners of legislative oversight include:

12.2.1 Requesting the Legislative Audit Council to study the agency's Program Evaluation Report, after obtaining prior approval from the Committee Chairman, pursuant to 2-2-60(D) and Committee Rule 7.6;

12.2.2 Requesting the Legislative Audit Council perform its own audit of the agency or program, after obtaining prior approval from the Committee Chairman, pursuant to 2-2-60(D) and Committee Rule 7.6;

12.2.3 Referring allegations of fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, and wrongdoing in an executive branch agency to the State Inspector General and/or appropriate law enforcement agenc(ies);

~~12.2.3~~ 12.2.4 Deposing witnesses pursuant to Section 2-2-50(B) and Committee Rule 7.2;

~~12.2.4~~ 12.2.5 Issuing subpoenas and subpoenas duces tecum (production of documents) pursuant to Section 2-2-50(C) and Committee Rule 7.2; ~~and~~

~~12.2.5~~ 12.2.6 Having a public hearing pursuant to Committee Rule 7.3 and Committee Rule 7.5; and

12.2.7 Affirmatively approving recommendations that may have been made by the Members of the subcommittee or ad hoc committee in a prior General Assembly.

### ***Approve, Add Written Statements & Refer to Full Committee***

12.3 A subcommittee or ad hoc committee shall approve an oversight study for the full Committee.

12.3.1 A copy of the subcommittee or ad hoc committee study shall be provided to:

(a) the appropriate subcommittee or ad hoc committee and

(b) the Members of any legislative standing committees in the House that may share subject matter jurisdiction over the agency.

12.4 Any member of the subcommittee or ad hoc committee assigned to study and investigate the agency may provide a written statement for inclusion with the oversight study for the full committee.

12.5 The subcommittee or ad hoc committee chairman shall notify the Committee Chairman in writing that an oversight study is available for consideration by the full Committee.

12.5.1 The subcommittee or ad hoc committee study shall be published online.

***Address Any Allegations of Violations of Contempt of the General Assembly (S.C. Code of Laws §2-2-100)***

12.6 Any subcommittee member may make a motion alleging an individual may have violated S.C. Code of Laws §2-2-100 (contempt of the General Assembly) and requesting that the full Committee undertake an inquiry to determine whether to refer the matter to the Attorney General. The current text of this statute is provided below.

Any person who appears before a committee or subcommittee of either house, pursuant to this chapter, and wilfully gives false, materially misleading, or materially incomplete testimony under oath is guilty of contempt of the General Assembly. A person who is convicted of or pleads guilty to contempt of the General Assembly is guilty of a felony and, upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both.

12.7 If this motion passes, the subcommittee chair shall provide written notification of the subcommittee's request to the Chairman.

12.7.1 The study of the agency continues, unless the subcommittee approves a motion to the contrary.

12.8 If a motion fails, the agency study continues.

***Address Any Allegations of Violations of Criminal Contempt of the General Assembly (S.C. Code of Laws §2-2-120)***

12.9 Any subcommittee member may make a motion alleging an individual may have violated S.C. Code of Laws §2-2-120 (criminal contempt of the General Assembly) and requesting that the full Committee undertake an inquiry to determine whether to refer the matter to the Attorney General. The current text of this statute is provided below.

A person is guilty of criminal contempt when, having been duly subpoenaed to attend as a witness before either house of the legislature or before any committee thereof, he:

- (1) fails or refuses to attend without lawful excuse; or
- (2) refuses to be sworn; or
- (3) refuses to answer any material and proper question; or
- (4) refuses, after reasonable notice, to produce books, papers, or documents in his possession or under his

control which constitute material and proper evidence.

A person who is convicted of or pleads guilty to criminal contempt is guilty of a felony and, upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both.

12.10 If a motion passes, the Subcommittee chair shall provide written notification to the Chairman of the Subcommittee's request.

12.10.1 The study of the agency continues, unless the subcommittee approves a motion to the contrary.

12.11 If a motion fails, the agency study continues.

### ***13. FULL COMMITTEE REVIEW & REFERRAL, APPROVAL OR FURTHER INVESTIGATION***

#### ***Schedule a Full Committee Meeting***

13.1 The Committee Chairman shall schedule a full Committee meeting for the purpose of receiving an oversight study of an agency from a subcommittee or ad hoc committee.

#### ***Options for Handling the Oversight Study***

13.2 The full Committee may:

13.2.1 Refer a legislative oversight study and investigation back to a subcommittee or an ad hoc committee for further evaluation;

13.2.2 Approve the subcommittee or ad hoc committee's report; or

13.2.3 As the full Committee, choose to further evaluate an agency utilizing any of the available tools of legislative oversight discussed in Standard Practice 12.2, Committee Rule 7.4, Committee Rule 7.5, and Committee Rule 7.6.

#### ***Approve, Add Written Statements & Publish Final-Approved Full Committee Oversight Study***

13.3 The full Committee shall approve a ~~final-oversight study~~ full committee study. This full Committee study does not conclude the study of the agency. The agency remains under study, should additional issues arise, until the end of the seven-year cycle.

13.4 Any member of the Committee may provide a written statement for inclusion with the ~~final~~ full committee study.

13.5 The full Committee's ~~final~~-oversight study shall be published online.

13.6 The agency will receive a copy of the full Committee's ~~final~~-oversight study.

#### ***If follow up with an Agency is requested after approval of a Full Committee Study***

13.7 After the approval of a full committee oversight study, a committee member may make a motion, during a full committee meeting, to request agency representatives attend a full or

subcommittee meeting for the purpose of obtaining additional information about the operation of the agency and/or submitting supplemental recommendations.

***Address Any Allegation(s) of Violation(s) of Contempt of the General Assembly (S.C. Code of Laws §2-2-100) or Criminal Contempt of the General Assembly (S.C. Code of Laws §2-2-120)***

13.7 Upon receipt of notification of a subcommittee's request that the full Committee undertake an inquiry as to whether to refer a matter to the Attorney General on the basis that a violation of contempt of the General Assembly (S.C. Code of Law §2-2-100) or criminal contempt of the General Assembly (S.C. Code of Law §2-2-120) may have occurred, the Committee Chairman shall bring the matter before the full Committee.

13.8 When the full Committee takes up the requested inquiry, it may decide whether or not it will refer the matter to the Attorney General to address in an appropriate manner as determined by the Attorney General.

#### **14. POST REVIEW PROCESS**

##### ***Briefings***

14.1 The Committee shall offer at least one briefing to Members of the House about the contents of a final oversight study approved by the Committee.

14.2 The Committee Chairman, at his discretion, may provide briefings to the public about the contents of a final oversight study approved by the Committee.

##### ***Legislation to Implement Recommendations***

14.3 The Committee recognizes that any Member of the House may file legislation to implement any recommendation.

##### ***Post Review Assessments Developed by Committee***

14.4 The Committee shall develop post review assessments in order to receive feedback from various participants on ways to improve the legislative oversight study and investigation process.

## *Appendix F. February 15, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - August 19, 2016 - Meeting minutes
  - Study timeline - Treasurer's Office
  - Committee contact information
- Letter from Oversight Subcommittee to State Election Commission (February 21, 2017)
  - The Executive Subcommittee sent this letter as a follow up to the February 15, 2017 Subcommittee meeting. This letter requests information on the following topics: (1) voter fraud; and (2) local v. state responsibilities.
- Letter from State Election Commission to Oversight Subcommittee (March 3, 2017)
  - The State Election Commission provides information in response to the Subcommittee's February 21, 2017 letter: (1) voter fraud; (2) state v. local election official responsibilities; (3) local election official governing bodies; (4) local election official training; (5) common complaints from the public and if the situations may arise from human issues; equipment/mechanical issues; or current laws



**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Wednesday, February 15, 2017***

***9:00 am***

***Room 110, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Minutes from the August 19, 2017 Subcommittee Meeting**
- II. Member Work Session, including, but not limited to, discussion of the studies of the Treasurer's Office and Election Commission**
- III. Adjournment**

Chairman Wm. Weston J. Newton

*First Vice-Chair:*  
Laurie Slade Funderburk

## Legislative Oversight Committee

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Gary E. Clary  
Kirkman Finlay III  
Joseph H. Jefferson Jr.  
Walton J. McLeod  
Joshua Putnam  
Samuel Rivers Jr.  
Tommy M. Stringer  
Bill Taylor



South Carolina House of Representatives

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Raye Felder  
Phyllis J. Henderson  
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*Auditor/Research Analyst*

### Executive Subcommittee

Friday, August 19<sup>th</sup>, 2016

Blatt Room 110

### Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

### Attendance

- I. The Executive Subcommittee meeting was called to order by Representative Funderburk, on the afternoon of Friday, August 19<sup>th</sup>, 2016, in Room 110 of the Blatt Building. The following members of the Subcommittee were present: Representative Funderburk, Representative Weston Newton, and Representative Robert Williams.

### Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not

have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.

- II. Representative Funderburk moved to approve the minutes from the July 12<sup>th</sup>, 2016 Subcommittee meeting.

Rep. Funderburk's motion to approve the minutes from July 12 <sup>th</sup> , 2016:	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		
Rep. Putnam			NP

#### Discussion of the Executive Subcommittee

- I. Representative Funderburk opened the floor for subcommittee members to ask questions of the agency. Members asked questions about topics including, but not limited to, the following:
- Tuition pre-payment program;
  - Whether the agency had suggestions for changes in law;
  - Agency's conversion to the South Carolina Enterprise Information System (SCEIS);
  - Audit policies;
  - 2008-09 recession;
  - Agency personnel responsible for reviewing and assessing the agency's investment performance;
  - Utilization of S.M.A.R.T. in the agency's strategic plan;
  - Asset allocation; and
  - Securities lending, including whether notification about gains and losses is provided to colleges, universities, and other agencies.
- II. Multiple motions related to the Treasurer's Office were made at the meeting. The motions and vote tallies are as follows:

Rep. Newton's motion that the Subcommittee Study include a recommendation that during the Subcommittee's study of the Attorney General's Office, the Subcommittee discuss the process related to approval of litigation retention agreements as well as approval of settlement agreements.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		
Rep. Putnam			NP

Rep. Newton's motion that the Subcommittee Study include a recommendation that the General Assembly and Treasurer's Office work to ensure the focus, duties, and roles of the Office are clearly defined for the public, agencies, and all entities with whom the Office interacts.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams		✓	
Rep. Putnam			NP

Rep. Newton's motion that the Subcommittee Study include a recommendation that the Treasurer's Office create a plan to address employee retention and the Subcommittee follow up with the Treasurer's Office's on this issue in 2017.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		
Rep. Putnam			NP

Rep. Newton's motion that staff begin drafting a Subcommittee report based on the recommendations adopted.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		
Rep. Putnam			NP

III. The meeting was adjourned.

- March 2015 - Agency submits its Annual Restructuring and Seven-Year Plan Report, which is available online
- April 14, 2015 - **Full committee votes to make the Treasurer's Office the next agency for the Executive Subcommittee to study.** Video of the meeting is available online
- July 27, 2015 - Agency submits its **Program Evaluation Report**, which is available online.
- September 1 - 31, 2015 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- September 10, 2015 - Subcommittee has its **entry meeting** with the agency.
- January 12, 2016 - Agency submits its **2016 Annual Restructuring Report**, which is available online.
- February 22, 2016 - Agency is provided a copy of the final Staff Study.
- March 5, 2016 - Agency provides its response to the final Staff Study.
  - **Final Staff Study and agency response** provided to Subcommittee, all House Members and made available online.
- March 17, 2016 - **Subcommittee Meeting #1** with agency to discuss the agency's history, mission, vision, strategic plan, and allocation of resources.
- April 14, 2016 - **Subcommittee Meeting #2** with the agency to allow public input. Agency also presented information on its partners and select performance measures.
- August 19, 2016 - **Subcommittee Meeting #3** with the agency to recap information provided and discuss subcommittee recommendations.
- February 15, 2017 - **Subcommittee Meeting #4** (Today's meeting) with Subcommittee members to discuss status of study and any additional questions or recommendations prior to closing the study.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



**South Carolina House of Representatives**

*William K. (Bill) Bowers  
Neal Collins  
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William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
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*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

*Cathy A. Greer  
Administration Coordinator*

February 21, 2017

### VIA EMAIL and U.S. MAIL

Director Marci Andino  
State Election Commission  
Post Office Box 5987  
Columbia, South Carolina 29250

Dear Director Andino:

The Executive Subcommittee met for a work session on February 15, 2017. Listed below are questions as a follow up to the meeting, as well as the status of the study.

### Information Requested

Please provide the following information by Friday, March 3, 2017.

#### *Voter Fraud*

- Have there ever been any verified cases of voter fraud in South Carolina?
- What actions does the state take to try and prevent voter fraud?
- How does the state investigate allegations of voter fraud?
- How does the state address circumstances of voter fraud, when it is found to have occurred? If it has never been found to have occurred, what would the state do to address the situation if found in the future?



### *Local v. State Responsibilities*

- Please provide a side by side bulleted list of which aspects of elections are the responsibility of the State Election Commission v. Local Election Officials.
- Please explain who serves as the governing body over the local election officials and if there are any differences among them.
- Please provide a list of the training local election officials are required to complete. Please note if any of the training is required on a regular basis (e.g., annually, before each election, etc.).
- What steps are taken to ensure local officials obtain this training?
- Please provide a table which includes the following: (1) under the first column, a list of common complaints received from the public regarding the election process; (2) under the second column, human issues, if any, that may cause the situation from which each of the common complaints arise; (3) under the third column, equipment or mechanical issues, if any, that may cause the situation from which each of the common complaints arise; and (4) under the fourth column, current laws, if any, that may cause the situation from which each of the common complaints arise.

In your responses to these questions, please provide the subcommittee with any relevant, necessary context information. If the agency has any concerns about the format yielding answers that do not provide an accurate reflection of the agency, please express those concerns prior to responding to the question, in a written letter with a copy to staff for the subcommittee. Please retain your working papers for these responses in the event the subcommittee would like to view those. As a reminder, responses to the questions above, as well as responses to any other requests, are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

### Status of Study

The following bullets briefly summarize the status of the study. This information is based on actions of the committee and agency actions, which were communicated to Committee staff. Please send a letter or email to Committee staff if the agency believes any of the information below is incorrect.

- Agency was notified it is under study
- Public survey was opened
- Agency notified its employees that the agency is under study and a public survey is open
- Agency received the Program Evaluation Report guidelines

### Next Steps

The next steps in the study are listed below.

- Public input meeting on Thursday, March 9, 2017 at 1:00pm in Room 110, Blatt Building
- Public survey closes on Monday, March 13, 2017
- Program Evaluation Report is due on Friday, March 31, 2017
- Subcommittee meetings with the agency begin in April 2017

To assist in the scheduling of Subcommittee meetings, **please provide all dates the agency is unavailable to meet during April through June, 2017.** Please note, members of the Executive Subcommittee expect the agency head to attend subcommittee and full committee meetings involving the agency.

The subcommittee looks forward to working collaboratively with the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

Signature Redacted

Gary E. Clary  
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams

March 3, 2017

The Honorable Gary E. Clary, Chairperson  
 Executive Subcommittee  
 Legislative Oversight Committee  
 South Carolina House of Representatives  
 P.O. Box 11867  
 Columbia, S.C. 29211

Dear Representative Clary:

The South Carolina State Election Commission (SEC) has received the Subcommittee's request for information in reference to the Legislative Oversight Committee's study of the agency. Included with this letter are the responses to the questions posed.

#### Voter Fraud

- Have there ever been any verified cases of voter fraud in South Carolina?
- What actions does the state take to try and prevent voter fraud?
- How does the state investigate allegations of voter fraud?
- How does the state address circumstances of voter fraud, when it is found to have occurred? If it has never been found to have occurred, what would the state do to address the situation if found in the future?
  - Please see Attachment A.

COMMISSIONERS --  
 BILLY WAY, JR.  
 Chairperson  
 MARK A. BENSON  
 MARILYN BOWERS  
 E. ALLEN DAWSON  
 NICOLE SPAIN WHITE

#### Local v. State Responsibilities

- Please provide a side by side bulleted list of which aspects of elections are the responsibility of the State Election Commission v. Local Election Officials.
  - Please see Attachment B.
- Please explain who serves as the governing body over the local election officials and if there are any differences among them.
  - Please see Attachment C.
- Please provide a list of the training local election officials are required to complete. Please note if any of the training is required on a regular basis (e.g. annually, before each election, etc.)
  - Please see Attachment D.
- What steps are taken to ensure local officials obtain this training?
  - Please see Attachment E.
- Please provide a table which includes the following: (1) under the first column, a list of common complaints received from the public regarding the election process; (2) under the second column human issues, if any that may cause the situation from which each of the common complaints arise; (3) under

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 Executive Director

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 Columbia, SC 29250

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the third column, equipment or mechanical issues, if any, that may cause the situation from which each of the common complaints arise; and (4) under the forth column, current laws, if any, that may cause the situation from which each of the common complaints arise.

- Please see Attachment F.

Should the Subcommittee have any additional questions, regarding this matter, please contact this office.

Sincerely,

Signature Redacted

Marci Andino  
Executive Director

## Attachment A

### Voter Fraud

- Have there ever been any verified cases of voter fraud in South Carolina?
  - The State Election Commission does not have the authority to investigate or prosecute alleged voter fraud. Voter fraud is investigated by law enforcement and prosecuted by Solicitors. As a result, the State Election Commission is not necessarily aware of all verified cases of voter fraud in the state. While the State Election Commission is aware of some isolated cases of election crimes, the best source of comprehensive information on these cases are the offices that investigate and prosecute these alleged crimes. While the agency has no comprehensive information about all cases of voter fraud, the known cases seem to indicate that voter fraud is not a significant or widespread problem in South Carolina.
- What actions does the state take to try and prevent voter fraud?
  - The State Election Commission takes voter fraud very seriously and has implemented numerous actions to ensure that everyone eligible to vote has the opportunity to vote, and to ensure those who are not eligible to vote do not vote.
    - Voter Registration
      - Voters must be registered to vote. In applying for voter registration, voters swear under penalty of law that they are qualified. Voters who register by mail must provide proof of identity before voting for the first time. Voters who register online are verified through a crosscheck with Department of Motor Vehicles records.
    - Absentee Voting
      - Voters are required to request an application for absentee voting for each election. Voters sign the application. Voters who are mailed a ballot must also sign the ballot envelope and have it witnessed. Original voter signatures are kept on file at each county voter registration and elections office. Voters who vote absentee in person are required to show one of five qualified Photo IDs before voting.
    - Voting at the Polls
      - Voter registration lists and procedures ensure voters are registered before voting. Voters are required to show one of five qualified Photo IDs before voting. An exception for voters who have a reasonable impediment to obtaining a Photo ID allows these voters to vote after signing an affidavit attesting to their identity and impediment. Voters are required to sign a poll list before voting.

- Training
  - County boards of registration and elections are trained in the proper procedures for conducting voter registration and elections. Election-specific training is conducted prior to every statewide election.
  - Poll Workers are trained by county election officials prior to every election using a training program approved by the State Election Commission.
  - Voters are educated and informed on the proper procedures for registering to vote and voting.
  - SEC conducts a monthly training and information sharing session with county directors.
- Election Infrastructure Security
  - The agency takes all reasonable measures to secure the state's election infrastructure.
  - The SEC works with the Department of Administration, the State Law Enforcement Division, the S.C. National Guard, the U.S. Department of Homeland Security, the Federal Bureau of Investigation, and private vendors to ensure the physical and cyber security of the state's election infrastructure.
  - Voter Registration System contains numerous security elements and features to include the use of Two-Factor Authentication for system user access.
  - Voting System equipment is not connected to the internet.
- How does the state investigate allegations of voter fraud?
  - The State Election Commission does not have the authority to investigate voter fraud. The SEC provides any evidence of voter fraud to the State Law Enforcement Division. However, allegations of voter fraud typically occur at the county level. The SEC instructs county boards of registration and elections to provide any evidence of voter fraud to local law enforcement or Solicitors. The SEC instructs members of the public to provide any allegation or evidence of voter fraud to local law enforcement.
- How does the state address circumstances of voter fraud, when it is found to have occurred? If it has never been found to have occurred, what would the state do to address the situation if found in the future?
  - If the SEC is notified of instances of voter fraud by the results of prosecution, the SEC conducts assessments of state and county operations to identify areas and processes that may need revision.

## ATTACHMENT B

### Election Official Responsibilities

State Election Officials	County Boards of Voter Registration and Elections
Supervise the conduct of county boards of voter registration and elections.	
Conduct reviews, audits or other post-election analysis of county boards to ensure compliance.	
Maintain the statewide voter registration database and provide access to county boards.	Add new registrations and make changes to existing registrations. Determine assignment of proper precinct and election districts.
Remove name of any elector who is no longer qualified to vote and notify electors.	
Furnish voter registration lists to county boards for all elections.	
Procure, lease and contract for use of equipment and services used by agency.	
Furnish at a reasonable price lists of voters to any qualified elector.	
Serve as chief state election official for implementing Federal Acts.	
Publish on agency website changes to voting procedures enacted by state or local governments.	
Administer training and certification program for county and municipal election officials.	
Report noncompliant county board members to legislative delegations and Governor.	
Recommend corrective action plans for non-compliant County Board members.	
	Conduct voter registration and notify applicant of disposition of application.
	Hold hearings when the legal qualifications of a voter are challenged.
Furnish registration forms and other election materials to county boards.	
Coordinate a registration program with state agencies designated to conduct voter registration activities under the National Voter Registration Act.	Process applications received from agencies designated to conduct voter registration activities under the National Voter Registration Act.
Maintain a record of voter participation for all elections.	

State Election Officials	County Boards of Voter Registration and Elections
	Determine polling places/alternative polling places.
	Perform reassignment of precincts and/or reapportionment when precincts and/or district lines are changed.
Certify/decertify political parties.	
Provide a candidate filing and tracking system for use by county boards and the public.	
Conduct candidate filing for statewide offices, Congressional, and Solicitor.	Conduct candidate filing for State Senate, State House, countywide and less than countywide offices.
Provide petition forms.	
Receive petitions for new political parties.	Check petitions for new political parties.
	Check all petition forms.
Receive petitions for candidates wishing to run for statewide offices, Congressional, and Solicitor/determine candidate qualifications.	Receive petitions for candidates wishing to run for State Senate, State House, countywide and less than countywide offices/determine candidate qualifications.
Provide a system for candidate filing.	
Determine if a candidate for statewide or multicounty office has withdrawn for a legitimate nonpolitical reason.	Determine if a candidate for countywide or less than countywide office has withdrawn for a legitimate nonpolitical reason.
Train/advise county boards in conducting primaries.	Conduct primaries and runoffs.
Train/advise county boards in conducting general and special elections.	Conduct general and special elections.
Train/advise county boards in conducting municipal elections.	Conduct municipal elections (duties vary depending on agreement with municipality).
Provide poll manager training materials: handbook, PowerPoint and online training management system.	Recruit and train poll managers. Determine number of poll managers to be used in an election.
Support statewide voting system by determining ballot standards and providing election databases used to produce electronic and paper ballots for primaries and elections.	Establish election definitions following ballot standards for an upcoming election. Eight counties create own their own election databases for primaries and elections. Prepare voting system for use in elections.
Certify and approve voting systems for use in South Carolina. Decertify voting systems that no longer meet the requirements of Title 7.	
Select statewide voting system.	
	Conduct provisional ballot hearings.
	Determine number of voting machines to be assigned to each precinct.



State Election Officials	County Boards of Voter Registration and Elections
	Secure and maintain voting system to include voting machines and equipment.
Provide absentee voting system for use by county boards.	Conduct absentee voting/track absentee voter participation.
Provide electronic ballot delivery system for military and overseas citizens.	Receive/duplicate ballots received from military and overseas citizens by electronic means.
	Determine absentee voting locations.
Canvass votes for multicounty offices.	Canvass votes cast in county.
Conduct pre-certification audit of tabulated results for statewide and county wide elections. Other election audits are preformed upon request.	Submit pre-certification audit files to SEC.
Certify results of multicounty offices.	Certify votes cast in county.
Conduct post-certification audit of tabulated results for statewide and county wide elections. Other election audits are preformed upon request.	Submit post-certification audit files to SEC.
Order mandatory recounts for statewide or multicounty offices.	Order mandatory recounts for countywide and less than countywide offices.
Conduct protest hearings for statewide or multicounty offices.	Conduct protest hearings for countywide and less than countywide offices.
Conduct appeal hearings for countywide and less than countywide offices.	
	Conduct mandatory recounts; canvass and certify.
Report election winners to Secretary of State's Office.	
Conduct voter education and outreach program to educate the public about voter registration, elections and changes in election law.	Conduct voter education and outreach program to educate the public about voter registration, elections and changes in election law.
Complete Federal surveys following statewide elections.	

## ATTACHMENT C

### County Boards of Registration and Elections

**SECTION 7-5-10.** Appointment of board members; previous offices abolished; training and certification requirements.

(A)(1) The Governor shall appoint, upon the recommendation of the legislative delegation of the counties, competent and discreet persons in each county, who are qualified electors of that county and who must be known as the "Board of Voter Registration and Elections of \_\_\_\_\_ County". The total number of members on the board must not be less than five nor more than nine persons. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution: "I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God."

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member's initial appointment or his reappointment following a break in service, or within eighteen months after a staff person's initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

(3) Following completion of the training and certification program required in item (1), each

board member, and each staff person designated by the board or commission, must take at least one training course each year.

## **ATTACHMENT D**

### **Local Election Official Training Required**

County voter registration and elections board members, county directors and staff are required to complete a training and certification program administered by the State Election Commission.

Training requirements are as follows:

- County voter registration and elections board members (6 classes)
  - Two core components
  - Two election electives
  - Two professional development electives
  - One continuing education component each calendar year
- County directors (11 classes)
  - Four core components
  - Three management/leadership components
  - Two election electives
  - Two professional development electives
  - Two continuing education components each calendar year
- County staff (7 classes)
  - Three core components
  - Two election electives
  - Two professional development electives
  - One continuing education component each calendar year

## ATTACHMENT E

### Steps to Ensure Local Officials Obtain Training

County voter registration and elections board members must complete the training and certification program within 18 months of their appointment. Once certification is obtained, county board members must complete one training component or attend the South Carolina Association of Registration and Election Officials conference each year.

Board members who are not compliant with the training and certification program requirements are:

- Not provided with a stipend unless a written request detailing an extenuating circumstance is approved by the legislative delegation. (Proviso 101.7 (Training and Certification Program), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission)).
- Reported to the Governor's Office each quarter for removal unless the Governor grants the member an extension to complete the training and certification program based on extenuating circumstances. (SC Code Ann. § 7-5-10 (D)(2)).
- Reported to the legislative delegation. (Proviso 101.7 (Training and Certification Program), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission)).

The SEC takes the following steps to ensure local officials have the opportunity to receive training:

- Carefully evaluates participant needs to offer a sufficient number of each type of class to ensure all participants have the opportunity to become certified within the requisite time period and to remain certified during the course of their service. This results in approximately 30 – 35 classes being offered each year.
- Offers Saturday classes.
- Provides training in various regional locations throughout the state.
- Provides a Training Management System which allows board members, directors, and staff to:
  - Register for classes.
  - Make online payments for classes.
  - Track certification progress.

## ATTACHMENT F

### Common Complaints from the Public

The following is a list of some common complaints the State Election Commission receives. Most complaints are received around the time of statewide elections. Most of the complaints listed here are not common but are recurring.

Complaint	Human issues, if any, that may cause situation	Equipment or mechanical issues, if any, that may cause situation	Current laws, if any that may cause situation
Long lines at polling places	<ul style="list-style-type: none"> <li>• Large numbers of voters arriving at the same time</li> <li>• Large numbers of voters with voter registration issues</li> <li>• Failure to use problem resolution table and other queue management techniques</li> <li>• Inefficient polling place arrangement</li> <li>• Inexperienced or poorly trained poll managers</li> </ul>	<ul style="list-style-type: none"> <li>• Insufficient number of voting machines</li> <li>• Voting machine or equipment failure</li> <li>• Failure to use electronic poll books</li> <li>• Insufficient number of electronic poll books</li> <li>• Electronic poll books not working</li> </ul>	
Voting machines not working	<ul style="list-style-type: none"> <li>• Failure to properly prepare or maintain voting machines</li> </ul>	<ul style="list-style-type: none"> <li>• Voting machine screen or other component failures</li> </ul>	

Complaint	Human issues, if any, that may cause situation	Equipment or mechanical issues, if any, that may cause situation	Current laws, if any that may cause situation
Not registered in time for election	<ul style="list-style-type: none"> <li>• Voters fail to ensure they are properly registered prior to deadline</li> <li>• Voters don't understand the proper procedure for updating voter registration address. For example, voter believes an address update with the U.S. Postal Service serves as a voter registration update.</li> </ul>		<ul style="list-style-type: none"> <li>• 7-5-150. Closing registration books; registration of person coming of age while books closed.</li> </ul>
Can't vote in both the Republican and Democratic Primaries	<ul style="list-style-type: none"> <li>• Voter does not understand prohibition in state law</li> </ul>		<ul style="list-style-type: none"> <li>• 7-13-1040. No person to vote in more than one primary on the same day.</li> </ul>
Lack of early voting			<ul style="list-style-type: none"> <li>• 7-15-320. Persons qualified to vote by absentee ballot.</li> </ul>
Inability to write in candidate for President and Vice president			<ul style="list-style-type: none"> <li>• 7-13-360. Place on ballot for write-in names.</li> </ul>
Claims of "vote flipping"	<ul style="list-style-type: none"> <li>• Voter touches screen improperly causing an unintended selection</li> </ul>	<ul style="list-style-type: none"> <li>• Voting machine touchscreens in need of calibration could cause a touch close to the edge of one selection area to register as a selection for an adjacent area</li> </ul>	



Complaint	Human issues, if any, that may cause situation	Equipment or mechanical issues, if any, that may cause situation	Current laws, if any that may cause situation
Candidates/candidate representatives campaigning at polls			<ul style="list-style-type: none"> <li>• 7-25-180. Unlawful distribution of campaign literature.</li> </ul>
Not enough absentee hours or locations	<ul style="list-style-type: none"> <li>• County board does not provide additional absentee hours or locations requiring in-person absentee voting to take place only during regular business hours at the county office.</li> </ul>		
Voting system does not produce a voter-verified paper record		<ul style="list-style-type: none"> <li>• Current voting system does not produce a voter-verified paper record</li> </ul>	
Elected officials/candidates are not residents of the county/district/municipality they represent/seek to represent in elected office	<ul style="list-style-type: none"> <li>• Candidates being registered to vote where they do not reside</li> <li>• Lack of understanding by the complainant of the definition of residency for voter registration purposes</li> </ul>		<ul style="list-style-type: none"> <li>• 7-1-25. "Domicile" defined.</li> <li>• 7-5-230. Legal qualifications; challenges, proof of residency or domicile; appeals.</li> </ul>
Emergency responders unable to transmit ballot electronically when called to remote locations on short notice before an election			<ul style="list-style-type: none"> <li>• 7-15-690. Duty of State Election Commission; regulations.</li> </ul>

## *Appendix G. March 9, 2017 Meeting Information*

### Appendix Includes:

- Statewide media release inviting the public to provide testimony about six agencies under study (February 16, 2017)
  - Meeting packet
    - Revised agenda
    - March 2, 2017 - Meeting minutes
    - Law Enforcement Training Council and Criminal Justice Academy
      - Mission, full time equivalent employee (FTE) overview, 2016 General Appropriations Act
      - Public survey responses received to date
    - Human Affairs Commission
      - Mission, FTE overview, 2016 General Appropriations Act
      - Public survey responses received to date
    - State Election Commission
      - Mission, FTE overview, 2016 General Appropriations Act
      - Public survey responses received to date
  - Documents provided by agency after meeting
    - File materials relating to a county boundary and school board election dispute (provided by agency on March 13, 2017)\*
    - Additional materials relating to a county boundary and school board election dispute\*
- \*Orders included are under appeal at the South Carolina Court of Appeals and/or Supreme Court.

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

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*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

### **MEDIA RELEASE**

February 16, 2017  
For Immediate Release

Contact: Chairman Weston Newton  
Email: [WestonNewton@schouse.gov](mailto:WestonNewton@schouse.gov)

**INVITATION FOR PUBLIC TESTIMONY ABOUT THE DEPARTMENT OF ARCHIVES AND HISTORY, DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, STATE ELECTION COMMISSION, HUMAN AFFAIRS COMMISSION, JOHN DE LA HOWE SCHOOL, AND LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY AT A HOUSE LEGISLATIVE OVERSIGHT COMMITTEE MEETING**

Columbia, SC - The House Legislative Oversight Committee is currently conducting oversight studies on twelve (12) state agencies. The Committee has meetings on the dates below for the purpose of receiving comments from the public about six of these agencies.

- Thursday, March 2, 2017 at 1:00 p.m. - Room 110, Blatt Building (Department of Archives and History, Department of Disabilities and Special Needs, and John de la Howe School)
- Thursday, March 9, 2017 at 1:00 p.m. - Room 110, Blatt Building (State Election Commission, Human Affairs Commission, and Law Enforcement Training Council and Criminal Justice Academy)

During this time, Speaker Jay Lucas and the South Carolina House of Representatives' Legislative Oversight Committee are pleased to invite the public to provide comments and recommendations about the agency. Individuals can sign up to speak by calling the House Legislative Oversight Committee at 803-212-6810, emailing the Committee at [hcommlegov@schouse.gov](mailto:hcommlegov@schouse.gov) or signing up in person a few minutes prior to the meeting.

These meetings provide the opportunity to have an individual member of the public's face and voice connected with the comments while speaking directly to the Subcommittee members. An ongoing opportunity, to provide input, is a public feedback link available on the Committee's website, which allows individuals to provide comments anonymously. A time-limited opportunity is an online public survey to provide comments anonymously, which is open for a month. It is the Committee's practice to publish responses to online surveys verbatim as received by the Committee. To view responses, go to [www.scstatehouse.gov](http://www.scstatehouse.gov), click on the "Citizens' Interest" tab on the top row, then on the "Agency Oversight by House Legislative Oversight Committee" link and finally click on the agency for which you would like to view responses from the public.

The Committee's vision is for South Carolina agencies to become, and continuously remain, the most effective state agencies in the country through processes which eliminate waste and efficiently deploy resources thereby creating greater confidence in state government. Comments from those citizens who choose to provide input are important to the Members of the House Legislative Oversight Committee because they may help direct the Committee to additional potential areas for improvement with these agencies.

The specific task of the House Legislative Oversight Committee is to conduct legislative oversight studies on state agencies over the course of seven years. The purpose of a legislative oversight study is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether or not they should be continued, curtailed or even eliminated. Also, the Committee recognizes that an oversight study serves the purpose of informing the public about an agency. Any legislator may file legislation, which will go through the normal legislative process, to implement recommendations this Committee may have relating to the agencies.

Suggestions for additional ways to inform the public about this meeting and the House Legislative Oversight Committee's process are welcomed.

###

South Carolina  
House of Representatives



Legislative Oversight Committee

*Thursday, March 9, 2017*

*1:00 p.m.*

*Blatt Building - Room 110*

*Pursuant to Committee Rule 4.9, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.*

**Revised AGENDA**

- I. Approval of minutes from March 2, 2017 meeting**
- II. Opportunity for Public Input about the Election Commission, Human Affairs Commission, and Law Enforcement Training Council and Criminal Justice Academy**

Individuals can sign up to testify by calling the House Legislative Oversight Committee at 803-212-6810, emailing the Committee at [hcommlegov@schouse.gov](mailto:hcommlegov@schouse.gov), or signing up in person a few minutes prior to the meeting. S.C. Code of Laws Section 2-2-70 provides that all testimony given to the investigating committee must be under oath.

An ongoing opportunity for public input is available on the Committee's website, which allows individuals to provide comments to the House Legislative Oversight Committee anonymously.

- III. Adjournment**

*Chair Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. (Katie) Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
James E. Smith Jr.  
Edward R. Tallon Sr.  
Robert Q. Williams*

**South Carolina House of Representatives**

*Jennifer L. Dobson  
Research Director*

**Post Office Box 11867**

**Columbia, South Carolina 29211**

**Telephone: (803) 212-6810 • Fax: (803) 212-6811**

**Room 228 Blatt Building**

*Charles L. Appleby IV  
Legal Counsel*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

*Cathy A. Greer  
Administration Coordinator*

### **Legislative Oversight Committee Meeting**

**Thursday, March 2, 2017**

**Blatt Building Room 110**

#### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

#### **Attendance**

- I. The House Legislative Oversight Committee was called to order by Vice Chair Laurie Slade Funderburk on Thursday, March 2, 2017, in Room 110 of the Blatt Building. All members of the Committee were present for all or a portion of the meeting, except: Representative Mandy Powers Norrell; Representative Todd Rutherford; Representative James E. Smith, Jr.; Representative Tommy M. Stringer; and Chair Wm. Weston J. Newton.

#### **Minutes**

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. Representative Jefferson moved to approve the minutes from the Committee's meeting on January 10, 2017, with a scrivener's error corrected by staff. A roll call vote was held, and the motion passed.

<b>Representative Jefferson's motion to approve the minutes from the January 10, 2017, meeting, with a scrivener's error corrected by staff:</b>	<b>Yea</b>	<b>Nay</b>	<b>Not Voting: Present</b>	<b>Not Voting: Absent</b>
Katherine E. Arrington	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins	✓			
MaryGail Douglas				✓
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Todd Rutherford				✓
James E. Smith, Jr.				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton				✓

### **Agency Introductions**

- I. Vice Chair Funderburk administered the oath to the agency heads who were present, who were: Dr. Beverly Buscemi (Director of the Department of Disabilities and Special Needs); Dr. Eric Emerson (Director of the Department of Archives and History); and Dr. Dan Webb (Director of the John de la Howe School).
- II. Director Emerson provided a brief background of the Department of Archives and History. Director Buscemi provided a brief overview of the Department of Disabilities and Special Needs (DDSN). Director Webb provided a brief overview of the John de la Howe School.

### **Public Testimony**

- I. Members of the public provided testimony about the agencies. Before giving any testimony, each person was administered an oath by Vice Chair Funderburk. Given below are the names of each person who testified and the time in the archived video

at which the testimony begins. The testimony is grouped below by the agency about which the testimony relates, instead of the order in which the individuals testified.

#### Department of Archives and History

##### **Rorey Cathcart (21:20)**

Ms. Cathcart is a genealogist from Charleston and the president of a national genealogical nonprofit. She testified the Department's central consolidation of records allows her to effective research records and draws attention from all of the world due to the Department's comprehensive and unique collection.

##### **Sue Eleazor (2:07:00)**

Ms. Eleazor testified the Department of Archives and History is at the heart of much of what she does. The Department's people, facilities and online resources make it easier to back up and document her work. When resources are cut, it is felt in almost every community, from genealogical chapters to historical societies. There have been fewer staff to help with conservation efforts and machines and equipment are often in need of repair. There needs to be better accountability for burial grounds around the state. A cutback of hours at research facilities has resulted in a tourism loss.

#### Department of Disabilities and Special Needs (DDSN)

##### **Rickey Bryant (24:05)**

Mr. Bryant testified about his experience having a daughter who was in DDSN's care, and that he did not know of his daughter's location for three months. He testified his daughter was over eighteen years of age, so DDSN would not notify him of his daughter's whereabouts or condition unless he first became her legal guardian. He testified to distressing events that occurred while his daughter was in the care of the agency. He testified he had experienced very negative interactions with the agency over the years, and he asked the Subcommittee to investigate DDSN and support legislation to make DDSN a cabinet agency.

##### **Deborah McPherson (36:12)**

Ms. Bryant testified about her adult daughter with special needs and her experiences working at and around DDSN over the years. She is a former member of DDSN's board. She talked about the audit of DDSN by the Legislative Audit Council and the dysfunction of the Commission. She testified the agency suffers from lack of oversight and accountability; the Commission has become a rubber stamp for the agency; and the Commission is being operated in violation of the Freedom of Information Act. She also testified employees and commissioners who speak out about the situation are subjected to reprisals by DDSN.

**Carolyn O'Connell (46:58)**

Ms. O'Connell has been involved in DDSN in Greenville County. She recommended the management of DDSN be subject to oversight. She believes there is corruption and retaliation at DDSN. She had a brother who was served by DDSN in the past. She testified that parents of children currently in DDSN custody will not speak out about issues because they fear retaliation. She thinks there is a lot of cronyism surrounding the agency from people who used to be employed at DDSN.

**Linda Lee (1:02:00)**

Ms. Lee is the mother of a disabled daughter who has been served at a DDSN regional center for almost 31 years. She provided a positive perspective of the agency. She testified her daughter has thrived from the care she has received from DDSN. She is worried that DDSN would become unstable if it becomes a cabinet agency and gets a new director after each gubernatorial election.

**Kathleen Roberts (1:06:50)**

Ms. Roberts had two sons with an undiagnosed brain disease who were served by DDSN for over 36 years. Her sons were a few years apart in age, and eventually became roommates at DDSN. She was very happy with DDSN's care for her sons. She continues to advocate for DDSN because of the services she received for her sons.

**Patricia Harrison (1:37:15)**

Ms. Harrison testified about the band funding system at DDSN. She also testified, as a former member of a governing board at DDSN, about the inability of boards to govern because the boards are kept in the dark. She testified that she resigned from her role after a rape was not reported. She testified family members of DDSN patients will not speak out about the problems at the agency because they fear being targets of retaliation. She asked the Committee to take a look at the band system at DDSN, which she believes is illegal. She requested the Committee look at the audits.

**Charles Hall (2:12:09)**

He is a consumer of DDSN under the head and spinal cord waiver through Medicaid. He has never had a problem with the state office. He would like to see oversight of the local boards. DDSN is a large, complicated spiderweb. There are private providers and public providers and they all have to intermingle.

**Jerry Bernard (2:23:44)**

He is employed by the Charles Lea Center in Spartanburg. He represents the Human Services Providers Association. He appreciates DDSN supporting them in trying to raise their salaries. He feels the funding rates are inadequate as there are unfunded and underfunded mandates. Mr. Bernard believes communication from the agency to



providers needs to improve. He also has concerns about the Commission structure. He feels there are some Commission members who are there for their own purposes and the Commission has lost its focus. He commends the director and her senior staff for having an open door policy; however, this does not always filter down through the department. He feels the relationship between DDSN and DHHS should be further defined. The billing structure should be reviewed. He thinks the recent publicity of DDSN has been over inflated.

#### John de la Howe School (School)

##### **Sierra Goodwin (58:55)**

Ms. Goodwin is a former student of the John de la Howe School, and she testified on behalf of the School. She testified she had opportunities at the School that she would not have had at home. She learned many things at John de la Howe that her parents could not have taught her. She asked that the state keep the School operating.

##### **Kentrell Goodwin (1:12:34)**

Mr. Goodwin testified that John de la Howe changed him for the better. He testified that he was a troubled child and the employees at the School taught him all the things he needed to change his life and make something of himself. He testified that the School is an amazing place.

##### **Zebulon Young (1:20:20)**

Dr. Young is the Human Resources Director for the School, and has been there for about three or four years. He has worked in human resources for almost fifteen years. He testified that the turnover rate was 67% when he started at the School. He testified that the majority of the School's staff have over forty hours of training every year. He testified about his experience in human resources at the School.

##### **Renzie Coleman (1:44:00)**

Mr. Coleman is the Director of Finance and Business at the School. He started working for the School in late February 2017. He previously worked at Ft. Gordon in Augusta, Georgia. He is working on cost savings measures for the School.

##### **Jonathan Rose (1:50:02)**

Mr. Rose was the Principal at the School in 2014. He is no longer an employee of the School. He provided brochures regarding the School. He acknowledged that it has been a bumpy road and testified a big problem at the School is the over age, under credited students. He wants the kids to have a positive impact on their community.

**Gene Swygert (1:57:40)**

Mr. Swygert is an alumni of the School. The School has had a positive impact on his life. According to Mr. Swygert, lack of funding has been a problem and buildings are in need of repair.

**Barbara Devinney (2:02:06)**

Ms. Devinney serves on the Board of Trustees for the School and has done so since June of 2013. She supports the agricultural expansion on the campus, in collaboration with Clemson University. She is concerned that if the current proviso passes to put the property under Clemson, the School will close and never reopen, which would be a tremendous tragedy to the children of this state. She expressed numerous concerns about legislative interaction with the School.

**Anthony Debenedetto (2:18:05)**

Mr. Debenedetto is a former student at the School and now an employee of the School. At the School, he learned how to be trustworthy, honest, respectful, and he gained leadership skills. He testified that if he had not gone to the School, he would not be successful because the School taught him independent living and how to do things the right way. He currently works in the wilderness program at the School.

**Agency Closing Statements and Adjournment**

- I. Each agency director provided a closing statement.
- II. Vice-Chair Funderburk stated the Committee will next meet on Thursday, March 9, 2017 at 1:00 p.m., in Room 110 Blatt. The meeting was then adjourned.

## **Law Enforcement Training Council and Criminal Justice Academy**

### **Mission:**

It is the mission of the South Carolina Criminal Just Academy to foster and uphold prescribed laws and regulations by providing mandated basic and advanced training to criminal justice personnel and maintain a continuous certification process to ensure that only the most qualified persons are sanctioned by the State to serve.

### **FTE Overview (as of July 1, 2016):**

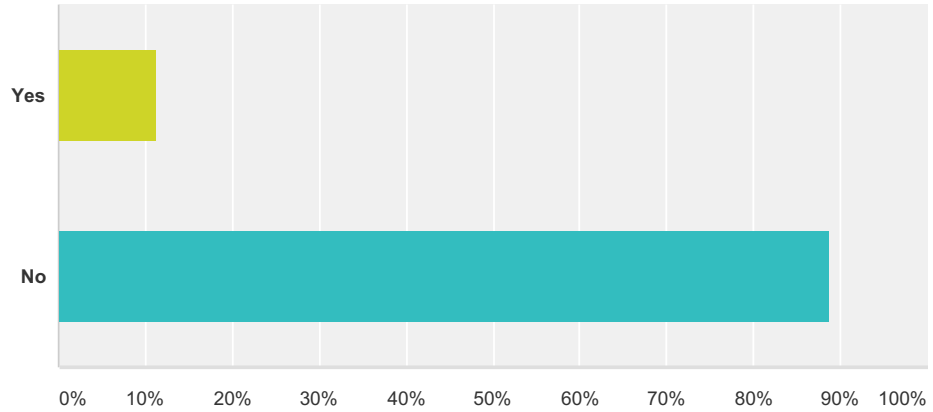
Authorized: 124.250  
 Positions Filled: 124.250  
 Vacancies: 11.250

### **2016 General Appropriations Act:**

<b>LAW ENFORCEMENT TRAINING COUNCIL</b>		
	<b>TOTAL FUNDS</b>	<b>GENERAL FUNDS</b>
<b>I. ADMINISTRATION</b>		
EXECUTIVE DIRECTOR	102,155	
	(1.00)	
CLASSIFIED POSITIONS	2,375,776	
	(59.00)	
OTHER PERSONAL SERVICES	47,000	
OTHER OPERATING EXPENSES	1,917,646	327,336
ETV - STATE & LOCAL TRAINING	140,000	140,000
OF LAW ENFORCE		
<b>TOTAL I. ADMINISTRATION</b>	<b>4,582,577</b>	<b>467,336</b>
	<b>(60.00)</b>	
<b>II. TRAINING</b>		
CLASSIFIED POSITIONS	2,734,522	850,000
	(64.25)	(17.00)
OTHER PERSONAL SERVICES	212,988	
OTHER OPERATING EXPENSES	3,842,505	2,500,000
<b>TOTAL II. TRAINING</b>	<b>6,790,015</b>	<b>3,350,000</b>
	<b>(64.25)</b>	<b>(17.00)</b>
<b>III. EMPLOYEE BENEFITS</b>		
EMPLOYER CONTRIBUTIONS	1,946,200	351,456
<b>TOTAL III. EMPLOYEE BENEFITS</b>	<b>1,946,200</b>	<b>351,456</b>
<b>TOTAL LAW ENFORCEMENT</b>	<b>13,318,792</b>	<b>4,168,792</b>
<b>TRAINING COUNCIL</b>	<b>(124.25)</b>	<b>(17.00)</b>

## Q11 Would you like to provide input about the Law Enforcement Training Council and Criminal Justice Academy?

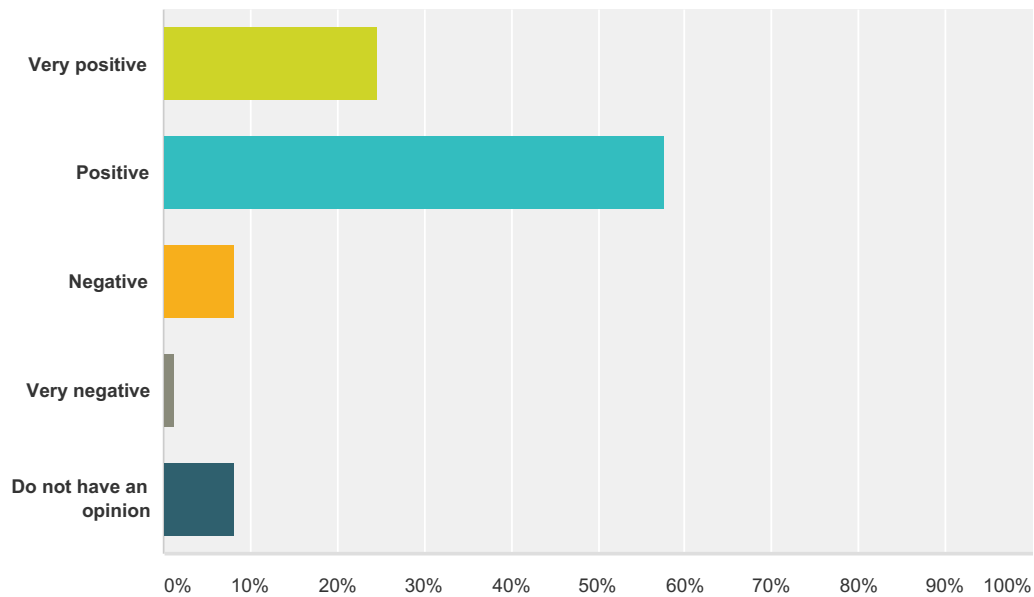
Answered: 811 Skipped: 214



Answer Choices	Responses	
Yes	11.34%	92
No	88.66%	719
<b>Total</b>		<b>811</b>

## Q12 Overall, what is your opinion of the Law Enforcement Training Council and Criminal Justice Academy?

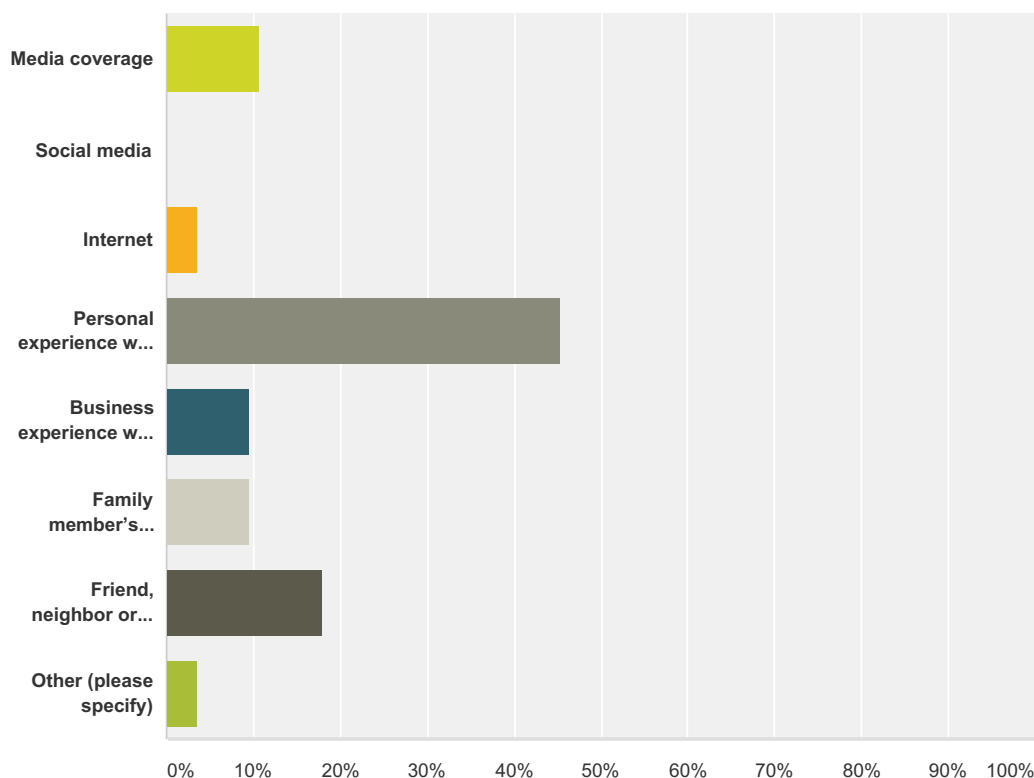
Answered: 85 Skipped: 940



Answer Choices	Responses	
Very positive	24.71%	21
Positive	57.65%	49
Negative	8.24%	7
Very negative	1.18%	1
Do not have an opinion	8.24%	7
<b>Total</b>		<b>85</b>

### Q13 Which of the following has most influenced your opinion of the Law Enforcement Training Council and Criminal Justice Academy?

Answered: 84 Skipped: 941



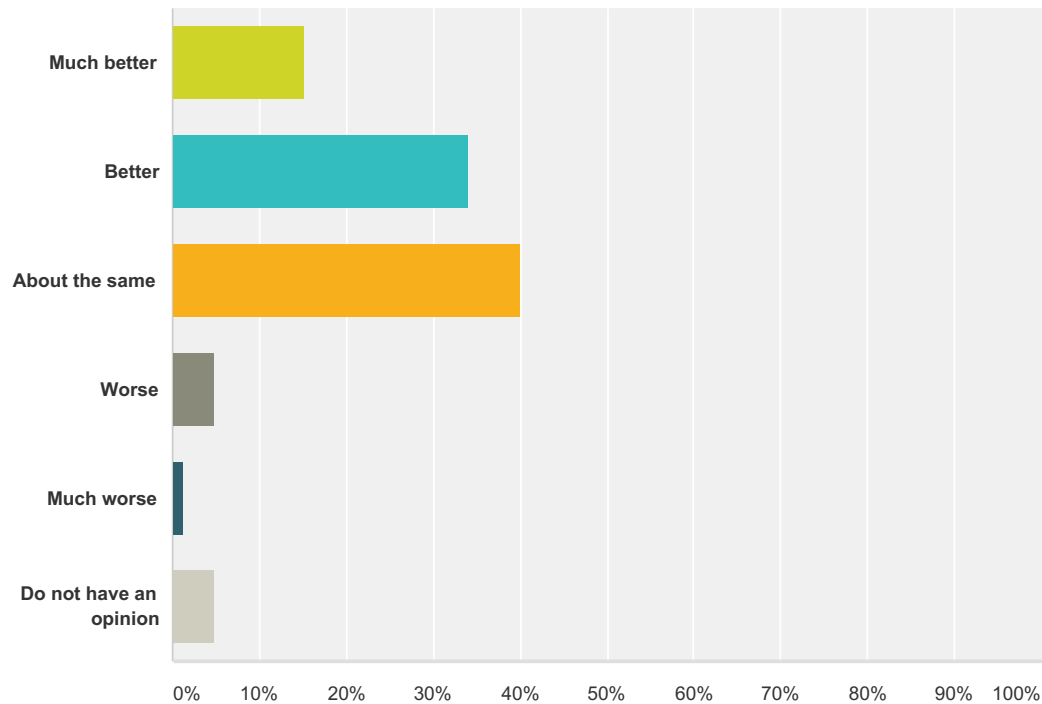
Answer Choices	Responses
Media coverage	10.71% 9
Social media	0.00% 0
Internet	3.57% 3
Personal experience with the agency	45.24% 38
Business experience with the agency	9.52% 8
Family member's experience with the agency	9.52% 8
Friend, neighbor or colleague's experience with the agency	17.86% 15
Other (please specify)	3.57% 3
<b>Total</b>	<b>84</b>

#	Other (please specify)	Date
1	family member with no experience	5/19/2016 10:43 AM
2	<b>employee</b> Employed at the agency	5/18/2016 10:47 AM
3	No opinion.	5/16/2016 9:42 AM



### Q14 How do you think the Law Enforcement Training Council and Criminal Justice Academy functions on an overall basis in comparison to state agencies in South Carolina?

Answered: 85 Skipped: 940



Answer Choices	Responses	
Much better	15.29%	13
Better	34.12%	29
About the same	40.00%	34
Worse	4.71%	4
Much worse	1.18%	1
Do not have an opinion	4.71%	4
<b>Total</b>		<b>85</b>



**Q15 Please list any comments, concerns, or suggestions you may have about the Law Enforcement Training Council and Criminal Justice Academy. Your response will be quoted verbatim and published online.**

Answered: 21 Skipped: 1,004

#	Responses	Date
1	Agency should establish a pay step increase program based on years of service.	5/31/2016 2:40 PM
2	<b>Salaries</b> The Criminal Justice Academy needs to be able to fund more competitive salaries for instructors. Currently, starting pay for an instructor is equal to or slightly better than entry level pay for police officers at local agencies. The Academy should be recruiting the best officers from around the state to instruct our state's officers, but the average instructor-candidate with 6-10 years experience would probably not be able to afford the reduction in pay that comes with working at the Academy.	5/23/2016 4:37 PM
3	<b>Postive</b> Very important agency concerning the past, present and future of our State.	5/18/2016 10:47 AM
4	<b>Funding</b> <b>Salaries</b> The agency is underfunded. It cannot compete for qualified instructors or administrative staff. It is difficult to qualify for grants because the State has not declared it a State Law Enforcement Agency. Personnel are in fact over worked and underpaid. Given the circumstances the agency enjoys a much improved relationship with the Law Enforcement Community as well as the media and the legislature. The staff is hardworking and dedicated but woefully underpaid.	5/18/2016 9:01 AM
5	<b>General</b> The more training we can have for law enforcement officers the better for everyone involved: officers and community.	5/16/2016 8:35 AM
6	<b>Certification</b> If someone doesn't pass a portion of the academy, the turnaround time is not standard for them to go back to pass the course. Some people from some agencies are quickly enrolled back in to pass portion of class failed while others may have to wait months. I believe the process should be standardized for all agencies.	5/16/2016 7:43 AM
7	<b>General</b> It's a bad sign when law enforcement shot unarm citizens who are running away from them and claim they fear for their life.	5/13/2016 5:26 PM
8	<b>Postive</b> They do a very good job.	5/13/2016 4:43 PM
9	<b>Funding</b> <b>Management</b> <b>Postive</b> For the last eight years, the SCCJA has excelled in all areas, making great strides in law enforcement training. When you consider the minuscule budget afforded the Academy, the results achieved are truly amazing. The present Director is the best that the Academy has ever had....a man of vision and leadership.	5/12/2016 6:46 AM
10	<b>Postive</b> SC police are the best. As a civilian, I can tell they have received top training.	5/8/2016 10:59 PM
11	<b>Certification</b> The Training Council does not fully consider all aspects of an officer's career or the circumstances involved for a certification hearing. They did use proxy hearing officers to hear cases by non-council members and pretty much rubber stamped their recommendations. This proxy hearing officer procedure was found to be unlawful.	5/7/2016 12:16 PM
12	<b>Management</b> Employees, especially instructors, consistently leave work early on Fridays and do not take annual leave. This is costing the state thousands of dollars.	5/5/2016 7:36 PM
13	<b>Funding</b> <b>Postive</b> I am proud to be part of The Academy staff and make a difference towards our goal of training the law enforcement officers of the state and making sure they are equipped to protect the citizens. The staff here take their job serious and do their best to train the officers to be prepared. One of the main problems I see is that we do not have the funding to be able to pay highly qualified staff for specialized instructional programs and even to hire a highly experience IT Consultant. We are working within our budget to find the best employees we can to perform the job, but feel like we are not competitive with other Agencies and Law Enforcement Agencies in attracting highly trained staff.	5/5/2016 4:27 PM
14	<b>Funding</b> <b>Postive</b> They do a great job, When i was a student and heard that several of the staff and Teacher had two jobs. This told me the state doesnt pay them enough. They train us cops and the state should pay them more.	5/5/2016 9:18 AM
15	<b>Funding</b> <b>Postive</b> The academy does a great job, though they have to function with an unreasonable budget, and their employess are way under paid for what they do.	5/5/2016 9:14 AM

16	<b>Management</b> The Academy is governed by the LETC, governed by SC Agency Heads, and SC Chiefs and Sheriffs. It has been felt by many that this group is biased when it comes to the Academy's primary responsibility of certification and decertification. These LEO's know each other and are often intimidated by a council member. There must be a change in the structure of the LETC to allow laymen to participate, not solely law enforcement. The LETC also has say who should take over when a Director resigns office. This can be heavily swayed by internal friendships on staff and not necessarily the best of the best. A more stringent and filtering process needs to be implements in the selection of an Interim Director, appointed Director, and Deputy Director. History shows that LEO's don't make good managers, nor do attorneys. The SCCJA needs to have a manager with a past of fixing agencies and weeding out the problems.	5/3/2016 10:44 AM
17	<b>Funding</b> The decrease in funding must be addressed in order to keep providing excellent training to the law enforcement community.	5/3/2016 9:11 AM
18	<b>Management</b> I suggest that the Law Enforcement Training Council be comprised of law persons. Having the Council comprised of Directors, Sheriffs, Chiefs result in an entity that is too political, and not a Council answerable to the concerns of the citizens of S.C. Police training and certification is a concern of all citizens.	5/2/2016 9:39 PM
19	<b>Funding Management</b> Pay increases are used to pad the upper echelons retirement accounts at the expense of people who go 15 to 20 years without a pay raise. Law Enforcement personnel are favored over non-law enforcement personnel. Cronyism is rampant. Ethical behavior is a rarity not a norm. The entire executive staff needs to be replaced. There is a complete lack of understanding that the Academy is a school/training facility not a police department. Frequently, when employees are called in for counseling they are treated like criminals with law enforcement interrogation tactics. Many employees have been driven to nervous breakdowns. When employees are not being paid fairly it creates a climate of distrust and hostility that tears the place apart. The Academy needs to be funded to support the classes it teaches. Demanding instructors put together programs and not funding the staff and supplies needed to do the job is an everyday occurrence.	5/2/2016 5:59 PM
20	<b>Management</b> CJA operates about the same as other state agencies in that with government no one can use common sense. When suggestions are made, they are not considered. An open mind would be better in all state agencies.	5/2/2016 1:14 PM
21	<b>Positive</b> The Criminal Justice Academy has some of the most dedicated employees that have a true passion for the work they do. Training law enforcement throughout the state to serve and protect the citizens of this state as well as keeping themselves safe. It doesn't matter if it is the cafeteria staff, facility management, admin staff, instructors, or command staff, everyone has a stake in the students that come through.	5/2/2016 10:06 AM

## Human Affairs Commission

### Mission:

The mission of the South Carolina Human Affairs Commission is to eliminate and prevent unlawful discrimination in:

- Employment on the basis of race, color, national origin, religion, sex, age and disability;
- Housing on the basis of race, color, national origin, religion, sex, familial status and disability;
- Public accommodations on the basis of race, color, national origin and religion; thereby promoting harmony and the betterment of human affairs for all citizens.

### FTE Overview (as of February 2017):

Authorized: 48

Positions Filled: 43

Vacancies: 6

### 2016 General Appropriations Act:

Sec. 70

#### HUMAN AFFAIRS COMMISSION

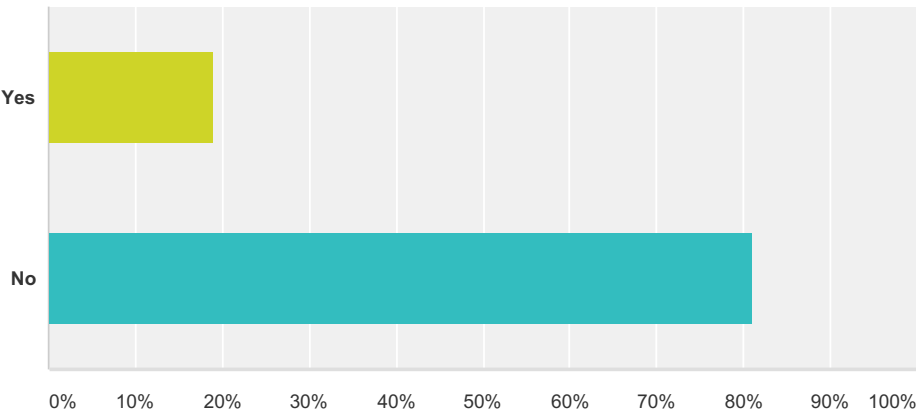
	TOTAL FUNDS	GENERAL FUNDS
<b>I. ADMINISTRATION</b>		
COMMISSIONER/S	104,070	104,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	302,394	302,394
	(7.00)	(7.00)
NEW POSITION ATTORNEY II	50,000	50,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	3,500	3,500
OTHER OPERATING EXPENSES	143,502	140,002
<b>TOTAL I. ADMINISTRATION</b>	<b>603,466</b>	<b>599,966</b>
	<b>(9.00)</b>	<b>(9.00)</b>
<b>II. CONSULTIVE SERVICES</b>		
CLASSIFIED POSITIONS	130,888	130,888
	(6.00)	(5.00)
OTHER OPERATING EXPENSES	69,051	51,051
<b>TOTAL II. CONSULTIVE SERVICES</b>	<b>199,939</b>	<b>181,939</b>
	<b>(6.00)</b>	<b>(5.00)</b>
<b>III. COMPLIANCE PROGRAMS</b>		
CLASSIFIED POSITIONS	1,054,166	596,471
	(31.00)	(18.50)
NEW POSITION ADMINISTRATIVE SPECIALIST II	30,619	30,619
	(1.00)	(1.00)
NEW POSITION PROGRAM COORDINATOR II	40,000	
	(1.00)	
OTHER OPERATING EXPENSES	426,016	154,008
<b>TOTAL III. COMPLIANCE PROGRAMS</b>	<b>1,550,801</b>	<b>781,098</b>
	<b>(33.00)</b>	<b>(19.50)</b>

<b>IV. EMPLOYEE BENEFITS</b>		
EMPLOYER CONTRIBUTIONS	755,159	569,537
<b>TOTAL IV. EMPLOYEE BENEFITS</b>	<b>755,159</b>	<b>569,537</b>

	TOTAL FUNDS	GENERAL FUNDS
<b>TOTAL HUMAN AFFAIRS</b>	<b>3,109,365</b>	<b>2,132,540</b>
<b>COMMISSION</b>	<b>(48.00)</b>	<b>(33.50)</b>

Q11 Would you like to provide input about  
the Human Affairs Commission?

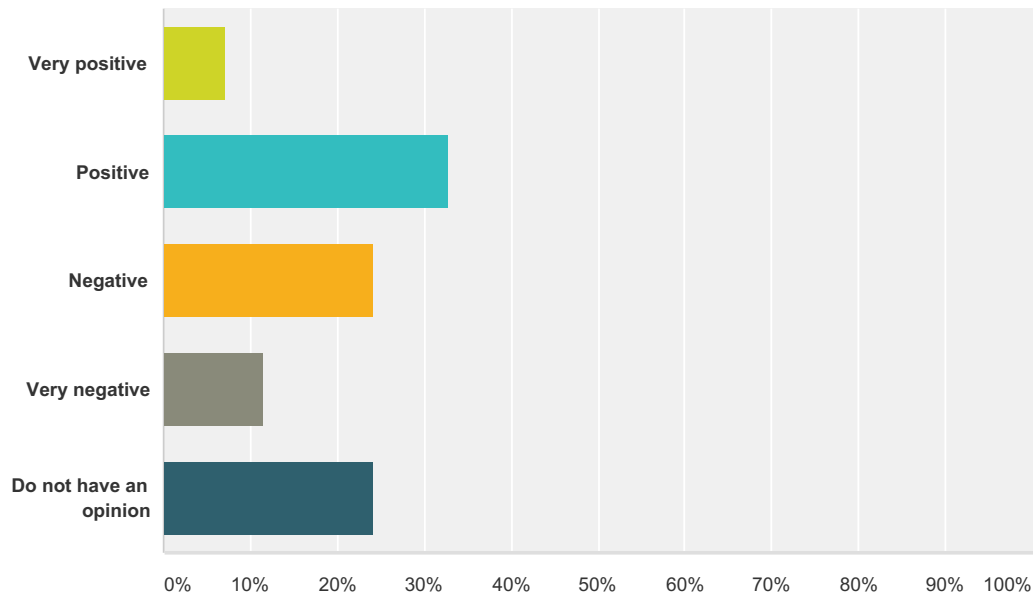
Answered: 385 Skipped: 97



Answer Choices	Responses	
Yes	18.96%	73
No	81.04%	312
Total		385

## Q12 Overall, what is your opinion of the Human Affairs Commission?

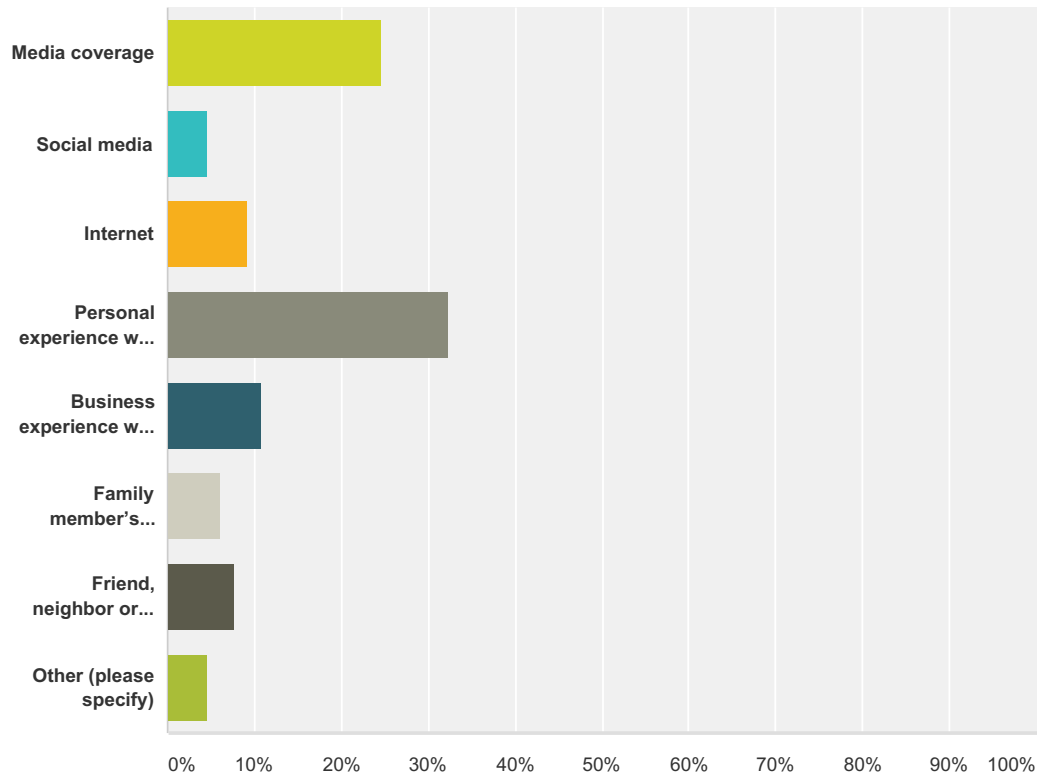
Answered: 70 Skipped: 412



Answer Choices	Responses	
Very positive	7.14%	5
Positive	32.86%	23
Negative	24.29%	17
Very negative	11.43%	8
Do not have an opinion	24.29%	17
<b>Total</b>		<b>70</b>

### Q13 Which of the following has most influenced your opinion of the Human Affairs Commission?

Answered: 65 Skipped: 417

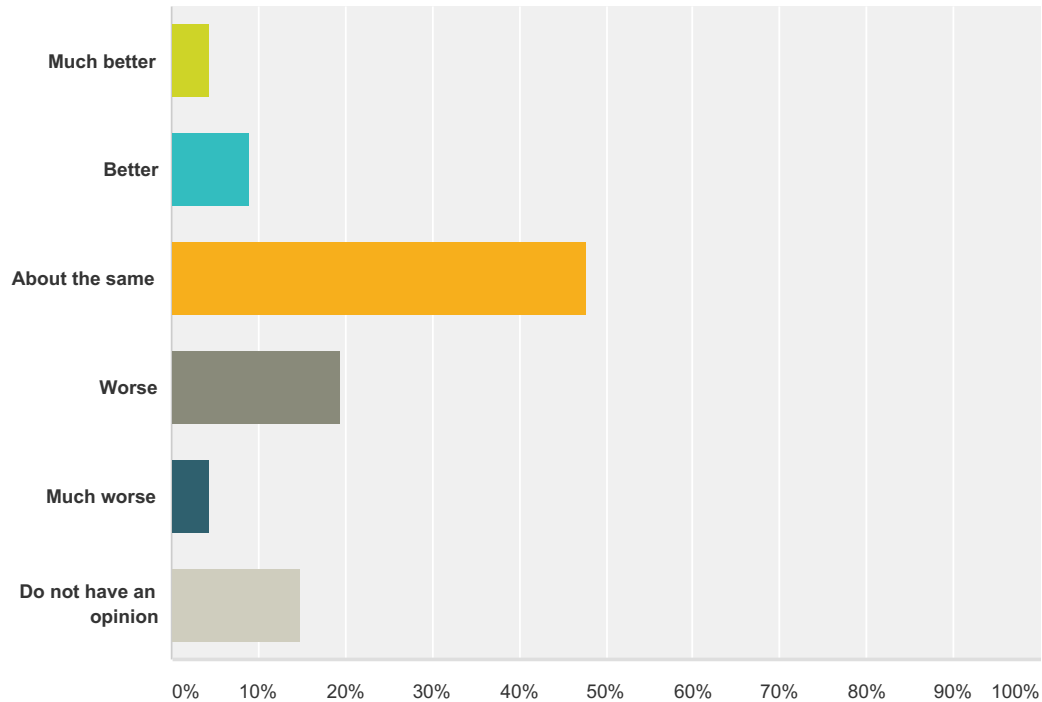


Answer Choices	Responses
Media coverage	24.62% 16
Social media	4.62% 3
Internet	9.23% 6
Personal experience with the agency	32.31% 21
Business experience with the agency	10.77% 7
Family member's experience with the agency	6.15% 4
Friend, neighbor or colleague's experience with the agency	7.69% 5
Other (please specify)	4.62% 3
<b>Total</b>	<b>65</b>

#	Other (please specify)	Date
1	Don't know much about it	2/17/2017 1:10 PM
2	None	2/14/2017 12:04 PM
3	Have not heard anything about this agency	2/10/2017 3:58 PM

### Q14 How do you think the Human Affairs Commission functions on an overall basis in comparison to state agencies in South Carolina?

Answered: 67 Skipped: 415



Answer Choices	Responses	
Much better	4.48%	3
Better	8.96%	6
About the same	47.76%	32
Worse	19.40%	13
Much worse	4.48%	3
Do not have an opinion	14.93%	10
<b>Total</b>		<b>67</b>



**Q15 Please list any comments, concerns, or suggestions you may have about the Human Affairs Commission. Your response may be quoted verbatim in a Committee report.**

Answered: 18 Skipped: 464

#	Responses	Date
1	I know so little about this commission that I don't know what it does! What is it's purpose?	3/2/2017 1:45 PM
2	Policies should be in place to ensure that employees are being paid fairly.	3/1/2017 4:08 PM
3	There seems to be a lack of management structure that supports whatever their mission is at this time. Basically I see not purpose for the agency.	3/1/2017 11:54 AM
4	I've seen them personally in court fighting for human rights protection. This is a must in a society so easily preyed on by big business.	2/25/2017 12:05 PM
5	Not an effective agency	2/24/2017 9:17 AM
6	They should be protecting ADA rights but do not investigate complaints	2/23/2017 9:18 AM
7	Oversight of salaries; how money distributed once budget approved	2/20/2017 9:15 AM
8	4. A review of the pay increases for the past 5 years will show the partiality and the discriminatory treatment with reference to unequal pay/unfair wages; this crucial evidence (contact Human Affairs HR). African American, essential employees with tenure of 16+ years, (i.e., females age 40+), were given lesser percentage than Caucasian and male employees (who were more nonessential than essential) will be obvious in these reports. Collusion among the Commissioner, Board Chair, and management team to discriminate against certain groups of people is contradictory to Section 1-13-20, Declaration of Policy of the South Carolina Human Affairs Law. To correct the injustice done to these violated employees, make them whole by giving them equal pay in accordance with the services they have rendered to the Commission that they were not compensated for the past 5 years.	2/17/2017 5:55 PM
9	Reach out to the community more	2/17/2017 1:10 PM
10	I am concerned about the ill treatment of select female employees; compensation afforded upper level administrators, seemingly at the expense of neglecting lower level staff members; and closed communications to staff below the leadership level	2/15/2017 2:39 PM
11	NA	2/15/2017 1:04 PM
12	a. Commissioner Buxton asked for input from the employees for a SWOT analysis and then after they gave him their feedback, he proceeded to badger certain employees simply because he disagreed that the input included concerns about the existing discriminatory treatment of certain employees who currently work at the Agency. Were these actions intended to intimidate the employee(s)? Are these the actions of an unstable person? Is this a perfect example of an Abuse of Power?	2/13/2017 6:15 PM
13	Agency Audit and Restructuring	2/13/2017 12:17 PM
14	they need to be more helpful to employees who have been discriminated against	2/13/2017 10:27 AM
15	It is largely invisible. By virtue of its name, many of the wrongs and atrocities are left unpunished; often time even allowing the victim(s) to be blamed or mistreated. Where is the accountability. Where exactly is this department helping?	2/13/2017 9:32 AM
16	HAC needs to have a bigger role in performing the mission. Not many people have heard of the HAC.	2/13/2017 8:20 AM
17	Extremely positive experience each time that our agency works with the Human Affairs Commission. The employees have a solid response time to my questions, concerns, and complete the course of their work with an open mind and open door philosophy.	2/13/2017 8:03 AM

18	Management has allowed Customer Service to deteriorate at Human Affairs. Constituents who come to the Agency as customers/complainants for assistance are being denied the use of the restrooms. Just recently, the children of an African American Complainant who was there for Mediation were denied the use of the restroom by a Caucasian female manager. Management needs to be reminded that the Agency is there to serve the constituents and without the constituents, the Human Affairs Commission is not needed. Further, the Caucasian female manager needs to be properly trained in customer service and reminded that she is employed to serve the customers and not to offend them.	2/12/2017 11:08 PM
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## State Election Commission

### **Mission:**

The mission of the State Election Commission is to ensure every eligible citizen in South Carolina has the opportunity to register to vote, participate in fair and impartial elections, and have the assurance that their vote will count.

### **FTE Overview (as of February 2017):**

Authorized: 26.50

Positions Filled:

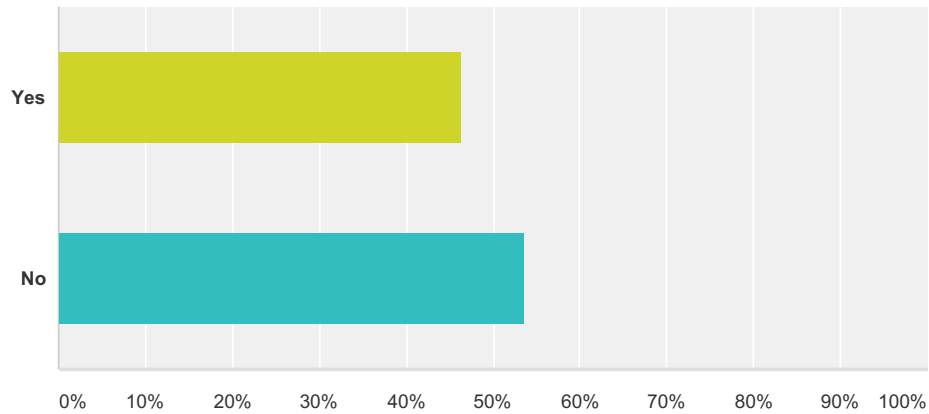
Vacancies:

### **2016 General Appropriations Act:**

	ELECTION COMMISSION	
	TOTAL FUNDS	GENERAL FUNDS
<b>TOTAL V. STATEWIDE/SPECIAL</b>	<b>4,300,000</b>	<b>3,000,000</b>
<b>PRIMARIES</b>		
<b>VI. EMPLOYEE BENEFITS</b>		
EMPLOYER CONTRIBUTIONS	359,371	333,371
<b>TOTAL VI. EMPLOYEE BENEFITS</b>	<b>359,371</b>	<b>333,371</b>
<b>TOTAL ELECTION COMMISSION</b>	<b>7,382,778</b>	<b>5,742,078</b>
	<b>(26.50)</b>	<b>(24.00)</b>

### Q6 Would you like to provide input about the Election Commission?

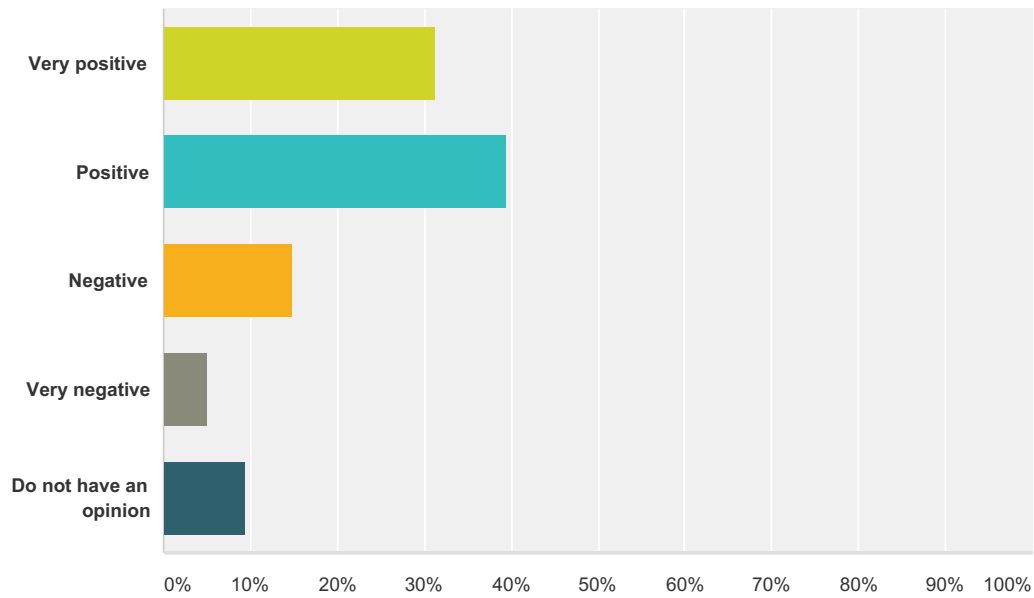
Answered: 413 Skipped: 69



Answer Choices	Responses	
Yes	46.25%	191
No	53.75%	222
Total		413

### Q7 Overall, what is your opinion of the Election Commission?

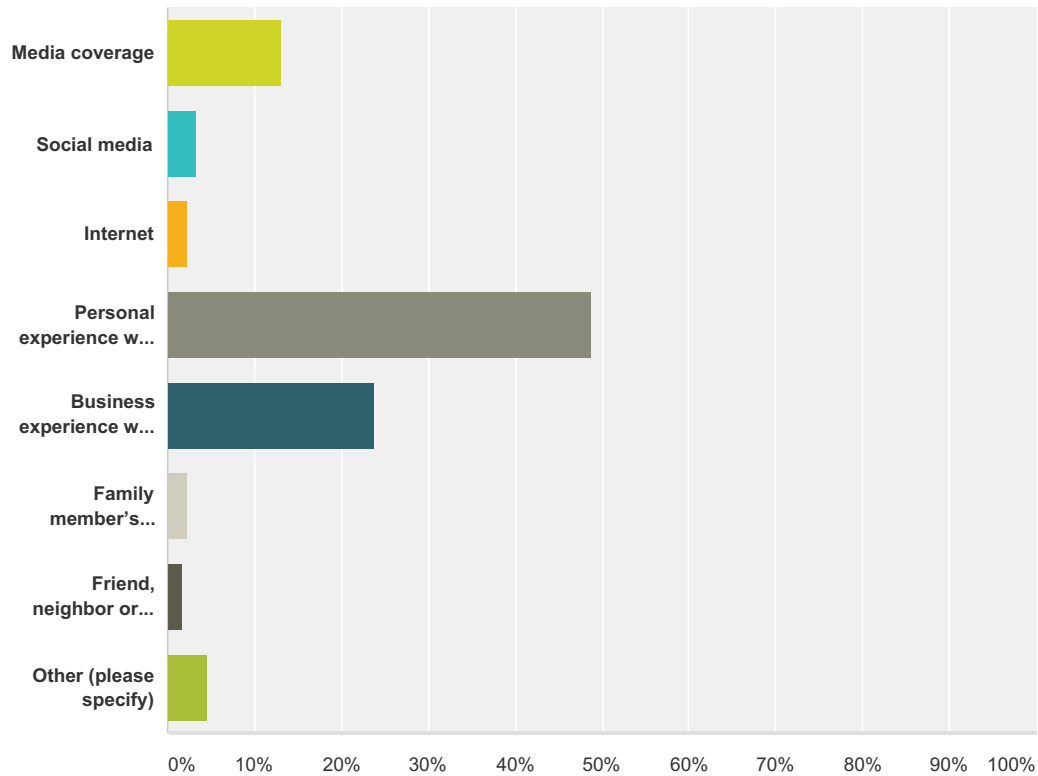
Answered: 182 Skipped: 300



Answer Choices	Responses	
Very positive	31.32%	57
Positive	39.56%	72
Negative	14.84%	27
Very negative	4.95%	9
Do not have an opinion	9.34%	17
<b>Total</b>		<b>182</b>

### Q8 Which of the following has most influenced your opinion of the Election Commission?

Answered: 176 Skipped: 306



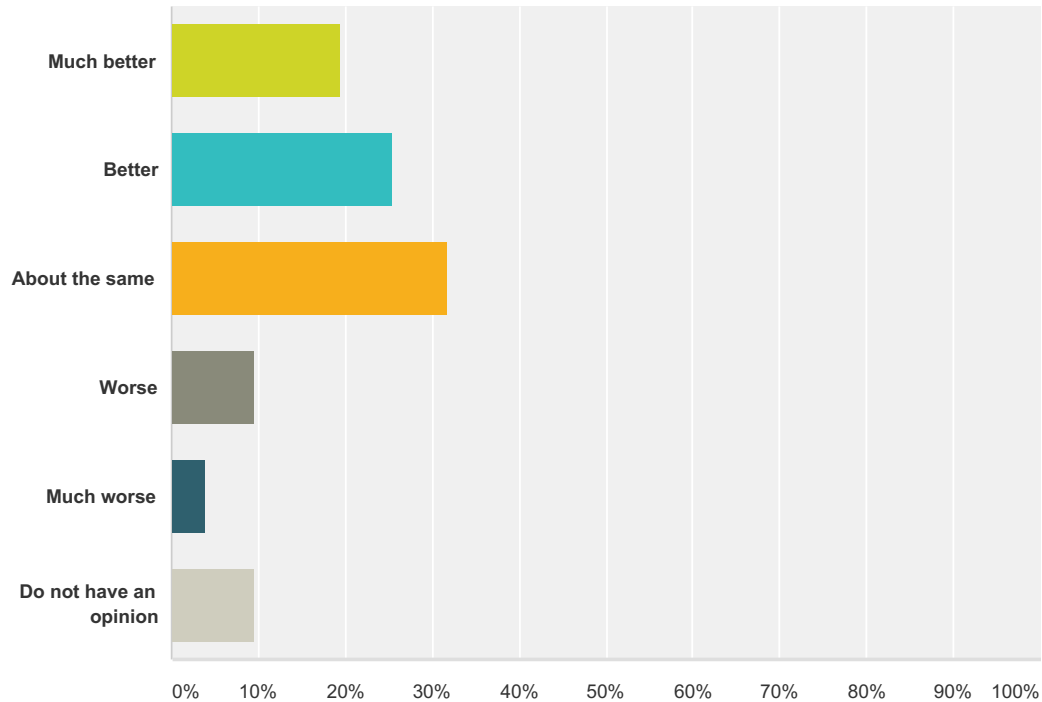
Answer Choices	Responses
Media coverage	13.07% 23
Social media	3.41% 6
Internet	2.27% 4
Personal experience with the agency	48.86% 86
Business experience with the agency	23.86% 42
Family member's experience with the agency	2.27% 4
Friend, neighbor or colleague's experience with the agency	1.70% 3
Other (please specify)	4.55% 8
<b>Total</b>	<b>176</b>

#	Other (please specify)	Date
1	Need to be more visible as they are out of touch with centers	2/22/2017 3:57 PM
2	Don't know much about this committee	2/17/2017 1:08 PM
3	na	2/15/2017 10:03 AM

4	Employee	2/15/2017 9:04 AM
5	employee	2/14/2017 11:43 AM
6	Who are they?	2/11/2017 4:37 AM
7	my role as VP of the League of Women Voters of SC has led to interaction over a period of 5 years	2/10/2017 7:22 PM
8	I was appointed to county board and saw first hand the corruption and favortism.	2/10/2017 11:03 AM

**Q9 How do you think the Election Commission functions on an overall basis in comparison to other state agencies in South Carolina?**

Answered: 176 Skipped: 306



Answer Choices	Responses	
Much better	19.32%	34
Better	25.57%	45
About the same	31.82%	56
Worse	9.66%	17
Much worse	3.98%	7
Do not have an opinion	9.66%	17
<b>Total</b>		<b>176</b>



**Q10 Please list any comments, concerns, or suggestions you may have about the Election Commission. Your response may be quoted verbatim in a Committee report.**

Answered: 55 Skipped: 427

#	Responses	Date
1	I want to see the voting process to be more streamlined. We need more voting booths onsite, people should not have to stand in line for so long. Perhaps a live feed on election days showing the people traffic would allow people the option to decide the least busy time to come vote.	3/2/2017 3:35 PM
2	Well run, non partisan agency. A model for other states.	2/28/2017 10:09 PM
3	My biggest concern is that the public's faith in the Election Commission's mission as a necessary function, is being shaken and undermined by unethical persons.	2/28/2017 3:48 PM
4	SC needs open early voting to accommodate working voters. Voter ID laws are discriminatory and unnecessary.	2/28/2017 1:24 PM
5	How about we have some working <span style="background-color: black; color: black;">f.....</span> voting machines?	2/25/2017 12:04 PM
6	We saw a dramatic improvement in our last election cycle!	2/25/2017 12:04 PM
7	None	2/24/2017 11:49 AM
8	All voting precincts be equiped with electronic voters lists	2/23/2017 4:16 PM
9	there needs to be an easier way for people to get registered to vote...ID Pics on SS Cards to prevent fraud..etc.; state need to be connected in a network to prevent fraud too.	2/23/2017 9:17 AM
10	This agency has a big responsibility without adequate staff and pays low wages compared to other agencies.	2/22/2017 10:15 PM
11	They have established a core team and consistency in their election processes that I do not see much in other states	2/22/2017 7:06 PM
12	Would love to have them more visible to the centers	2/22/2017 3:57 PM
13	excellent in response to questions and/or concerns	2/22/2017 12:23 PM
14	I feel that my tax money is well spent for the Election Commission	2/20/2017 4:27 PM
15	The Election Commission always appears to be fully dedicated to secure and accurate elections.	2/20/2017 10:51 AM
16	It seems the voice of those they represent is not included or valued.	2/20/2017 10:45 AM
17	Need to reach out to the community so people can be more aware of its purpose and mission	2/17/2017 1:08 PM
18	The State Election Commission (SEC) has done an excellent job working in a non-partisan manner on behalf of the voters of South Carolina. In addition, the SEC continues to advocate on behalf of county election officials, poll workers, and the election's process as a whole. As the lead agency overseeing elections in this state, I would like our legislators to be more supportive of agency initiatives such as early voting and the planning of the replacement of the statewide voting system. The State Election Commission has been repeating the need for both of these year after year to no avail. I believe our legislators hold a great deal of respect for the State Election Commission as a state agency, but I do not feel our legislators (as a whole) value the SEC with equal importance and significance compared to other state agencies. The State Election Commission deserves better.	2/16/2017 4:36 PM
19	There is no reason or justification as to why individuals should not be issued a proper form of identification during the electoral process	2/16/2017 1:21 PM
20	I think SEC is doing a great job with the counties to enhance the election process. Their motto has always been to ensure every vote matters and every vote counts by providing quality training and support to all counties in the state of South Carolina.	2/16/2017 9:03 AM
21	More attention needs to be placed on accommodations for people with disabilities at polling locations.	2/15/2017 7:48 PM
22	Efficient and well managed organization. Good stewarts of the State's resources.	2/15/2017 3:57 PM

23	Funding is key to survival of any organization. The Election Commission is a vital part of democracy and without adequate funding the integrity of the elections in SC runs a risk of becoming tarnished in the eyes of voters, the nation and the world. We not only stand the chance of losing confidence in our voters but in the entire electoral process nationwide.	2/15/2017 1:19 PM
24	They implement changes to the voter registration system on very short timelines and often very close to large elections which don't give the counties much time to implement changes without often requiring overtime.	2/15/2017 10:29 AM
25	Very helpful, in assisting the Counties with elections	2/15/2017 9:54 AM
26	Liz Simmons with SCEC is a valuable asset and has always been very helpful.	2/15/2017 9:47 AM
27	Our ability to remain politically neutral in all ways is very important to our successful elections.	2/15/2017 8:41 AM
28	They simply do NOT offer enough of the required Core Training classes each year. AND they allow only 30 adults in each classes they offer. Now if there are 46 counties in SC and folks all over the state need these classes, how many are left out annually. The staff was quite rude, unbending (stating they were following state law!). In the year that I was not in good standing, i continued to do everything required of me. The entire situation was embarrassing and should have been avoidable if they would only offer more of the required training!!	2/14/2017 7:07 PM
29	I interface with election commissions of almost all of the states in the US. The SC Election Commission has always been very responsive with accurate information.	2/14/2017 3:28 PM
30	There are many including the Executive Director, that advise the counties on issues that deal with day to day operations of county offices. Many staff members of the EC do not have the knowledge of elections laws needed to run the office or give "advise" to those that work in the county offices. It is mandated by state law that all election workers be certified with 18 months of employment but the classes do not meet the needs of the county agencies which they serve. Most of the certification classes are taught by the EC staff who again do not have the knowledge needed to teach the classes.	2/14/2017 2:50 PM
31	Very frugal within the confines of its allocated budget	2/14/2017 2:17 PM
32	They continue to not be influenced by any particular elected official and/or political party . Would like them to make recommendations to strengthen our citizens' confidence in our voting system- especially purchasing voting machines that can be audited with a paper backup .	2/14/2017 1:04 PM
33	Hard working commisson and very professional staff	2/14/2017 12:04 PM
34	Lack of opportunity for growth within the agency. Atmosphere becomes stagnant.	2/14/2017 12:03 PM
35	Keep up the great work.	2/14/2017 11:51 AM
36	The filing process between candidate's, the state election commission and the state political parties needs to be reviewed. The candidate qualifications and actual filing process should be better streamlined.	2/14/2017 11:21 AM
37	What are the security of the polling machines? Who does the programming? Overall, is all the polls performing to regulations?	2/14/2017 9:30 AM
38	Our precinct is not able to offer Disability curbside service...They are to small and old...Sure, The sign is out on the side walk behind all the crowd but no one is there...I am not able to vote curbside myself...So I must go past the crowd...Of which they DO NOT LIKE...To ask for help with Handicapped curbside...Then go get in line and we both wait and wait...So we vote absentee ballot now...	2/14/2017 8:32 AM
39	I worry about corruption and innaccuracy in our electoral process (whether intentional or not)	2/13/2017 6:38 PM
40	Would it save money if various elections were held at the same time vs. different elections during different "months"?	2/13/2017 2:38 PM
41	After 20 years +/- working in this enviroment, I have to say it is nothing like turning hamburgers. Once you see what these workers do to care for someone elses relatives.In no way does the type of work come close to the pay they receive. I know the caregivers/ Staff do it because of love. At any given time it could be one of us needing care.	2/13/2017 2:03 PM
42	The election commision is important to maintaining the integrity of elections.	2/13/2017 12:55 PM
43	This is a comission that is responsible for ensuring "every citizen" is provided an opportunity vote because that is their right. As well having procedures and rules in place for all county officials to abide by. If anything needs to be changed, it is to stop voter supression via our "DC" legislators and pay more money for working on election day(s);although that is not their responsibility. The second thing would be to start exposing and training people to run this commision and to work at the polls. Finally, people need to become mor einformed, but f they are not reading an dimparting knowledge upon themselves, then that is their fault.	2/13/2017 10:02 AM
44	Voters should be assisted to get IDs and transportation should be made available to those without it.	2/13/2017 9:31 AM
45	What's an election commission?	2/11/2017 4:37 AM

46	SC is very fortunate to have an independent, very professional and responsible state elections commission. Their work in overseeing elections, training election personnel throughout the state, and overseeing voting technology is exceptionally important and they do it very well indeed.	2/10/2017 7:22 PM
47	Regarding the Election Commission, I would say that proper training and education of poll workers is critical, particularly when it comes to precincts with two different ballots in an election.	2/10/2017 2:39 PM
48	The Elections Commission does an excellent job of providing guidance for the 46 county election commissions. They have also been very responsible in the way in which they purge citizens who have moved out of state or died from the voter registration rolls.	2/10/2017 1:13 PM
49	It's a small agency with a critical mission. Living in Richland County, I know from personal experience what happens when local elections are botched and how hard the State Election Commission staff worked to mitigate a situation they were not responsible for but determined to address in a professional manner. Leadership worked to address issues not persons or personalities. I was impressed and reassured. I also appreciated how they handled the silliness over dead voters. Took the issue seriously and addressed it directly and again professionally.	2/10/2017 12:44 PM
50	The SC Election Commission has taken advantage of the available media, including online voter registration and mobile device applications in order to make voter registration and other functions easier and more accessible to the public.	2/10/2017 12:07 PM
51	The State Election Commission presented itself in a positive and informed manner internally and publically during the General and Primary Elections in 2016.	2/10/2017 11:54 AM
52	The SC Election Commission does an outstanding job informing the public on election activities - including registration, voting requirements, locations to vote, etc...	2/10/2017 11:31 AM
53	I am very impressed with the South Carolina election commission and their important work to assist the voters of South Carolina. I have worked extensively with executive director Marci Andino over the last 3 years as she has participated on a national working group to assist military and overseas voters. Ms. Andino and her staff do an excellent job in assisting all voters and ensuring the Integrity of her state's election process.	2/10/2017 10:45 AM
54	The Election Commission has a national reputation for outstanding leadership and commitment to the voters of South Carolina.	2/10/2017 10:40 AM
55	My overall impression of the local voting agency is positive. The workers are helpful, knowledgeable and courteous. I am a bit disappointed that the state level did not follow through with my new photo Id voter card, but my local representatives have consistently been high quality.	2/10/2017 5:17 AM

## FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND  
IN THE COURT OF COMMON PLEAS

## JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2016CP4005431

Robert Gantt

Samuel J Selph

Edward White

Marjorie Johnson

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: ToalAttorney for : ☐ Plaintiff ☐ Defendant or ☐ Self-Represented Litigant

## DISPOSITION TYPE (CHECK ONE)

- ☐ JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ ACTION DISMISSED (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other \_\_\_\_\_
- ☐ ACTION STRICKEN (CHECK REASON): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other \_\_\_\_\_
- ☐ DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX): ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other \_\_\_\_\_

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

## ORDER INFORMATION

This order ☒ ends ☐ does not end the case.  
Additional Information for the Clerk :

ORDER ATTACHED

## INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
<u>N/A</u>		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

Signature Redacted

Judge Code

2758

Date

10-10-16

## For Clerk of Court Office Use Only

This judgment was entered on the 11 day of Oct, 2016 and a copy mailed first class or placed in the appropriate attorney's box on this 11 day of Oct, 2016 to attorneys of record or to parties (when appearing pro se) as follows:

Michael H. Montgomery

S. Jahue Moore

William M. Spillane

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Clerk of Court

Signature Redacted

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF RICHLAND ) IN THE COURT OF COMMON PLEAS  
 FOR THE FIFTH JUDICIAL CIRCUIT

ROBERT GANTT AND ) CIVIL ACTION NO. 2016-40-CP-5431  
 EDWARD K. WHITE, )

Plaintiffs, )

v. )

SAMUEL J. SELPH as Director, and )  
 MARJORIE JOHNSON, ADELL )  
 ADAMS, E. PETER KENNEDY, SYLVIA )  
 HOLLEY and JANE EMERSON as the )  
 Members of the BOARD OF VOTER )  
 REGISTRATION AND ELECTIONS )  
 OF RICHLAND COUNTY, THE )  
 BOARD OF VOTER REGISTRATION )  
 AND ELECTIONS OF RICHLAND )  
 COUNTY, and KIM MURPHY, )

Defendants. )

**ORDER ON ACTION FOR  
 DECLARATORY JUDGMENT**

RECEIVED  
 2016 OCT 10 PM 2:52  
 DEPT. OF PROBATION  
 C.O.P. & G.S.

Initials

This action seeking a declaratory judgment as to the application of Act 326 of 2002 to the candidacy of Defendant Kim Murphy was before the Court for a bench trial on October 6, 2016 at the Kershaw County Courthouse. At the call of the case, Plaintiffs, Robert Gantt and Edward K. White were present and represented by Michael H. Montgomery of the Richland County Bar. Samuel J. Selph was present on behalf of himself as Director and the Board of Voter Registration and Elections of Richland County and was represented by William M. Spillane of the Richland County Bar. Kim Murphy was present and was represented by S. Jahue Moore, Sr. of the Lexington County Bar. This is an election controversy as to whether an individual candidate for the Board of Trustees of Richland-Lexington School District 5, Defendant Kim Murphy, is properly on the ballot as a resident of Richland County.

### BACKGROUND

Plaintiffs' Declaratory Judgment Action seeks to disqualify defendant Kim Murphy ("Murphy") as a Candidate for election to a seat reserved for a Richland County Resident on the Board of Trustees for School District Five of Lexington and Richland Counties ("District 5") on the grounds that she fails to meet the qualifications of Act 326 of 2002 §9, which requires that "three trustees must reside in Richland County and four must reside in Lexington County." Murphy filed with the Richland County Election Commission as a candidate for a Richland seat on the Board. Plaintiffs aver that Murphy resides in Lexington County and therefore is not statutorily qualified to be elected from or serve as a representative in the Richland County seat on the Richland Lexington School District 5 Board of Trustees ("District 5"). Plaintiffs further seek a declaration compelling the defendants in their official capacities as Director and members of the Richland County Board of Voter Registration and Elections ("Board of Elections") to remove Murphy from the November 8, 2016 ballot because she is not qualified to seek or serve in the office for which she is currently running.

Plaintiffs Robert Gantt ("Gantt") and Edward K. White ("White") are both members of the District 5 Board elected from Richland County. Plaintiff Robert Gantt ("Gantt") is the current Board Chair. He holds a Richland seat and is running for re-election as a Richland County representative. Murphy is running against him, seeking to unseat him and replace him on the District 5 Board.

The question presented to the Court is simple: Is Murphy a resident of Richland County as she is required to be by Act 326 of 2002?

After hearing the testimony of the witnesses and an extensive review of the pleadings, filed memoranda, the record before the Board of Voter Registrations and Elections stipulated to

by the parties and consideration of motions, memoranda, briefs, exhibits in evidence, affidavits, testimony, and the argument of counsel, the Court hereby finds as follows:

### FINDINGS OF FACT

The facts in this case have been developed from the record of a hearing before the Richland County Board of Voter Registration and Elections in a companion action where the parties agreed to incorporate the record into this action, *Gantt and White v. Richland County Board of Voter Registration and Elections*, Civil Action No.: 2016-40-5132; together with maps, documents and additional testimony and exhibits presented at the bench trial on October 6, 2016, including the stipulated testimony of Murphy's expert witness and the live testimony of seven additional witnesses. The issue before the Court is application of Act 326 and the statutes governing the county lines and precinct lines to the facts in the record. The facts are as follows:

#3  
Initials  
1. This Court has both personal and subject matter jurisdiction over this case. On September 29, 2016, the parties entered an on-the-record agreement to convert a prior mandamus action to a declaratory judgment action by the filing of an Amended Complaint and request for declaratory judgment regarding the candidacy of Murphy and the withdrawal of the petitions for mandamus and for appeal. All parties agreed to accept service of these amended pleadings and agreed to a hearing date of October 6, 2016.

2. As members of the Board of Trustees of School District Five of Lexington and Richland Counties and qualified electors in Richland County, Gantt and White have standing to raise the question of Murphy's eligibility to run and serve based upon the location of her residence. Furthermore, as the candidate against whom Murphy has filed to run, Gantt has standing to challenge her eligibility.

3. Murphy lives at 154 Old Laurel Lane, Chapin, South Carolina, 29036.

4. Murphy has lived in the residence at that address since approximately the year 2000.

5. Murphy's husband, D. Jay Murphy, acquired the property on which the residence is located in 1997.

6. At the time the property was acquired a survey was performed by Lucius D. Cobb. That survey was titled "Final Subdivision Plat of Laurel Springs" and was recorded in both Lexington and Richland Counties in April, 2007.

7. A dashed line appears on the Cobb plat which is noted as "APPROX. COUNTY LINE".

8. The Cobb plat also includes a "LOCATION MAP" where the county line is shown in a significantly different position than it is shown on the survey. The county line shown on the location map passes through Rocky Ford, a point on the statutory description of the County Lines of Lexington and Richland County. Cobb testified and his original draft plat reflects that he originally relied on the Wessinger/Counts plat. Cobb listed the county line used in his original plat as derived from "the U.S. Geological Map 'Chapin, S.C.' dated 1971." He further noted that

The County line as shown hereon was delineated by using U.S. G.S. map "Chapin, S.C." dated 1971, and a plat of Richland County by W.A. Counts and J.C. Wessinger dated Nov. 25, 1921, as described in book of boundaries of existing counties, section 4-3-460, at page 126 and 127.

The statute's verbiage forms the cornerstone of the Wessinger/Counts plat (although the plat is off 1° from what is cited in the statute). That plat shows the County line in a location that appears consistent with the County line shown on the location map. Both an examination of the location map and Mr. Cobb's testimony place Murphy's residence in Lexington County had Mr. Cobb's original county line designation been used.



9. Mr. Cobb testified that when he went to file the plat, individuals at the Lexington County Planning Commission instructed him to relocate the approximate county line on his plat to a location consistent with the tax parcel maps that were then being used by Lexington and Richland Counties. At the time that the final Cobb plat was filed, Richland County has used the line Cobb identified as the approximate county line on its GIS system for tax mapping. In order to receive approval of his subdivision plat and have it recorded, Cobb—without additional surveying—changed the location of the county line on his plat from the line specified in sections 4-3-370 and -460 of the South Carolina Code as the official boundary for Richland and Lexington Counties to the tax map boundaries for the counties.

10. Murphy later built her residence on the property. Again, apparently relying upon the approximate county line as specified in the recorded Cobb plat, she determined that she was in Richland County and obtained a building permit from Richland County.

11. After the residence was built under a Richland County permit, the improvement was included by the Richland County Assessor as property in Richland County pursuant to its records.

12. The Richland County GIS map (tax map) places Ms. Murphy in Richland County. Ms. Murphy paid (and continues to pay) taxes on her residence and vehicles registered at the 154 Old Laurel Lane, Chapin SC 29036 address and receive other services from Richland County based upon the inclusion of her residence in Richland County for tax purposes.

13. It is unclear who drew the lines for the Richland GIS maps or what information was relied upon in reaching the coordinates in these maps. However, Liz McDonald, Richland County Assessor, testified that the IT department draws the Richland GIS maps. She also testified that Richland and Lexington Counties' assessors have a "gentlemen's agreement" to use

the tax map GIS lines as the location of the county lines for tax purposes. This agreement is not in writing and has not been approved by the county councils for either county.

14. Murphy registered to vote in Richland County based upon her belief that her residence was located in Richland County. She registered in the Spring Hill precinct and voted in elections from 2000 to 2014.

15. In 2004, Ms. Murphy ran for a seat representing the Richland County portion of the District on the District 5 Board against Mr. Gantt and others. She lost that election.

16. In 2010, Ms. Murphy ran for a seat representing the Richland County portion of the District on the District 5 Board from Richland County and was elected.

17. Each time Ms. Murphy ran for office, the Board of Voter Registration and Elections accepted her candidate's application as a resident of Richland County.

#6  
Initials  
18. In the fall of 2012, acting pursuant to budget proviso 80A.20 in the S.C. General Appropriations Act for Fiscal Year 2012–2013 (Act No. 288), the Office of Research and Statistics of the Budget and Control Board<sup>1</sup> ("Division"), the body then charged with keeping official records of voting precinct and the location of county lines, ran a routine screening of voter precinct assignment to ensure that voters were assigned to the correct precincts. During that screening, the residence at 154 Old Laurel Lane was flagged as being in the incorrect precinct.

19. Murphy served on the District 5 Board until she was removed for cause pursuant to S.C. Code Ann. §59-19-60 on March 29, 2013 after the Board determined that she was not a resident of Richland County, but rather a resident of Lexington County and therefore did not meet the residency requirements imposed by S.C. Act No. 326 of 2002, §9.

<sup>1</sup> As a result of the restructuring of State Government, that office subsequently became the Revenue and Fiscal Affairs Office of the State of South Carolina.

20. Murphy never sought a stay of the Board's action removing her for cause.

21. Murphy left the Board and did not return to her seat as a board trustee after March 29, 2013.

22. Murphy appealed the Board's administrative action to the circuit court.

23. The Circuit Court Judge tried the matter *de novo* pursuant to S.C. Code Ann. §59-19-560. At the conclusion of that proceeding, the Court upheld the decision of the District 5 Board removing Murphy finding, *inter alia*, that: "since Appellant was elected from Richland County, but in fact resides in Lexington County, under the statutes of South Carolina, she does not meet the requirements of Act No. 326 of 2002, §9 to be a Board trustee."

24. Murphy appealed that decision, but did not seek a stay of the Court's Order.

25. Mapping of political boundaries in South Carolina is the statutory responsibility of the South Carolina Revenue and Fiscal Affairs Office ("RFAO") which is the successor to the South Carolina Office of Research and Statistics. RFAO has several divisions. These divisions include the Mapping and Census section, which includes several distinct sub-sections including the Office of Precinct Demographics, the Geodetic Survey, Digital Cartography and Census.

26. The Office of Precinct Demographics is charged by the General Assembly to maintain the official maps and descriptions of precincts and to serve as the authority for verifying official precinct information for the counties of South Carolina.

27. The Geodetic Survey is charged by the General Assembly to maintain, survey and plat the official county and state boundaries.

28. S.C. Code Ann. §7-7-465 (2016) defines the voting precincts in Richland County. That statute provides that RFAO delineates the official precinct boundaries. It provides, *inter alia*, "The precinct lines defining the precincts provided in subsection (A) are as shown on the

official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-79-15 and as shown on copies of the official map provided to the Board of Voter Registration and Elections of Richland County by the Revenue and Fiscal Affairs office."

29. RFAO has reviewed the official maps which it maintains as to the location of the residence at 154 Old Laurel Lane, Chapin, South Carolina 29036.

30. RFAO concluded that the residence at 154 Old Laurel Lane, Chapin, South Carolina is located wholly within the boundaries of the Chapin Precinct in Lexington County. No portion of the residence is located within the boundaries of the Springhill Precinct in Richland County. The residence is located hundreds of feet inside the Chapin precinct.

31. In 2013, RFAO's predecessor advised the Richland County Voter Registration and Election Commission of the fact that the residence at 154 Old Laurel Lane, Chapin South Carolina was not located in the Springhill precinct. In each case RFAO provided documents and reference to the official maps maintained by their office reflecting not only the precinct assignment, but House, Senate and County Council Districts. In none of these official maps was the residence at 154 Old Laurel Lane located in a Richland County voting precinct or district.

32. The South Carolina Geodetic Survey has also performed research and surveys which clearly demonstrate that the residence at 154 Old Laurel Lane, Chapin SC 29036 is located wholly within Lexington County. The residence is located more than 0.1 miles northwest of the county line in Lexington County. Mr. David Ballard, a registered land surveyor, and the director of the geodetic survey's boundary program, testified during the trial. Mr. Ballard testified about his on-the-ground review of the location of Rocky Ford a key survey location point on the line between the two counties—and his retracement and verification of its location from historical surveys referenced in S.C. Code Ann. §§ 4-3-370 and 4-3-460

(2016). Mr. Ballard testified that he had measured and surveyed relevant portions of the lines shown on the annexation plats relating to the area of Murphy's residence including annexation maps and plats surveyed October 1910 by C. W. Wannamker and F.W. Frederick, a proposed annexation map Surveyed December 4, 2012 by T. C. Hanby, H.S. Haynsworth and Z. L. Mobley, a plat prepared October 14, 1921 prepared by Counts and Wessinger and an annexation plat, completed on November 25 1921, by W. A. Counts and J. C. Wessinger, surveyors as well as other information necessary to accurately locate and verify the location of Rocky Ford as referenced in the statute.

Mr. Ballard testified that he was able to obtain closure of these surveys within reasonable degrees of professional certainty and, in fact, in several instances, the handheld GPS confirmed the coordinates previously established for Rocky Ford exactly. After confirming the location of Rocky Ford, Mr. Ballard made the necessary calculations to correct the true north and elevations to confirm the statutory bearings and then was able to map the statutory county line to the Murphy property and determine that her residence was approximately 1000 feet inside Lexington County, away from the Richland County line. Based upon the distances and the accuracy of the information developed, Mr. Ballard opined to a reasonable degree of professional certainty that it was not necessary to do a complete survey to confirm the location of the property located at 154 Old Laurel Lane, Chapin S.C., the residence was conclusively in Lexington County. He also opined that the 1-degree difference in the Wessinger/Counts plat would not make a difference as to the question of whether Ms. Murphy is a resident of Richland or Lexington County. No other surveyor who testified was able to demonstrate the field work to verify an opinion accurately locating Ms. Murphy's residence. This is particularly significant because Lucius Cobb's original plat prior to being corrected to match the tax parcel maps also placed the Murphy residence

#9

Initials

inside Lexington County. Mr. Cobb's original draft of his plat was also the result of extensive fieldwork, and it located Rocky Ford where Mr. Ballard located this key monument. Mr. Ballard testified that Ms. Murphy's residence is located in and she is a resident of Lexington County.

33. Ronnie Tyler, Defendant Murphy's expert agrees that the Code of Laws contains the correct county line, but contends that the line has not been surveyed properly over the years. He stated that the 1-degree difference in the Wessinger/Counts plat translates to moving the county line by 164 feet. However, since Tyler's report the state geodetic survey office has undertaken to re-survey the line. Mr. Tyler did not conduct a survey in the field.

34. Leroy J. Harrell, Mapping Manager for the Richland County Assessor's office, testified that the line shown on the county maps was "our best estimate" and that his office generally would yield to the knowledge and experience of the state geodetic survey. Mr. Harrell

Did not conduct a survey in the field.

35. Elizabeth M. McDonald, Richland County Assessor, testified that there was an informal agreement among the assessors not to change tax map information where it would affect a county of residence until the Geodetic Survey completed the resurvey and certification of the County line using the process provided by the General Assembly in *S.C. Code Ann.* §27-2-105 (2016).

36. Plaintiffs followed the process outlined in the statute by making their challenge to Murphy's standing as a qualified elector utilizing a written petition as required by *S.C. Code Ann.* §7-5-230(A). The Richland County Voter Registration and Election Commission held a hearing on August 30, 2016 on the Appellants' separate petitions to disqualify Murphy.

37. The Lexington County tax maps show 154 Old Laurel Lane being located within Lexington County.

38. The Richland County tax maps show 154 Old Laurel Lane being located within Richland County.

39. The Richland County GIS maps show 154 Old Laurel Lane as being located within a Lexington County House District.

40. The Richland County GIS maps show 154 Old Laurel Lane as being located within a Lexington County Senate District.

41. The official state precinct maps show 154 Old Laurel Lane as being located within the Chapin Precinct in Lexington County.

42. S.C. Code Ann. § 4-3-370 (2016) establishes the boundaries of Lexington County.

It reads:

Lexington County is bounded on the northeast and east by Richland County; on the southeast by Orangeburg and Calhoun Counties, from which it is divided by Beaver Creek; on the Southwest by Aiken County, from which it is separated by the north fork of the Edisto River to the mouth of the southern branch of Chinquepin Falls Creek and then by said creek to a point where it intersects the line drawn from Silver Bluff, on the Savannah River, to the mouth of Rocky Creek, on Saluda River; on the northwest by Saluda County, from which it is separated by a line drawn from Silver Bluff, on Savannah River, to the mouth of Rocky Creek, on the Saluda River; and by Newberry County, from which it is separated by a line beginning at a point in Broad River, on the Fairfield-Lexington County line, about .25 of a mile below Peak, and running thence S. 40[degrees] W. to a point on the west bank of Broad River; thence S. 40[degrees] W. 1956 feet to an oak; thence S. 46[degrees] 40' W. 2410 feet to a stone on the public road; thence S. 41[degrees] W. 1143 feet to a stake; thence S. 32[degrees] 30' W. 9568 feet to a stake on a branch; thence down the run of the branch to a stake; thence S. 45[degrees] W. 575 feet to a stake; thence N. 86[degrees] 30' W. 3782 feet to a pine; thence S. 26[degrees] 30' W. 3650 feet to a stake; thence S. 53[degrees] 30' W. 4990 feet to a point on the Columbia, Newberry and Laurens Railroad; thence S. 73[degrees] 30' W. 2613 feet to a maple in a branch; thence S. 68[degrees] 30' W. 2180 feet to a stake near a negro church; thence N. 77[degrees] 30' W. 5577 feet to a stake just west of the public road, near Little Mountain; thence S. 28[degrees] W. 20850 feet to Camping Creek, near the mouth of Stevens Creek; thence up the run of Camping Creek to the old Newberry-Lexington County line; thence southwesterly with the old Newberry-Lexington County line to Saluda County on Broad River. Less however, that territory transferred to Richland County by act approved March 11

#11  
Initials

1922, to wit: all that certain piece of land containing 8900 acres, or 14 square miles, situate in the northeastern part of Lexington County on the Broad River, and being bounded and delineated as follows, to wit: beginning at a point on said Broad River, and running S. 41[degrees] W. 82.51 chains to a stake, thence turning and running S. 32.5[degrees] W. 160.65 chains to a stake, thence running along a creek which empties into Wateree Creek 42.24 chains to a stake, thence running to the point where said creek joins Wateree Creek 71.51 chains, **thence running along said Wateree Creek 94 chains, thence turning and running S. 23[degrees] E. 142.50 chains to a point in Slice Creek known as Rocky Ford, thence turning and running northerly along Slice Creek 164 chains,** thence turning and running easterly along Wateree Creek 305.00 chains to the point of entrance of Wateree Creek and Broad River, thence turning and running in a northwesterly direction along Broad River 410 chains, said piece of land being bounded on the west by Newberry County, on the south and southwest by Lexington County, on the south by Richland County, and on the east and north by the Broad River, being more particularly known as the plat of said property, completed on November 25 1921, by W. A. Counts and J. C. Wessinger, surveyors, said plat being filed in the office of the Secretary of State. And less that territory transferred to Newberry County by act approved May 12 1953, to wit: all of that certain territory or portion of Lexington County embraced within the following lines and boundaries, to wit: beginning at a point of the intersection of Lexington County-Saluda County-Newberry County lines at Saluda River; thence N. 22[degrees] 30' E. 17710 feet to Camping Creek; thence in a general southeastern direction along Camping Creek to confluence of Saluda River; thence in a northwesterly direction along Saluda River to point of beginning, being more particularly lined and described on a plat of said territory by the Columbia Engineering Company, completed November 1 1952, said plat being filed in the office of the Secretary of State.

#12  
Initials

[emphasis added]

reads:

43. S.C. Code Ann § 4-3-460 establishes the boundaries of Richland County. It

Richland County is bounded on the north by Fairfield County, from which it is separated by new boundary lines set forth and specifically described in the location and boundary of Fairfield County; on the east by Kershaw County and Sumter County from which it is separated by the Wateree River; on the south by Calhoun County; on the west by Lexington County, from which it is separated by a line beginning on the Congaree River where the counties of Lexington and Richland meet on the southern division thereof, and running thence with the Congaree River to where the confluence of the Broad and Saluda Rivers unite to form the Congaree, and following the thread of Saluda River about two and one-half miles to a concrete boundary marker; thence in a northwesterly direction upon the circumference of a circle having Lexington courthouse as its center, with



a radius of not less than eight miles and a deflection of 1[degrees] 21' for every one thousand feet, to a concrete boundary marker on the eastern boundary line of the town of Irmo; thence along the boundary line of the town of Irmo to the northeast corner of the town; thence west along the northern boundary of the town of Irmo 2,260 feet to a stake located thereon; thence along the circumference of the circle first described 11,360 feet to a stake; then N. 42[degrees] 30' W. 878 feet; thence west 5,000 feet to a stake; thence S. 85[degrees] W. 5,000 feet to a stake; thence S. 80[degrees] W. 5,541 feet to a stake; thence N. 37[degrees] 28' W. 10,618 feet to a stake; thence S. 85[degrees] W. 750 feet to a pine; thence N. 34[degrees] 45' W. 10,491 feet to a stake; thence N. 22[degrees] E. 914 feet to a stake; thence N. 37[degrees] 5' W. 1,313 feet to a stake; **thence N. 13[degrees] 45' E. 2,597 feet to a stake; thence N. 56[degrees] 35' E. 3,920 feet to a point on Rocky Ford on Wateree Creek; thence north, northeast and east along the Wateree Creek** to where it empties into Broad River. To the above-described area of Richland County is to be added all that territory transferred from Lexington County by act approved March 11 1922, to wit: all that certain piece of land containing 8,900 acres, or 14 square miles, situate in the northeastern part of Lexington County on the Broad River, and being bounded and delineated as follows, to wit: beginning at a point on the Broad River, and running S. 41[degrees] W. 82.51 chains to a stake; thence turning and running S. 32.5[degrees] W. 160.65 chains to a stake; thence running along a creek which empties into Wateree Creek 42.24 chains to a stake; thence running to the point where said creek joins Wateree Creek 71.51 chains; thence running along Wateree Creek 94 chains; thence turning and running S. 23[degrees] E. 142.50 chains to a point in Slice Creek known as Rocky Ford; thence turning and running northerly along Slice Creek 164 chains; thence turning and running easterly along Wateree Creek 305.00 chains to the point of entrance of Wateree Creek and Broad River; thence turning and running in a northwesterly direction along Broad River 410 chains, said piece of land being bounded on the west by Newberry County, on the south and southwest by Lexington County, on the south by Richland County, and on the east and north by the Broad River, being more particularly known as the plat of said property, completed on November 25 1921, by W.A. Counts and J.C. Wessinger, surveyors, said plat being filed in the office of the Secretary of State.

#13  
Initials

[emphasis added]

44. Both statutes include Rocky Ford as a landmark with a bearing and distance to other identified points.

45. Ms. Murphy's residence is, according to testimony, within approximately 1000 feet from Rocky Ford.

46. The location of Rocky Ford is established, monumented and not in doubt. It was

established and recognized before any controversy arose over the location of the Murphy residence.

47. During cross-examination, Murphy acknowledged that she had previously communicated to her expert witness that if the Rocky Ford point used by SFAO is the point in statute that "I believe I would be in Lexington County."

48. Because the location of Rocky Ford is established and the statutes defining the county boundaries contain specific bearings from that point which can be plotted to locate the county line near Murphy's property, the line is neither ill-defined, unmarked or poorly marked.

49. The residence at 154 Old Laurel Lane is located inside of Lexington County. That location is established by clear and convincing evidence.

### CONCLUSIONS OF LAW

#### Kim Murphy is not a resident of Richland County.

#14  
Initials  
The starting point of the analysis of this issue is S.C. Act No. 326 of 2002, §9. That act only permits a resident of Richland County to run for the particular seat Ms. Murphy seeks on the School Board (one of the seats allocated to Richland County). Act No. 326 clearly states: "[n]otwithstanding another provision of law, in Richland-Lexington School District 5: (1) three trustees must reside in Richland County and four must reside in Lexington County." The Court finds that since Murphy seeks office in Richland County, but in fact resides in Lexington County, under the law of South Carolina, she does not meet the requirements of Act No. 326 of 2002, to serve as a Board trustee and because she does not meet the requirements to serve, she is not qualified to run for the office and her name should be removed from the ballot. Not only does Murphy's residence in Lexington County deprive her of the qualification for the office, but her failure to reside in Lexington County under a mandatory residence requirement specially imposed by the General Assembly directly affects the rights and interests of the public and is a

matter of significant public interest. The public has a right to have only legally qualified candidates on the ballot.

#16  
 In adopting S.C. Act 326 of 2002, §9, the General Assembly transferred one of seven Board seats from Lexington to Richland counties – in fact this was the only portion of the Act that passed Justice Department “preclearance” under the Voting Rights Act. The purpose of the move was to accommodate the changing balance of population in the two portions of the District to comply with Constitutional one-man-one-vote requirements for local representation, whereby, “[i]f voters residing in oversize districts are denied their constitutional right to participate in the election of state legislators, precisely the same kind of deprivation occurs when the members of a city council, school board, or county governing board are elected from districts of substantially unequal population.” *Avery v. Midland County Tex.*, 390 U.S. 474,480-81 (1968). The very purpose of the Act was to assure Richland County the constitutionally required level of representation on the Board. “Area representation is a familiar form of local representative government. . . . The purpose is to give each and every part of the city or town representation. . . . Such legislative plan is modeled in accordance with the national and state systems. It is designed to render a council a popular branch and keep it more directly in touch with the people.” *Gaud v. Walker*, 53 S.E.2d 316, 327 (S.C. 1949) (quoting, McQuillen, *Municipal Corporation*, 2d Ed., Volume 2, §598).

So, to be able to run for the seat she seeks, Ms. Murphy must reside in Richland County. Plaintiffs seek a declaration as to whether she lives in Richland County as she contends or in Lexington County as they allege. The question then presented to the Court is in which county is her residence at 154 Old Laurel Lane located? In South Carolina, the General Assembly alone has the power to set or change a county boundary. S. C. Const Art. VII §§7, 13 and Art VIII, §2.

Counties also depend on self-generated or self-maintained maps such as tax parcel maps for various county purposes. However,

In the absence of statutory authority, county may survey its boundaries for the temporary guidance of its officers, but a survey so made is not binding on the adjoining county nor on the public generally.

20 C.J.S. Counties §29. Location of a disputed boundary line is a question of fact. *Williams v. Moore*, 733 S.E. 2d 224, 230 (S.C. App. 2012). Neither Richland County nor Lexington County can establish or move a county boundary – the boundaries must be set by the General Assembly. Accordingly, errors in an unauthorized map cannot change a legislated boundary line. The Code of Laws states the county line, so the question becomes: where is that line located in relation to Ms. Murphy's residence? The facts in this case establish that both Lexington and Richland Counties have developed and maintained maps for the internal use and purposes that while they are designed to approximate the county line between them are subject to a number of informal agreements regarding property taxation such that the tax maps are neither reliable nor compelling evidence of the actual location of the County line.

#16  
Initials

The State Fiscal Affairs Office and its predecessor the Office of Research and Statistics have the responsibility to identify the actual location of the county line as defined by the General Assembly. The Geodetic Survey is a part of this office. Statutes enacted by the General Assembly give the Geodetic Survey the responsibility and authority to coordinate mapping activities within the State to insure consistent, accurate, and reliable county and state maps for a myriad of purposes. (See, e.g. S. C. Code Ann. § 27-2-85, § 27-2-9 and § 27-2-10). When the question arose, the Geodetic Survey not only undertook to verify the location of the monument in statute (Rocky Ford), its employees did so using multiple techniques which are scientifically recognized to provide the correct result. They followed and traced the relevant portions of the

old surveys to confirm the location of Rocky Ford and converted and verified the statutory bearings to ensure accuracy. They then made a determination to a level of precision necessary to provide professional confidence in their determination. Their location of the county line has been made in a reliable, verifiable and repeatable manner. While it is not the certified plat of the county line which will ultimately be developed pursuant to *S.C. Code Ann.* §27-2-105 (2016) which the defendants argue is the only acceptable way to make this determination, it is a determination that is compelling evidence necessary to resolve this question.

The boundary of Richland County is set by the General Assembly in *S.C. Code Ann.* §4-3-460 (2016). The boundary of Lexington County is described in *S.C. Code Ann.* §4-3-460 (2016). Both statutory descriptions reference "a point in Slice Creek known as Rocky Ford" which is shown on "the plat of said property, completed on November 25, 1921 by W. A. Counts and J.C. Wessinger Surveyors, said plat being filed in the office of the Secretary of State", *Id.* Rocky Ford is a common geographic feature used to establish the boundary between the counties in the area of Murphy's residence. The statutes describing Richland and Lexington Counties contain language that the county line runs "S.23° E. 142.5 chains to a point in Slice Creek known as **ROCKY FORD**; thence turning and running northerly along Slice Creek 164 chains . . . ." [emphasis added]. The maps presented demonstrate a consistent placement of Rocky Ford on surveys and maps which establish the fact that Murphy's residence is clearly and unambiguously located in Lexington County. The testimony of David Ballard of the South Carolina Geodetic Survey compellingly demonstrates the consistent placement of Rocky Ford and the efforts taken to confirm that placement. His professional actions and work are documented by his testimony and establish the accuracy and credibility of his conclusions. Mr. Ballard visited the site numerous times and used the tools available to him to verify the location of the county line. The

testimony of Lucius Cobb as to how the "approximate county line" came to be located on the filed subdivision plat as well as his placement of the county line on the plat prior to making changes to match the tax mapping parcels at the request of Lexington County provides further compelling evidence locating Murphy's property in Lexington County. Most importantly, where the Cobb plat passes the county line through Rocky Ford, Murphy's residence is located in Lexington County. The testimony of these two professionals provides clear and convincing evidence that the Murphy residence is located in Lexington County and not Richland County. The fact that Mr. Ballard and the geodetic survey have located and documented the location of Rocky Ford at a place identified by the ancient plats, and that Mr. Cobb's plat corroborates this location when the County Line shown on his plat line runs through Rocky Ford compels the Court to conclude that the residence has been properly located in Lexington County.

Likewise, the testimony of Messrs. Rainwater and Roberts convincingly establishes additional evidence which clearly demonstrates that Murphy lives in Lexington County: her house is located in the Chapin precinct; it is located in Lexington County House and Senate Districts, and it was previously shown in Lexington County. Moreover, they testify that the residence at 154 Old Laurel Lane, Chapin, S.C. is located in Lexington County based upon the U.S. Census Block database. Conversely, only the tax maps in Richland County locate the Murphy residence in Richland County. Neither Mr. Rainwater, Mr. Roberts or Mr. Ballard expressed any doubt as to the location of the Murphy residence. Each was certain that the residence was located within Lexington County. Moreover, Mr. Cobb agreed that based upon his original county line, the residence would be located in Lexington County. Mr. Tyler's criticism of the location is based upon a contention that the county line has not been surveyed properly over the years. He stated that the difference in the Wessinger/Counts plat translates into

#18  
Initials

moving the county line by 164 feet. However, since Tyler's report, the state geodetic survey office has undertaken to re-survey the lines. Ballard's testimony addressed this issue.

The testimony of the County officials generally demonstrates that in their administration of their internal affairs the accurate location of the County line is not of paramount import. Rather they seem to be most interested in preserving the status quo until such time as the geodetic survey completes a recertification of the county line.

*S.C. Code Ann. §7-7-465 (2016)* establishes Richland County voting precincts. *S.C. Code Ann. §7-7-465(B)* provides that:

The precinct lines defining the precincts provided in subsection (A) are shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-79-15 and as shown on copies of the official map provided to the Board of Voter Registration and Elections of Richland County by the Revenue and Fiscal Affairs Office.

[emphasis added]. The official map referenced in the statute was placed into evidence and the testimony surrounding that map demonstrates that the location of Murphy's residence is not within the Spring Hill Precinct of Richland County. This official map clearly establishes that the residence at 154 Old Laurel Lane is not located in the Spring Hill Precinct or in any legislative, senate or county council district representing the Spring Hill Precinct.

The overwhelming evidence in the record in this case is that Murphy lives in Lexington County. The official state precinct maps establish that Kim Murphy's residence is located in the Chapin Precinct in Lexington County. Her residence is located hundreds of feet inside of Lexington County on every identified official State record. When he extended the statutory bearings from Rocky Ford pursuant to statute in both directions as he described in his testimony, Mr. Ballard confirmed that Ms. Murphy's home is in Lexington County. The US Census tract maps, the work of the South Carolina Geodetic Survey and the district maps established by the

General Assembly for the South Carolina House and Senate further demonstrate that she is a Lexington County resident.

Murphy wishes to argue against all manner of authorities that she lives in Richland County because it carries her residence on the County tax maps and she pays taxes there. She submitted property and vehicle tax bills to demonstrate that she is a resident of Richland County. She testified that she believes that she is a resident of Richland County. She submitted voting and registration records showing that she has been registered to vote and, in fact, has voted in Richland County during the entire time that she has resided at 154 Old Laurel Lane. She also endeavors to assert that there is some kind of dispute as to the location of the county line solely because Richland County has improperly located her residence inside its borders when her residence is located in Lexington County. One reason her residence is located on the Richland County GIS and she is taxed in Richland County may be because she (or her husband's) filed a plat wherein the County line was based on tax map parcels and obtained a building permit in Richland County. Murphy endeavors to argue that the counties have agreed that she is a resident of Richland County and that their decision should be a binding determination of her residence.

#20  
Initials

The clear evidence in the record is that Murphy's residence is located in Lexington County. The agreements between the Counties are not official - there is no evidence that they have been approved by either County Council - but even if they were, the Counties cannot by agreement, laches, or any other way change or alter the County line. Only the General Assembly is authorized to do move, change or alter a county line.

All in all, every survey/map and the testimony (except the Richland GIS map and Cobb's second map) place Ms. Murphy in Lexington County. These include the state geodetic survey maps and census maps (used to create House and Senate districts and precinct lines), and most of



the expert testimony. Even Tyler stated that the statute contains the correct coordinates. He merely took issue with the surveying that had been done and the impact of the 1-degree difference between the language of the statute and the Wessinger/Counts plat. Thus, based on the entirety of the evidence and testimony, I conclude that Ms. Murphy is a resident of Lexington County, and cannot be considered on the Richland County ballot in the upcoming election.

Even if the boundary has been misidentified by the counties, errors in an unauthorized map cannot change a legislated boundary line. Something as important to the public as the qualifications of a candidate cannot be bound by a county's determination of its geographical boundary where that determination is inconsistent with state statutes. Accordingly, the Court finds that neither the county planning nor tax maps are binding on the Court or determinative of the actual, statutory boundary.

Murphy argues that her status as an "elector" registered by the officials of the Board of Elections and Voter Registration of Richland County is dispositive of her residence. She also argues that the *ad valorem* taxation of the residence and her vehicles by Richland County prove that she is a Richland County resident. Both of these factors are matters of Richland County's administration of its internal duties, and not within the purview of this matter. While they also may reflect Murphy's intentions and perhaps even her domicile, they do not establish her residence in Richland County. Our Courts have construed the term resident when used in a statute for eligibility for elected office strictly as "actual physical residence ... rather than mere domicile." *Ravenel v. Dekle*, 265 S.C. 364, 218 S.E. 2d 521 (1975).

Murphy also argues that Plaintiffs and the counties are estopped to deny that she is a resident of Richland County. Murphy neither pled nor proved the elements of estoppel.

Murphy also pleads that the line has been established by acquiescence. Her claim is

#21  
Initials

based upon the informal agreement between the counties. Since only the General Assembly can constitutionally alter a county line, the county map is not binding on the General Assembly and generally estoppel or acquiescence is not an available remedy against the state.

### ORDER

Based upon the foregoing findings of fact, analysis and conclusions of law, the Court orders that:

(1) Kim Murphy is a resident of Lexington County, not Richland County. Her residence at 154 Old Laurel Lane, Chapin SC 29036 is located in Lexington County.

(2) Kim Murphy is a resident of the Chapin Precinct in Lexington County and not a resident of the Spring Hill Precinct in Lexington County pursuant to the official precinct maps of the State of South Carolina.

#22  
Initials (3) Kim Murphy does not meet the requirements to hold the office of Board trustee representing Richland County under S.C. Act 326 of 2002, §9 because she does not physically reside in Richland County.

(4) Kim Murphy is not a qualified candidate to appear on the 2016 Ballot for the Office of Board Trustee representing Richland County on the School Board of School District Five of Lexington and Richland Counties as she fails to meet the "must reside in Richland County" requirement of S.C. Act No. 326 of 2002, §9.

(5) Kim Murphy's name cannot legally appear on the Richland County Ballot for the Richland County Seat for the Board of Trustees of School District Five of Lexington and Richland Counties and her name should be removed from the 2016 ballot.

(6) The Defendant Board of Voter Registration and Elections for Richland County is Ordered to remove Murphy's name from the 2016 ballot for the Office of School Board Trustee

from Richland County on the School Board for School District Five of Lexington and Richland Counties as she fails to meet the statutory qualifications to seek that office.

**AND IT IS SO ORDERED.**

#23

Signature Redacted

Honorable Jean Hoefler Toal  
Circuit Court Judge  
Fifth Judicial Circuit

Columbia, South Carolina  
October 10, 2016.

**STATE ELECTION COMMISSION**  
**1122 Lady Street, 5th Floor**  
**Columbia, SC 29201**

**November 16, 2016**

**Immediately following the State Board of Canvassers meeting**

**Present:** Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. Allen Dawson (via teleconference); Ms. Nicole White; (via teleconference)

**Others Present:** Marci Andino, Executive Director; Kristina Catoe, Staff Attorney; Chris Whitmire, Director of Public Information and Training; Howard Snider, Director of Voter Services; Daylin Silber, Administrative Coordinator; Kim Murphy, a member of the public

**COMMISSIONERS**

**BILLY WAY, JR.**  
Chairperson

**MARK A. BENSON**

**MARILYN BOWERS**

**E. ALLEN DAWSON**

**NICOLE SPAIN WHITE**

**THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.**

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

**Approval of Minutes**

Chairman Way stated that the first item of business was the approval of the minutes from the October 19, 2016 (SEC) meeting.

Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were unanimously approved.

**New Business**

The first item under new business was the 2017 schedule of meetings. Ms. Andino advised that there are no special elections scheduled at this time. She reminded the board that the meetings are scheduled on the third Wednesday of each month but that the dates may change if it becomes necessary.

The next item under new business was the 2016 statewide general election wrap-up. Ms. Andino advised the commission that the voter turnout in South Carolina was 68% with 2.1 million ballots cast. A record 513,711 absentee ballots were issued and approximately 500,000 were returned. Ms. Andino reported that the election went

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Columbia, SC 29201

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Columbia, SC 29250

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smoothly with no major issues. She further stated that there were no significant lines, no constitutional amendments and only a few local questions on the ballots. Ms. Andino also informed the commissioners that training and technology had been provided to assist with line management. She stated that one county was unable to certify in a timely manner. Ms. Andino advised the commissioners that problem areas in the canvass and certification process will be identified and recommendations will be made to the county.

Ms. Andino reminded the commission that the deadline to file protests for federal, state offices, and multicounty offices is November 21, 2016 and ~~that~~ the deadline for appeals from county board decisions is November 28, 2016.

### **Old Business**

The first item under old business was General Election security and emergency procurement. Ms. Andino reminded the Commission that due to accusations of rigged elections, hackings and threats of foreign countries attempting to disrupt the election, an emergency procurement was issued. Ms. Andino informed the commissioners that in order to improve security, the Agency's public facing website was moved to the Microsoft Cloud, vulnerability testing was carried out on all systems and networks, and remediation, to the extent that was possible considering the short timeframe, was also performed. The Agency will continue to follow recommendations provided by the company who conducted the vulnerability testing and provided remediation services.

Regarding information technology security updates, Ms. Andino stated that there were no additional updates to report.

In regard to the Project Vote letter, Ms. Catoe reported that resolution is still in progress. In *Guess v. State Election Commission* case, Ms. Catoe advised that the case is being continued. In *Ahmad, et.al. v. Greenville County Board of Registration and Elections and the State Election Commission*, Ms. Catoe informed that the case is being settled. The Greenville County Board of Voter Registration and Elections is to cease using a questionnaire to determine eligibility to register to vote for students attempting to register with an on-campus address.

Ms. Murphy was permitted to address the Commission regarding the county boundaries that affected her voter registration.

Chairman Way reminded everyone that the next SEC meeting is scheduled for December 21, 2016.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,  
Daylin Silber

**SECTION 7-3-20**. Executive director of State Election Commission.

(A) The State Election Commission shall elect an executive director who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission.

(B) The executive director shall receive such compensation and employ such staff, subject to the approval of the State Election Commission, as may be provided by law.

(C) The executive director shall:

(1) supervise the conduct of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

(2) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

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

(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;

(5) enter names on the master file as they are reported by the county boards of voter registration and elections;

(6) furnish each county board of voter registration and elections 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;

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

(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;

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

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

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

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

(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;

(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

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

(D) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by state or local governments. State and local governments shall file notice of all changes in voting procedures, including, but not limited to, changes to precincts with the State Election Commission within five days after adoption of the change or thirty-five days prior to the implementation, whichever is earlier. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election, then the changes shall remain on the commission's website through the date of the following general election.

HISTORY: 1962 Code § 23-31; 1967 (55) 657; 1968 (55) 2316; 1996 Act No. 466, § 2, eff August 21, 1996; 2006 Act No. 253, § 1, eff March 24, 2006; 2012 Act No. 265, § 4, eff upon preclearance approval or declaratory judgment; 2014 Act No. 196 (S.815), §§ 1, 10, eff June 2, 2014.

#### Code Commissioner's Note

Pursuant to the directive in 2014 Act No. 196, § 8, at the direction of the Code Commissioner, references



in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

**Catoe, Kristina**

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**From:** Catoe, Kristina  
**Sent:** Monday, October 10, 2016 6:22 PM  
**To:** jake@mttlaw.com  
**Subject:** Kim Murphy  
**Attachments:** 20161010181408552.pdf; ATT00001.htm

Mr. Moore,

Please find attached correspondence from Marci Andino, Executive Director, to your client and all registered voters at 154 Old Laurel Lane, Chapin, SC.

Because of Judge Toal's ruling, the voter registrations at the address in Richland County have been deactivated. The deadline for registration by mail has been extended to tomorrow, October 11th. Please notify your client to complete an application for registration in Lexington County by mail for postmarking tomorrow so that she and the residents at her home can be registered to vote if they choose.

If you have any questions, please contact my office.

Kristina

Sent from my iPhone

Begin forwarded message:

**From:** "Kristina Catoe" <kcatoe@elections.sc.gov>  
**To:** "Catoe, Kristina" <kcatoe@elections.sc.gov>  
**Subject:** Message from "RNP002673BD645A"

This E-mail was sent from "RNP002673BD645A" (MP C4503).

Scan Date: 10.10.2016 18:14:08 (-0400)

**SOUTH CAROLINA  
ELECTION COMMISSION**

October 10, 2016

Mr. Denis Murphy  
154 Old Laurel Lane  
Chapin, SC 29036

Dear Mr. Murphy:

PLEASE TAKE NOTICE that your voter registration certificate number 406712491 in Richland County has been removed from the active voter registration list pursuant to the Order on Action for Declaratory Judgment (Civil Action #2016-40-CP-5431) that concluded the property located at 154 Old Laurel Lane, Chapin, South Carolina is in Lexington County.

If you wish to register to vote in order to participate in the 2016 General Election, please note registration by mail applications must be postmarked no later than Tuesday, October 11, 2016. Voter registration by mail applications are available at [scvotes.org](http://scvotes.org). The deadlines for online voter registration and in-person voter registration have passed.

Sincerely,

Signature Redacted

Marci Andino

/mba

Cc: Richland County Board of Registration and Elections

COMMISSIONERS

BILLY WAY, JR.  
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO  
Executive Director

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Columbia, SC 29250

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**SOUTH CAROLINA**  
**ELECTION COMMISSION**

October 10, 2016

Ms. Emily J. Murphy  
154 Old Laurel Lane  
Chapin, SC 29036

Dear Ms. Murphy:

PLEASE TAKE NOTICE that your voter registration certificate number 406888792 in Richland County has been removed from the active voter registration list pursuant to the Order on Action for Declaratory Judgment (Civil Action #2016-40-CP-5431) that concluded the property located at 154 Old Laurel Lane, Chapin, South Carolina is in Lexington County.

If you wish to register to vote in order to participate in the 2016 General Election, please note registration by mail applications must be postmarked no later than Tuesday, October 11, 2016. Voter registration by mail applications are available at [scvotes.org](http://scvotes.org). The deadlines for online voter registration and in-person voter registration have passed.

Sincerely,

Signature Redacted

Marci Andino

/mba

Cc: Richland County Board of Registration and Elections

COMMISSIONERS

BILLY WAY, JR.  
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

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**SOUTH CAROLINA  
ELECTION COMMISSION**

October 10, 2016

Ms. Frances A. Murphy  
154 Old Laurel Lane  
Chapin, SC 29036

Dear Ms. Murphy:

PLEASE TAKE NOTICE that your voter registration certificate number 470063259 in Richland County has been removed from the active voter registration list pursuant to the Order on Action for Declaratory Judgment (Civil Action #2016-40-CP-5431) that concluded the property located at 154 Old Laurel Lane, Chapin, South Carolina is in Lexington County.

If you wish to register to vote in order to participate in the 2016 General Election, please note registration by mail applications must be postmarked no later than Tuesday, October 11, 2016. Voter registration by mail applications are available at [scvotes.org](http://scvotes.org). The deadlines for online voter registration and in-person voter registration have passed.

Sincerely,

Signature Redacted

Marci Andino

/mba

Cc: Richland County Board of Registration and Elections

**COMMISSIONERS**

BILLY WAY, JR.  
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

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**SOUTH CAROLINA  
ELECTION COMMISSION**

October 10, 2016

Ms. Elizabeth Murphy  
154 Old Laurel Lane  
Chapin, SC 29036

Dear Ms. Murphy:

PLEASE TAKE NOTICE that your voter registration certificate number 470343289 in Richland County has been removed from the active voter registration list pursuant to the Order on Action for Declaratory Judgment (Civil Action #2016-40-CP-5431) that concluded the property located at 154 Old Laurel Lane, Chapin, South Carolina is in Lexington County.

If you wish to register to vote in order to participate in the 2016 General Election, please note registration by mail applications must be postmarked no later than Tuesday, October 11, 2016. Voter registration by mail applications are available at [scvotes.org](http://scvotes.org). The deadlines for online voter registration and in-person voter registration have passed.

Sincerely,

Signature Redacted

Marci Andino

/mba

Cc: Richland County Board of Registration and Elections

COMMISSIONERS

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Chairperson

MARK A. BENSON

MARILYN BOWERS

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EVERY VOTE MATTERS.  
EVERY VOTE COUNTS.

## Catoe, Kristina

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**From:** Andino, Marci  
**Sent:** Tuesday, October 11, 2016 12:27 PM  
**To:** Catoe, Kristina  
**Subject:** FW: Kim Murphy Order

FYI

**From:** Crepes, Dean  
**Sent:** Tuesday, October 11, 2016 12:26 PM  
**To:** Andino, Marci <marci@elections.sc.gov>  
**Subject:** RE: Kim Murphy Order

On the phone with her, and she is going to contact her attorney for advice on what to do.....I am trying to get her email to start communication.

**From:** Andino, Marci  
**Sent:** Tuesday, October 11, 2016 11:31 AM  
**To:** Crepes, Dean  
**Subject:** RE: Kim Murphy Order

Do you have a way to contact her?

**From:** Crepes, Dean  
**Sent:** Tuesday, October 11, 2016 11:28 AM  
**To:** Andino, Marci <marci@elections.sc.gov>  
**Subject:** RE: Kim Murphy Order

I have apps from back in 2014, when she thought she may be removed from Richland, can I used these if she wants to get registered in Lexington? I have proof of residency also. The ones I have all the details needed.

**From:** Andino, Marci  
**Sent:** Tuesday, October 11, 2016 9:50 AM  
**To:** Crepes, Dean  
**Subject:** RE: Kim Murphy Order

Just so you know, we made Kim Murphy and family Inactive/Other yesterday.

**From:** Crepes, Dean  
**Sent:** Monday, October 10, 2016 4:34 PM  
**To:** Andino, Marci <marci@elections.sc.gov>  
**Subject:** RE: Kim Murphy Order

Interesting...bet she appeals this also.

**From:** Andino, Marci  
**Sent:** Monday, October 10, 2016 3:58 PM  
**To:** Crepes, Dean  
**Subject:** Kim Murphy Order

Dean,

Attached is the Order on Action for Declaratory Judgment in the Kim Murphy case. The order states Ms. Murphy is a resident of Lexington County.

Marci Andino  
Executive Director

**South Carolina State Election Commission**

**1122 Lady Street, Suite 500**

Post Office Box 5987

Columbia, S.C. 29250

Tel: 803.734.9001

Fax: 803.734.9366

[scVOTES.org](http://scVOTES.org)



**EVERY VOTE MATTERS.**  
**EVERY VOTE COUNTS.**

This message originates from the South Carolina State Election Commission. If you have received this message in error, we would appreciate it if you would immediately notify the South Carolina State Election Commission by sending a reply e-mail to the sender of this message. Thank you.



STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

IN THE COURT OF COMMON PLEAS

Kim Murphy, )

Petitioner, )

vs. )

Richland-Lexington School District No. 5 )  
by and through its Board of Trustees by )  
and through Counsel to the Board of )  
Trustees, )

Respondent. )

CASE NO. 2013-CP-40-1897

**ORDER AFFIRMING THE APPELLANT'S  
REMOVAL FROM THE BOARD OF  
TRUSTEES**

FILED  
2014 OCT 30 PM 2:33  
JEANNETTE W. MOCHLOE  
C.C.P. & G.S.

**I. INTRODUCTION**

This case has come before the Court pursuant to S.C. Code Ann. § 59-19-60 as an appeal by Kim Murphy ("Appellant") from her removal from the Board of Trustees (the "Board") for School District 5 of Lexington and Richland Counties (the "District"). Specifically, Appellant contends that she is a resident of Richland County and that her removal by the Board was unlawful. The Board maintains that it (1) provided Appellant with due process under S.C. Code Ann. § 59-19-60, and (2) that the Board had legal authority to remove Appellant from office under S.C. Code Ann. § 59-19-60.

The Court has carefully considered the pleadings and materials submitted, the oral arguments presented at the hearing held on September 11, 2014, and the relevant authorities governing this action. For the reasons set forth below, the Court affirms the Board's decision to remove Appellant from office.

**II. PROCEDURAL BACKGROUND**

The Court finds the following facts regarding the procedural background of this appeal to be undisputed. Appellant resides at 154 Old Laurel Lane, Chapin, South Carolina. By law, three trustees on the Board must reside in Richland County and four trustees must reside in Lexington

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Initials

County. S.C. Act No. 326 of 2002, § 9. In November 2010, Appellant was elected to the Board of Trustees as a resident of Richland County. In October 2012, the Board Chair, Robert Gantt, received information that Appellant resided in Lexington County, not Richland County. Mr. Gantt sought a determination from the Director of the South Carolina State Budget and Control Board's Division of Research and Statistics, Bobby Bowers, concerning Appellant's residency. Mr. Bowers concluded that Appellant resided in Lexington County.

The Board then designated retired Circuit Court Judge G. Thomas Cooper, Jr. to conduct an evidentiary hearing concerning Appellant's residency and her qualifications to serve as a Board trustee and to issue findings and recommendations to the Board. The evidentiary hearing was scheduled for February 15, 2013. Appellant was provided notice of the evidentiary hearing via email and hand-delivery to her house. Appellant made an appearance on February 15, 2014, to object to the proceeding but did not otherwise attend or participate.

On March 14, 2013, Judge Cooper issued written findings and recommendations to the Board, including Appellant. Judge Cooper concluded that Appellant resided in Lexington County and that the Board had the authority to remove her from office under S.C. Code Ann. § 59-19-60. On March 19, 2013, the Board held a special meeting to receive and review Judge Cooper's findings and recommendations, as well as other evidence concerning Appellant's residency and to make a determination on her qualifications to serve on the Board. At the conclusion of the special meeting, the Board voted to remove Appellant from office pursuant to § 59-19-60.

### **III. STANDARD OF REVIEW**

S.C. Code Ann. § 59-19-560 provides, in part, "the matter in controversy shall be tried by the circuit judge, de novo, with or without reference to a master or special referee." S.C. Code Ann. § 59-19-560; *Lexington Cnty. Sch. Dist. One Bd. of Trustees v. Bost*, 282 S.C. 32, 34, 316 S.E.2d 677, 678 (1984) (stating "the appeal to the circuit court from the decision of the County

Board of Education should be a trial de novo in which the record of proceedings below is admitted as evidence but not accorded deference. Section 59-19-560 requires the circuit judge to try these cases as equity cases.") The standard of review, therefore, is *de novo*. Thus, the Court can find facts in accordance with its view of the preponderance of the evidence and correct errors of law. *Id.*

#### IV. LEGAL ANALYSIS

##### **A. Appellant is not a resident of Richland County, and therefore, not qualified to hold the office of Board trustee.**

In South Carolina, the General Assembly alone has the power to set or change a county boundary. S.C. Const. Art. VII, §§ 7, 12. S.C. Const. Art. VIII, § 2. Thus, while counties depend on self-generated or self-maintained maps or surveys for various county purposes, in the absence of statutory authority, a survey is not binding on the adjoining county or the public generally. 20 C.J.S. Counties § 29. Accordingly, errors in an unauthorized map cannot change a legislated boundary line.

The boundary of Lexington County is established by S.C. Code Ann. § 4-3-370 and that of Richland County by S.C. Code Ann. § 4-3-460. Both of these statutory descriptions of the boundaries of Richland and Lexington Counties reference "a point in Slice Creek known as Rocky Ford," which is shown on "the plat of said property, completed on November 25, 1921, by W.A. Counts and J.C. Wessinger Surveyors, said plat being filed in the office of the Secretary of State." *Id.* Based on the clear and repeated statutory references to Rocky Ford, it is evident that this common geographic feature establishes the boundary between the counties in the area of Appellant's residence at 154 Old Laurel Lane, Chapin, South Carolina. Therefore, the Court finds that the consistent placement of Rocky Ford on surveys and maps unquestionably places Appellant's residence in Lexington County. The Court finds the testimony of Mr. Bowers, with the Division of Research and Statistics, S.C. Budget and Control Board, and Mr. Miller, former

Chief of the South Carolina Geodetic Survey, clear and convincing evidence that Appellant's residence is located in Lexington County and not in Richland County.

Appellant submitted the following exhibits to demonstrate that she is in fact a resident of Richland County: (1) her vehicle taxes which are paid in Richland County; (2) a subdivision layout corresponding to the residence in question where Lexington County officials approved the proposed layout using approximate county lines, suggesting the residence to be in Richland County; (3) a certified plat. Here, the Court finds the proffered evidence to be unpersuasive. First, both the subdivision layout and the survey conducted by Lucius Cobb clearly label the county boundary line as only "approximate." It is axiomatic that the survey performed by Lucius Cobb should not be considered competent proof of the actual county boundary not only because it states the county boundary line is approximate, but also because Rocky Ford, the geographic feature referenced by statute as being a feature of the boundary, is identified on the plat but the county line is not passing through the referenced boundary feature. Second, in regard to Appellant's vehicle taxes, even if the boundary has been misidentified by the counties, errors in an unauthorized map cannot change a legislated boundary line. Moreover, since the District is a subdivision of the State it cannot be bound by a county's determination of its geographical boundary that is inconsistent with state statutes. Accordingly, the Court finds that neither the county planning nor tax maps are binding on a school district or determinative of actual, statutory boundaries.

S.C. Act No. 326 of 2002, § 9 clearly states: "[n]otwithstanding another provision of law, in Richland-Lexington School District 5: (1) three trustees must reside in Richland County and four must reside in Lexington County." The Court finds that since Appellant was elected from Richland County, but in fact resides in Lexington County, under the statutes of South Carolina, she does not meet the requirements of Act No. 326 of 2002, § 9 to be a Board trustee.

**B. The Board Has Legal Authority To Remove Appellant From  
Office Under S.C. Code Ann. § 59-19-60.**

---

S.C. Code Ann. § 59-19-60 states:

School district trustees shall be subject to removal from office for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in § 59-19-560.

The County Boards of Education of Lexington and Richland counties were abolished in 1994 and 1969, respectively. S.C. Act No. 601 of 1994 and S.C. Act No. 140 of 1969. The Lexington County Board of Education's powers and duties, including the power to remove school district trustees, were legislatively devolved on the respective school district boards in Lexington County, including this Board. S.C. Act No. 601 of 1994. S.C. Act No. 140 of 1969 provides:

Any appointments, actions or duties required of the Richland County Board of Education or the County Superintendent of Education which are not specifically devolved upon the Richland County Council shall be devolved upon the council upon the effective date of this act. The Council may, in turn, delegate such actions and duties to the appropriate county or school district agency.

Thereafter, the General Assembly passed Act 610 of 1984 which states: "Richland County Council may not remove Richland County school district trustees of school districts situated in whole or in part in Richland County."

Under the Acts above, the Court finds that the Board has the statutory authority to remove a Board member for cause under § 59-19-60. It is logical, practical, and consistent with the rules of statutory construction to conclude that the Board has the authority to remove a trustee for cause. See *Brown v. County of Horry*, 308 S.C. 180, 193, 417 S.E.2d 565, 567 (1992) ("[I]t is the duty of the court to ascertain the intent of the Legislature and give it effect."); *State ex rel. McLeod v. Montgomery*, 244 S.C. 308, 136 S.E.2d 778 (1964) ("The Court must presume the legislature did not intend a futile act, but rather intended its statutes to accomplish

something.”); *Joiner ex rel. Rivas v. Rivas*, 342 S.C. 102, 109, 536 S.E.2d 372, 375 (2000) (“[S]tatutes dealing with the same subject matter are *in pari materia* and must be construed together, if possible, to produce a single, harmonious result.”) *Bolton v. Doe*, 266 S.C. 344, 349, 223 S.E.2d 187, 189 (1976) (“A statute is not to be read in an atmosphere of sterility, but in the context of what actually happens when human beings go about the fulfillment of its purposes.”).

It is clear under S.C. Act No. 601 of 1994, that at a minimum the four Board members from Lexington County have the authority of a county board of education under § 59-19-60 to remove a Board member. Further, it is reasonable and in harmony with S.C. Act 610 of 1984 and the South Carolina Constitution Articles III, §27 and VI, § 9, to construe S.C. Act 610 of 1984 as also vesting this authority in the Board members elected from Richland County since the District is “in Lexington County” and the Richland County Council does not possess such authority. Construction of these statutes otherwise would result in the absurd result of four Board members having authority to remove a board member under § 59-19-60, while three others do not. *Hodges v. Rainey*, 341 S.C. 79, 91, 533, S.E.2d 578, 584 (2000) (stating “[t]he goal of statutory construction is to harmonize conflicting statutes whenever possible and to prevent an interpretation that would lead to a result that is plainly absurd.”). Accordingly, this Court finds that the Board has the legal authority to remove Appellant pursuant to S.C. Code Ann. § 59-19-60.

#### **C. The Board’s Hearing Procedures Provided Appellant Due Process of Law.**

Appellant also takes issue with the hearing procedure. The Court finds that Appellant was given notice of the evidentiary hearing before Judge Cooper and elected not to participate in the evidentiary hearing, except to object to the proceeding. Appellant was provided with a copy of the hearing officer’s Findings and Recommendations. Additionally, Appellant was provided with notice of the Board’s subsequent special meeting to consider her residency and qualifications to serve on the Board. Appellant attended the meeting and her counsel presented

evidence and argument to the Board for the Board's consideration. After the Board voted to remove Appellant from office pursuant to § 59-19-60, the Board issued an Order of Removal setting forth the grounds for its decision, the manner of notice, and the hearing accorded to Appellant. Therefore, the Board provided Appellant with the due process required to remove a trustee from office under S.C. Code Ann. § 59-19-60.

Moreover, substantial prejudice must be shown to establish a violation of due process. *Tall Tower, Inc. v. S.C. Procurement Review Panel*, 294 S.C. 225, 233, 363 S.E.2d 683, 687 (1987); *Felder v. Charleston County Sch. Dist.*, 327 S.C. 21, 26, 489 S.E.2d 191, 193 (1997). In regard to hearings by school boards "school board members are clothed with a presumption of honesty and integrity...in the discharge of their decision-making responsibilities." *Felder v. Charleston County Sch. Dist.*, 327 S.C. 21, 26, 489 S.E.2d 191, 193-94 (1997). In *Felder*, the South Carolina Supreme Court held that where the factual findings on the merits were supported by the record and no evidence demonstrating actual bias existed, there was no substantial prejudice. Here too, the Board's decision on the merits is fully supported by the factual record and Appellant presented no evidence of actual bias. Therefore, the Court finds Appellant was provided notice of the question about her residency and legal ability to be a Board member elected from Richland County, as well as an impartial hearing on the matter; due process requires nothing more.

Appellant further contends her removal from the Board was improper because the Board's procedures violated the Administrative Procedure Act's (APA), S.C. Code Ann. §1-23-10, et seq., requirements regarding the promulgation of rules, and the Freedom of Information Act (FOIA), S.C. Code Ann. § 30-4-10, et seq. The Appellant has not clearly asserted the basis for these claims and the Court finds the Board's action removing Appellant from office did not violate the APA or FOIA. The provisions of the APA concerning the promulgation of rules apply to State agencies and not to school boards. Section 1-23-10 (4) specifically provides that

"Regulation... does not include...policy statements or rules of local school boards." Further, S.C. Code Ann. § 59-19-60 itself gives much latitude to school boards regarding the form and manner a removal hearing, requiring only that removal from office be "upon notice and after being given an opportunity to be heard...."

With respect to the FOIA, the transcript of the special meeting of the Board on March 19, 2013 shows the meeting, including the vote to remove Appellant, was a public meeting, conducted in open session, and the agenda for the special meeting was formally approved by a public vote 6 to 1. (March 19, 2013, hearing transcript, p. 6). Accordingly, likewise, Judge Cooper in his Findings and Recommendations (at page 1) states the hearing "was properly noticed to the parties, the public, and the press...." Therefore, the Board's special meeting of March 19, 2013 and removal hearing procedures did not violate the FOIA.

Appellant also argues that the Board failed to exhaust its administrative remedies regarding the determination of her residency in Lexington County. Specifically, Appellant argues the Board should have sought a residency determination from the Richland County Election Commission pursuant to S.C. Code Ann. § 7-5-230. In *Blair v. City of Manning*, 345 S.C. 141, 546 S.E.2d 649 (2001), our Supreme Court rejected a similar argument. In *Blair*, the Supreme Court held S.C. Code Ann. § 7-5-230 inapplicable to an election protest based on a candidate's residency, because the challenge concerned an election protest not voter registration, even though both voter registration and the election protest turned on the issue of residency. Here, the Board has challenged neither Appellant's voter registration, nor protests her election, but rather contends she is no longer qualified to hold the position of Board trustee under S.C. Act No. 326 of 2002, § 9, which requires Appellant to be a resident of Richland County. Under these circumstances, including the specific requirements of Act No. 326 of 2002 §9, and §59-19-60, it is appropriate for the Board to determine whether one of its members continues to meet the legal requirements for holding the office of Board trustee.



Appellant's status as an "elector" registered by the officials of Richland County is therefore irrelevant, as is Richland County's *ad valorem* taxation of the property on which the residence is situated. Both of these factors are matters of Richland County's administration of its internal duties, and not within the purview of this appeal or the Board's determination of "cause" for removal due to failing to meet the continuing "must reside" requirement of S.C. Act No. 326 of 2002.

Finally, Appellant argues the Board should be estopped from removing her from office. Appellant has not established essential elements of an estoppel claim.

The potential elements of estoppel as related to the party estopped are: (1) conduct that amounts to a false representation or concealment of material facts or is at least calculated to convey the impression that facts are otherwise than, and inconsistent with, those that the party subsequently attempts to assert; (2) intention, or at least expectation, that such conduct shall be acted upon by the other party; and (3) knowledge, actual or constructive, of the real facts. [Citation omitted] As related to the party claiming the estoppel, the essential elements are: (1) lack of knowledge and the means of knowledge of the truth as to the facts in question; (2) reliance upon the conduct of the party estopped; and (3) prejudicial change in position. [Citation omitted]

*McDaniel v. South Carolina Department of Public Safety*, 325 S.C. 405, 411, 481 S.E.2d 155, 158 (Ct.App.1996). Based on the facts before the Court, Appellant has not shown that the Board engaged in any conduct amounting to false representation or concealment regarding her residency in Lexington County or that the Board had knowledge of the fact that she resides in Lexington County prior to January 2013 when it received the correspondence from Mr. Bowers identifying her residence in Lexington, rather than Richland County. Moreover, Appellant has presented no evidence showing any reliance or prejudicial change in her position based on any representation by the Board that she was resident of Richland County. Indeed, even if such a representation were to exist, instead of being prejudiced, Appellant benefited from the apparent

misapprehension that she resided in Richland County by being permitted to be a Board trustee elected from Richland County for more than two years.

The Court, therefore, finds Appellant has not proven the Board is estopped from finding her not to be a resident of Richland County or removing her from the office of Board trustee for failing to meet the requirements of the office under SC Act No. 326 of 2002.

**V. ORDER**

Based on the foregoing findings of fact, analysis, and conclusions of law, the Court finds by clear and convincing evidence that (1) Appellant is a resident of Lexington County, not Richland County, and (2) Appellant does not meet the requirements and lacks the legal capacity to hold the office of Board trustee under S.C. Act 326 of 2002, § 9. The Court, therefore, affirms the Board's decision to remove Appellant from office under S.C. Code Ann. § 59-19-60.

IT IS SO ORDERED.

Signature Redacted

The Honorable DeAndrea Gist Benjamin,  
Circuit Court Judge Presiding

Columbia, South Carolina  
10-30, 2014

**EXHIBIT 4**

**G. Thomas Cooper, Jr.**  
**1 Sycamore Place**  
**Camden, South Carolina 29020**

**Certified Circuit Court**  
**Arbitrator and Mediator**

**803-432-5455**

March 14, 2013

Mr. Robert W. Gantt  
Chairman, Board of Trustees  
Richland Lexington School District 5  
1020 Dutch Fork Road  
Irmo, South Carolina 29063

Re: Kim Murphy

Dear Mr. Gantt:

Enclosed is my Report to the Board as a result of the hearing conducted by me on February 15, 2013. It has my pleasure to assist the Board in this matter. Please transmit copies of the Report to the necessary parties.

Enclosed also is my statement for services rendered.

Very truly yours,

Signature Redacted

G. Thomas Cooper, Jr.  
Hearing Officer

**Judge, 5th Judicial Circuit- Retired/Active**

<b>BOARD OF TRUSTEES OF</b>	)	<b>IN RE:</b>
<b>SCHOOL DISTRICT FIVE OF</b>	)	<b>KIM MURPHY</b>
<b>LEXINGTON AND RICHLAND COUNTIES</b>	)	<b>RESIDENCY</b>
	)	

**Findings and Recommendations of  
G. Thomas Cooper, Jr.  
Hearing Officer Presiding**

This matter comes before me as a result of a request by the Lexington Richland County Board of School Trustees, District Five (District Five), to inquire into and conduct a hearing to determine the location of the legal residence of Mrs. Kim Murphy. Mrs. Murphy presently sits as member of the Board of Trustees from Richland County. The disputed issue is whether Mrs. Murphy actually resides in Richland or Lexington County. The enabling statutes have strict residency requirements for sitting on the combined Board of Trustees for each of these contiguous counties. A hearing was conducted by me at 10:00 a.m. on Friday February 15, 2013 at the District Five Board Room, 1020 Dutch Fork Road, Irmo, South Carolina.

Appearing at the hearing, which was properly noticed to the parties, the public and the press, were Robert W. Gannt, Chairman of the Board of Trustees, and the Board's counsel, Mr. Kenneth L. Childs and Mr. John M. Reagle of Childs & Halligan. Neither Mrs. Murphy nor her counsel made an appearance.

The Board has the statutory authority to remove a Board member from the Board. Pursuant to S.C. Act No. 601 of 1994 (Lexington) and Act No. 141 of 1969 (Richland), the Board exercises all of the powers and has all of the duties and obligations of both a Board of Trustees under S.C. Code § 59-19-10, et seq. and of a County Board of Education under S.C. Code § 59-15-10 et seq.

Included among the Board's other powers and obligations is the power to remove a Board

member for cause upon notice and an opportunity to be heard by the Board. S.C. Code Ann. § 59-19-60; 2005 WL 1609288, \*3 (S.C.A.G. June 27, 2005) ("the board of trustees of Lexington-Richland District Five would now most probably possess the authority to remove a board member pursuant to the procedures specified in § 59-19-60."); 2008 WL 1960281 (S.C.A.G. Apr. 2, 2008). This code section provides: "School district trustees shall be subject to removal from office for cause by the county board of education . . ." Any such removal order, however, must specify the grounds for removal, the manner of notice, and the manner of hearing accorded the removed member. Further, a Board member removed from office has the right to appeal her removal to the Court of Common Pleas.

In addition to this statutory authority, the South Carolina Constitution, Article III, § 27 provides that "officers shall be removed for incapacity, misconduct, or neglect of duty, in such a manner as may be provided by law, when no mode of trial or removal is provided in this Constitution". No mode of trial or removal is specified in the South Carolina Constitution relative to school board members. Consequently, the General Assembly's authorization of school boards to remove trustees from office is wholly appropriate, lawful, and consistent with the Constitution, as long as "cause" for removal is limited to those grounds specified in the Constitution, i.e., incapacity, misconduct, or neglect of duty. *See, State v. Seigler*, 94 S.E. 2d 231 (S.C. 1956); 2005 WL 1609288 (S.C.A.G. June 27, 2005).

As the Attorney General's Office has repeated several times in opinions, the term "cause" in such statutes has a legal meaning, *i.e.*,

for reasons which the law and sound public policy recognize as sufficient warrant for removal, that is, legal cause, and not merely cause which the appointing power in the exercise of discretion may deem sufficient. ... The cause must relate to and affect qualifications appropriate to the office ... and must be restricted to something of a substantial nature directly affecting the rights and

interests of the public.

2005 WL 1609288, \*3 (S.C.A.G. June 27, 2005) (*quoting* 63C Am.Jur.2d § 183 (1997)), 2008 WL 2614992 (S.C.A.G. June 13, 2008), 2007 WL 655619 (S.C.A.G. Feb. 16, 2007) *and* 2006 WL 2382449 (S.C.A.G. July 19, 2006).

Here, the Board contends Mrs. Murphy's lack of residency in Richland County would constitute incapacity to hold a seat on the Board for which residency in Richland County is mandated by statute, Act 326 of 2002. Consequently, legal cause for removal exists if she is not a resident of Richland County.

Mrs. Murphy's residence is 154 Old Laurel Lane, which is east-southeast of Chapin, SC, and west of Interstate 26. With Geographic Information System (GIS) tools a residence at that location can be located which corresponds to land transaction and assessor records referencing Lot 4 of "Final Subdivision Plat of Laurel Springs" dated April 4, 1997 (Exhibit 13), ("1997 Plat"). On the 1997 Plat there is an "Approx. County Line," which line also appears to have been incorporated into Richland County's own tax mapping computer database. Richland County has levied property taxes on the parcel containing Mrs. Murphy's residence, and Richland County has granted "elector" status to Mrs. Murphy. *See*, S.C. Const. Art. VII, § 9.

However, Lexington County, the United States Geological Service, and the U.S. Census Bureau all have *other* county boundary lines in the area that are meant to denote the boundary between the counties near Mrs. Murphy's residence (Exhibit 10).

In South Carolina, the General Assembly alone has the power to set or change a county boundary. S.C. Const. Art. VII, §§ 7, 12. S.C. Const. Art. VIII, § 2. However, counties also depend on self-generated or self-maintained maps or surveys for various county purposes. But,

In the absence of statutory authority, a county may survey its boundaries for the temporary guidance of its officers, *but a survey*

*so made is not binding on the adjoining county nor on the public generally.*

20 C.J.S. Counties § 29 (emphasis added). Location of a disputed boundary line is a question of fact. *Williams v. Moore*, 733 S.E.2d 224, 230 (S.C. App. 2012). Neither Richland County nor Lexington County can establish or move a county boundary – the boundaries must be set by the General Assembly. Errors in an unauthorized map (there does not appear to have been a *survey* done by either county) cannot change a legislated boundary line.

The boundary of Lexington County is established by S.C. Code § 4-3-370 and that of Richland County by S.C. Code § 4-3-460. Both of these sections reference "a point in Slice Creek known as Rocky Ford" which is shown on "the plat of said property, completed on November 25, 1921, by W.A. Counts and J.C. Wessinger, surveyors, said plat being filed in the office of the Secretary of State." *Id.* This plat, a true copy of which was submitted into evidence (Exhibit 8) is "[a]n ancient survey, [which] if made by competent authority, recorded or accepted as a public document, and produced from property custody is admissible in evidence without further verification to prove the location of a boundary line." 12 Am. Jur. Boundaries § 109. Not only is the survey proof of the boundary line itself, it has been adopted by the General Assembly itself as such. *C.f.*, *Marsha v. Richland County*, 62 S.E. 4, 6 (S.C. 1908). Interestingly, the 1997 Plat (Exhibit 13) itself shows Rocky Ford, but the "Approx. County Line" on the 1997 Plat does not run through Rocky Ford. Obviously, a map or survey that does not show the county line in this vicinity passing through a feature called Rocky Ford, particularly when there *is* a feature called Rocky Ford on the same plat, should not be considered competent proof of the *actual* county line. One or the other is out of place on the 1997 Plat.

Testifying before me were two witnesses, Mr. Bobby M. Bowers, Director of the Division of Research and Statistics of the South Carolina Budget and Control Board, and Sidney

C. Miller, former Chief of South Carolina Geodetic Survey. Mr. Miller also works on a part time basis for Mr. Bowers' agency and is a licensed professional surveyor.

South Carolina statutes give the Geodetic Survey the responsibility and authority to coordinate mapping activities within the State to insure consistent, accurate, and reliable county and state maps for a myriad of purposes. (See S.C. Code Ann. §27-2-85, §27-2-9 and §27-2-10).

Both Mr. Bowers and Mr. Miller testified that there is "absolutely" no doubt that Mrs. Murphy's residence at 14 Old Laurel Lane is located in Lexington County. They arrive at these separate conclusions from three different sources. (1) The U.S. Census Block database, (2) official voting precinct maps maintained by the Division of Research and Statistics and (3) the South Carolina Code of laws which recites the statutory boundaries for Richland and Lexington Counties. All three sources place Mrs. Murphy's residence in Lexington County. There is no survey matching the statutory description of the boundaries of Richland or Lexington Counties. Of the three sources relied upon by the witnesses, my decision relies most heavily on the statutory description of the boundaries of Lexington and Richland Counties. The fact that the South Carolina code sections 4-3-370 & 4-3-460 refer to a common geographic feature "a point in Slice Creek known as Rocky Ford" is conclusive to me (Exhibit 8 and 9). The fact that Mr. Miller was able to find Rocky Ford on the ground, exactly where it is described to be in the statute, (Exhibit 14) makes my decision even more conclusive.

In my opinion there is clear and convincing evidence that Mrs. Murphy's residence at 15 Old Laurel Lane, Chapin is in Lexington County. There has been no evidence submitted to me to the contrary.

The voter registration *cum* "elector" status of Mrs. Murphy is irrelevant, because the office of Trustee of the Board carries with it the express statutory requirement that, in addition to



being an elector, the Trustee must be *resident* "[n]otwithstanding another provision of law." S.C. Act 326 of 2002, § 9. The Act requires that "three trustees must reside in Richland County and four must reside in Lexington County." The phrase "must reside" is in the *present tense*.

"[A]s to offices established only by legislative acts, the General Assembly may prescribe other and additional qualifications which are reasonable in their requirements." *McLure v. McElroy*, 44 S.E.2d 101, 108 (S.C. 1947). Here the General Assembly created an express and continuing "must reside" requirement, which it was free to do with this statutory office.

Mrs. Murphy's status as an "elector" registered by the officials of Richland County is therefore irrelevant, as is Richland County's *ad valorem* taxation of the property on which the residence is situated. Both of these factors are matters of Richland County's administration of its internal duties, and not within the purview of this hearing or the Board's determination of "cause" for removal due to failing to meet the continuing "must reside" requirement.

The map or whatever other method that Richland County uses to allow elector registration and to impose *ad valorem* tax are both examples of the principle noted above, that "[i]n the absence of statutory authority, a county may survey its boundaries for the temporary guidance of its officers, but a survey so made is not binding on the adjoining county nor on the public generally." 20 C.J.S. Counties § 29. The Attorney General has observed that "the fact that an individual is registered to vote in a particular county strongly indicates (*but is not dispositive of the fact*) that he is a resident of that county." 2008 WL 903972 (S.C.A.G. Mar. 31, 2008) (emphasis added).

Not only does Mrs. Murphy's residence in Lexington County deprive her of the qualification for the office, but the disqualification of a Trustee under a mandatory statutory residency requirement specially imposed by the General Assembly is "something of a substantial

nature directly affecting the rights and interests of the public." 2005 WL 1609288, \*3 (S.C.A.G. June 27, 2005). In adopting S.C. Act 326 of 2002, § 9, the General Assembly transferred one of seven Board seats from Lexington to Richland counties – in fact this was the only portion of the Act that passed Justice Department "preclearance" under the Voting Rights Act. The purpose of the move was to accommodate the changing balance of population in the two portions of the District to comply with Constitutional one-man-one-vote requirements for local representation, whereby, "[i]f voters residing in oversize districts are denied their constitutional right to participate in the election of state legislators, precisely the same kind of deprivation occurs when the members of a city council, school board, or county governing board are elected from districts of substantially unequal population." *Avery v. Midland County, Tex.*, 390 U.S. 474, 480-81 (1968). The very purpose of the Act was to assure Richland County the constitutionally required level of representation on the Board.

In addition to the concern that Mrs. Murphy apparently did not qualify to represent Richland County at the time of her election, there is now the *present* and *ongoing* concern that she is not answerable to the Richland County electors once it is established that she is not qualified by residency to be one of their three trustees. "Area representation is a familiar form of local representative government. ... The purpose is to give each and every part of the city or town representation. 'Such legislative plan is modeled in accordance with the national and state systems. It is designed to render the council a popular branch and keep it more directly in touch with the people.'" *Gaud v. Walker*, 53 S.E.2d 316, 327 (S.C. 1949) (quoting, McQuillen, *Municipal Corporation*, 2d Ed., Volume 2, § 598).

The Board has fiscal autonomy, *i.e.*, the power to set its own operating millage within the general law's limitations. Besides being a governmental power requiring compliance with one-

man-one-vote rules, the South Carolina Supreme Court has also noted that the "taxing power is one of the highest prerogatives of the General Assembly. Members of this body are chosen by the people to exercise the power in a conscientious and deliberate manner. If this power is abused, the people could, at least, prevent a recurrence of the wrong at the polls." *Crow v. McAlpine*, 285 S.E.2d 355, 358 (1981). Similarly, the exercise of the Board's taxing and other governmental powers and duties, *see, e.g.*, S.C. Code Ann. § 59-19-90 (*inter alia* to provide suitable schoolhouses, employ and discharge teachers, control educational interest of the school district, and transfer and assign pupils), must also be done in a conscientious and deliberate manner, and those who exercise it must be subject to the public's ability to have some supervisory control over their representatives through elections to the office of Trustee.

Should Mrs. Murphy remain a member of the Board of Trustees, numerous potential negative legal problems could arise for District Five. Bonding authorities may not be willing to issue bonds based on Mrs. Murphy's vote. Suspensions or dismissal of district personnel, or students may be questionable based on Mrs. Murphy's vote. Can her presence be counted for existence of a quorum? Could Mrs. Murphy represent the district at a public forum or at statewide meetings? Could she be elected Chairperson of the Board given the irrefutable evidence that she does not meet the "must reside" provision of the statute? These and any other issues should give District Five Board of Trustees grave concerns. In my opinion the only appropriate course of action is to recognize the existence of "cause" under S.C. Code § 59-19-60, thus granting the Board the power to proceed with the removal process as outlined in the statute.

March 14, 2013

Respectfully submitted,

Signature Redacted

G. Thomas Cooper, Jr.  
Hearing Officer



**State of South Carolina**  
**The Circuit Court of the Second Judicial Circuit**

**DOYET A. EARLY, III**  
JUDGE

2859 MAIN HIGHWAY  
POST OFFICE BOX 90  
BAMBERG, SOUTH CAROLINA 29003  
TELEPHONE: (803) 245-4004  
FAX: (803) 245-2883  
E-MAIL: [dearly@sccourts.org](mailto:dearly@sccourts.org)

**Mr. Jim Truitt**  
Richland County Clerks of Court  
PO Box 2766  
Columbia, SC 29202-2766

**Re: Kim Murphy v. Richland Lexington School District 5 Board of Trustees, et al.**  
**C/A: 2014-CP-40-04666**  
**April 8, 2016**

**Mr. Truitt,**

Enclosed is the Order Granting the Motion for Summary Judgment in the above referenced case for filing. Please file and circulate to all parties. If I can be of further assistance, please let me know.

**Sincerely,**

**Signature Redacted**

**Marti Dennis**

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND  
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

Page 295 of 1104

CASE NO. 2014 CP-40-004666

Kim Murphy

Richland Lexington School District 5 Board  
of

Trustees, Bobby Merle Bowers and Robert  
Gantt

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for : ☐ Plaintiff ☐ Defendant  
or  
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☒ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41, SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:** ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court: The Court GRANTS each of the Defendant's Motions for Summary Judgment. Plaintiff's Complaint is dismissed in its entirety with prejudice.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this 13 day of April 2016 to attorneys of record or to parties (when appearing pro se) as follows:

J. Lewis Cromer #1470

Ashley C. Story #100578

Chelsea R. Rikard #102355

**ATTORNEY(S) FOR THE PLAINTIFF(S)**

David L. Morrison #4101

Patrick J. Frawley #2118

Michael H. Montgomery #4034

**ATTORNEY(S) FOR THE DEFENDANT(S)**

**CLERK OF COURT**

**Court Reporter:**

Signature Redacted

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

Refer to attached Order for the Court's complete decision.

**SCANNED**

STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
COUNTY OF RICHLAND ) CIVIL ACTION NO: 2014-CP-40-004666

Kim Murphy,

Plaintiff,

vs.

Richland Lexington School District 5  
Board of Trustees, Bobby Merle Bowers,  
and Robert Gantt,

Defendants.

**ORDER GRANTING DEFENDANTS'  
MOTIONS FOR  
SUMMARY JUDGMENT**

RICHLAND COUNTY  
FILED  
2016 APR 13 AM 8:52  
JEANETTE W. MCGONIGLE  
C.C.P. & G.

This matter is before the Court on Defendant Bobby Merle Bowers' Motion to Dismiss and Motion for Summary Judgment, Defendant Robert Gantt's Motion for Summary Judgment and Defendant Richland Lexington School District 5's Motion for Summary Judgment, pursuant to Rule 12 and Rule 56 of the South Carolina Rules of Civil Procedure. On February 29, 2016, this Court heard lengthy arguments on the above motions. For the reasons stated below, based upon the arguments of counsel, the lengthy written memoranda submitted by the parties, the deposition and other evidence submitted to the Court and the record in the case, this Court finds that each of the Defendants' Motions for Summary Judgment should be granted and, because evidence was submitted and reviewed, Bower's Motion to Dismiss is not ruled on but merged into his Motion for Summary Judgment.

**I. BACKGROUND**

Plaintiff Kim Murphy, a former Member of the Board of School District 5 of Lexington and Richland Counties (the "Board" or "School Board"), brings this suit against Defendants. In her Complaint, Mrs. Murphy alleges that Robert Gantt and Bobby Merle Bowers engaged in a

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civil conspiracy designed to cause her to resign or be removed from her position on the School Board. She also alleges that Mr. Gantt and the Board of Trustees of School District 5 defamed her, by publishing that she was a resident of Lexington County, rather than Richland County from where she was elected. She further argues in her brief and during the motion hearing that Mr. Gantt and the Board acted in such a way as to create an innuendo or inference that she was engaging in misconduct or an illegal act or that she had been aware that she did not live in Richland County, but had acted deceptively to seek and obtain a Richland County seat on the School Board. Mrs. Murphy sought this seat on the School Board on two occasions.

During late 2012, the South Carolina Office of Research and Statistics (the "Office") discovered in a routine examination that Mrs. Murphy lived in Lexington County rather than Richland County, which was the seat to which she had been elected. Mr. Bowers was the Director of the Office at that time. The Office notified Mr. Gantt of this concern. Mr. Gantt consulted counsel for the School District. Under the guidance of the School District's attorneys, a request was made with the Office for a formal determination of Mrs. Murphy's residency. The Office formally determined that Mrs. Murphy lived in Lexington County. Mr. Gantt again sought the advice of counsel for the District, who created a process designed to fully afford Mrs. Murphy due process on the issue. This resulted in two separate proceedings where Mrs. Murphy and her attorneys had the opportunity to appear and present whatever evidence she had supporting the fact that she resided in Richland County and challenging and refuting the methods and finding of the Office. The first proceeding was a hearing before the Hon. Thomas Cooper, serving as a special referee. Judge Cooper heard the issues and issued a report and recommendation to the Board. His findings were that Mrs. Murphy lived in Lexington County and was legally ineligible to serve on the Board as an elected representative of Richland County.

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After his report and recommendation, a second hearing took place before the Board. Again, Mrs. Murphy was provided an opportunity to present evidence in opposition to the findings of the Office and its methods of making those findings. At the conclusion of this process, the Board found that Mrs. Murphy lived in Lexington County and was, therefore, ineligible to serve on the School Board as a Richland County representative. She was removed from the School Board as her residence disqualified her from holding a Richland County seat. She appealed the Board's decision to the Circuit Court, which affirmed the decision of the School Board. She later sought reconsideration from the Circuit Court which upheld its earlier decision. Her counsel informed the Court that they have filed a notice of appeal of the Circuit Court's findings.

After the Circuit Court upheld the School Board's decision, Mrs. Murphy filed this suit which alleges, *inter alia*, causes of action against Bobby Bowers and Robert Gantt for civil conspiracy and causes of action against Robert Gantt and the School Board for defamation. Mrs. Murphy alleges that Mr. Gantt and Mr. Bowers, who she admits were both acting in their official capacities, somehow engaged in a conspiracy to harm her by having her removed from the School Board. Mrs. Murphy also alleges that Mr. Gantt and the School Board defamed her by questioning her qualifications to serve on the School Board based upon the fact that she did not reside in the county from which she was elected.

Defendant Bowers moved to dismiss the case for failure to state a claim. All three defendants moved for summary judgment on multiple grounds alleging, *inter alia*, that there were no material questions of fact in dispute from which Mrs. Murphy could have a valid cause of action against any of them.

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## II. STANDARD FOR SUMMARY JUDGMENT

Summary judgment is appropriate when there is no genuine issue of material fact such that the moving party is entitled to prevail as a matter of law. Rule 56(c), SCRPC; *Fleming v. Rose*, 350 S.C. 488, 493, 567 S.E.2d 857, 860 (2002). "In determining whether any triable issues of fact exist, the court must view the evidence and all reasonable inferences that may be drawn from the evidence in the light most favorable to the non-moving party." *David v. McLeod Reg'l Med. Ctr.*, 367 S.C. 242, 247, 626 S.E.2d 1, 3 (2006). The purpose of summary judgment is to "expedite the disposition of cases which do not require the services of a fact finder." *Dawkins v. Fields*, 354 S.C. 58, 69, 580 S.E.2d 433, 438 (2003). When plain, palpable, and indisputable facts exist on which reasonable minds cannot differ, summary judgment should be granted. *Pye v. Aycock*, 325 S.C. 426, 480 S.E.2d 455 (Ct. App. 1997).

The party seeking summary judgment has the initial responsibility of demonstrating the absence of a genuine issue of material fact. With respect to an issue upon which the non-moving party bears the burden of proof, as in this case, this initial responsibility "may be discharged by 'showing' - that is, pointing out to the district court - that there is an absence of evidence to support the nonmoving party's case." *Celotex Corporation v. Catrett*, 477 U.S. 317, 325, 106 S.Ct. 2548, 2554, 91 L.Ed.2d 265, 275 (1986). The moving party need not support its motion with affidavits or other similar materials negating the opponent's claim.

Once the moving party carries its initial burden, the opposing party must, under Rule 56(e), "do more than simply show that there is some metaphysical doubt as to the material facts" but "must come forward with 'specific facts showing that there is a genuine issue for trial.'" *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 586-87, 106 S.Ct. 1348, 1356, 89 L.Ed.2d 538, 552 (1986) (emphasis in original). The opposing party must "go beyond the

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pleadings and by. . . affidavits, or by the 'depositions, answers to interrogatories, and admissions on file,' designate 'specific facts showing that there is a genuine issue for trial.'" *Celotex*, 477 U.S. at 324, 106 S.Ct. at 2553.

[T]he plain language of Rule 56(c) mandates the entry of summary judgment, after adequate time for discovery and upon motion, against a party who fails to make a showing sufficient to establish the existence of an element essential to that party's case, and on which that party will bear the burden of proof at trial. *Celotex*, 477 U.S. at 322, 106 S.Ct. at 2552, 91 L.Ed.2d at 273.

Accordingly, once Defendant shows the absence of proof on an essential fact of Plaintiff's case, Plaintiff has the burden of presenting evidence of that fact to the Court. If Plaintiff fails to present any competent, admissible evidence that will prove that fact, Defendant is entitled to summary judgment.

### III. DISCUSSION

#### A. Mr. Bowers' Motions to Dismiss and for Summary Judgment

The Plaintiff's claim against Defendant Bobby Bowers is her second cause of action sounding in civil conspiracy. *See* Complaint, pp. 6-8, ¶¶26-31.

A civil conspiracy is a combination of two or more persons joining for the purpose of injuring and causing special damage to the plaintiff. *McMillan v. Oconee Mem'l Hosp., Inc.*, 367 S.C. 559, 564, 626 S.E.2d 884, 886 (2006). Civil conspiracy consists of three elements: 1) a combination of two or more persons, 2) for the purpose of injuring the Plaintiff, 3) which causes the Plaintiff special damage. *Vaught v. Waites*, 300 S.C. 201, 208, 387 S.E.2d 91, 95 (Ct. App. 1989). *Cf., Hackworth v. Greywood at Hammett, LLC*, 385 S.C. 110, 117, 682 S.E.2d 871, 875

(Ct. App. 2009) (If a Plaintiff merely repeats the damages from another claim instead of specifically listing special damages as part of their civil conspiracy claim, their conspiracy claim should be dismissed). It is essential that a plaintiff prove all of these elements in order to recover. *Lyon v. Sinclair Refining Co.*, 189 S.C. 136, 200 S.E. 78 (1938). "[I]n order to establish a conspiracy, evidence, direct or circumstantial, must be produced from which a party may reasonably infer the joint assent of the minds of two or more parties to the prosecution of the unlawful enterprise." *Island Car Wash, Inc. v. Norris*, 292 S.C. 595, 601, 358 S.E.2d 150, 153 (Ct. App. 1987); *accord. Cowburn v Leventis*, 366 S.C. 20, 49, 619 S.E.2d 437, 453 (Ct. App. 2005).

Defendant Bowers initially argues that Plaintiff's Complaint fails to state facts sufficient to constitute a cause of action against him upon which relief can be granted, relying upon SCRCF Rule 12(b)(6) and S.C. Code Ann. §15-78-70 of the South Carolina Tort Claims Act, asserting that Bowers should not be named individually as a Defendant unless the Plaintiff alleged that Bowers acted outside his official duties, with actual fraud, actual malice, intent to harm, or a crime of moral turpitude, which are the five exceptions set forth in §15-78-70. However, Bowers conceded at oral argument that the requisite elements for civil conspiracy include an intent to harm; and since the sole cause of action against Bowers includes an allegation meeting one of the five exceptions, Defendant's argument for 12(b)(6) dismissal fails.

Bowers further argues that, for summary judgment purposes, there is no genuine issue of material fact. At all times relevant to the matters alleged in the Complaint, Bowers acted within the course and scope of his official duties as Director of Mapping Services for the South Carolina Revenue and Financial Affairs Office, in good faith and without conduct constituting actual fraud, actual malice, intent to harm, or a crime of moral turpitude. Bowers had no specific intent

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or purpose to injure the Plaintiff, and the Plaintiff has no evidence establishing the requisite elements of her civil conspiracy claim against Bowers.

Having considered the material submitted by Plaintiff in opposition to Bowers' Motion for Summary Judgment, I find and conclude that there is no genuine issue of material fact but that Bowers had no prior relationship or alliance with Defendant Robert Gantt for purposes of conspiring against Plaintiff, and that there is no evidence of prior conflict or animus between Bowers and Plaintiff that could reasonably be interpreted as leading to an intent to harm Plaintiff. I further find and conclude that there is no evidence that Plaintiff has suffered special damages which she attributes to a civil conspiracy, which is a requisite element of the cause of action. Finally, I further find and conclude from the un-contradicted deposition testimony of Will Roberts and Alan-Jon Zupan, both of whom worked for Bowers' agency and actually did the work resulting in the finding that Plaintiff resided in Lexington County, which finding was only published by Bowers as the Director of the agency, that Roberts and Zupan did their work correctly, with no one instructing them to do anything in the process improperly or with a particular end result in mind.

I, therefore, find and conclude that Defendant Bobby Bowers' Motion for Summary Judgment should be granted, and Plaintiff's claim against him dismissed with prejudice.

**B. Mr. Gantt's Motion for Summary Judgment**

Plaintiff's claims against Defendant Robert Gantt are included in her first cause of action for defamation, *see* Complaint, pp. 5-6, ¶¶19-25, and her second cause of action alleging civil conspiracy involving Robert Gantt and Bobby Bowers, *see* Complaint, pp. 6-8, ¶¶26-31.

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i. Plaintiff's Claim for Civil Conspiracy against Robert Gantt

Mr. Gantt moves for summary judgment on multiple grounds, including that Plaintiff is unable to adduce evidence sufficient to create a genuine issue of material fact such that a trier of fact might conclude that he was engaged in a civil conspiracy with Mr. Bowers as a matter of law and that the Plaintiff has no evidence establishing the requisite elements of her civil conspiracy claim against Gantt. Gantt further argues that each of his activities in this case was undertaken solely in his capacity as the School Board Chairman and that he cannot be liable as a result of the fact that he was acting in his official capacity. He points out that Plaintiff has been unable to identify any action on his part that was done outside his role as School Board Chairman.

The elements of civil conspiracy and discussion, *supra*, in relation to Bowers' motion are equally applicable as it relates to Mr. Gantt. Moreover, it is significant that neither Mrs. Murphy, nor any other witness, has offered any evidence whatsoever that Mr. Gantt and Mr. Bowers engaged in any conduct except for the proper exercise of their legitimate public positions in the handling of the determination of the location of her residence. Moreover, their own uncontradicted testimonies clearly indicate that they had no relationship, no mutual desire or even any reason to act jointly to cause her harm.

Having considered the material submitted by Plaintiff in opposition to Gantt's Motion for Summary Judgment on Plaintiff's civil conspiracy claims against him, I find and conclude that there is no genuine issue of material fact that Gantt had a prior relationship or alliance with Defendant Bobby Merle Bowers for purposes of conspiring against Plaintiff. I also find that Plaintiff cannot proffer any evidence of any combination between Mr. Gantt and Mr. Bowers for the purpose of injuring her. She has

failed to produce any evidence that there was communication between them other than a single telephone conversation, a meeting where they were present with counsel for the School District and members of Mr. Bowers' staff, and the official letter asking for a determination and the determination letter. There is nothing in these interactions from which a fact finder, as a matter of law, could even circumstantially conclude that they engaged in an alliance or combination for the purpose of causing injury to Plaintiff. Likewise, there is no evidence that Bowers and Gantt acted in any way with an animus or intent to harm Plaintiff or that Plaintiff has suffered special damages which she attributes to a civil conspiracy, all being the requisite elements of the cause of action.

Thus, she is unable to offer anything that creates even a circumstantial inference necessary to survive summary judgment as to any element of her cause of action for civil conspiracy against Mr. Gantt. I, therefore, find and conclude that Defendant Robert Gantt's Motion for Summary Judgment on Plaintiff's civil conspiracy cause of action should be granted, and Plaintiff's claim against him dismissed with prejudice.

ii. Plaintiff's Claim for Defamation against Robert Gantt

Mr. Gantt moves for summary judgment on multiple grounds, including that there is no material question of fact from which a trier of fact could conclude as a matter of law that Gantt made a false statement about Plaintiff with the knowledge of its falsity or with reckless disregard for its truth. He further asserts that his statements were made in his capacity as School Board Chairman and that, as such, they were subject to a qualified privilege.

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**1. Plaintiff is unable to establish that Robert Gantt had actual, Constitutional Malice in regard to any statement that he made as a matter of law.**

The parties agree that Plaintiff is a public official. A public official is one who has a governmental role and whose "position in government has such apparent importance that the public has an independent interest in the qualifications and performance of the person who holds it." *Rosenblatt v. Baer*, 383 U.S. 75, 86, 86 S.Ct. 669, 15 L.Ed.2d 597 (1966). Such interest must go "beyond the general public interest in the qualifications and performance of all government employees." *Id.* "An individual who decides to seek governmental office must accept certain necessary consequences of that involvement in public affairs. He runs the risk of closer public scrutiny than might otherwise be the case." *Gertz v. Robert Welch, Inc.*, 418 U.S. 322, 344, 94 S.Ct. 2997, 3009, 41 L.Ed.2d 789, 808 (1974). For a public official, "society's interest . . . is not strictly limited to the formal discharge of official duties," but "extends to 'anything which might touch on an official's fitness for office.'" *Id.* at 344-45 (quoting *Garrison v. Louisiana*, 379 U.S. 64, 77, 85 S. Ct. 209, 13 L. Ed. 2d 125 (1964)). Here, whether or not Plaintiff is legally qualified to serve the citizens of Richland County if she lives in Lexington County fundamentally touches on her fitness for office. It is a matter of significant concern and statements about her residence and the qualifications emanating therefrom enjoy the highest level of constitutional protection.

Because she is a public official, Plaintiff has the burden to "prove by clear and convincing evidence" the Defendant made the statement with actual malice, which means "with the knowledge of its falsity or with reckless disregard for its truth." *Elder v. Gaffney Ledger*, 341 S.C. 108, 114, 533 S.E.2d 899, 902 (S.C. 2000) (citing *New York Times Co. v. Sullivan*, 376 U.S. 254, 279-80, 84 S.Ct. 710, 726, 11 L.Ed.2d 686, 706 (1964)). The courts have held not only that: A "reckless disregard: for the truth . . . requires more than a departure from reasonably prudent

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conduct. There must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication.” *St. Amant v. Thompson*, 390 U.S. 727, 731, 88 S.Ct. 1323, 1325, 20 L.Ed.2d 262, 267 (1968). There must be evidence the defendant had a “high degree of awareness . . . of probable falsity.” *Garrison v. Louisiana*, 379 U.S. 64, 74 85 S.Ct. 209, 216, 13 L.Ed.2d 125, 133 (1964).

Our State Supreme Court has further held that “Whether the evidence is sufficient to support a finding of actual malice is a question of law.” *Elder, supra* at 341 S.C. at 113, 533 S.E.2d at 901-902.

So, unlike a traditional libel or slander case where the defendant has the burden of proving the truth of the matter asserted, here, the Plaintiff has the burden of proving not only that the statements about which she complains were false, but that Mr. Gantt doubted the truth of his words or had a high degree of awareness that his statements were false. She must meet this burden of proof not by a mere preponderance of the evidence, but, rather, by clear and convincing evidence.

A person makes a defamatory statement if the statement tends to harm the reputation of another as to lower him in the estimation of the community or deter third persons from associating or dealing with him. *Fountain v. First Reliance Bank*, 398 S.C. 434, 730 S.E.2d 305 (S.C. 2012) (quoting *Fleming v. Rose*, 350 S.C. 488, 567 S.E.2d 857, 860 (S.C. 2002)). The tort of defamation, therefore, permits a plaintiff to recover for injury to his or her reputation as the result of the defendant's communications to others of a false message about the plaintiff. *Erickson v. Jones St. Publishers, L.L.C.*, 368 S.C. 444, 629 S.E.2d 653, 664 (2006). A plaintiff must prove the following four elements to state a claim for defamation: (1) a false and defamatory statement was made; (2) the unprivileged publication was made to a third party; (3)

the publisher was at fault; and (4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication. *Id.*, 629 S.E.2d at 664.

Mrs. Murphy is unable, as a matter of law, to sustain her burden of proof as it relates to Mr. Gantt. She cannot point to a false statement, an unprivileged utterance or any words that Mr. Gantt made that might tend to lower her in the estimation of the community. Furthermore, it is evident that any statements made by Mr. Gantt regarding Mrs. Murphy's residency were made with reliance on the findings of the Office within the State of South Carolina charged with making such determinations. With that reliance, it is impossible as a matter of law for Plaintiff to meet a burden of demonstrating that Mr. Gantt doubted the truth of his words or had a high degree of awareness that his statements were false. The efficacy of Mr. Gantt's conclusions has been bolstered by the fact that the Circuit Court for this Judicial Circuit has found that Mrs. Murphy resides in Lexington County. To survive this Motion for Summary Judgment, Plaintiff must point to evidence in the record from which the Court might infer that she is able to establish this set of facts. A review of the materials submitted by Plaintiff and the arguments of her counsel reveals that she is unable to meet this burden. Plaintiff cannot, as a matter of law, establish constitutional malice in this case. Mr. Gantt is entitled to summary judgment on her claim on that basis alone.

**2. Plaintiff is unable to establish that Robert Gantt made any statement from which a finder of fact could determine that she might recover for defamation per se.**

Plaintiff argues that words in statements made by Gantt to the effect that "he hoped she would do the right thing and resign" are somehow defamation *per se* also fail as a matter of law. Slander, which is involved here, "is actionable *per se* when the defendant's alleged defamatory statements charge the plaintiff with one of five types of acts or characteristics: (1) commission of

a crime of moral turpitude; (2) contraction of a loathsome disease; (3) adultery; (4) unchastity; or (5) unfitness in one's business or profession." *Goodwin v. Kennedy*, 347 S.C. 30, 552 S.E.2d 319, 322-23 (S.C. App. 2001). Mrs. Murphy's contentions in this realm somehow center around her desire to equate a statement reflecting that she is not qualified to serve on the School Board based upon her residency, with some criticism of the idea that she is, therefore, unfit in her business or profession. However, when asked specifically, "Has any board member (which includes Gantt) ever accused you of being unfit in your profession, in conjunction with this – this residency issue," she responded: "I can't recall at this time." She is, likewise, unable to point to any other statement that even hints, to a reasonable person, that she has been the victim of words that might constitute *per se* defamation.

A review of the materials submitted by Plaintiff and the arguments of her counsel relating to her claim of *per se* defamation reveals that she is unable, as a matter of law, to demonstrate a statement attributable to Robert Gantt which would provide evidence that she has a basis to recover against him for defamation *per se*. Mr. Gantt is, likewise, entitled to summary judgment on her claim on that basis alone.

### **3. Robert Gantt's statements as board chair are privileged.**

A communication made in good faith on any subject matter in which the person communicating has an interest or duty is qualifiedly privileged if made to a person with a corresponding interest or duty even though it contains matter which, without this privilege, would be actionable. *Constant v. Spartanburg Steel Prods., Inc.*, 316 S.C. 86, 447 S.E.2d 194 (1994); *Prentiss v. Nationwide Mut. Ins. Co.*, 256 S.C. 141, 181 S.E.2d 325 (1971). Communications between officers and employees of a corporation are qualifiedly privileged if made in good faith and in the usual course of business. *Conwell v. Spur Oil Co.*, 240 S.C. 170,

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125 S.E.2d 270 (1962). The communications about which Plaintiff complains all occurred during a Board meeting and in Mr. Gantt's acting as Chair to conduct the Board's business. His correspondence about this matter and his statements to the public were prepared by the District's lawyers. He made them believing not only in their factual accuracy, but also having been assured that they were apropos to complete the business of the Board.

Moreover, Plaintiff is unable to demonstrate any statement made which goes beyond what a reasonable school board chair, in a similar situation, acting under the advice of counsel should publish. There is no evidence of defamation or unnecessary defamation of Plaintiff to overcome the qualified privilege attached to these communications. There is no evidence that Mr. Gantt "wandered beyond the scope of the occasion." *See, e.g. Woodward v. South Carolina Farm Bureau Ins. Co.*, 277 S.C. 29, 282 S.E.2d 599 (1981).

Mrs. Murphy has been unable to point to any statement made by Mr. Gantt outside of the purview of a School Board meeting or his duties as Chairman of the School Board. There is no fact, allegation or evidence that Mr. Gantt published any statement except in his capacity as Chair of the School Board. In essence, any statement that he published is, therefore, a statement of the Board and his statements were made in light not only of the necessary fact that as Chair he had a duty to communicate with the Board, but also in light of the fact that the Board must conduct its business in public.

A review of the materials submitted by Plaintiff and the arguments of her counsel relating to Mr. Gantt's assertion of a qualified privilege reveals that she is unable, as a matter of law, to demonstrate a statement attributable to Robert Gantt which would ordinarily be actionable, much less when considered in light of his qualified privilege. Mr. Gantt is entitled to summary judgment on her claim on that basis, as well.

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I, therefore, find and conclude that Defendant Robert Gantt's Motion for Summary Judgment on Plaintiff's defamation claim should be granted, and Plaintiff's claim against him dismissed with prejudice.

Having found that Robert Gantt is entitled to Summary Judgment on each of Plaintiff's claims against him, all of Plaintiff's claims against him should be dismissed with prejudice.

C. School Board's Motion for Summary Judgment

Plaintiff's sole claim against the Richland Lexington School District 5 Board of Trustees is for defamation, see Complaint, pp. 5-6, ¶¶19-25.

The Board moves for summary judgment on grounds similar to Defendant Gantt. The Board contends that the Plaintiff has failed to prove the utterance or publication of a defamatory statement or innuendo, has failed to offer evidence of the falsity of any statement made and has failed to offer evidence of defamation *per se*. The Board's motion as to those matters is granted for the reasons stated above.

The Board also moves for summary judgment on the additional ground that it is immune from suit in an action alleging actual malice. The Board contends that it cannot be sued for defamation by Plaintiff because as a public figure, Plaintiff must prove actual malice, and the Board is immune from suit in an action asserting actual malice. The Court agrees and grants summary judgment to the Board.

As discussed above, Plaintiff Murphy must allege and prove constitutional actual malice in order to bring a defamation action. Whether the evidence supports a finding of actual malice is a question of law for the court. *Elder, supra* at 533 S.E.2d 901-902.

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Actions against governmental entities such as the Board are governed by the South Carolina Tort Claims Act. Under the SCTCA, a governmental entity is immune from suit for actions involving actual malice:

The governmental entity is not liable for a loss resulting from:

(17) employee conduct outside the scope of his official duties or which constitutes actual fraud, *actual malice*, intent to harm, or a crime involving moral turpitude;

*South Carolina Code Ann. § 15-78-60(17) (emphasis added).*

A governmental entity is immune from suit for defamation by a public figure when actual malice is an element of the cause of action. Therefore, I grant the Board's motion for summary judgment on this additional ground as well.

The Board also contends that in the event that the Plaintiff intended to claim defamation for the Board's act of removing her from her seat, the Board is entitled to quasi judicial immunity. The Board argues that the Plaintiff cannot appeal the Board's decision and then also sue the Board for making that decision. The TCA also provides that:

The governmental entity is not liable for a loss resulting from:

(1) legislative, judicial, or quasi-judicial action or inaction;

*South Carolina Code Ann. § 15-78-60(1) (emphasis added).*

It is well settled that School Boards act in a quasi-judicial capacity when holding hearings. *Laws v. Richland County School Dist. No.1*, 270 S.C. 492, 243 S.E.2d 192 (1978); *Calhoun v. Marlboro County School Dist.*, 2004 WL 6334910. Here, the Board referred the matter to a Special Referee for an evidentiary hearing and he issued a report and recommendation. The Board then held a hearing and made and exercised discretion in making a

determination based upon that report and recommendation and other evidence offered before the Board. Plaintiff Murphy was invited to participate at both proceedings.

Following the Board's decision, Plaintiff Murphy availed herself of the appellate remedy. She appealed the finding to the circuit court, which affirmed her removal. She has since appealed the circuit court order to the appellate courts. I find that the Board was acting in a quasi-judicial capacity, exercising reason and discretion in the adaptation of a means to an end and therefore the Board is entitled to quasi-judicial immunity for the act of determining that the Plaintiff was a resident of Lexington County and removing her from her seat on the Board. Therefore, summary judgment is granted to the Board with regard to its action of removing the Plaintiff from the Board.

#### **D. CONCLUSION**

For the foregoing reasons, the Court grants each of the Defendants' Motions for Summary Judgment. Accordingly, Plaintiff's Complaint is dismissed in its entirety with prejudice.

**IT IS SO ORDERED.**

Signature Redacted

Doyet A. Early, III, Judge  
Court of Common Pleas  
for the Fifth Judicial Circuit

Bamberg, South Carolina

March 8, 2016  
April

SCANNED

## *Appendix H. April 5, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - February 15, 2017 - Meeting minutes
  - Study timeline
  - PowerPoint - Revenue and Fiscal Affairs Office - Election boundaries: Precincts, districts, census, counties
  - Committee contact information



**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Wednesday, April 5, 2017***

***8:30 am***

***Room 321, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Minutes from the February 15, 2017 Subcommittee Meeting**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

**Chairman Wm. Weston J. Newton**

*First Vice-Chair:*  
*Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington*  
*Gary E. Clary*  
*MaryGail K. Douglas*  
*Phyllis J. Henderson*  
*Joseph H. Jefferson Jr.*  
*Mandy Powers Norrell*  
*J. Todd Rutherford*  
*Tommy M. Stringer*  
*Bill Taylor*



*William K. (Bill) Bowers*  
*Neal Collins*  
*Raye Felder*  
*William M. "Bill" Hixon*  
*Ralph W. Norman*  
*Robert L. Ridgeway III*  
*James E. Smith Jr.*  
*Edward R. Tallon Sr.*  
*Robert Q. Williams*

**South Carolina House of Representatives**

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*Charles L. Appleby IV*  
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*Research Analyst/Auditor*

### **Executive Subcommittee of the Legislative Oversight Committee**

Wednesday, February 15<sup>th</sup>, 2017

Blatt Room 110

#### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

#### **Attendance**

- I. The Executive Subcommittee meeting was called to order by Subcommittee Chairman Gary E. Clary, on the morning of Wednesday, February 15<sup>th</sup>, 2017, in Room 110 of the Blatt Building. The following members of the Subcommittee were present: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Funderburk moved to approve the minutes from the August 19<sup>th</sup>, 2016 Subcommittee meeting.

Rep. Funderburk's motion to approve the minutes from August 19 <sup>th</sup> , 2016:	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams			NP
Rep. Clary			✓

## Discussion of the study of the Treasurer's Office

- I. Chairman Clary stated the purpose of the meeting was a Member Work Session. He provided a brief summary of the study of the Treasurer's Office and asked if there were any additional questions or motions prior to closing the study. Members discussed questions and voted on motions which are outlined below.

Chairman Newton's motion that since the Treasurer's Office invests \$15 billion in state and local funds, the subcommittee include a recommendation that provisions be added in law which require the Treasurer's Office, no later than July 1 of each year, to provide to the General Assembly, and publish on the Treasurer's office website, the following information: (1)Investment Policy Statements which reflect the intended management of the investment portfolios for the fiscal year; and (2)Performance report which includes the annualized net-of-fee return of each investment portfolio versus all internal benchmarks stated in the Investment Policy Statements, for the trailing 1,3,5, and 10 years.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams			NP
Rep. Clary	✓		

Chairman Newton's motion that the Subcommittee approve the recommendations for the Treasurer's Office that were adopted during the prior General Assembly.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams			NP
Rep. Clary	✓		

Chairman Newton's motion that the Committee follow up with the Treasurer's Office by the end of 2017 about (a) the agency's status in regards to the Committee's recommendation that the agency create an employee retention plan, and (b) any other questions the Committee has for the agency.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		
Rep. Clary	✓		

Chairman Newton's motion that: (1) staff draft a Subcommittee Report related to the Treasurer's Office for presentation to the full Committee; (2) staff provide a copy of the report to all Subcommittee members by Friday, February 24 <sup>th</sup> , 2017; (3) staff include any Subcommittee member written statements, pursuant to Standard Practice 12.4, which staff receives prior to 5:00 p.m. on Friday March 3, 2017; and (4) unless the Subcommittee Chair receives an alternative request by 5:00 p.m. on Friday, March 3 <sup>rd</sup> , 2017, the Subcommittee Chair notify the committee chairman, pursuant to Standard Practice 12.5, that a study is available for consideration by the full committee.	Yea	Nay	Not Voting
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		
Rep. Clary	✓		

- II. Representative Funderburk brought the committees attention to the Whistle Blower bill to recognize the importance of the input and information received from the public, including employees, in the oversight process. She also discussed a bill she was sponsoring to strengthen the protections for state employees.
- III. Members also discussed their expectations of agency heads, including constitutional officers, attendance at meetings.

#### **Discussion of the State Election Commission**

- I. Chairman Clary provided an update on the status of the study of the State Election Commission. Members discussed questions they would like sent to the agency.
- II. The meeting was adjourned.

- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study**. Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - (TODAY) Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency deadline for submission of its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

# **ELECTION BOUNDARIES: PRECINCTS, DISTRICTS, CENSUS, COUNTIES**

**PRESENTED TO**

**Executive Subcommittee  
Legislative Oversight Committee  
South Carolina House of Representatives**

**Wednesday, April 5, 2017**



South Carolina Revenue and Fiscal Affairs Office  
1000 Assembly Street  
Rembert Dennis Building, Suite 402  
Columbia, SC 29201  
(803) 734-2265  
[www.rfa.sc.gov](http://www.rfa.sc.gov)



# **Revenue and Fiscal Affairs Staff**

## **Overview**

**Frank A. Rainwater**  
Executive Director

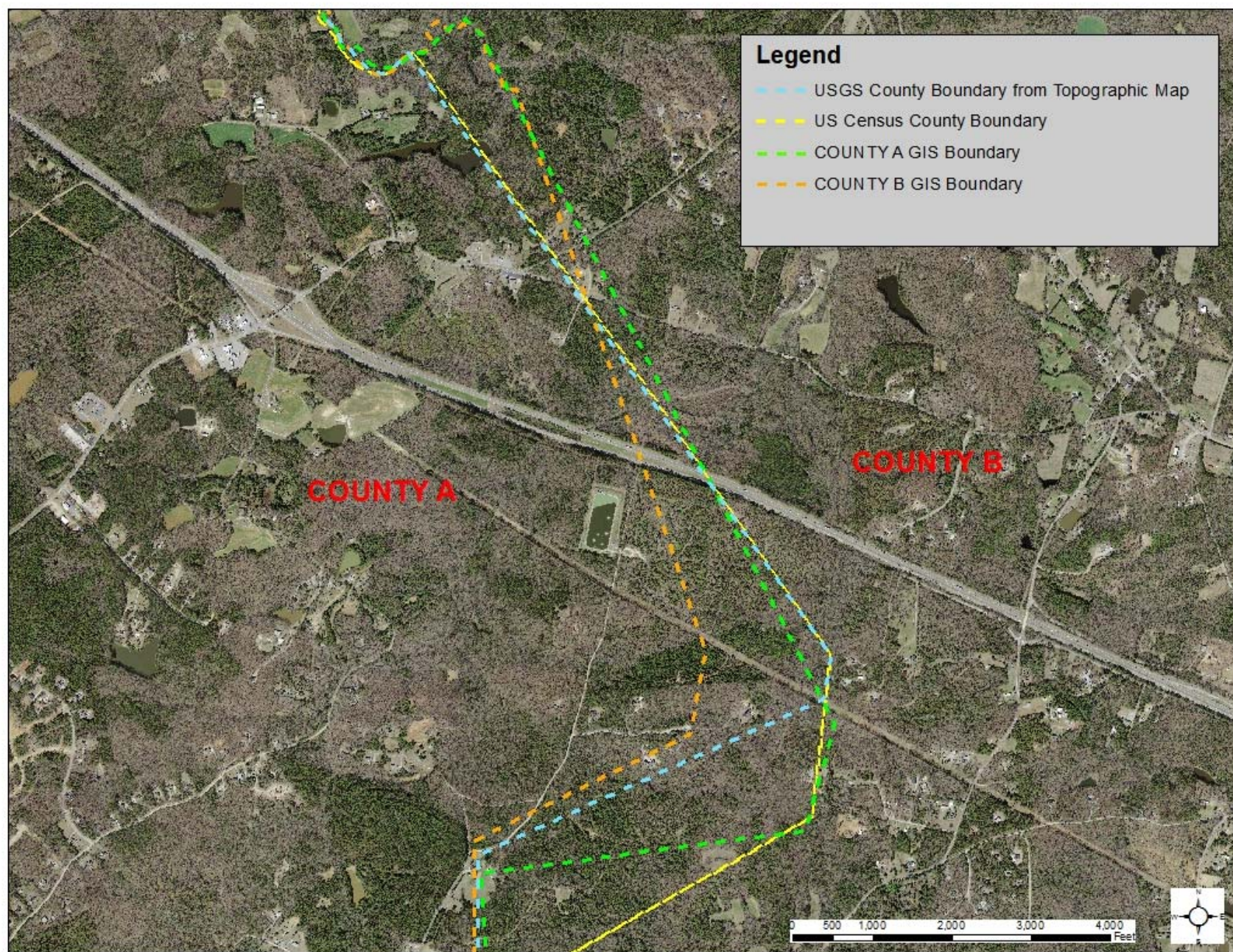
## **Precincts & Census**

**Will Roberts**  
Manager, Precinct  
Demographics

## **County Boundaries**

**Matt Wellslager**  
Manager, Geodetic Survey  
**David Ballard, PLS**  
County Boundary Program







# Key Issues

1. State law defines county boundaries
  - No complete GIS mapping that accurately displays the statutory description of county boundaries
  - Multiple and misleading representation
2. State law defines precincts
  - Precincts develop from census data
3. Goal: Ensure accurate compliance and coordination of boundaries with state law

# Duties and Responsibilities

- Maintain official precinct maps as established in statutes
- Coordinate with counties, municipalities, school districts, and transportation network carriers
- Coordinate with Census Bureau for census geography
- Re-establish county boundary according to statutory description

# Office of Precinct Demographics - §1-11-360

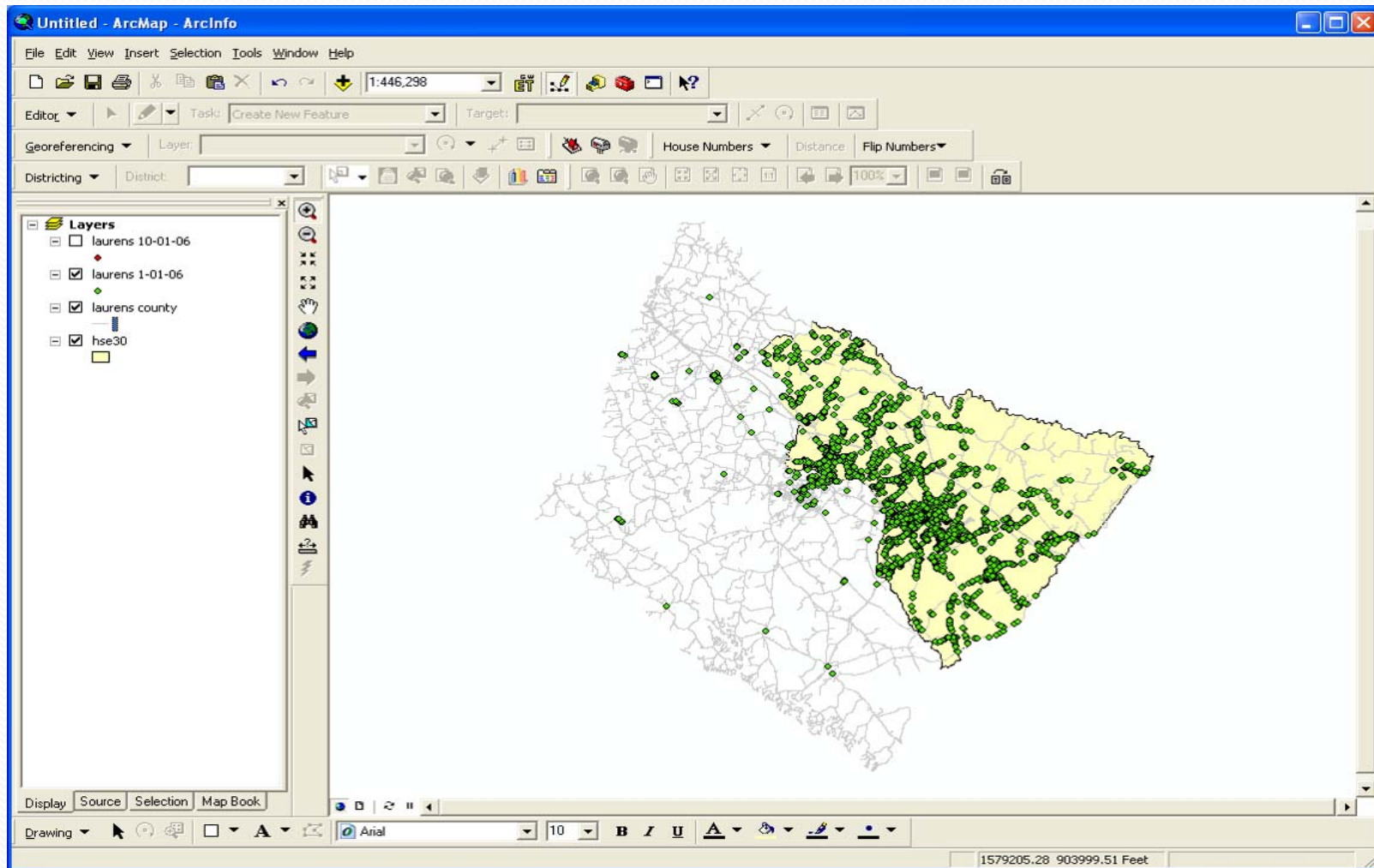
- (1) Review existing precinct boundaries and maps for accuracy
- (2) Consult with members of the General Assembly
- (3) Maintain precinct maps and related data for the State
- (4) Assist the appropriate county officials in the drawing of maps
- (5) Coordinate with the Census Bureau in the use of precinct boundaries
- (6) Serve as a focal point for verifying official precinct information for the counties of South Carolina.



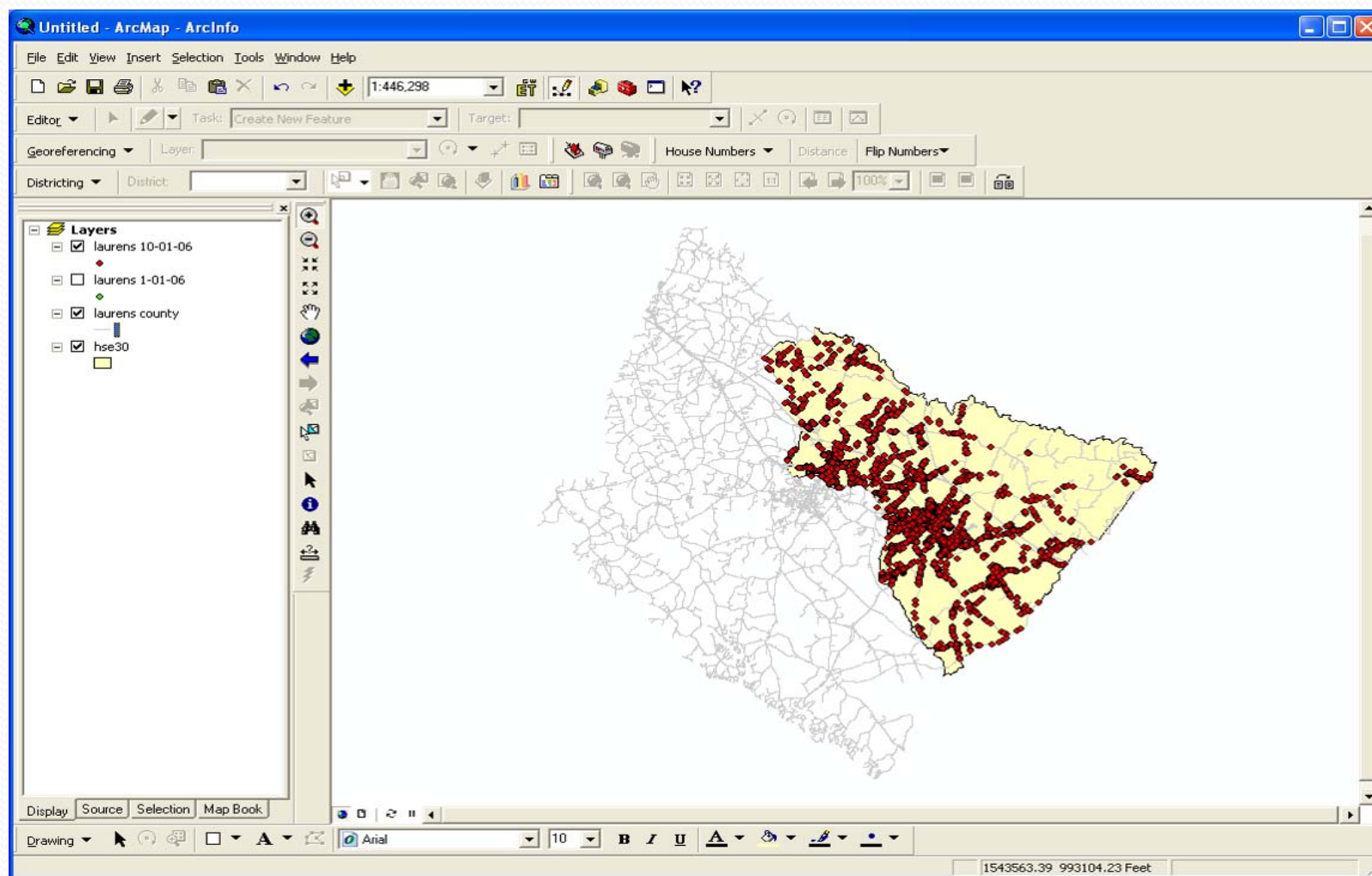
## Services

- Provide Redistricting support to local governments, the legislature, and the courts
- Coordinate the 2020 Census geographic programs and redistricting data programs for South Carolina
- Assist county voter registration offices with verifying voting district assignment

# Incorrect Voter Assignment



# Corrected Voter Assignment



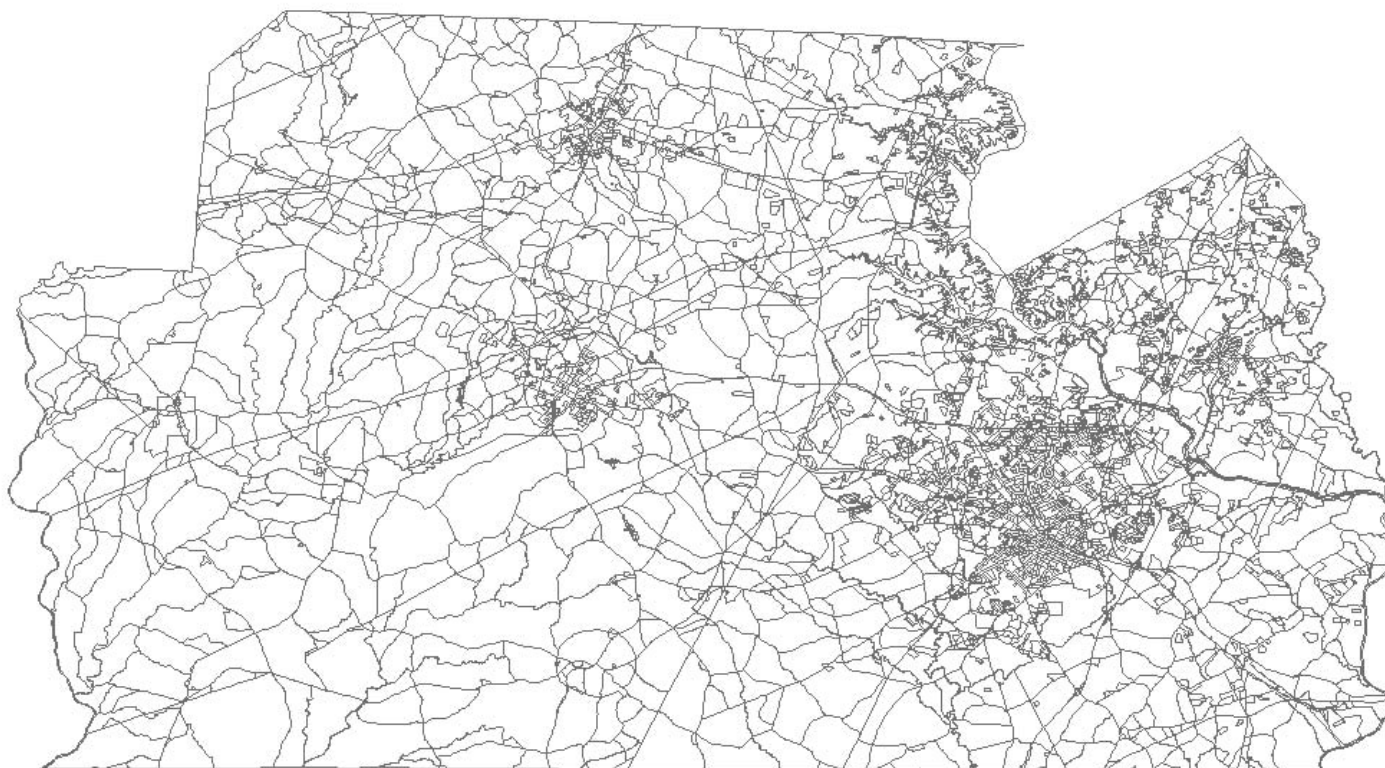


# Precincts and Redistricting Code Sections

- Precinct maps are established by the General Assembly §7-7-10
- Precinct maps codified under §7-7-30 through §7-7-530
  - Code of Laws states the name for each precinct in the county as well as the map number for each county precinct map
- House Districts established under §2-1-35 and Senate Districts established under §2-1-70
- Precincts and election districts use Census Bureau information for the building blocks of the maps
- Redistricting example:
  - DISTRICT 3 Area Population Pickens County Abel 1,804 Calhoun 2,788 Central 1 4,870 Central 2 2,799 Clemson 1 1,680 Clemson 2 1,576 Flat Rock Tract 110.02 Blocks: 4031, 4032, 4033, 4038, 4039, 4040, 4044, 4045, 4046, 4047, 4048, 4051 149 Tract 110.03 Blocks: 2018, 2019, 2020, 2021, 2033, 2034, 2035, 2036, 2037, 2039, 2040, 2041 212 Flat Rock Subtotal 361 Lawrence Chapel 1,554 Liberty 1 Tract 110.02 Blocks: 4025, 4029, 4030, 4041, 4042, 4043, 4052 67 Liberty 1 Subtotal 67 Morrison 3,281 Mountain View Tract 102 Blocks: 1059, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241 1,520 Mountain View Subtotal 1,520



## Census Geography Hierarchy - Blocks

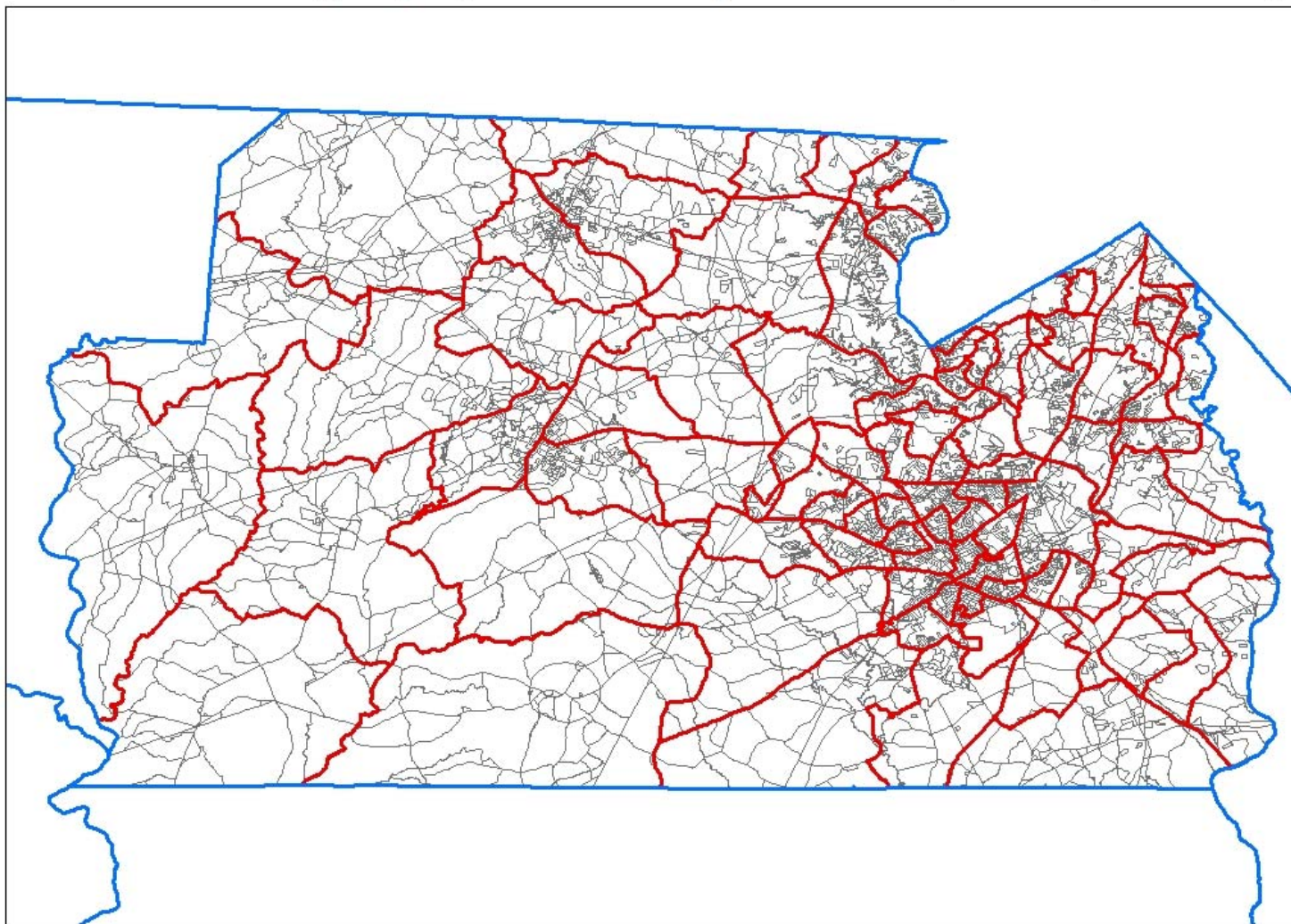


## Census Geography Hierarchy - Blocks, VTD

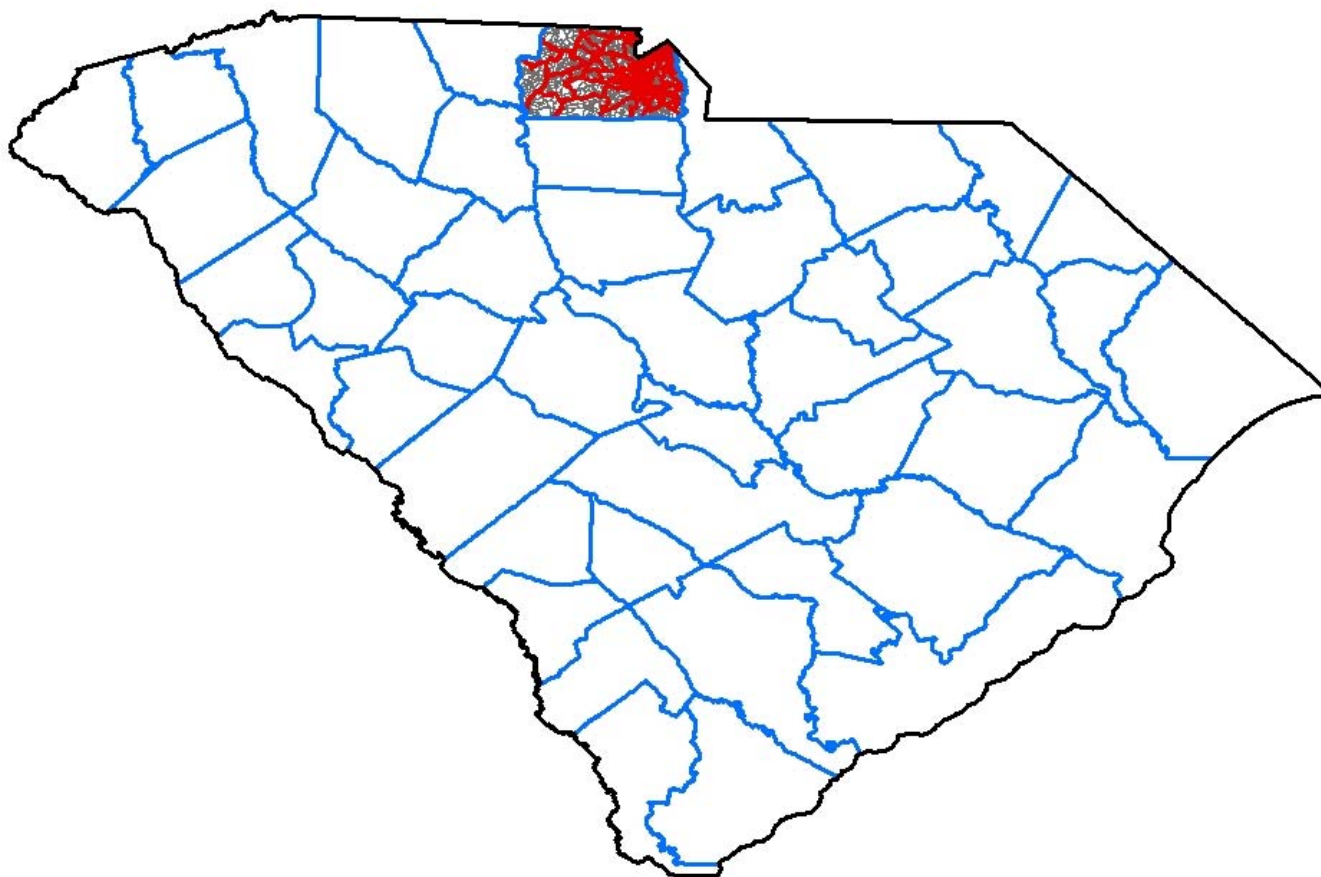




## Census Geography Hierarchy - Blocks, VTD, County

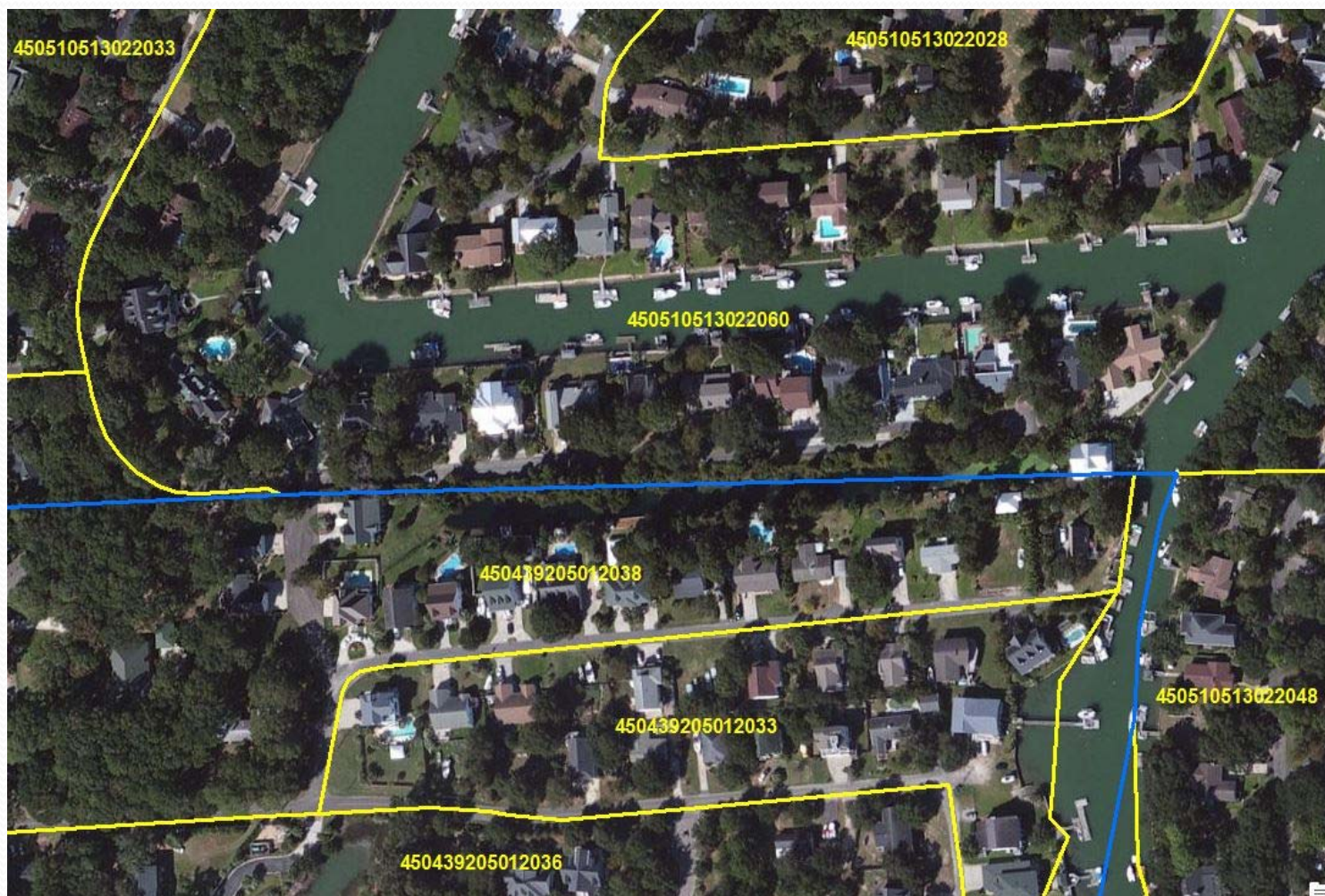


## Census Geography Hierarchy - Blocks, VTD, County, State





# Census Boundary Issues



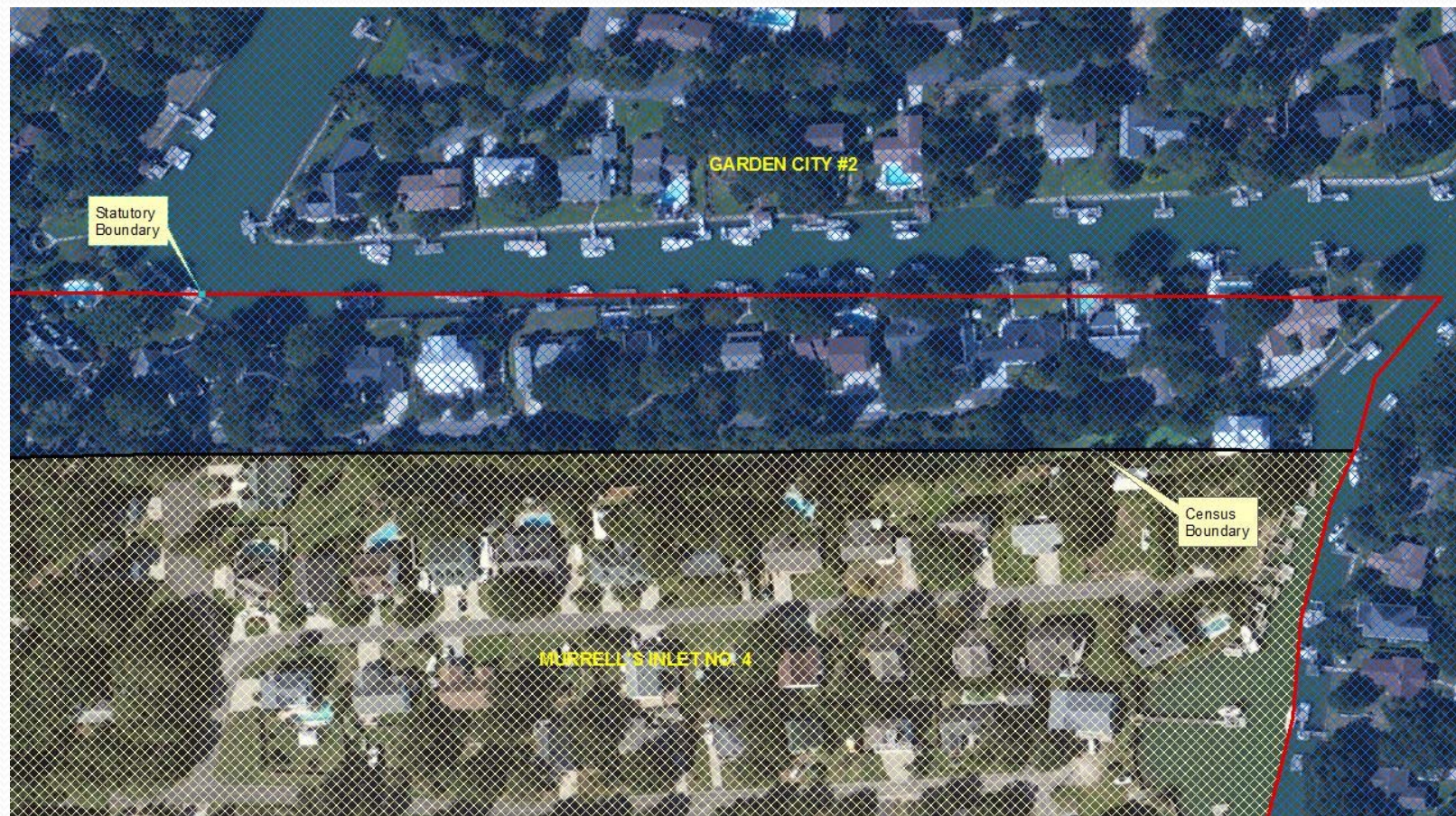


# Census and Statutory Boundary



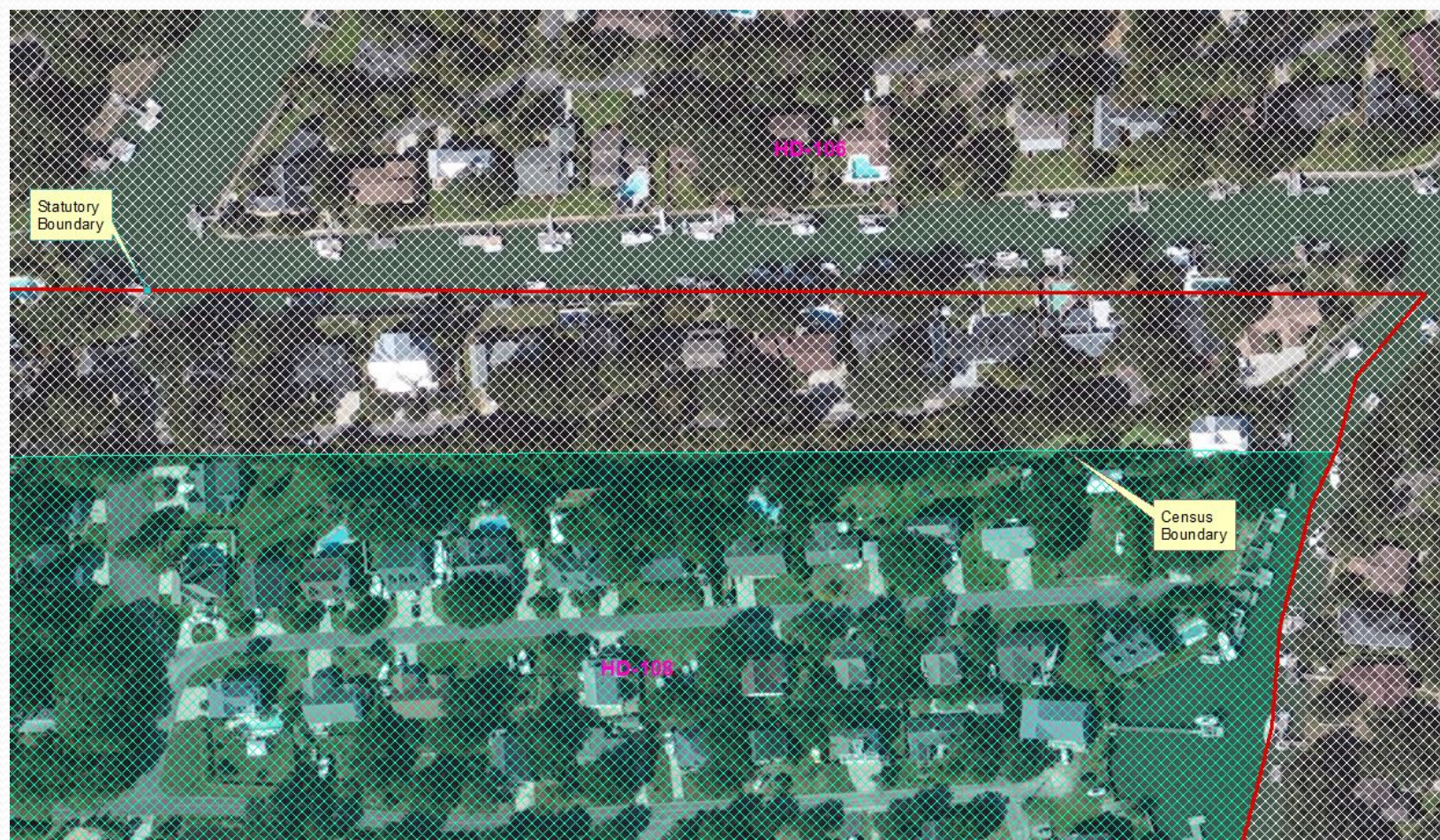


# Voting Precincts





# House Districts





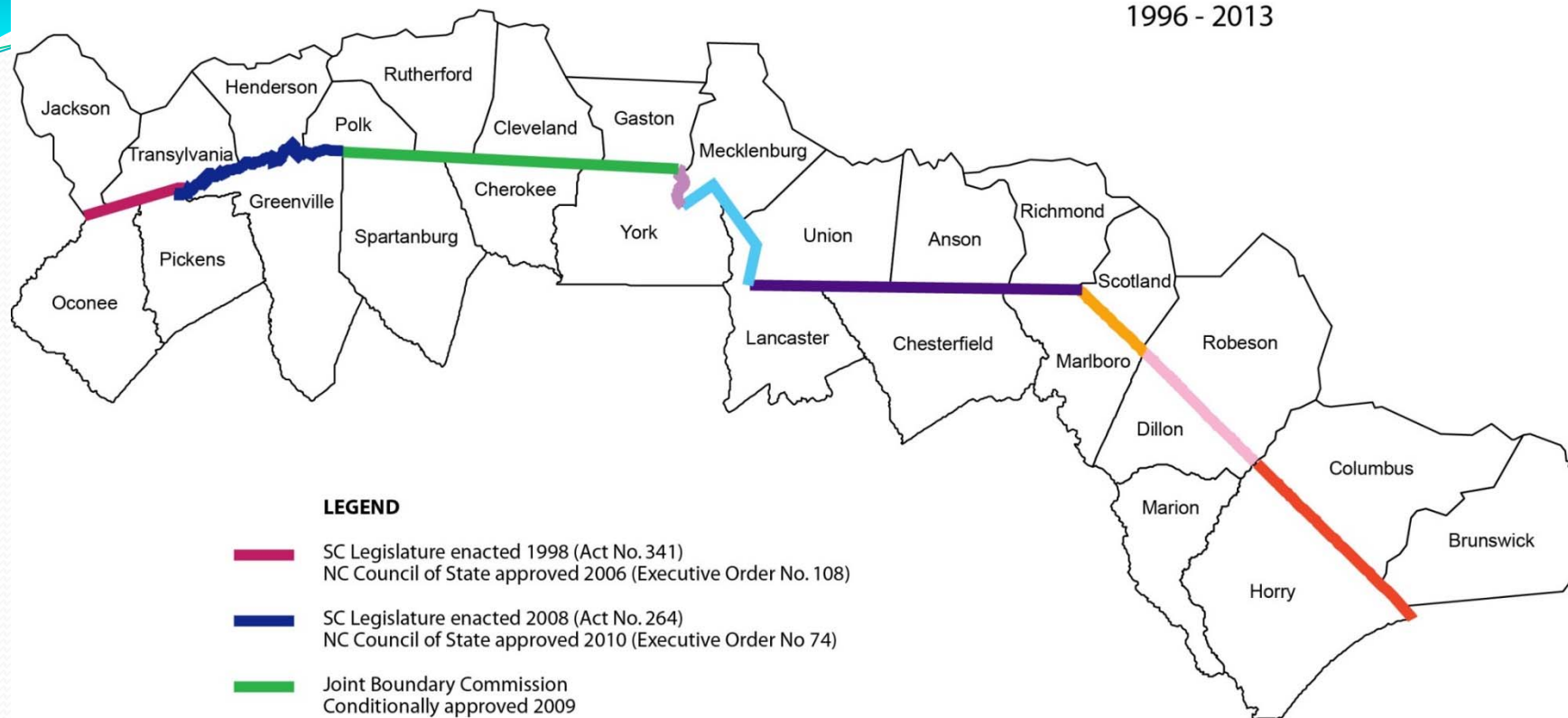
## Office of Precinct Demographics

- Where do we go from here?
  - RFA has notified the Census Bureau the current representation of the county boundaries in the census file does not match the statutory boundary.
  - RFA will be working with the Census Bureau through the 2020 Census Geographic Programs as well as the 2020 Census Redistricting Data Program to correct the boundaries according to state statute.

# South Carolina Code of Laws

- Title 1- Administration of the Government
- Chapter 1- General Provisions
- Article 1- Jurisdiction and Boundaries of the State
  - Section 1-1-10. Jurisdiction and Boundaries of the State

## PROJECT TO RE-ESTABLISH SOUTH CAROLINA - NORTH CAROLINA BOUNDARY 1996 - 2013



### LEGEND

- SC Legislature enacted 1998 (Act No. 341)  
NC Council of State approved 2006 (Executive Order No. 108)
- SC Legislature enacted 2008 (Act No. 264)  
NC Council of State approved 2010 (Executive Order No 74)
- Joint Boundary Commission  
Conditionally approved 2009
- Joint Boundary Commission  
Approved 2010
- Joint Boundary Commission  
Conditionally approved 2010
- Joint Boundary Commission  
Conditionally approved 2013
- Joint Boundary Commission  
Conditionally approved 2013
- Joint Boundary Commission  
Conditionally approved 2013
- Joint Boundary Commission  
Conditionally approved 2013



...thence following the eastern and northern boundary lines of said Catawba Indian Reservation to where such northern boundary line crosses the thread of the Catawba River; thence up the thread of said river to **the confluence of the north and south forks** thereof; **thence west** to a point at latitude  $35^{\circ} 11' 46.41502''$  N. and longitude  $082^{\circ} 12' 57.37020''$  W. , North American Datum 1983-86 (NAD 83-86) **marked by a brass screw in a stone inscribed "S.C. 1815" on one side and "N.C., Sept 15" on the other...**





# South Carolina Code of Laws

- Title 4- Counties
- Chapter 3- Boundaries of Existing Counties
  - Defines County Boundaries that were established by County Formation or Annexation

- Example from Code of Law for County Boundaries:

- **SECTION 4-3-390.** Marlboro County.

Marlboro County is bounded as follows: on the west by the Great Pee Dee River, which separates it from the counties of Chesterfield, Darlington and Florence; and on the southeast by Dillon County, from which it is divided by a line drawn from a **dead pine** on the North Carolina line S. 22.5° W. 24.75 miles until it intersects the Great Pee Dee River.

- **SECTION 4-3-10.** Abbeville County.

Abbeville County is bounded as follows: on the southwest by the Savannah River, by which it is separated from Georgia; on the northwest by Anderson County, from which it is separated by a line **(the old Indian boundary)** drawn from a **marked black gum**, on the east bank of the Savannah River, at the foot of Grape Shoals, N. 50° E. to a **willow oak, marked "A. & P.,"** on the south side of Saluda River; on the northeast by Laurens County, from which it is separated by the Saluda River, and by Greenwood County; and on the southeast by McCormick County.



## • Example from Code of Law for County Boundaries:

### **SECTION 4-3-200.** Dorchester County.

Dorchester County is composed of all that territory formerly a portion of Colleton County comprised in the townships of George, Koger, Carn, Burns, Givhans, Dorchester and that part of Collins township formerly in said county of Colleton lying north of the public road leading from Parker's Ferry, upon the Edisto River, to a public landing known as Lowndes' Landing, upon Rantowles Creek, and all that portion formerly of Berkeley County included within the following lines, to wit: from the intersection of the county line between Colleton and Berkeley Counties with the run of Four Holes Creek a straight line to a point upon Saw Mill Branch one mile northeast of the Southern Railway; thence along said branch to the former Colleton County line, and thence back to the starting point along the former line of division between Colleton and Berkeley Counties. And is bounded northeast by Berkeley County, from which it is separated by the Four Holes Swamp from the intersection of said swamp with the old district line (drawn from Nelson's Ferry, on the Santee River, to Matthews' Bluff, on Savannah River) to the intersection of the run of said swamp with the old county line between Colleton and Berkeley Counties; and by a straight line running thence to a point upon Saw Mill Branch one mile northeast of the South Carolina and Georgia Railroad, and thence along said branch to the old division line between Colleton and Berkeley Counties; and thence by said old division line to the point where said line intersects the division line between Charleston and Berkeley Counties; on the southeast by Charleston County, from which it is separated by the old division line between Charleston and Colleton Counties to Lowndes' Landing, on Rantowles Creek; southwest by Colleton County, from which it is separated by the public road leading from Lowndes' Landing, on Rantowles Creek, to Parker's Ferry, on Edisto River; and thence by the said river to the intersection of said river with the old district line down from Nelson's Ferry, on Matthews' Bluff; and on the northwest and northeast by Orangeburg County, from which it is separated by said last-mentioned district line.

### **SECTION 4-3-210.** Dorchester County; portion of Lincolnville area in Charleston County transferred to Dorchester County.

That portion of the Lincolnville area in Charleston County which was the subject of an election held March 14 1967, by the commissioners of election for Charleston County, the results of which election were favorable to the annexation, and the General Assembly having found that all provisions of the Constitution of South Carolina, 1895, governing the alteration of county lines having been satisfactorily complied with, is hereby transferred to Dorchester County and annexed to that county. The proper proportion of the existing county indebtedness of the area so transferred shall be assumed by Dorchester County, the county to which the area is transferred.

### **SECTION 4-3-220.** Dorchester County; additional area of Charleston County transferred to Dorchester County.

That portion of Charleston County which was the subject of an election held October 29 1968 by the commissioners of election of Charleston County, the results of which election were favorable to the annexation, and the General Assembly having found that all provisions of the Constitution of South Carolina, 1895, governing the alteration of county lines having been satisfactorily complied with, is hereby transferred to Dorchester County and annexed to that county. The proper proportion of the existing county indebtedness of the area so transferred shall be assumed by the county to which the area is transferred.

### **SECTION 4-3-230.** Dorchester County; additional area of Charleston County transferred to Dorchester County; designation of area.

The portion of Charleston County described below is hereby annexed to and made a part of Dorchester County:

Beginning at a stake on what was the Berkeley-Charleston County line, what is now the Berkeley-Dorchester County line, and running in a southwesterly direction for a distance of four thousand one hundred thirty-two and twenty-two hundredths feet along what is now Charleston County to a stake on what is commonly known as the Owens Road, the old Dorchester-Charleston County line; thence, running in a Northwesterly direction for a distance of nine hundred twenty feet along said Owens Road and Dorchester County to the center of the run of what is commonly known as Sawmill Branch, the old Charleston-Dorchester County boundary line; thence, running along said Sawmill Branch in a northeasterly direction to the old Berkeley-Dorchester-Charleston County lines; thence, running in a southeasterly direction for a distance of eight hundred seventy-nine and five-tenths feet along the old Berkeley-Charleston County line, now the Berkeley-Dorchester County line to the stake designated "B" on a plat of J.N. Frank, surveyor, dated 12 August, 1968.

- Example from Code of Law for County Boundaries:

**SECTION 4-3-231.** Dorchester County; additional area of Charleston County transferred to Dorchester County.

The following described portion of Charleston County is hereby transferred and annexed to Dorchester County:

All that tract of land now situate and lying in Charleston County, being a portion of property formerly known as "Middleton Tract" and more commonly known as "Middleton Place", said tract containing 1,085 acres more or less and constituting the southernmost portion of Middleton Place to the west of South Carolina Highway 61 and more particularly shown on the tax maps of Charleston County as T.M.S. Number 301-001 and also shown on a plat recorded in the office of the Clerk of Court for Dorchester County in Plat Book 21, at page 42, and in the R.M.C. office for Charleston County in Plat Book AC, at page 144; and

All that tract of land now situate and lying in Charleston County, being a portion of property formerly known as "Middleton Tract" and more commonly known as "Middleton Place", said tract containing 130 acres, more or less, of highland and 49 acres, more or less, of marshland, and constituting the southernmost portion of Middleton Place to the east of South Carolina Highway 61 and more particularly shown on the tax maps of Charleston County as T.M.S. Number 364-011 and also shown on a plat recorded in the office of the Clerk of Court for Dorchester County in Plat Book 21, at page 42 and in the R.M.C. office for Charleston County in Plat Book AC, at page 144.

**SECTION 4-3-232.** Dorchester County; additional area of Charleston County transferred to Dorchester County.

The following described portion of Charleston County is hereby transferred and annexed to Dorchester County: All that area now situate, lying and being in the County of Charleston beginning at a point on the southern right-of-way of S. C. 881 (the point of beginning), thence southeast for a distance of 9,700 feet ± along the right-of-way of S. C. 881 to a point which is on the right-of-way of S. C. 881 and Highway 78 that is better known as Ladson Road, thence southwest along the right-of-way of Ladson Road 8,000 ± to a point which is on the right-of-way of Ladson Road and Highway 1120 that is better known as Jamison Road, thence northwest along the right-of-way of Jamison Road 2,700 feet ± to a point which is on the northern right-of-way of Jamison Road, thence southwest 50 feet ± to a point which is on the southern right-of-way of Jamison Road, thence southwest 180 feet ± to a point, thence southwest 130 feet ± to a point, thence northwest 370 feet ± to a point, thence southwest 800 feet ± to a point which is on the Charleston-Dorchester County line, thence northwest along the Charleston and Dorchester County Line 2,200 feet ± to a point which is on the southern right-of-way of Jamison Road, thence northwest along the Charleston and Dorchester County Line 50 feet ± to a point which is on the northern right-of-way of Jamison Road, thence northwest 600 feet ± along the Charleston-Dorchester County Line to a point, thence southeast 550 feet ± to a point, thence northeast 5,400 feet ± to a point which is the point of the beginning; which area is more specifically shown on that certain PLAT, of a 855.61 ACRE TRACT LOCATED IN CHARLESTON COUNTY, SOUTH CAROLINA BEING CONSIDERED FOR ANNEXATION INTO DORCHESTER COUNTY, S. C. DATE: 4 Aug. '76, Scale 1" = 600', W. E. Gilbert & Associates Inc., Engineers, Greenwood, South Carolina, as certified to by W. E. Gilbert, S. C. Reg. L. S. No. 4387, Greenwood, South Carolina, R. K. Leake, S. C. Reg. L. S. No. 2946 and J. B. Hudson, S. C. Reg. L. S. No. 4036, McCormick, South Carolina as boundary commissioners which plat is on file in the offices of the Clerks of Court of Charleston and Dorchester Counties with reference thereto being had for a more full and complete description.



## • Example from Code of Law for County Boundaries:

**SECTION 4-3-233.** Dorchester County; additional area of Charleston County transferred to Dorchester County.

The following described portion of Charleston County is hereby transferred and annexed to Dorchester County:

All that area now situate and lying in Charleston County commencing at a point on the Northeast side of U. S. Highway No. 78 (also known as Fifth North Street) - which said point is on the present Dorchester-Charleston county line, and proceeding along the present Dorchester-Charleston county line in a northeasterly direction for a distance of approximately two thousand five hundred (2500) feet to the intersection of said Dorchester-Charleston county line with the Berkeley-Charleston county line; thence in a southeasterly direction along the Berkeley-Charleston county line, approximately eighteen hundred (1800) feet to the northeast corner of the property owned by John Finucan and Magie F. Peters; thence in a southwesterly direction along the property line of the real estate of John Finucan and Magie F. Peters, a distance of approximately fifteen hundred (1500) feet to a point on the northeast side of U. S. Highway No. 78 (also known as Fifth North Street); thence in a westerly direction along the northeast side of said U. S. Highway No. 78 (also known as Fifth North Street) for a distance of approximately seven hundred and sixty (760) feet to the southwest corner of the real estate of the said John Finucan and Magie F. Peters; thence in a southerly direction across said U. S. Highway No. 78 (also known as Fifth North Street) to the northeast corner of lot owned by W. C. Cumbee thence along the southeastern line of the said lot of W. C. Cumbee, two hundred fifty-eight and five/tenths (258.5) feet to a point; thence northwest along the property of the said W. C. Cumbee and David H. Smith, a distance of three hundred seventy-nine (379) feet to the southwestern corner of a lot owned by David H. Smith, thence northeast along the property of David H. Smith, a distance of approximately three hundred and twenty-five (325) feet to a point on the northeastern side of said U. S. Highway No. 78 (also known as Fifth North Street); thence west along the northeast side of said U. S. Highway No. 78 (also known as Fifth North Street) to the point of beginning.

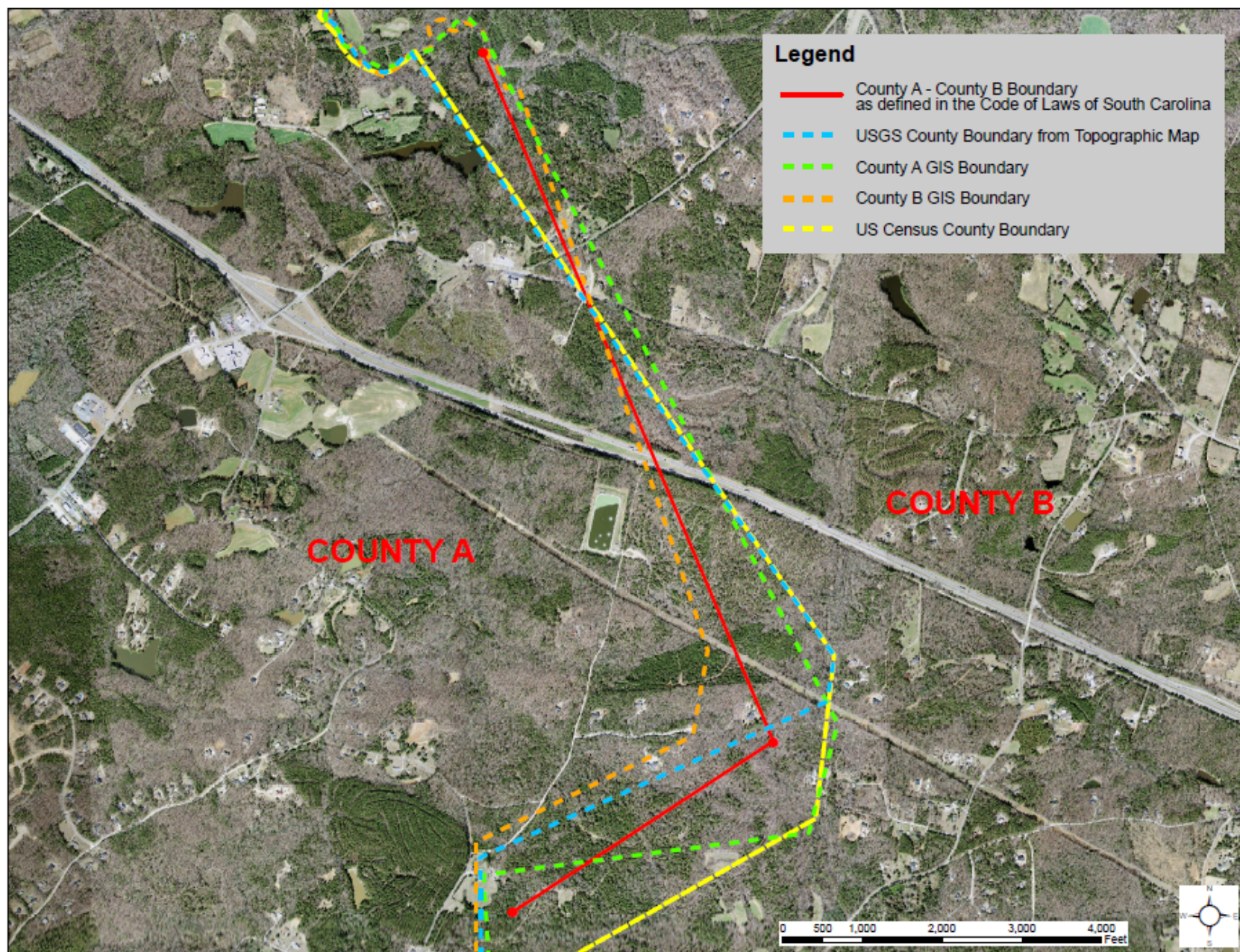
**SECTION 4-3-234.** Dorchester County; additional area of Charleston County transferred to Dorchester County.

(A)(i) The following described portion of Charleston County is transferred and annexed to Dorchester County:

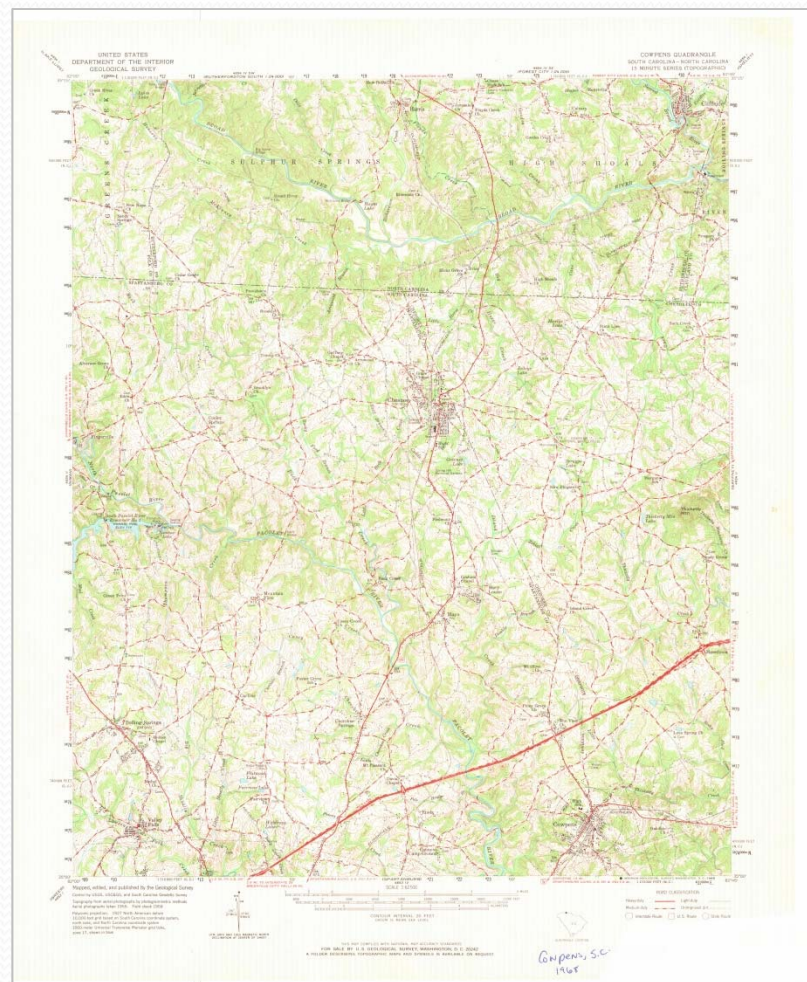
All that area beginning at an iron bar 248.50 feet from the northeastern intersection of rights-of-way of Garbon Street (S-18-847) and West Boundary Street (S-10-2396), on a bearing of N 46°-15'-31" W, being the southwestern corner of a parcel of land described as Tract 6, a 30.12 acre parcel, the point of beginning; thence N 46°-15'-31" W along the northern edge of the right-of-way of West Boundary Street for a distance of 1600.00 feet to a point, the southwestern corner of Tract 7; thence N 34°-23'-49" W for a distance of 800.00 feet to a point, the common property corner of Tracts 4, 6, and 7; thence N 34°-23'-49" W for a distance of 772.34 feet to a point, the common property corner of Tracts 3, 4, and 7; thence N 53°-03'-47" E for a distance of 1000.00 feet to a point, the southeastern corner of Tract 3; thence N 53°-03'-47" E for a distance of 673.35 feet to a point, the northeastern corner of Tract 8; thence S 38°-30'-29" E for a distance of 433.69 feet to a point; thence S 48°-10'-31" W for a distance of 61.18 feet to a point; thence S 38°-30'-29" E for a distance of 927.24 feet to a point, the western intersection of rights-of-way of West Boundary Street and West Boundary Street, the southeastern corner of Tract 8; thence S 38°-30'-29" E for a distance of ± 55 feet to a point, the southern edge of the right-of-way of West Boundary Street; thence S 46°-15'-31" W along the southern edge of the right-of-way of West Boundary Street for a distance of ± 3,332 feet to a point; thence N 23°-50'-11" W for a distance of ± 55 feet to a point, the southwestern corner of Tract 6, to the point of beginning.

Said tract measures and contains 60.94 acres of land, more or less, and is more clearly shown on a plat by Robert David Branton dated October 1, 1993, and recorded in plat book CN, page 188 at the RMC office of Charleston County, South Carolina.

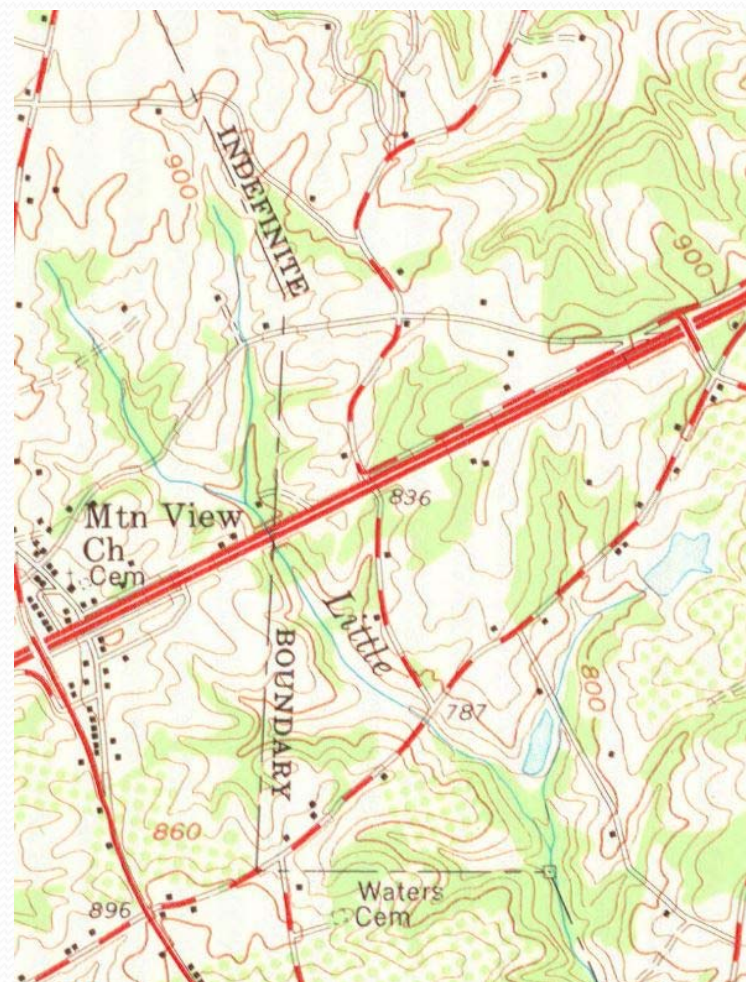
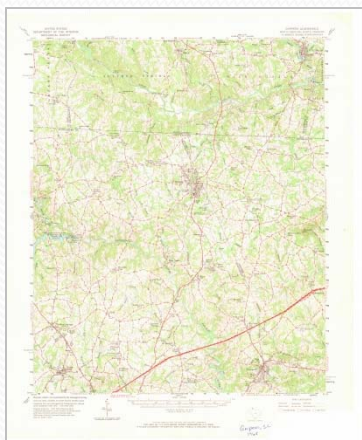




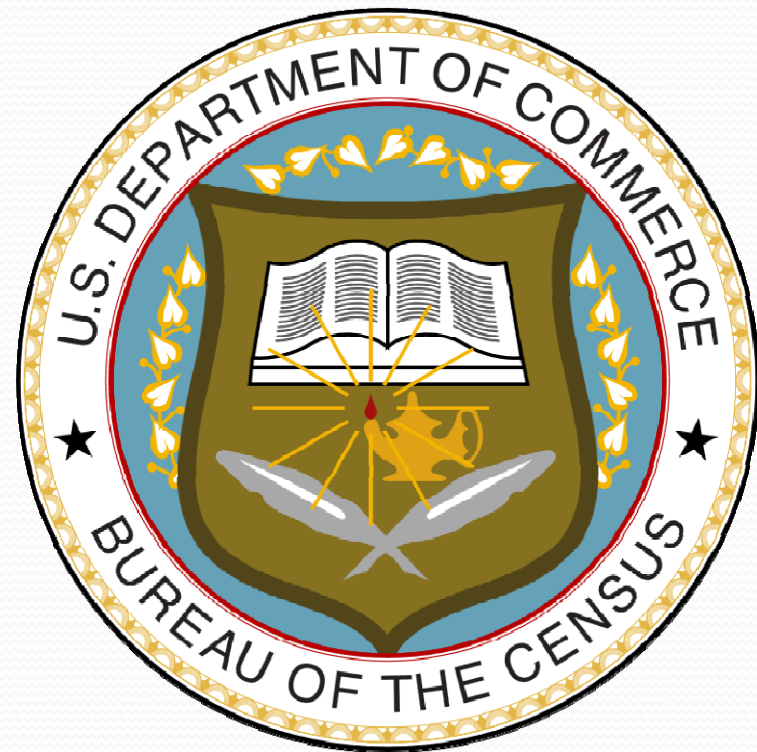
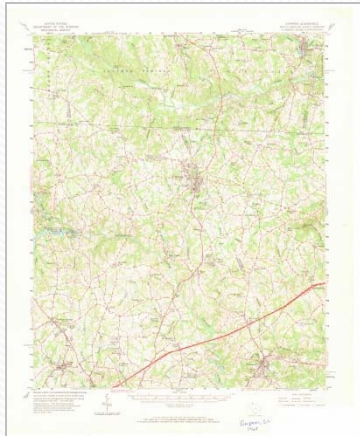






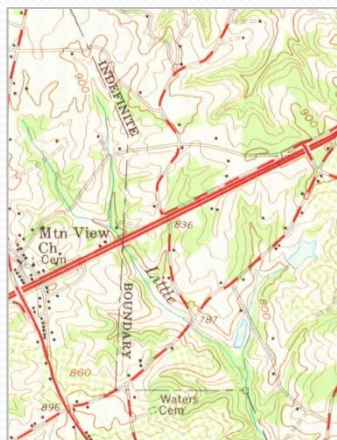
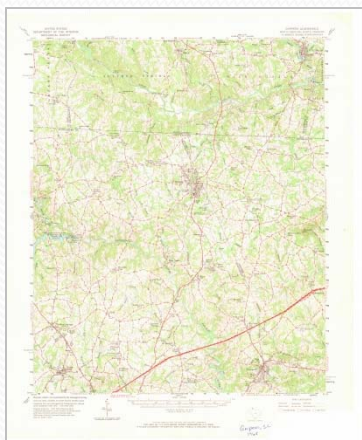


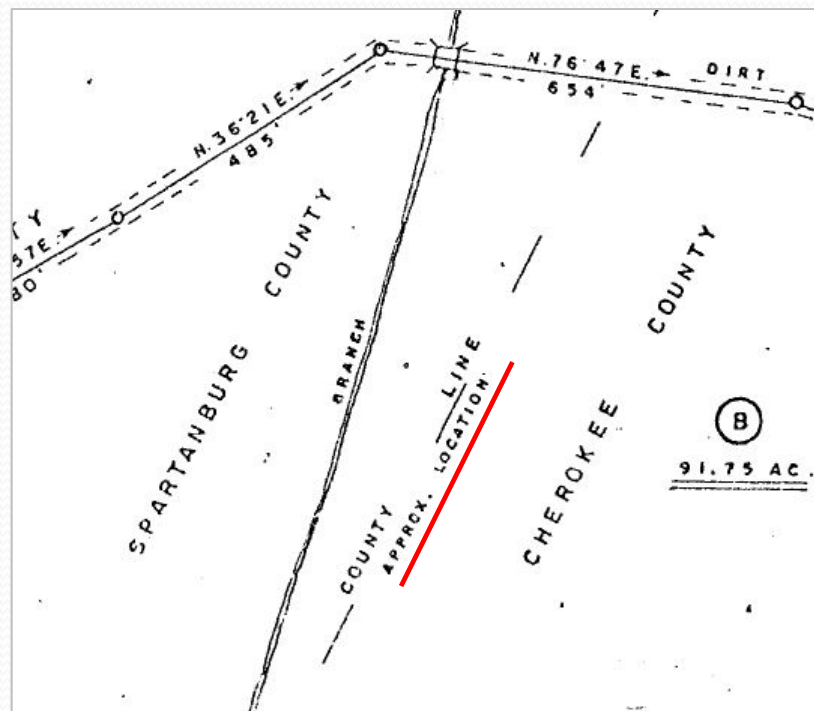
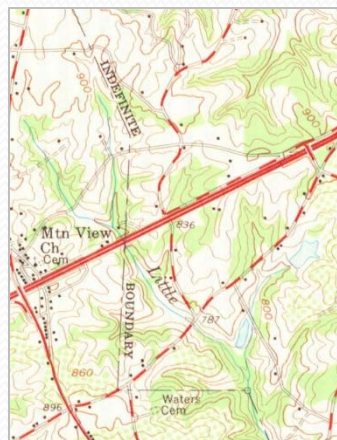
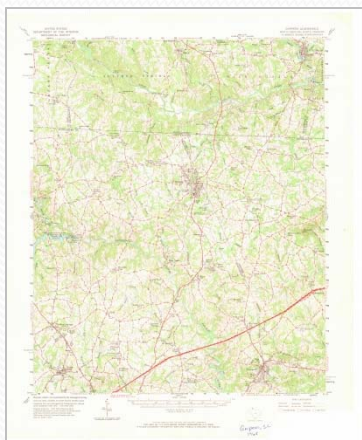




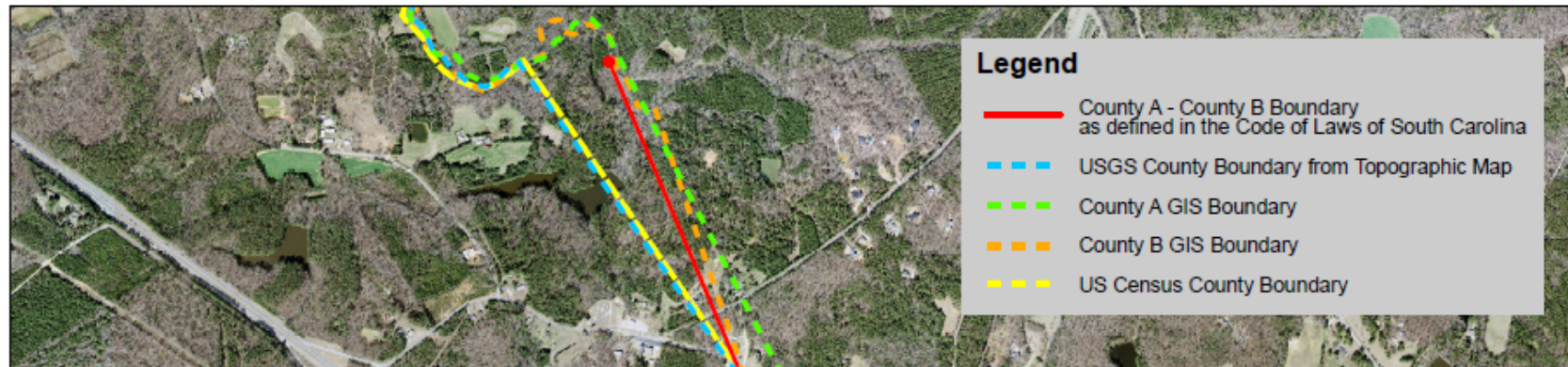
“The boundaries shown are for Census Bureau statistical data collection and tabulation purposes only; their depiction and designation for statistical purposes *does not constitute a determination of jurisdictional authority* or rights of ownership or entitlement.”



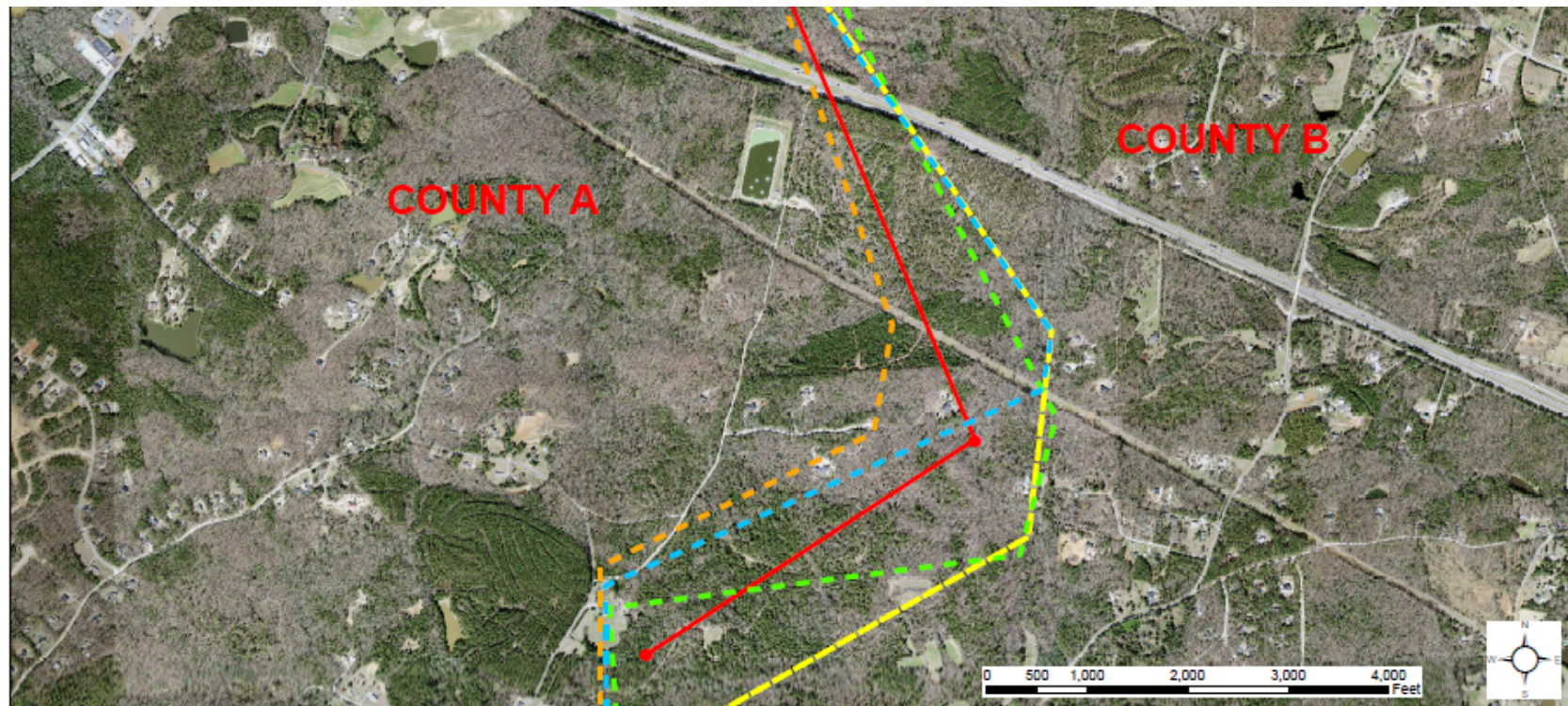








a county may survey its boundaries for the temporary guidance of its officers, but *a survey so made is not binding on the adjoining county nor on the public generally*







# Act No. 262 of 2014

- An Act to amend Section 27-2-105
- Relating to the duties of the SC Geodetic Survey (SCGS) with respect to determining county boundaries
- **Purpose:**
  - Exact and precise locations and boundaries of state's political subdivisions are critical for services, enforcement of property rights and election of public officials.
  - Passage of time and growth has led to confusion over statutory county descriptions and the locations of county boundary lines
  - Technology exists now to cost-effectively provide definite and permanent markers of boundary lines
  - Necessary for state government and political subdivisions
  - SCGS is the appropriate instrument to vest with the necessary authority to resolve county boundary issues



# SC Code of Law and Act 262 Of 2014

- **Role of South Carolina Geodetic Survey**

- (1994) Dispute between two or more counties- SCGS will act as mediator to resolve the dispute
- (1994/2014) SCGS to assist counties in defining and monumenting the locations of county boundaries and positioning the monuments using geodetic surveys where counties are ill-defined, unmarked, or poorly marked
- (2014) SCGS will clarify county boundaries as defined in Chapter 3, Title 4
- (2014) SCGS will analyze archival and other evidence and perform field surveys to position geographically all county boundaries in accordance with statutory descriptions

# Passage Of Time

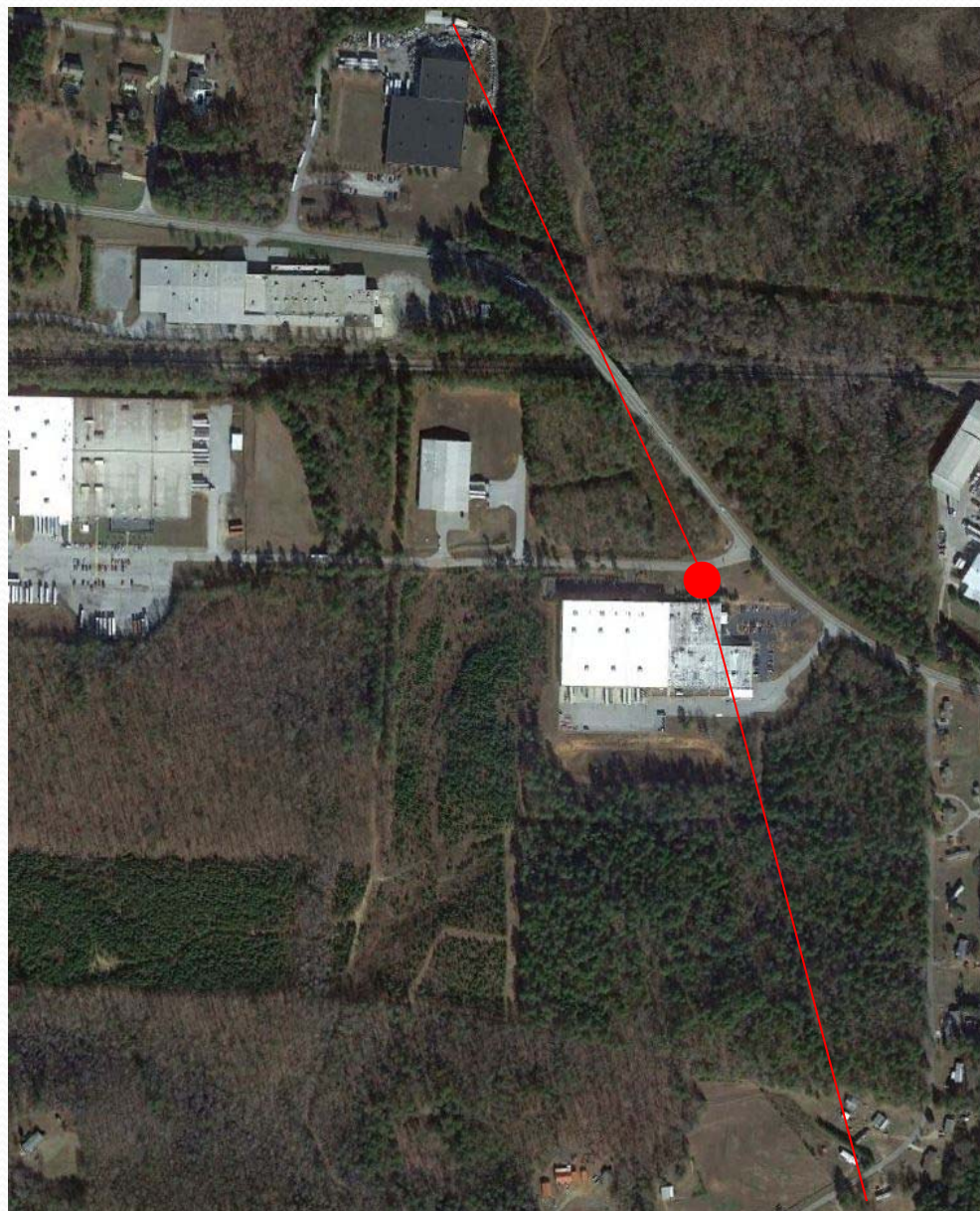
**Cherokee, Spartanburg County Boundaries:  
Corner One Mile East of Cowpens**

1944





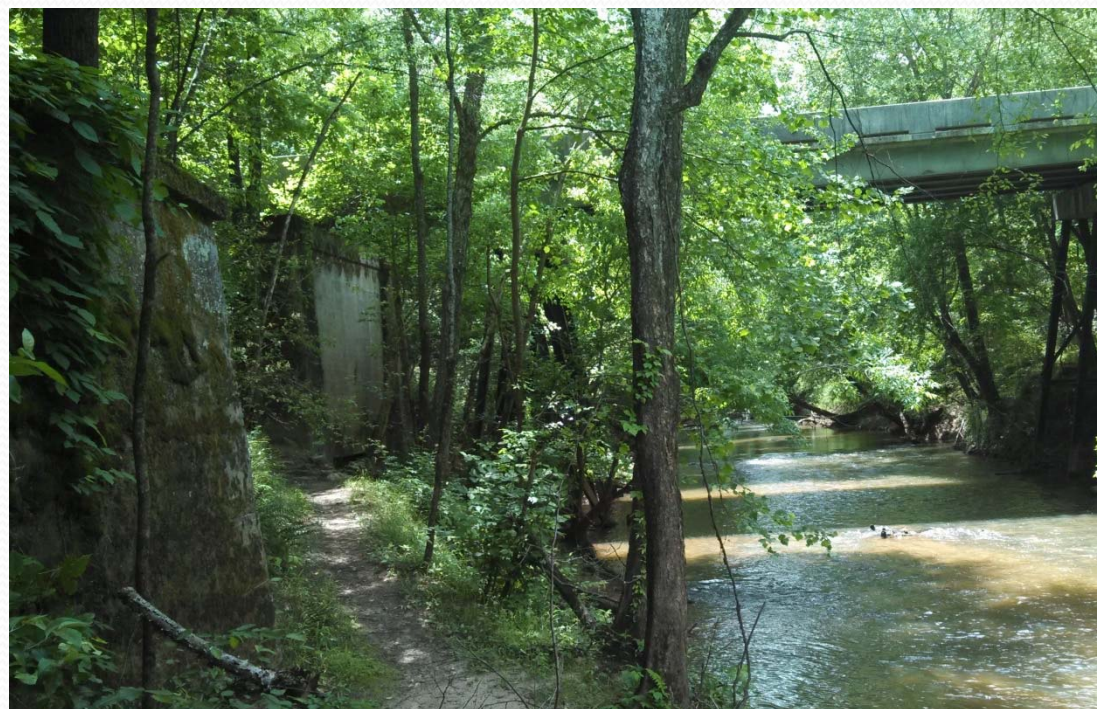
2013



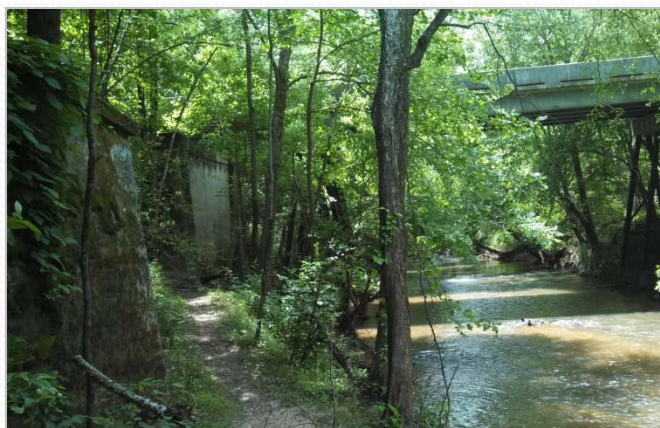














# MONUMENTS:

Cherokee/Spartanburg



Cherokee/Spartanburg



Darlington/Florence



Aiken/Edgefield



Cherokee/Spartanburg



Kershaw/Lancaster



North Carolina/  
South Carolina



Greenville/Laurens





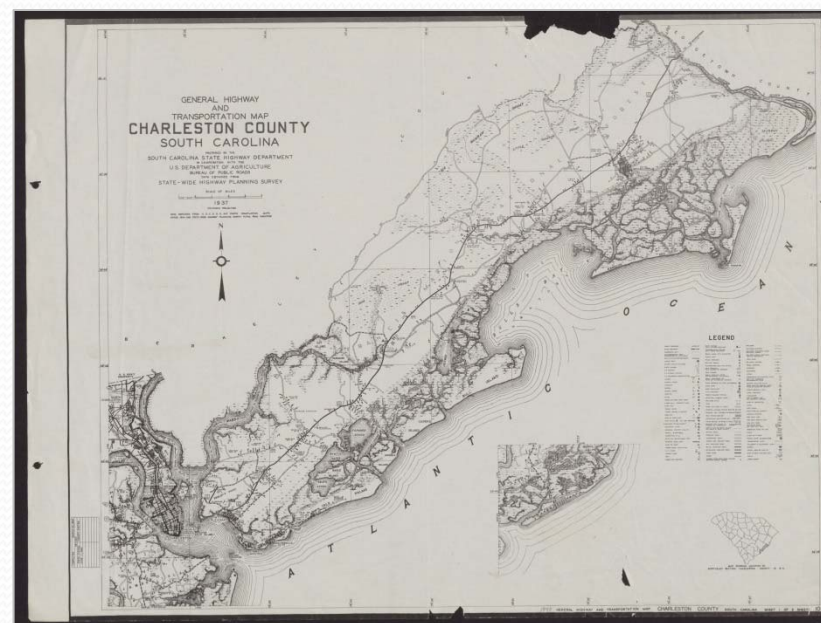
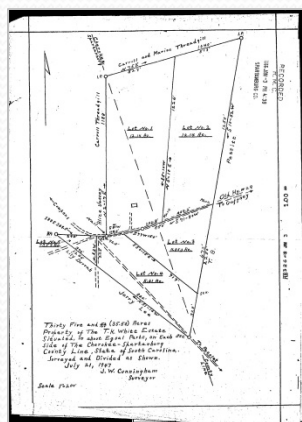
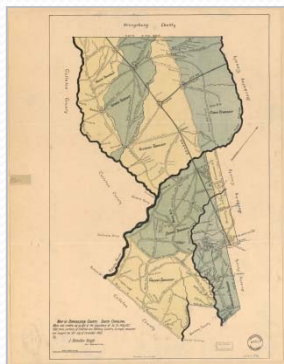


### THE PROPER SPIRIT.

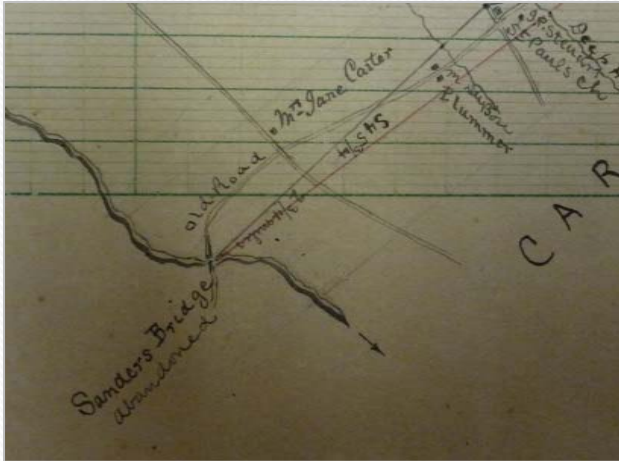
#### Spartanburg Extends Congratulations to Her Offspring.

The two new county elections held in this State on Tuesday were watched with interest by many people. Those interested in other new county schemes were specially interested. About this city every one seems glad that "Cherokee" has won, and the hope is expressed that the fight will not be carried into the general assembly.



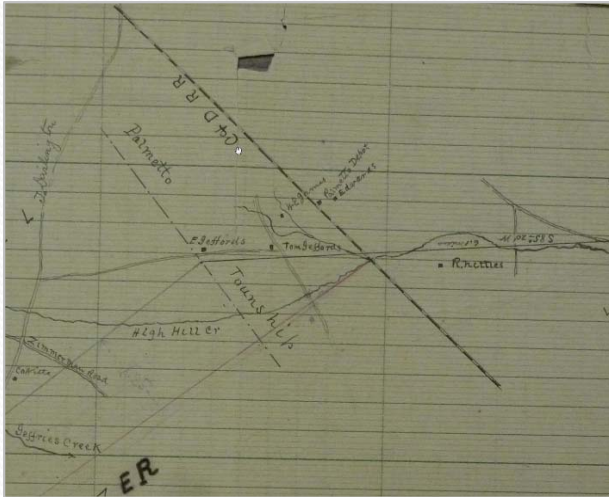






“bounded as follows: by a line beginning at **Sanders' Bridge on Lynch's River**; thence by an air line running to the point where the Cheraw and Darlington Railroad crosses High Hill Creek”



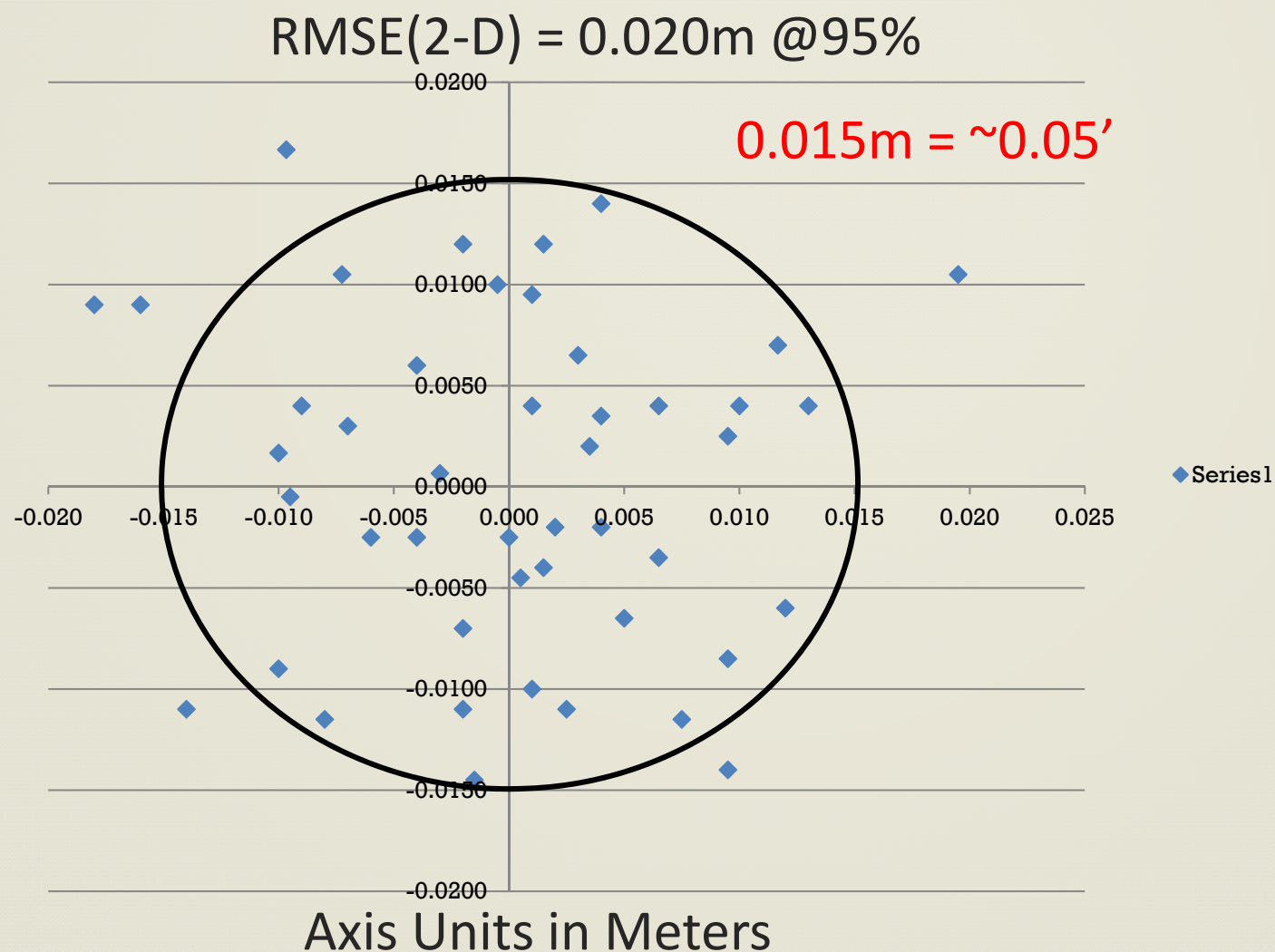


“bounded as follows: by a line beginning at Sanders' Bridge on Lynch's River; thence by an air line running to **the point where the Cheraw and Darlington Railroad crosses High Hill Creek**”



# Scatter Gram of Differences Between Observations

2 – Five Minute Sessions

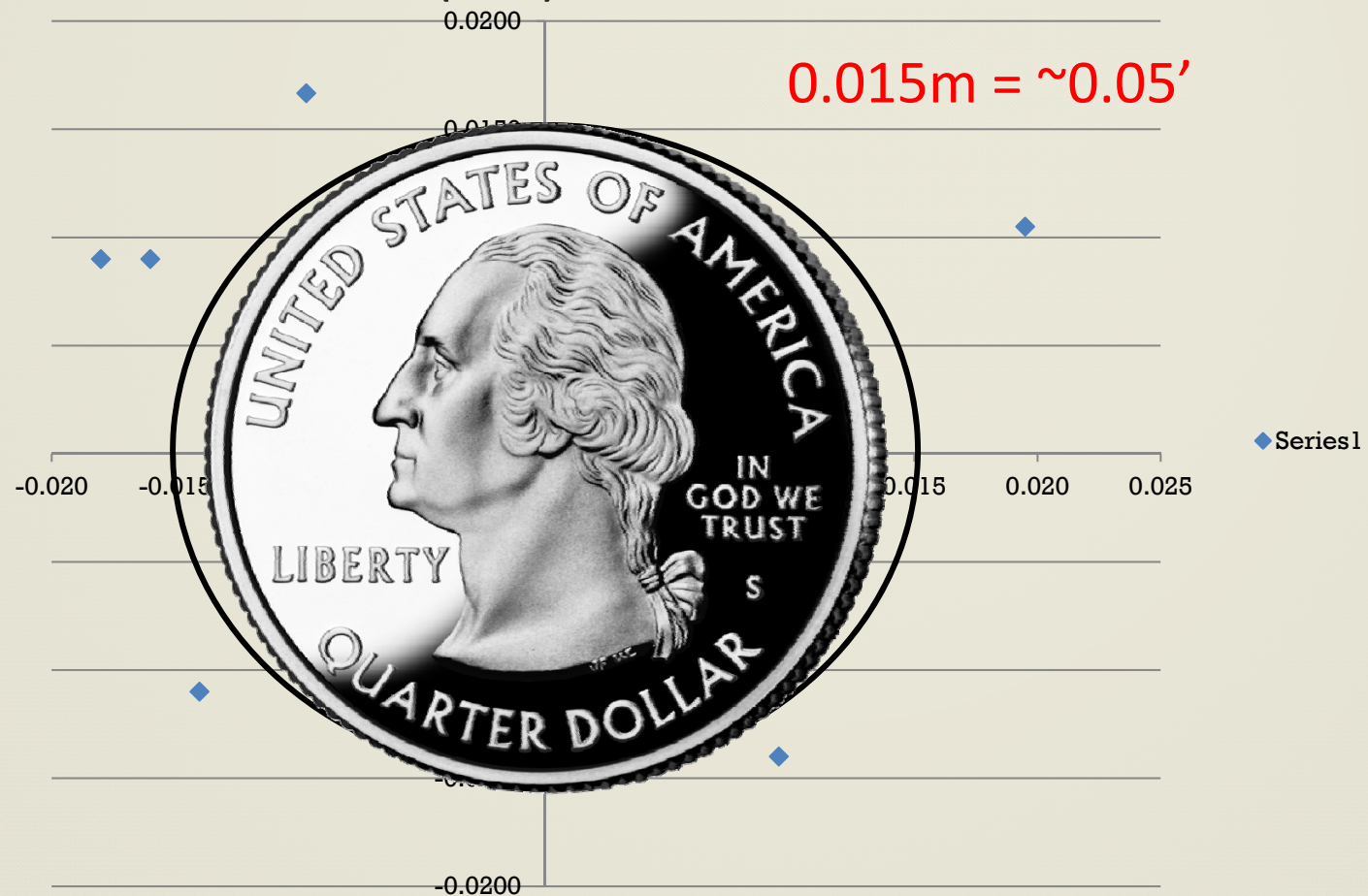


# Scatter Gram of Differences Between Observations

2 – Five Minute Sessions

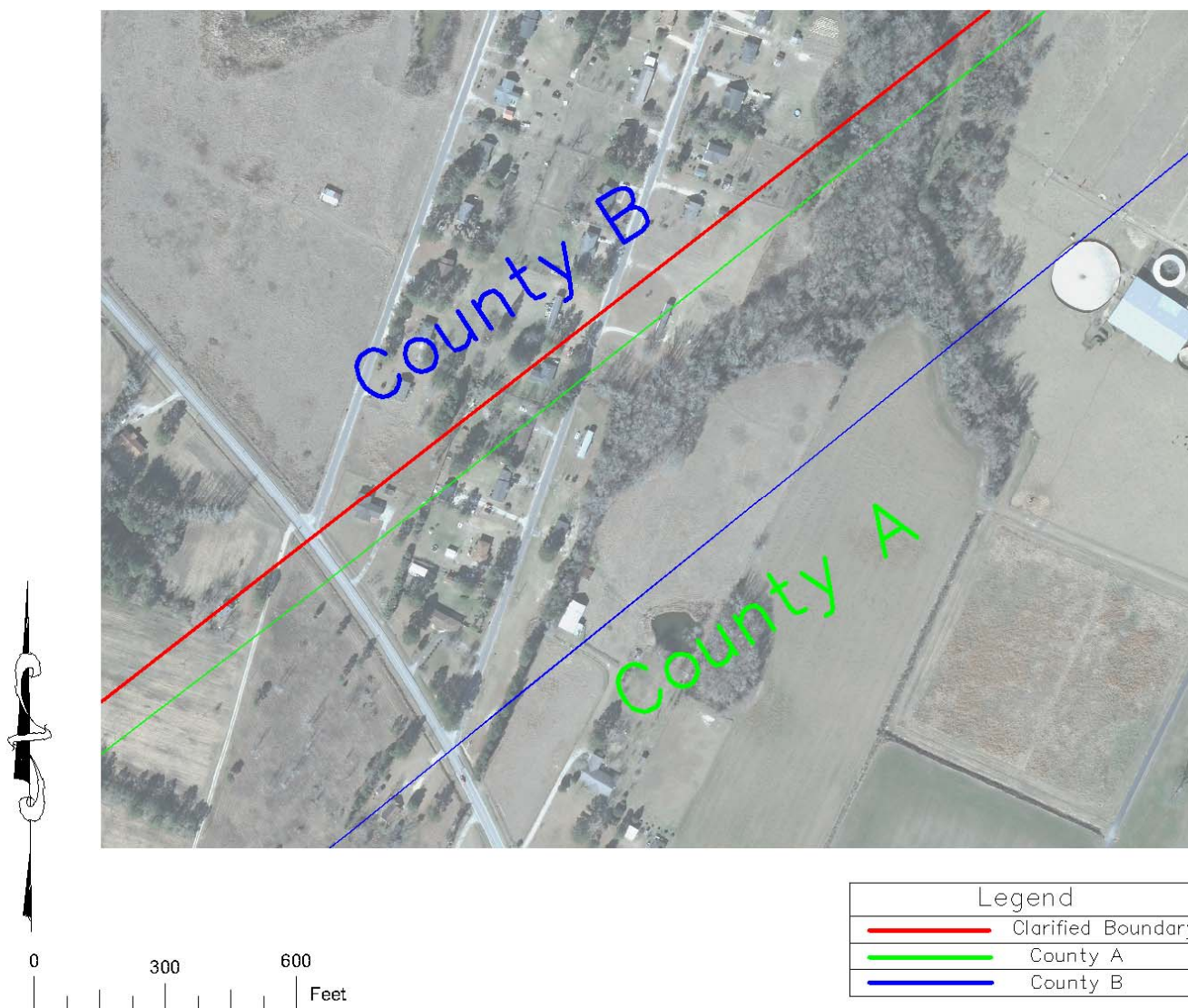
RMSE(2-D) = 0.020m @95%

0.015m = ~0.05'

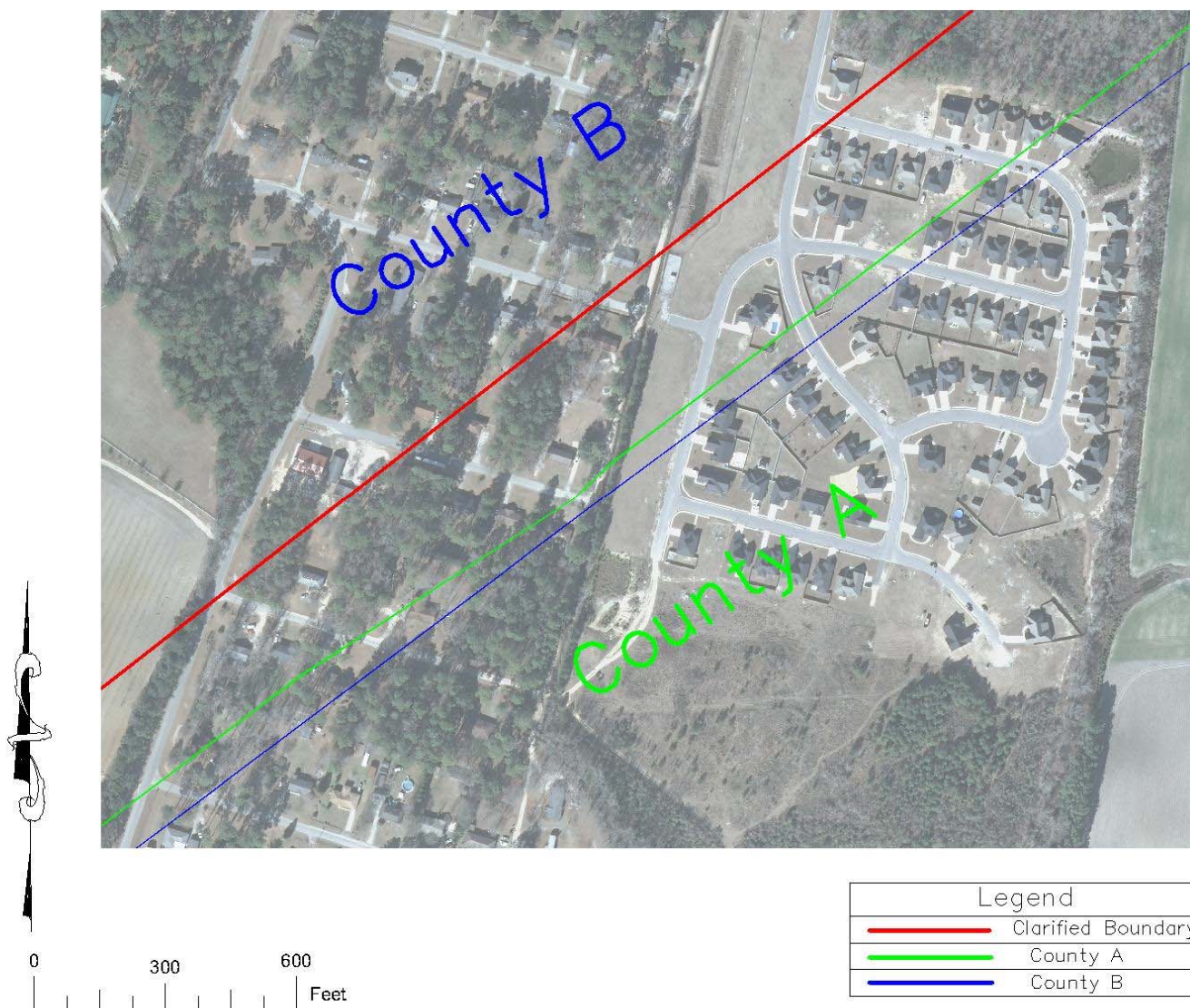


Axis Units in Meters

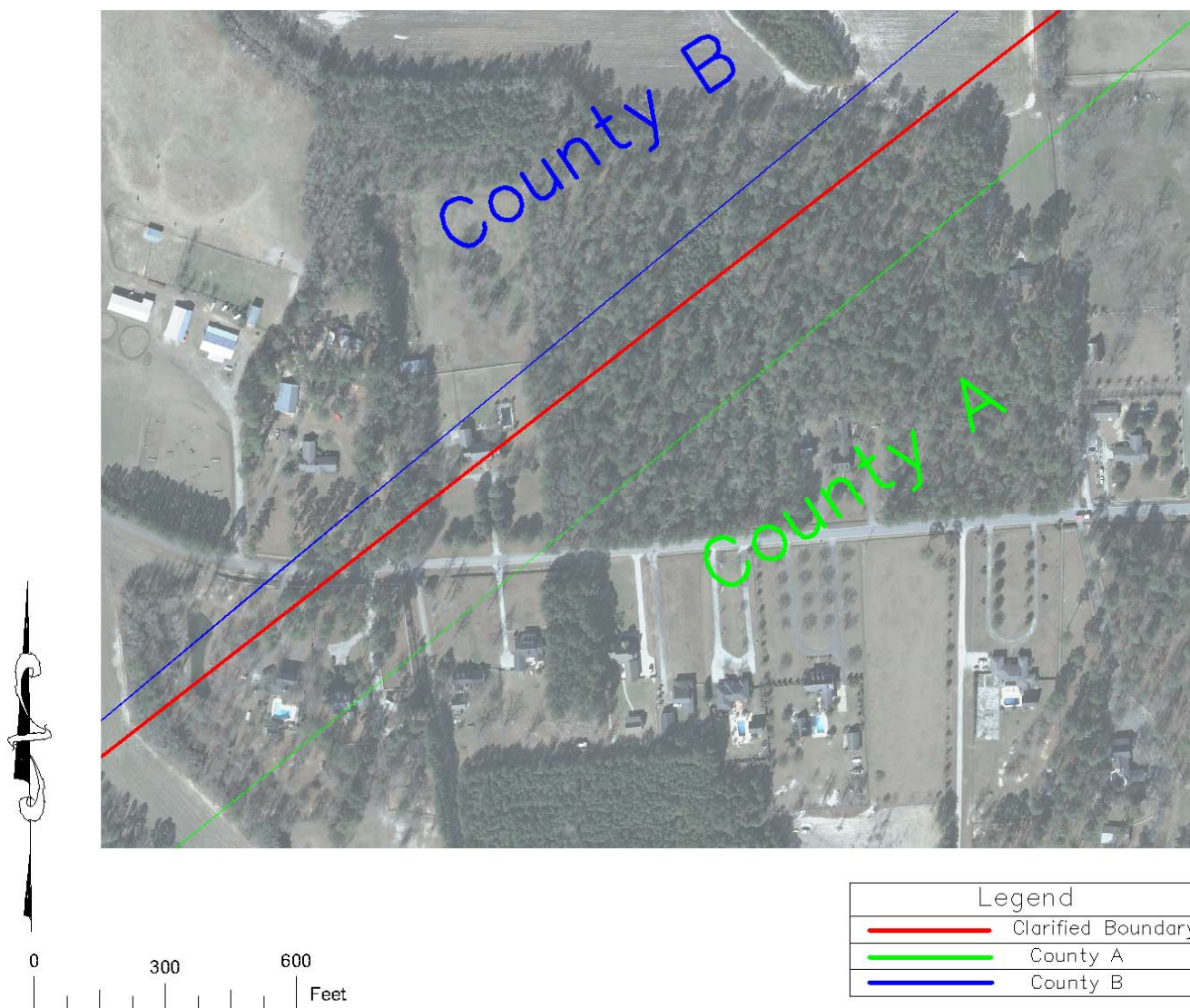








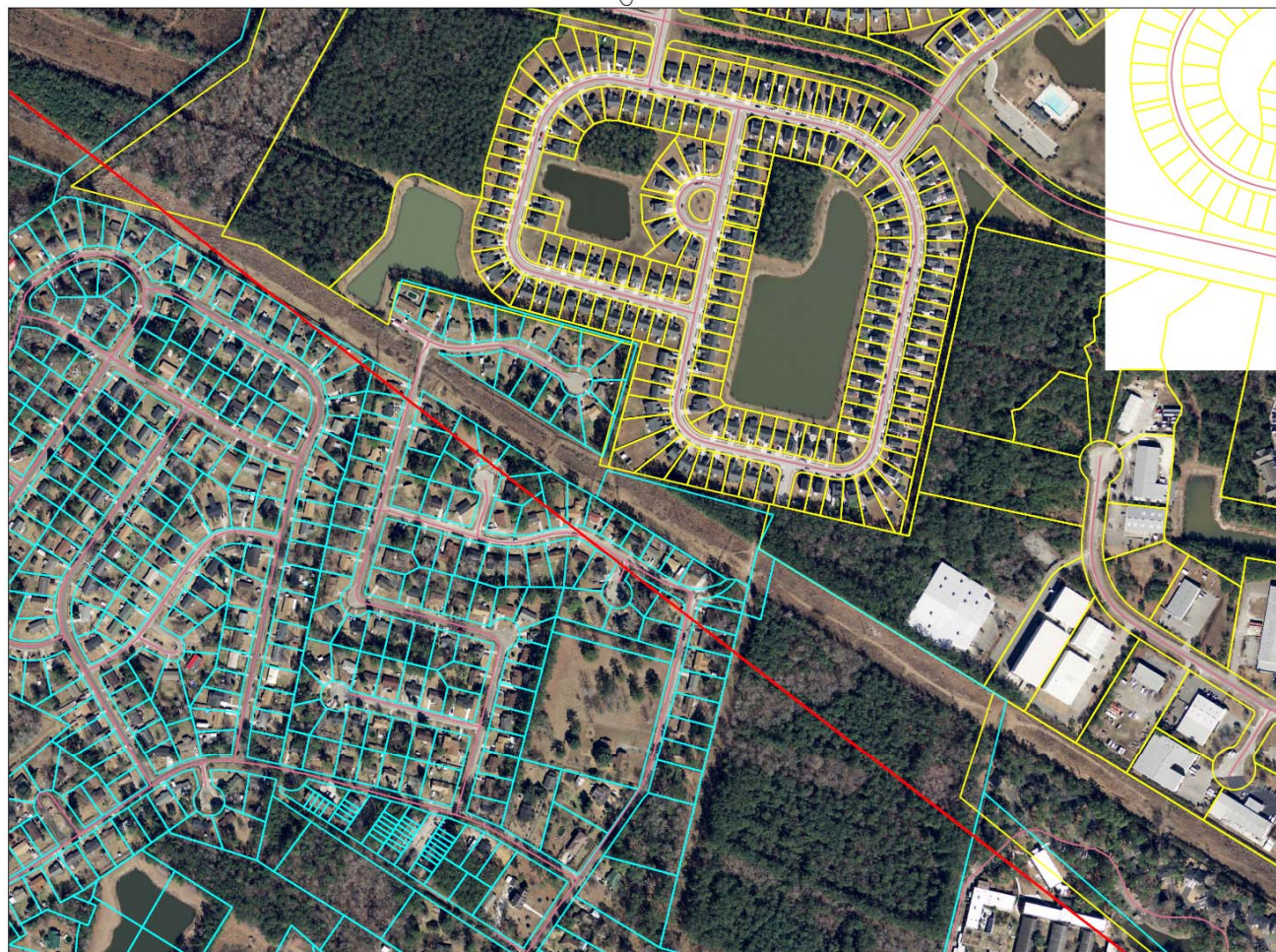








0 500 1000  
Feet

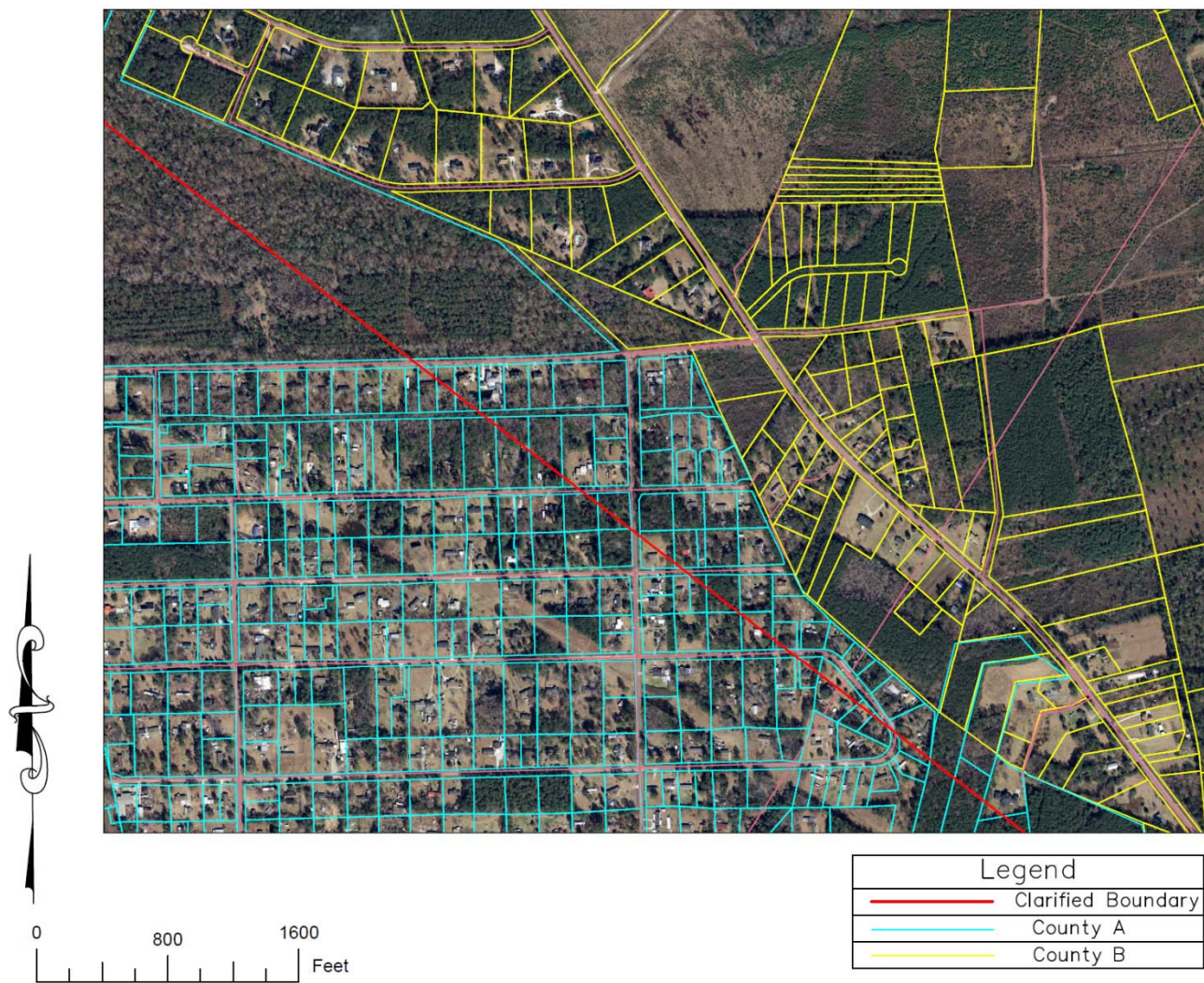


Legend	
<span style="color: red;">—</span>	Clarified Boundary
<span style="color: cyan;">—</span>	County A
<span style="color: yellow;">—</span>	County B















## Steps for Clarifying Boundaries

- Notify County Administrators in advance of planned work
- Conduct historical research for documentary evidence of boundaries
- Perform field work to locate monuments and corroborating evidence and position on State Plane Coordinates
- Share preliminary findings with county officials for impact analysis and to plan public meetings
- Receive feedback and input from local officials and public
- Review and update findings, as appropriate
- Work to build cooperation with affected parties

# Steps for Clarifying Boundaries

## Act 262 Of 2014

- **SCGS Requirements:**
  - Upon reestablishing county boundary, SCGS shall certify its work and within 30 days of certification:
    - Provide copies to the administrator of each affected county;
    - Provide written notification to affected parties
    - Provide notice and copies to the public through its official website and or other means it considers appropriate; and
    - Notify as it determines appropriate, other affected state and federal agencies
  - (Initiates 60 Day Appeal Process)
- Certified Surveys submitted to Secretary of State, Register of Deeds Offices, and South Carolina Department of Archives with Cover Letter
- Date of the cover letter is the date the surveys become effective
- Introduce Legislation to update Code of Law to reflect clarified boundary with State Plane Coordinates



## Act 262 of 2014

- **Affected Parties Disagreeing with SCGS:**
  - May file request for a contested case hearing with the SC Administrative Law Court
  - This decision may be appealed
  - **“Affected Party”**
    - Governing body of an affected county
    - Governing body of a political subdivision of this State
    - An elected official, other than a statewide elected official
    - A property owner or an individual residing in the certification zone
    - A business entity located in the certification zone
    - A nonresident individual who owns or leases real property situated in the certification zone

# Chapter 5, Title 4

- **Change of Boundaries**

- **Procedure for annexing part of county-** governing body or 10 percent of registered voters petition in writing, shall deposit with the clerk of court an amount of money sufficient to cover the expenses of surveys , plats, annexation commission and the election to be held to determine whether the proposed annexation shall be effected and then file such resolution or petition in the office of the clerk of court
- **Appointment of Commission for annexation-** once presented to the governor then within 30 days the governor shall appoint a commission of four persons
- **Employment of Surveyors-** commission may contract for survey and location of the proposed change of line and for such purpose may employ 3 surveyors
- **Governor shall order election; voting place; eligible electors-** to be held in an area sought to be transferred and an election to be held in the county to which the area is proposed to be transferred
- **Propose and adopt Legislation**



# Legislation

- **SECTION 4-3-280. Greenville County.**

Greenville County is bounded as follows: on the north by the North Carolina line; on the east and southeast by Spartanburg and Laurens Counties from which it is divided as follows: from Spartanburg County, by a line commencing on the North Carolina line at a stone marked "S.C. 1815" on one side and "N.C. Sept. 15" on the other side at N 1,225,788.54 and E 1,636,650.35 [North American Datum 1983-86 (NAD 83-86)]; thence following a straight line southsouthwestward to a point at N 1,193,615.00 and E 1,635,730.00 (NAD 83-86); thence following a straight line southsouthwestward to a point at N 1,155,409.00 and E 1,634,410.00 (NAD 83-86); thence following a straight line southsouthwestward to a point at N 1,133,159.00 and E 1,633,701.00 (NAD 83-86) at the north end of North Line Street at its approximate intersection with Arlington Avenue in the City of Greer; thence following a straight line southward approximately along the centerline of North Line Street to a point N 1,131,240.00 and E 1,633,595.00 (NAD 83-86) where North Line Street becomes South Line Street in the City of Greer; thence following a straight line southward approximately along the centerline of South Line Street to a point at N 1,128,573.00 and E 1,633,500.00 (NAD 83-86) where the centerline of South Line Street is approximately tangent to the centerline of New Woodruff Road in the city of Greer; thence following a straight line southsouthwestward to a point at N 1,102,217.00 and E 1,632,108.00 (NAD 83-86) which is a point where the old bridge crossed the Enoree River; thence down the Enoree River to a point about one and three-fourths miles below Anderson's Bridge (the corner of Greenville and Laurens Counties); from Laurens County, by a line commencing at said point (opposite Zadock's Ford) and running S. 17° W. 11 miles and 60 chains to a point; thence S. 4° E. 3 miles and 45 chains to a water oak marked "L. G." on Reedy River; thence running to the mouth of Line Creek where it enters the Saluda River; on the west by Anderson and Pickens Counties from which it is separated by the Saluda River.

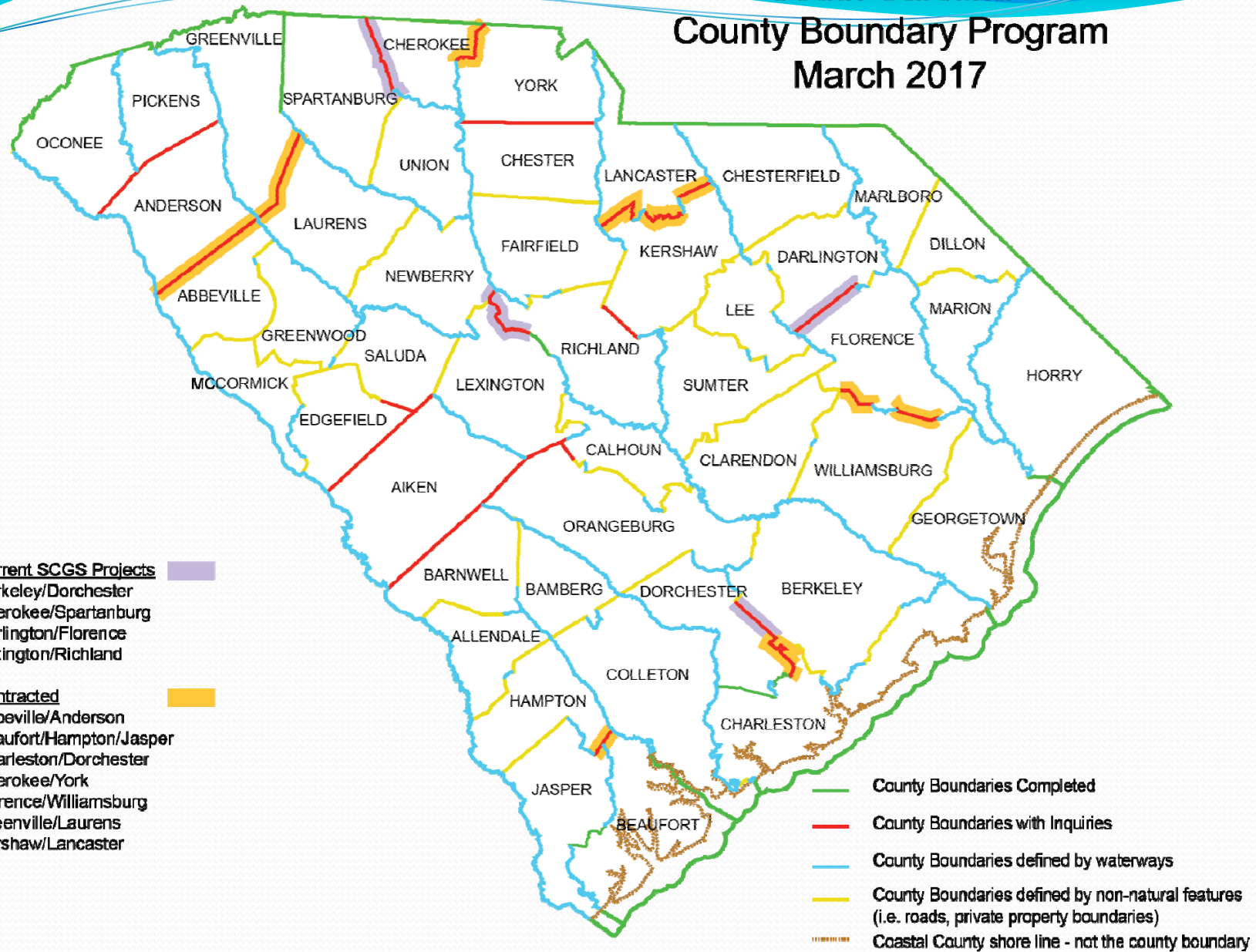
## South Carolina County Boundary Program March 2017

### Current SCGS Projects

Berkeley/Dorchester  
Cherokee/Spartanburg  
Darlington/Florence  
Lexington/Richland

### Contracted

Abbeville/Anderson  
Beaufort/Hampton/Jasper  
Charleston/Dorchester  
Cherokee/York  
Florence/Williamsburg  
Greenville/Laurens  
Kershaw/Lancaster





# COUNTY BOUNDARY PROGRAM

- **PROJECTS COMPLETED: (Effective or Law)**
  - Beaufort, Jasper
  - Charleston, Dorchester (County Line Road)
  - Charleston, Dorchester (Middleton Place)
  - Greenville, Spartanburg Boundary
  - Georgetown, Horry
- **IN APPEALS WINDOW**
  - Florence, Williamsburg (Closed March 27<sup>th</sup>, 2017)
- **PUBLIC MEETINGS SET**
  - Cherokee, Spartanburg (April 6, 2017)
  - Cherokee, York (May 18, 2017)



# COUNTY BOUNDARY PROGRAM

- **RESEARCH AND FIELD WORK COMPLETED OR NEAR COMPLETION (Post 2014: Needs Reviewed, Public Meetings, etc..)**
  - Abbeville, Anderson
  - Charleston, Dorchester (North of Ashley River to Berkeley County Line)
  - Darlington, Florence
  - Edgefield, Saluda
  - Greenville, Laurens
  - Kershaw, Lancaster
  - Newberry, Richland
  - Lexington, Richland

- **RESEARCH AND FIELD WORK COMPLETED OR NEAR COMPLETION (Pre 2014: Needs Reviewed, Public Meetings, etc..)**
  - **Berkeley, Dorchester \*\*SCGS met with counties before 2014, not following recommendations of SCGS**
  - **Aiken, Edgefield \*\*Counties are currently following work done by SCGS**
  - **Aiken, Saluda \*\*Counties are currently following work done by SCGS**
  - **Anderson, Oconee \*\*SCGS met with counties before 2014, partially following recommendations of SCGS**
  - **Anderson, Pickens \*\*SCGS met with counties before 2014, partially following recommendations of SCGS**
  - **Kershaw, Richland \*\*SCGS met with counties before 2014, not following recommendations of SCGS**
  - **Lexington, Richland**

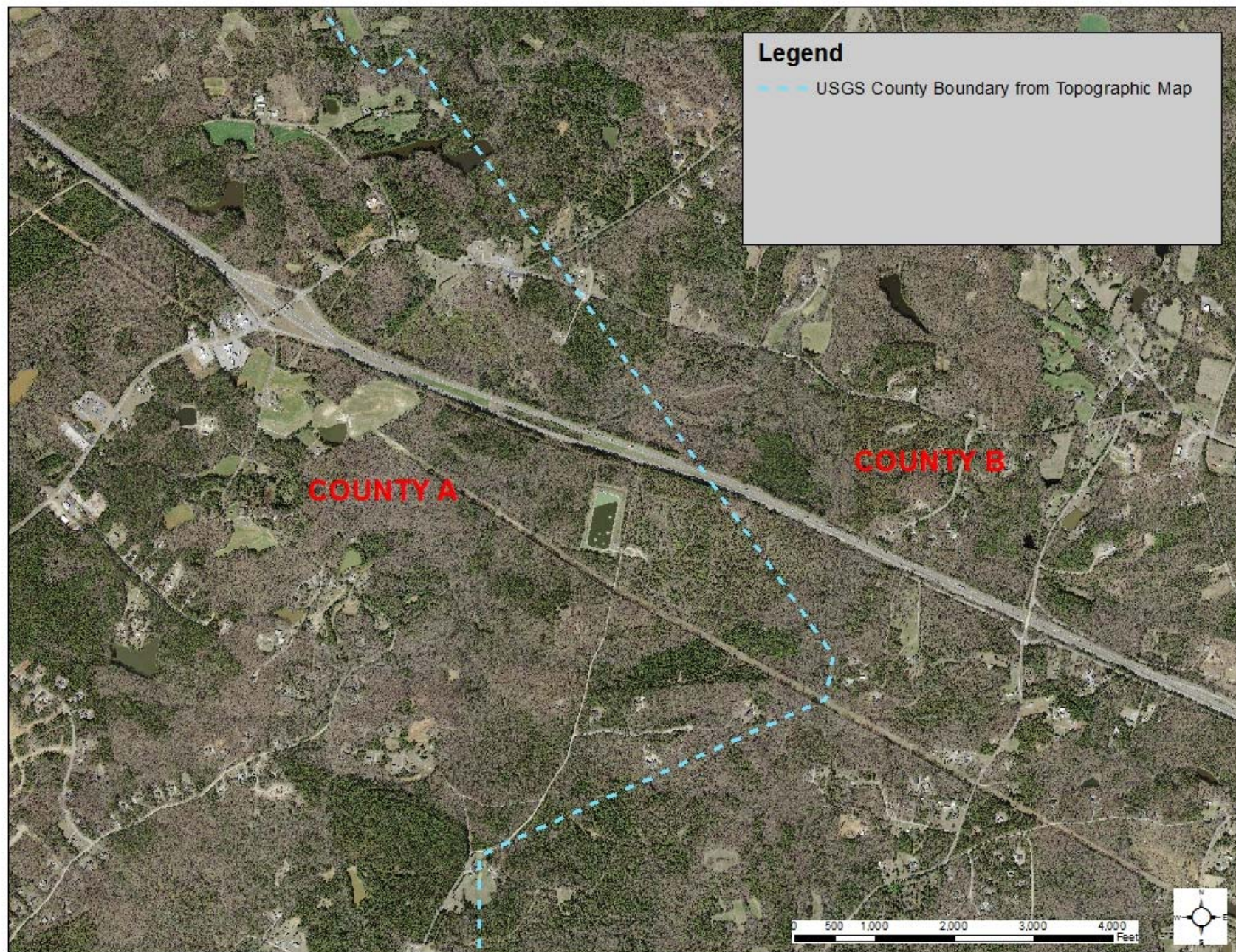
- **INQUIRIES**

- **Beaufort, Hampton**
- **Hampton, Jasper**
- **Aiken, Barnwell**
- **Aiken, Orangeburg**
- **Calhoun, Lexington**
- **Orangeburg, Lexington**
- **Florence, Williamsburg (Lake City section)**
- **Chester, York**
- **Laurens, Newberry**
- **Lexington, Newberry**

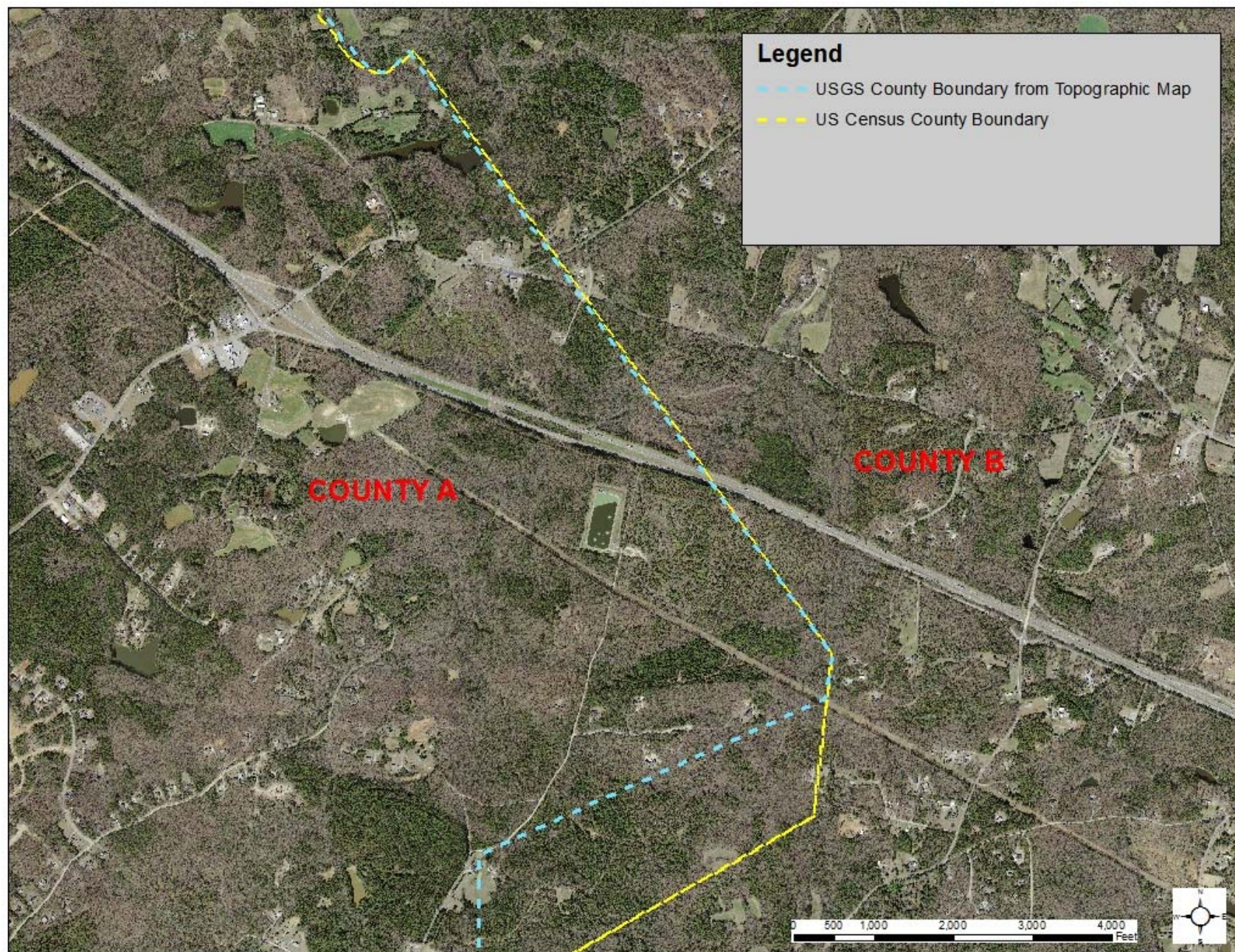


# EXAMPLE

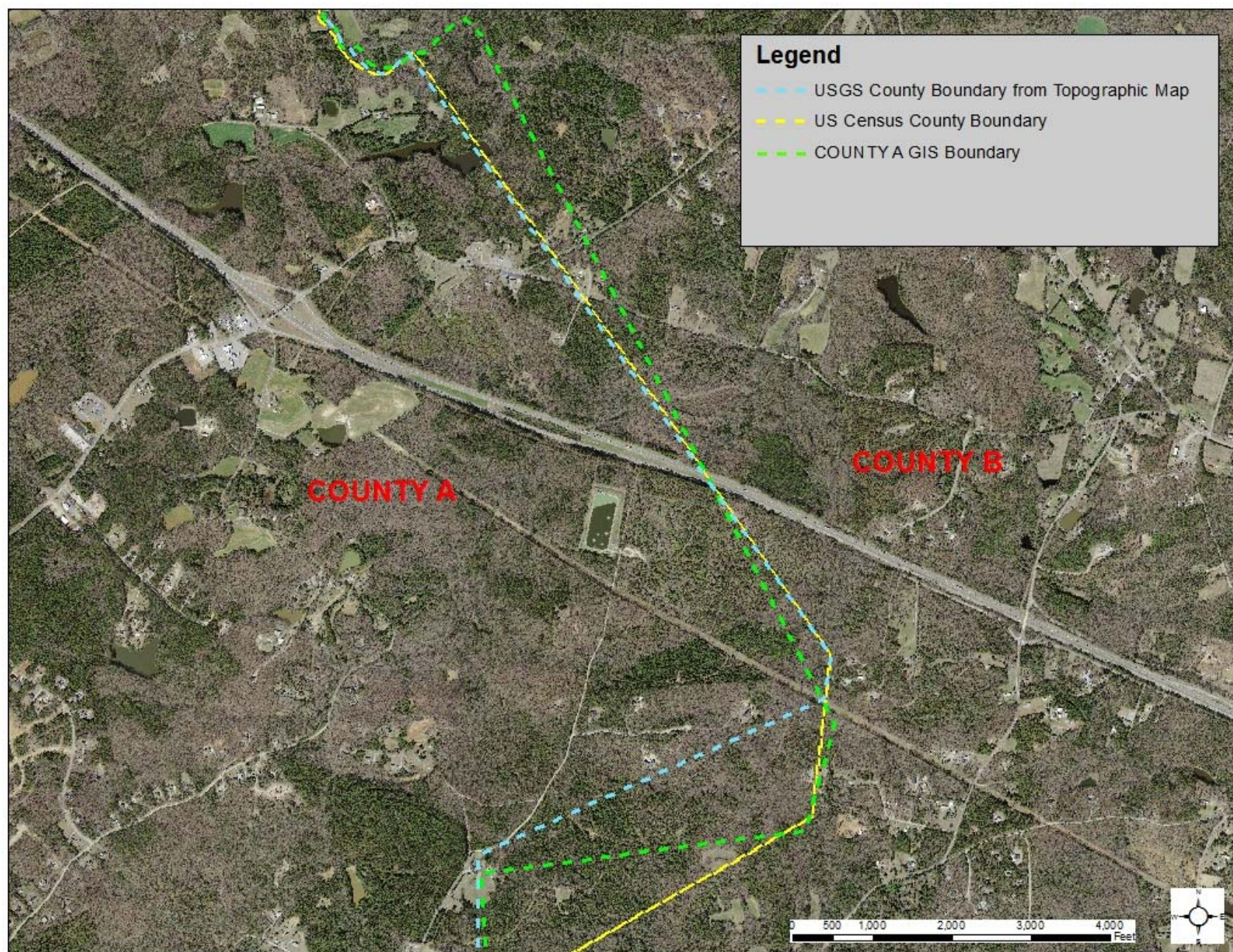




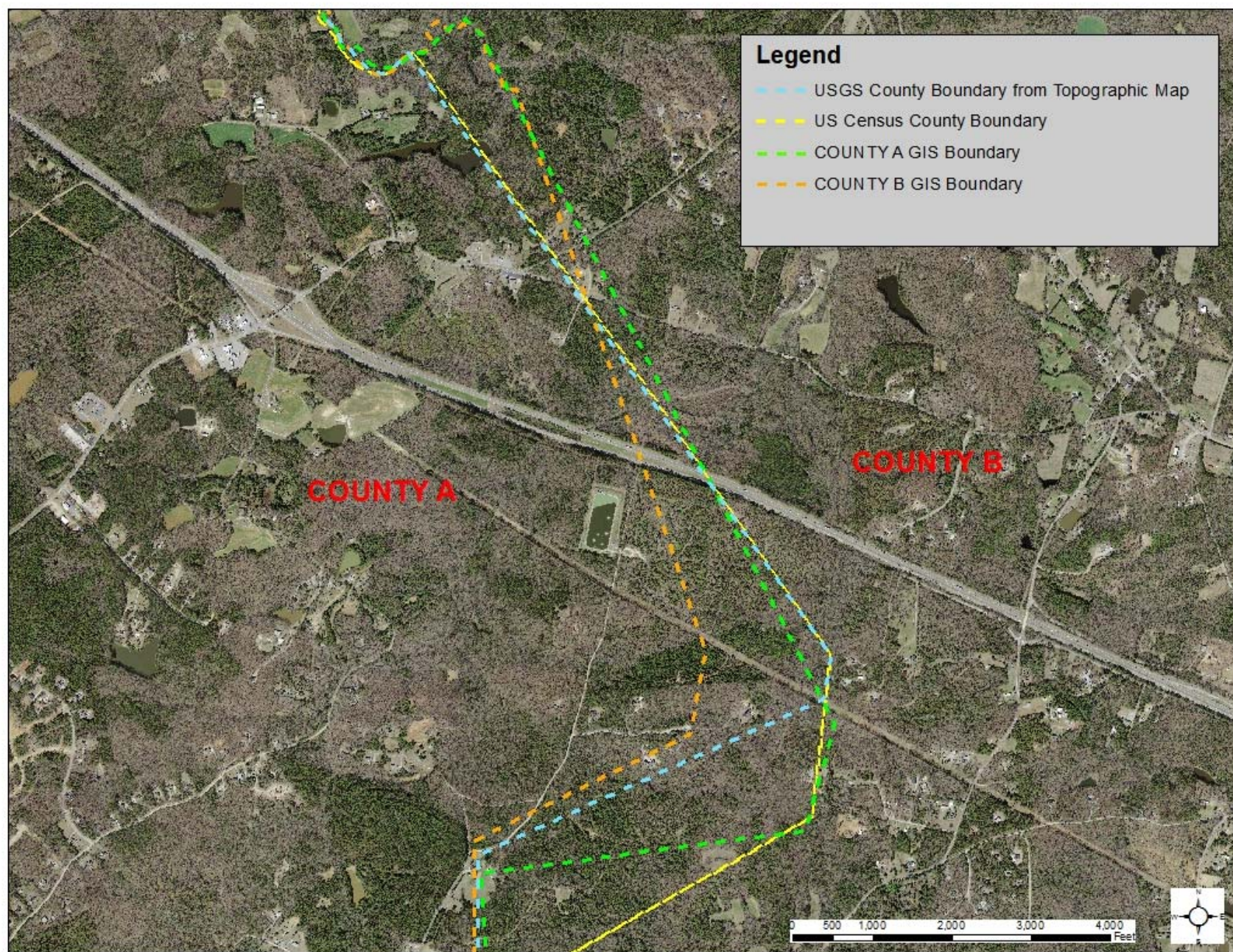




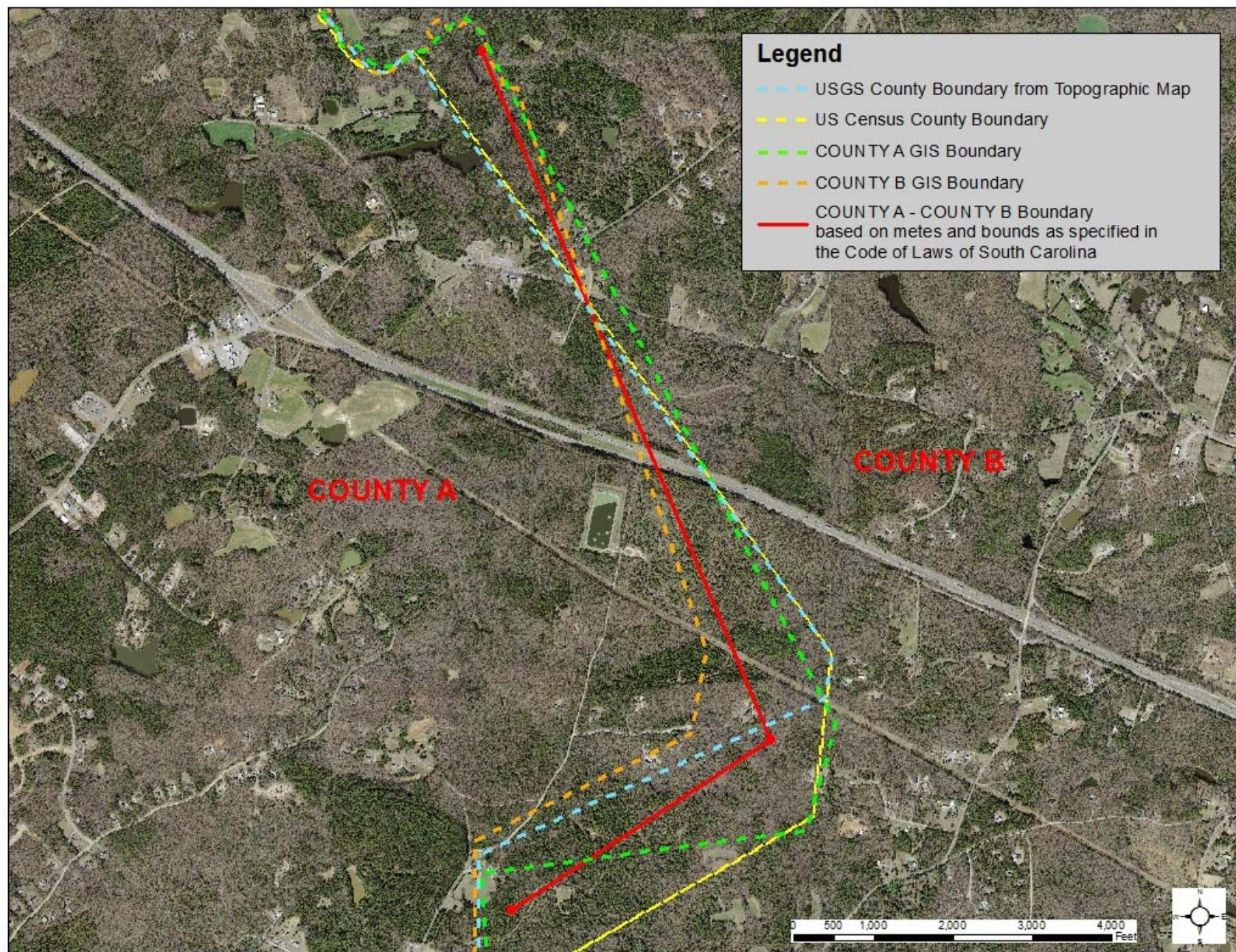




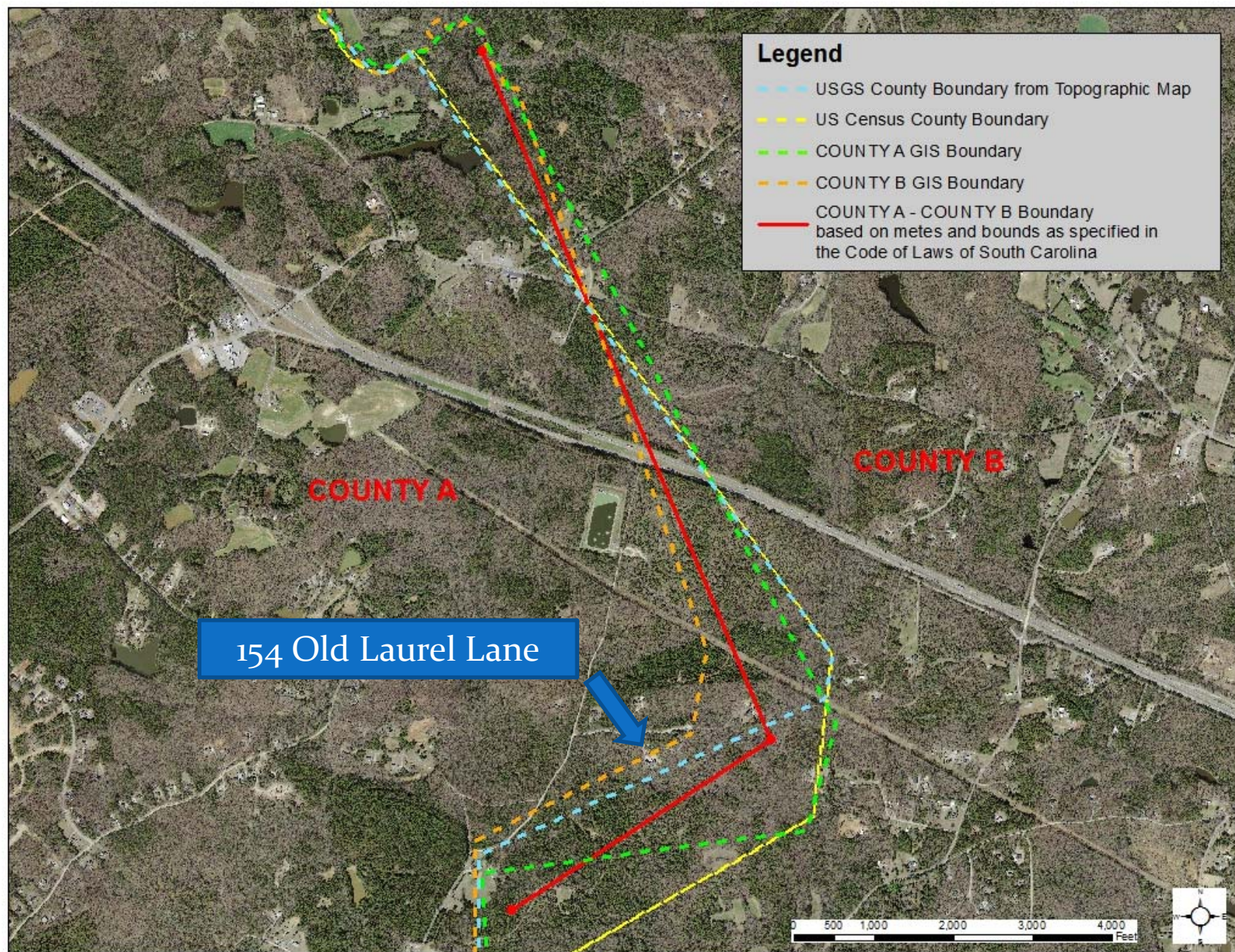






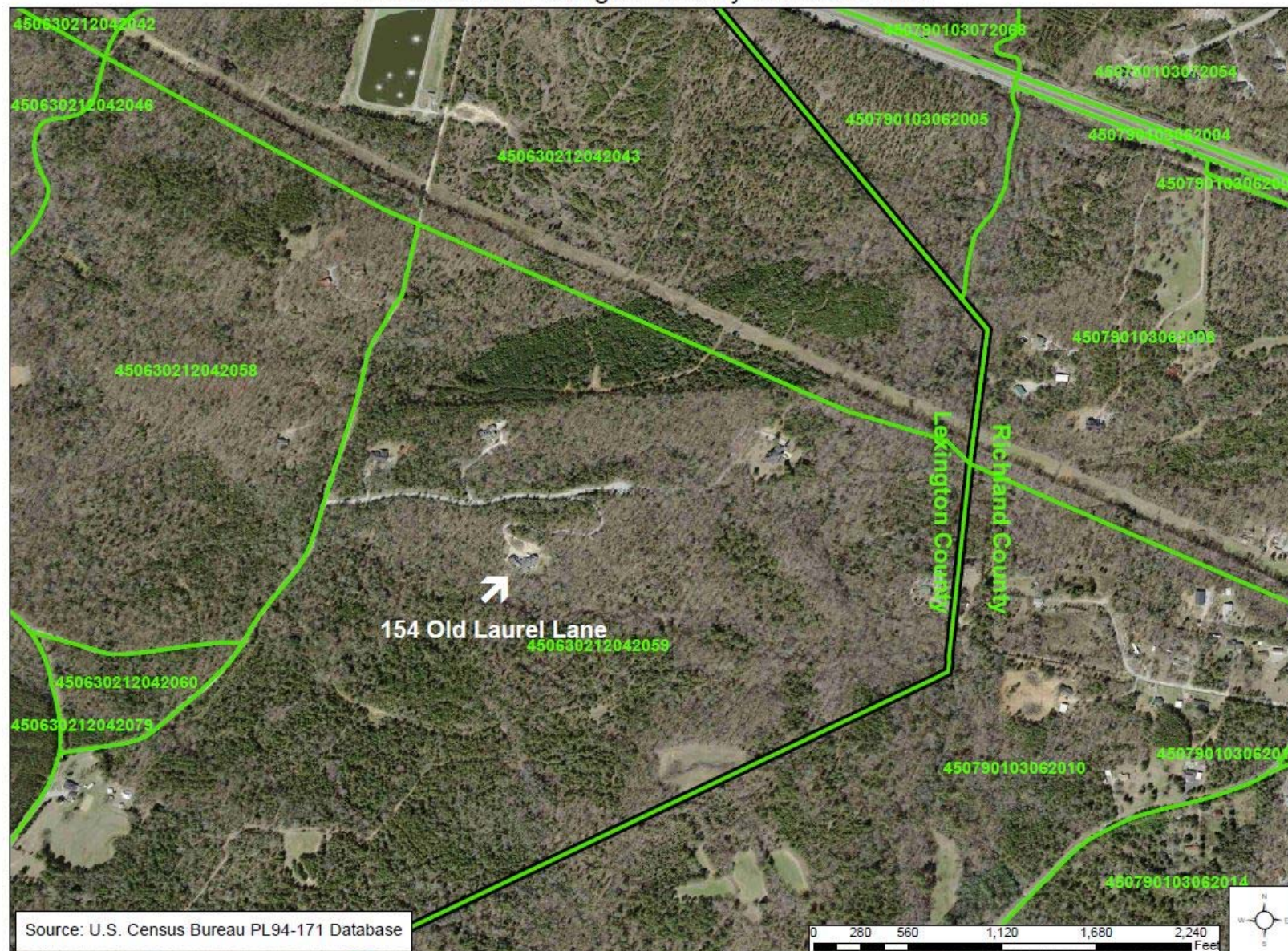






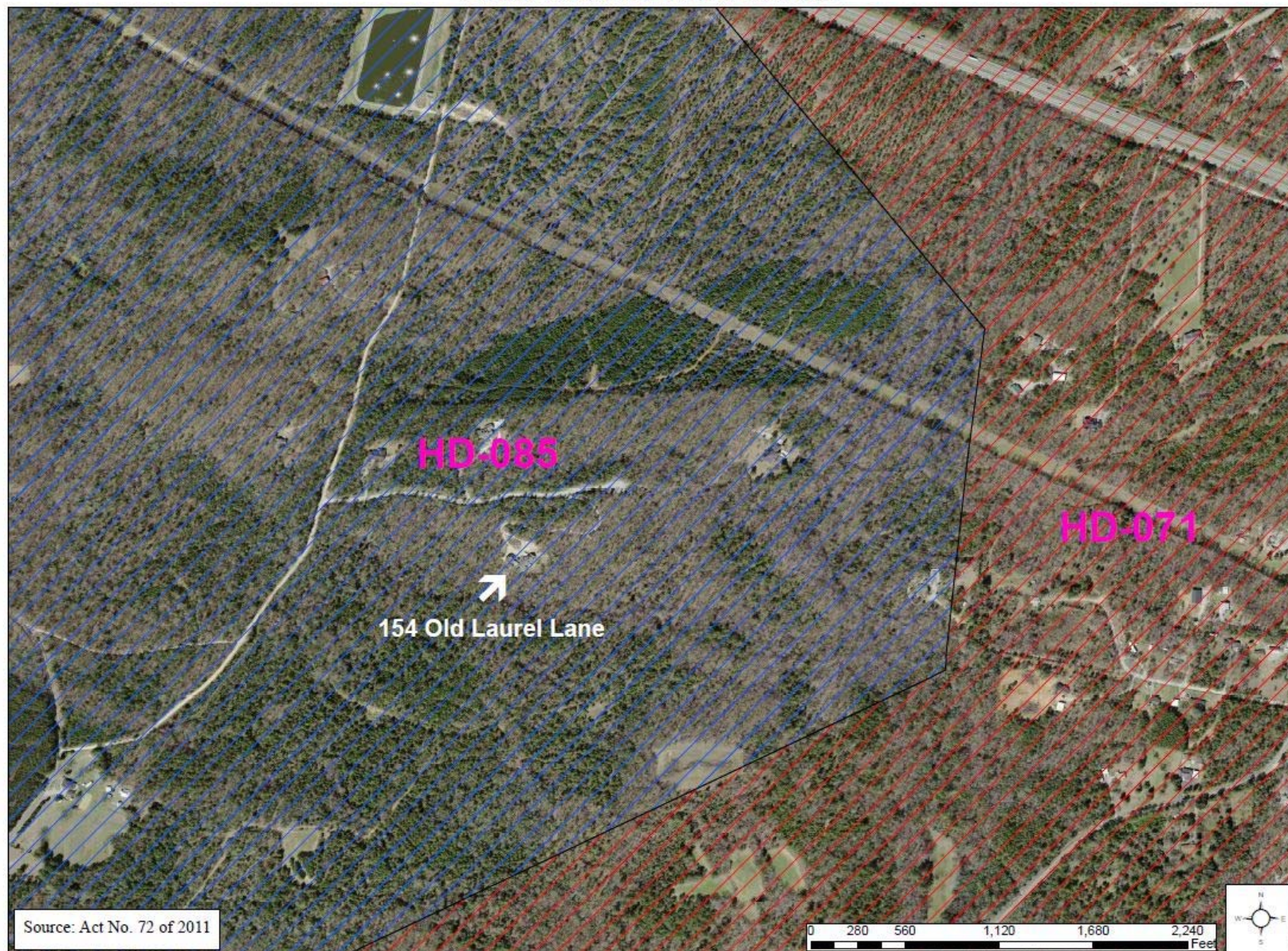


## Richland and Lexington County Census Blocks



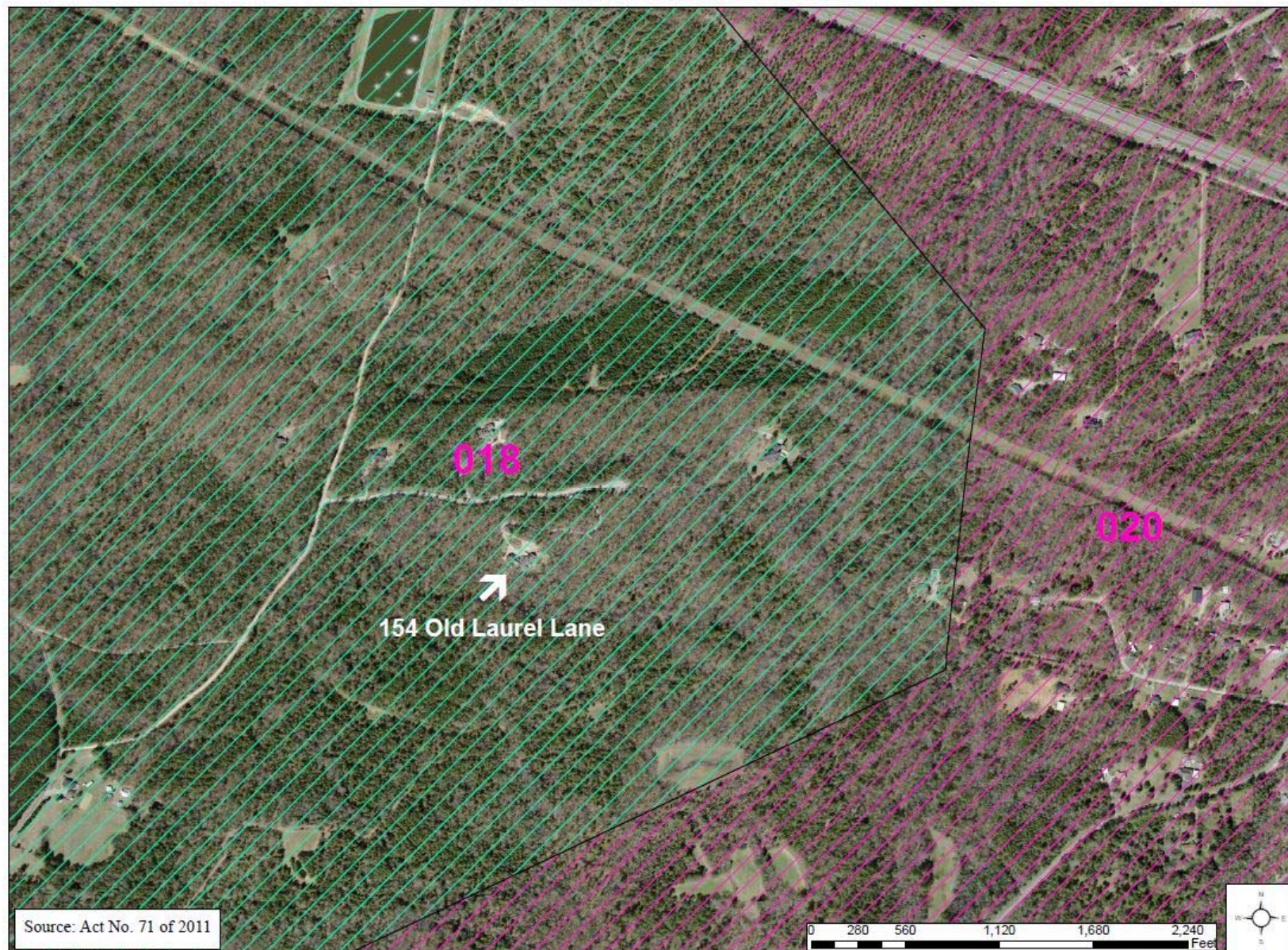


## South Carolina House Districts





# South Carolina Senate Districts









- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

## *Appendix I. April 18, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - April 5, 2017 - Meeting minutes
  - Study timeline
  - Agency snapshot
  - Program Evaluation Report - Information for study step 1, meeting 1
  - Laws chart
  - Deliverables chart
  - Organizational units chart
  - Human Resources data for agency from SC Enterprise Information System (SCEIS) as of February 7, 2017
  - Agency's March 3, 2017 letter in response to the Subcommittee's February 21, 2017 letter.
    - Voter fraud
    - State commission v. County board responsibilities
    - County board governing bodies
    - County board required training
    - County board training - Steps state commission takes to ensure county boards obtain required training
    - Common complaints from the public
  - Glossary of terms
    - Additional definitions
  - Committee contact information
- Documents provided by agency during meeting
  - PowerPoint - Overview presentation by State Election Commission (April 18, 2017 Subcommittee meeting)
- Letter from Oversight Subcommittee to State Election Commission (April 19, 2017)
  - The Executive Subcommittee sent this letter as a follow up to the April 18, 2017 Subcommittee meeting. This letter requests information on the following topics: (1) voter registration; (2) candidate registration; (3) cybersecurity; (4) voting machines and poll managers; (5) election commissioners; and (6) county election boards.
- Letter from Oversight Subcommittee to Department of Motor Vehicles (DMV) (April 19, 2017)
  - The Executive Subcommittee sent this letter as a follow up to the April 18, 2017 Subcommittee meeting with the State Election Commission. This letter requests information from the DMV on the following topics: (1) drivers' licenses; and (2) identification cards.
- Letter from DMV to Oversight Subcommittee (April 26, 2017)
  - The DMV provides information in response to the Subcommittee's April 19, 2017 letter.
- Letter from State Election Commission to Oversight Subcommittee (April 28, 2017)
  - The State Election Commission provides information in response to the Subcommittee's April 19, 2017 letter: (A) voter registration - general information on where an individual may register to vote, what is required to register, and common issues/complaints from individuals; (B) voter registration locations; (C) candidate qualifications - minimum qualifications to run for (1) State/Federal office; (2) county office; (3) Coroner; and (4) Sheriff; (D) county board of voter registration and elections - For each county, names of members and number of years each member has served on the board.

**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Tuesday, April 18, 2017***

***10:00 am***

***Room 321, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Minutes from the April 5, 2017 Subcommittee Meeting**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Robert L. Ridgeway III  
James E. Smith Jr.  
Edward R. Tallon Sr.  
Robert Q. Williams*

## **South Carolina House of Representatives**

*Jennifer L. Dobson  
Research Director*

*Cathy A. Greer  
Administration Coordinator*

**Post Office Box 11867  
Columbia, South Carolina 29211  
Telephone: (803) 212-6810 • Fax: (803) 212-6811  
Room 228 Blatt Building**

*Charles L. Appleby IV  
Legal Counsel*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

### **Executive Subcommittee of the Legislative Oversight Committee**

Wednesday, April 5, 2017

Blatt Room 321

#### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

#### **Attendance**

- I. The Executive Subcommittee meeting was called to order by Subcommittee Chairman Gary E. Clary, on the morning of Wednesday, April 5, 2017, in Room 321 of the Blatt Building. The following members of the Subcommittee were present: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.



## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Newton moves to approve the minutes from the February 15, 2017 Subcommittee meeting.

Rep. Newton's motion to approve the minutes from February 15, 2017:	Yea	Nay	Not Voting
Rep. Clary	✓		
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		

## Discussion of the State Election Commission

- I. Chairman Clary provides an update on the status of the study of the State Election Commission. The following individuals are sworn in:

### Revenue and Fiscal Affairs Office

- a. Frank Rainwater, Executive Director
- b. Will Roberts, Manager, Precinct Demographics
- c. David Ballard, PLS, County Boundary Program

### State Election Commission

- a. Marci Andino, Executive Director
- b. Janet Reynolds, Director of Administration
- c. Chris Whitmire, Director of Training and Public Information
- d. Howard Snider, Director of Voter Services
- e. Kristina Catoe, Staff Attorney

- II. Representatives from the Revenue and Fiscal Affairs Office (RFA) provide a presentation, "Election Boundaries: Precincts, Districts, Census, Counties - presentation," which is available online for the public to view. Members ask questions which representatives from RFA answer.
- III. Members ask questions to State Election Commission Director Andino about the agency's role in determining election boundaries. Director Andino answers the questions.

- IV. Constituent Kim Murphy, after being reminded she is still under oath from being sworn in during the full Committee meeting on March 9, 2017, testifies to the Subcommittee about her concerns with election boundaries. Members ask questions, which Ms. Murphy answers.
- V. The meeting is adjourned.

- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study**. Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency deadline for submission of its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

# State Election Commission

Page 406 of 1104

## History

Independent agency created in 1968.

SC was the first state in the country to have a statewide voter registration system.

## Voter Services

(1) Statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions; (2) Election support services and technical assistance related to statewide voting system to Counties; (3) Election security oversight and guidance to counties

## Public Information/Training

(1) Administer a mandatory statewide training and certification program for county and municipal election officials; (2) Ongoing training events and workshops; (3) Poll manager training program and materials; (4) Educate the public on the voter registration and election process; (5) Provide information regarding elections and agency activities

## Administration

Leadership and direction for the agency, including administration, finance and support services

## SUCCESSES

- Conduct Statewide Elections and Security
- Statewide Voting System Audits, County Compliance Audits, and Supervision of Counties

## ISSUES

- Voting System Refresh
- Election Security
- Meeting Demands of Voters
- Voting System Replacement
- Cyber Security

- Implementation of Candidate Filing and Photo ID

## Laws

(Study Step 1: Agency Legal Directives, Plan and Resources)

Page 407 of 1104

Agency Responding	State Election
Date of Submission	April 14, 2017

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who the agency must serve? (Y/N)	Does this law specify a deliverable the agency must or may provide? (Y/N)
1	42 U.S.C. §2000e et seq. (1964), (Civil Rights Act of 1964)	Federal	Statute	Disallows states from denying right of individual to vote in any federal election due to application omission; employing literacy tests for qualification to vote	No	No
2	52 U.S.C. § 10101 et seq. (1965); (Voting Rights Act of 1965)	Federal	Statute	Disallows states from having any voting qualification or prerequisite to voting or have a standard, practice or procedure denying the right to vote based upon race; due to any failure to pass a test; residency longer than thirty days	No	No
3	42 U.S.C. §§ 1973ee-ee6. (1984); (Voting Accessibility for the Elderly and Handicapped)	Federal	Statute	Requires states to have registration offices and polling places that are accessible to voters with disabilities and voters sixty-five and older	Yes	Yes
4	42 U.S.C. § 12101, et seq. (1990); (Americans with Disabilities Act)	Federal	Statute	Disallows states from denying a individual or class from participating in the public service, activity or program of a public entity	Yes	Yes
5	52 U.S.C. § 20501, et seq. (1993); (National Voter Registration Act)	Federal	Statute	Requires states provide the opportunity to register to vote at certain agencies, voter registration by mail, and list maintenance activities	Yes	Yes
6	52 U.S.C. §§ 20901-21145 (2002); (Help America Vote Act)	Federal	Statute	Requires states to implement programs and procedures regarding provisional voting, voting information, updating and upgrading voting equipment, establishing statewide voter registration databases, voter identification and administrative complaints	Yes	Yes
7	52 U.S.C. §§ 20301-20311, 1986); (Uniformed and Overseas Citizens Absentee Voting Act)	Federal	Statute	Requires states to allow qualified service members and overseas citizens to register and vote absentee	Yes	Yes
8	42 U.S.C. § 1973ff-1 (2009); (Military and Overseas Voter Empowerment Act)	Federal	Statute	Requires states to use electronic communications for sending election materials and sending absentee ballots to UOCAVA voters at least forty-five days prior to the election	Yes	Yes

# Laws

## (Study Step 1: Agency Legal Directives, Plan and Resources)

9	5-15-90. Municipal Elections conducted by municipal election commission; composition of commission and terms of members; training and certification program.	State	Statute	Establishes the duty of the SEC to conduct a training and certification program for municipal officials	Yes	Yes
10	7-3-20. Executive Director of the State Election Commission.	State	Statute	Establishes the authority of the Executive Director as the chief administrative officer for the SEC appointed by the Commission	No	No
11	7-3-20. Executive Director of the State Election Commission.	State	Statute	Establishes the Executive Director as the chief state election official responsible for implementing and coordinating the State's responsibilities under the NVRA	Yes	Yes
12	7-3-20. Executive Director of the State Election Commission.	State	Statute	Establishes the Executive Director as the individual responsible for implementing and enforcing the state's responsibilities under UOCAVA	No	No
13	7-3-20. Executive Director of the State Election Commission.	State	Statute	Requires the executive director to conduct audits, reviews, and post-election analyses of county boards of voter registration and elections	No	Yes
14	7-3-20. Executive Director of the State Election Commission.	State	Statute	Requires the executive director to maintain a complete master file of all qualified electors by county and precincts and delete the names of electors who satisfy certain conditions under the law	No	Yes
15	7-3-20. Executive Director of the State Election Commission.	State	Statute	Establishes the supervisory authority of the Executive Director over the county boards of voter registration and elections	No	No
16	7-3-20. Executive Director of the State Election Commission.	State	Statute	Establishes that the Executive Director to furnish each county board of voter registration and elections with a master list of all registered voters in the county at least ten days prior to each election	Yes	Yes
17	7-3-20. Executive Director of the State Election Commission.	State	Statute	Establishes that the executive director furnish at a reasonable price any precinct lists to a qualified elector requesting them	Yes	Yes
18	7-3-25. Noncompliant county board of voter registration and elections.	State	Statute	Establishes authority of SEC to determine and certify results of an election if County Board of Voter Registration and Elections is unable to certify by statutorily mandated time	Yes	No
19	7-3-25. Noncompliant county board of voter registration and elections.	State	Statute	Establishes the authority of the Executive Director to recommend corrective action plan for non-compliant County Board of Voter Registration and Election members	No	Yes
20	7-3-30. Notice of deletion of elector's name from roster of electors; appeal by elector; restoration of name.	State	Statute	Requires the Executive Director to notify by mail each elector whose name has been deleted for the reason of conviction or change in the residence of a qualified voter	Yes	Yes
21	7-5-10. Appointment of board members; previous offices abolished; training and certification requirements.	State	Statute	Establishes the duty of the SEC to conduct a training and certification program for county board members	Yes	Yes



## Laws

### (Study Step 1: Agency Legal Directives, Plan and Resources)

22	7-5-10. Appointment of board members; previous offices abolished; training and certification requirements.	State	Statute	Establishes the requirement of the SEC to notify the Governor of any member of a county board of registration and elections failed to meet the training and certification program requirements	Yes	Yes
23	7-5-40. Supplements to counties to help defray expenses of registration office.	State	Statute	Establishes the requirement of the state to defray the expenses of personnel in keeping the county board office open for voter registration	Yes	Yes
24	7-5-125. Written notification of registration	State	Statute	Requires the SEC to provide the form by which county boards notify any person who registers to vote and is found qualified to vote	Yes	Yes
25	7-5-155. Registration of electors by mail.	State	Statute	Requires the SEC to furnish voter registration application forms to county boards of voter registration and elections	Yes	Yes
26	7-5-155. Registration of electors by mail.	State	Statute	Allows the agency to promulgate regulations relating to registration of electors by mail	No	No
27	7-5-185. Electronic applications for voter registration.	State	Statute	Requires the SEC to allow a citizen with a SC Driver's License or DMV ID Card to submit an application for voter registration electronically on the SEC's website	Yes	Yes
28	7-5-186. Statewide voter registration database.	State	Statute	Establishes the duty of the SEC to keep, maintain and administer a statewide voter registration database	No	Yes
29	7-5-310. Definitions; designations	State	Statute	Establishes the SEC as the agency to which an individual may file a complaint regarding interference with the right to register or decline to register to vote or privacy regarding the decision to register to vote at a voter registration agency	Yes	Yes
30	7-5-330. Completion, receipt, and disposition of voter registration application; discretionary removal of elector	State	Statute	Establishes the duty of the SEC to remove a qualified elector from the official list of eligible voters on the grounds that the elector has changed residence.	Yes	No
31	7-5-340. Duties of State Election Commission respecting removal of elector from official list.	State	Statute	Establishes the duty of the SEC to remove an elector from the official list of eligible voters	Yes	No
32	7-5-660. Preparation of registration books.	State	Statute	Establishes the duty of the Executive Director to prepare duplicate registration books for each ward or precinct for every county	Yes	Yes
33	7-9-10. Certification and decertification of political parties	State	Statute	Requires SEC to certify and decertify political parties under certain conditions	Yes	Yes
34	7-11-15. Qualifications to run as a candidate in general elections	State	Statute	Establishes that the SEC must accept statement of intention of candidacy, party pledge, and filing fees	Yes	Yes
35	7-11-20. Conduct of party convention or party primary elections generally; presidential preference primaries	State	Statute	Requires the SEC to conduct presidential preference primaries for certified political parties receiving at least five percent of the popular vote	Yes	Yes

# Laws

## (Study Step 1: Agency Legal Directives, Plan and Resources)

36	7-11-50. Substitution where party nominee dies, becomes disqualified or resigns for legitimate nonpolitical reason.	State	Statute	Establishes that the SEC consider an affidavit submitted by a candidate who wishes to withdraw from an election for a legitimate nonpolitical reason	Yes	No
37	7-11-70. Nomination by petition.	State	Statute	Establishes that the SEC should accept petitions for certain offices containing the signatures of at least five percent of the qualified registered electors of the office's geographical area.	No	No
38	7-11-80. Form of nominating petition	State	Statute	Establishes that the SEC may furnish petition forms to county election officials and interested persons	Yes	Yes
39	7-13-15. Primaries to be conducted by State Election Commission and county board of voter registration and elections on second Tuesday in June; filing fees	State	Statute	Establishes the duty of the SEC to conduct primaries for federal offices, state offices, offices included in more than one county, countywide and less than countywide offices, special purpose districts and the ability to use filing fees paid by candidates to pay for the primaries.	No	Yes
40	7-13-40. Time of party primary; certification of names; verification of candidates' qualifications; filing fee	State	Statute	Establishes the requirement of the SEC to conduct party primaries and place filing fees in a special account designated for use in conducting primaries	No	Yes
41	7-13-45. Acceptance of Filings.	State	Statute	Establishes the duty of the SEC to establish regular candidate filing hours and publish notice of candidate filing	No	Yes
42	7-13-50. Second and other primaries.	State	Statute	Establishes the requirement of the SEC to hold a second primary when necessary	No	Yes
43	7-13-72. Managers of election.	State	Statute	Establishes the duty of the SEC to develop a training program for poll managers	Yes	Yes
44	7-13-320. Ballot standards and specifications.	State	Statute	Establishes the duty of the SEC to direct the size and color of the ballot.	No	Yes
45	7-13-325. Use of candidate's given name, derivative thereof, or nickname on ballot.	State	Statute	Allows the agency to promulgate regulations relating to the use of a candidates name, derivative thereof or nickname on the ballot	No	No
46	7-13-340. Printing and distribution of Ballots.	State	Statute	Establishes the duty of the SEC to print and deliver ballots for elections for presidential electors, state officers, US Senators and members of Congress to county boards of voter registration and elections	Yes	Yes
47	7-13-350. Certification of candidates; verification of qualifications	State	Statute	Establishes that the SEC receive certification from political parties of candidates	No	No
48	7-13-351. Nominees by petition.	State	Statute	Establishes that the SEC must place a nominee by petition on the appropriate ballot.	No	Yes
49	7-13-410. Ballots where both state-wide and local constitutional amendments are submitted.	State	Statute	Requires the SEC to arrange and classify proposed constitutional amendments on the ballot.	No	Yes
50	7-13-420. Oath of print of ballots and assistants.	State	Statute	Requires the Executive Director to contract with a printer for the printing of official ballots.	No	No
51	7-13-610. Ballot specifications; separate ballots for each party.	State	Statute	Establishes the duty of the SEC to prepare separate ballots for each political party holding a primary	No	Yes

# Laws

## (Study Step 1: Agency Legal Directives, Plan and Resources)

Page 411 of 1104

52	7-13-611. Arrangement of official county and state primary ballots.	State	Statute	Allows the agency to promulgate regulations regarding the arrangement of official county and state primary ballots	No	No
53	7-13-710. Proof of right to vote; signing poll list; comparison of signatures; provisional ballot; purpose of requirements.	State	Statute	Requires the SEC to furnish a poll list to the appropriate election officials.	Yes	Yes
54	7-13-1160. Reporting of election results to the State Election Commission.	State	Statute	Provides that the SEC must accept notification from counties of unofficial election results	No	No
55	7-13-1330. Vote recorders and optical scan voting systems; approval process; duration and changes.	State	Statute	Requires the SEC to approve all optical scan voting systems to be used in elections.	No	No
56	7-13-1340. Requirements for vote recorders or optical scan voting devices.	State	Statute	Provides requirements for the SEC to use when approving vote recorders and optical scan voting devices.	No	No
57	7-13-1360. Form and contents of ballot labels; primary elections	State	Statute	Provides that the SEC shall prepare the form and arrangement of ballot labels.	No	Yes
58	7-13-1371. Ballot cards used in conjunction with optical scanning device; instructions	State	Statute	Provides that the SEC must establish the form of a sign to be displayed in any polling place using an optical scanning device	No	Yes
59	7-13-1380. Write-in votes.	State	Statute	Requires the SEC to specify the form of the ballot.	No	Yes
60	7-13-1390. Labeling, preparation, and testing of vote recorders; custodians and deputies; examination by interested persons.	State	Statute	Establishes that the SEC must prescribe the requirements for arrangement, ballot labels and testing the vote recorders	No	Yes
61	7-13-1490. Regulations, instructions and forms.	State	Statute	Allows the agency to promulgate regulations regarding the conduct of elections for distribution to the county boards of voter registration and elections	No	No
62	7-13-1620. Voting system approval process.	State	Statute	Establishes that SEC must approve and certify all voting systems for use in SC	No	Yes
63	7-13-1655. "Voting System" defined. State Election Commission duties.	State	Statute	Establishes duty of SEC to adopt one voting system for State	No	Yes
64	7-13-2120. Constitutional Ballot Commission.	State	Statute	Requires that the Executive Director serve on a Constitutional Ballot Commission	No	No
65	7-15-10. Duties of State Election Commission.	State	Statute	Establishes duty of SEC to establish procedures and forms for absentee voting	No	Yes
66	7-15-10. Duties of State Election Commission.	State	Statute	Allows the agency to promulgate regulations for electors to vote by absentee ballot	No	No
67	7-15-10. Duties of State Election Commission.	State	Statute	Allows the agency to promulgate regulations for ensuring UOCAVA voters are sent absentee ballots by the required forty-five day deadline	No	No
68	7-15-340. Form and application for absentee ballot	State	Statute	Requires the SEC to establish and distribute a form application for an absentee ballot	No	Yes

## Laws

### (Study Step 1: Agency Legal Directives, Plan and Resources)

69	7-15-405. Voters eligible to vote under Uniformed and Overseas Citizens Absentee Voting Act; absentee instant runoff ballots for second primaries.	State	Statute	Allows the SEC to promulgate regulations for the implementation of UOCAVA voters voting absentee	No	Yes
70	7-15-406. Ballots to be sent to qualified electors under Uniformed and Overseas Citizens Absentee Voting Act; timing.	State	Statute	Requires ballots to be sent to qualified electors under UOCAVA at least forty-five day prior to any election	Yes	Yes
71	7-15-460. Absentee ballots as provided by Uniformed and Overseas Citizens Absentee Voting Act.	State	Statute	Allows the agency to promulgate regulations to ensure that UOCAVA voters have the opportunity to receive and cast ballots	No	No
72	7-15-470. Absentee ballots other than paper ballots.	State	Statute	Requires the SEC to develop standards and guidelines for a voting system or machine to count absentee ballots	No	Yes
73	7-17-70. Hearing of Appeals.	State	Statute	Requires the State Board of Canvassers to meet and hear appeals from county boards	No	No
74	7-17-210. State Election Commission constitutes Board.	State	Statute	Requires the SEC to constitute the State Board of Canvassers	No	No
75	7-17-220. Meeting of Board; telecommunication or electronic communication; public access.	State	Statute	Requires the State Board of Canvassers to convene a meeting to canvass the votes for all officers, constitutional amendments, questions and other issues voted during any general election	No	No
76	7-17-230. Power to adjourn; procedure when all certified statements have not been received.	State	Statute	Gives the State Board of Canvassers the power to adjourn for a period of time until certified statements for the election of electors for President and Vice President have been received	No	No
77	7-17-240. Board shall make certified statement of all votes cast.	State	Statute	Requires the State Board of Canvassers to make a statement of the number of votes at an election and certify statement to be correct	No	Yes
78	7-17-250. Board shall declare persons elected and decide contested or protested cases; appeals.	State	Statute	Requires the State Board of Canvassers to declare candidates elected and hear appeals from county boards of canvassers	No	Yes
79	7-17-260. Cases decided by State Board; filing and service	State	Statute	Provides the election protests that the State Board of Canvassers must hear	No	Yes
80	7-17-270. Hearing of protest or contest; procedure at hearing; notice of decision; appeals.	State	Statute	Provides the timeline for the State Board of Canvassers to hear appeals	No	No
81	7-17-280. Mandatory recounts.	State	Statute	Requires the State Board of Canvassers to order a recount in a general election when the difference between the number of votes for a candidate, constitutional amendment, question or other issue is not more than one percent of the total votes cast	No	No
82	7-17-290. Certificate of determination shall be delivered to Secretary of State.	State	Statute	Requires the State Board of Canvassers to make and subscribe a certificate of determination on the results of the general election	No	Yes

## Laws

### (Study Step 1: Agency Legal Directives, Plan and Resources)

Page 413 of 1104

83	7-17-510. Convening of county board of voter registration and elections as county boards of canvassers; canvass and certification of primary results; canvass and declaration of results by Board of State Canvassers; telecommunication or electronic communication; public access.	State	Statute	Establishes the date and time that the State Board of Canvassers must meet to declare the results of primaries and runoffs	No	No
84	7-17-710. Continuation of protest in event of death of candidate in special or general election.	State	Statute	Establishes guidance for the State Board of Canvassers when a candidate dies after filing a protest	No	No
85	Chapter 52-Section 52. Candidates' and Incumbents' Statements of Economic Interests.	State	Regulation	Requires the SEC to file a copy of the Candidates' Roster with the State Ethics Commission no later than five days after close of filing	No	Yes
86	Chapter 52-Section 52. Candidates' and Incumbents' Statements of Economic Interests.	State	Regulation	Requires the SEC to file a copy of the Successful Candidates' Roster with the State Ethics Commission no later than five days after close an election		Yes
87	14-7-130. Preparation of jury list from electronic file of persons holding valid South Carolina driver's license or identification card.	State	Statute	Requires the SEC to furnish a jury list to county jury commissioners	Yes	Yes
88	Proviso 101.1 (County Boards of Voter Registration and Election Compensation), 2016-2017, Appropriations Act Part 1B (101-E280-Election Commission).	State	Proviso	Provides guidelines for disbursing aid to county stipend for county voter registration and elections board members	Yes	Yes
89	Proviso 101.2 (Elections Managers & Clerks Per Diem), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Provides amount of pay and number of days of training/working for county poll managers	No	No
90	Proviso 101.3 (Board of State Canvassers Compensation), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Provides additional compensation for State Board of Canvassers members to attend required hearings/appeals following elections	Yes	Yes
91	Proviso 101.4 (Sale of Lists Revenue Carry Forward), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Provides authority to spend revenue generated from Sale of List Program and allows SEC to carry forward any amounts in the account at end of the fiscal year	No	No
92	Proviso 101.5 (Budget Reduction Exemption), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Exempts funds appropriated for recurring and non-recurring general and primary election expenses from mandated across the board reductions and excludes these amounts from the agency's base budget when calculating base reductions	No	No

**Laws**

(Study Step 1: Agency Legal Directives, Plan and Resources)

93	Proviso 101.6 (Primary and General Election Carry Forward), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Allows SEC to spend filing fees received from candidates filing to run in the statewide primaries for the conduct of the statewide primaries and to carry forward any amounts in those accounts at the end of each fiscal year. Also allows the SEC to use filing fee funds to pay for Presidential Preference Primaries when necessary.	No	No
94	Proviso 101.7 (Training and Certification Program), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Requires county board of voter registration and election members to complete the SEC's training and certification program, and at least one additional class per year. Allows SEC to charge for training classes, and to retain and spend up to \$35,000 to help cover the cost to provide the training. Allows the SEC to carry forward any balance in the account at fiscal year end. Requires the SEC to withhold the stipend of any non-compliant board members, and to notify county legislative delegation of the withholding and the requirements to bring the member into compliance. Requires county legislative delegation to remove non-compliant board member if not compliant within 18 months of initial notification of non-compliance.	Yes	No
95	Proviso 101.8 (Penalty for Late Submission of Reimbursable Expenses), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Allows the SEC to deduct 10% from any county election reimbursement requests that are more than 30 days past the date of the election for which reimbursement is being requested. Also allows the SEC to deduct 10% from any county reimbursement requests not submitted in the Statewide Voter Registration Election Management System (VREMS). Allows SEC to spend funds in current fiscal year to reimburse counties for expenditures incurred in previous fiscal year.	No	Yes
96	Proviso 101.9 (Help America Vote Act), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Requires the SEC to use funds appropriated for a state match of federal funds received to implement the Help America Vote Act (HAVA) program. Also allows funds to be used to comply with the Uniformed and Overseas Citizens Voting Act of 1986.	No	No
97	Proviso 101.10 (HAVA Carry Forward), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Requires the SEC to carry forward unexpended Help America Vote Act (HAVA) funds into next fiscal year and to expend the funds for HAVA	No	No
98	Proviso 101.11 (HAVA Match Funds), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	State	Proviso	Allows HAVA match funds to be placed into an account that allows interest to be accrued on the funds.	No	No



Agency Responding	State Election Commission
Date of Submission	April 14, 2017

Item #	Deliverable	Applicable Laws	Does the law(s)... A) Specifically REQUIRE the agency provide it (must or shall)? B) Specifically ALLOW the agency to provide it (may)? C) Not specifically address it?	Does the agency evaluate customer satisfaction? (Y/N)	Greatest potential negative impact on the public if not provided	1-3 recommendations to the General Assembly, other than \$ and providing the deliverable, for how the General Assembly can help avoid the greatest potential negative impact	Other state agencies whose mission the deliverable may fit within	Is the agency permitted by statute, regulation, or proviso to charge for it? (Y/N)	Does the agency know the...		
									cost per unit? (Y/N)	annual # of potential customers? (Y/N)	annual # of customer s served? (Y/N)
1	Registration offices and polling places that are accessible to voters with disabilities and voters sixty-five and older	42 U.S.C. §§ 1973ee-ee6. (1984); (Voting Accessibility for the Elderly and Handicapped)	Require	No	Voters with Disabilities and voters who are sixty-five and over may not be able to vote	None	None	No	No	No	No
2	Take appropriate steps to ensure that communication with applicants, participants and members of the public with disabilities are effective as communications with other individuals	42 U.S.C. § 12101, et seq. (1990); (Americans with Disabilities Act)	Require	No	Disenfranchisement of voters with disabilities	None	None	No	No	No	No
3	Opportunity to register to vote at certain agencies	52 U.S.C. § 20501, et seq. (1993); (National Voter Registration Act)	Require	No	Barriers to voter registration	None	None	No	No	No	No
4	Programs and procedures regarding provisional voting, voting information, updating and upgrading voting equipment, establishing statewide voter registration databases, voter identification and administrative complaints.	52 U.S.C. §§ 20901-21145 (2002); (Help America Vote Act)	Require	No	Disenfranchisement of voters	None	None	No	No	No	No
5	Allowance of qualified service members and overseas citizens to register to vote and vote absentee	52 U.S.C. §§ 20301-20311, (1986); (Uniformed and Overseas Citizens Absentee Voting Act)	Require	No	Disenfranchisement of Voters	None	None	No	No	No	No
6	Electronic communication for sending material and absentee ballots to UOCAVA voters at least forty-five days prior to the election	42 U.S.C. § 1973ff-1 (2009); (Military and Overseas Voter Empowerment Act)	Require	No	Disenfranchisement of Voters	Amend S.C. Code of Laws Section 7-13-190 to provide 45 days between close of candidate filing and the primary, as well as between the primary runoff and special election	None	No	No	No	No

Item #	Deliverable	Applicable Laws	Does the law(s)... A) Specifically REQUIRE the agency provide it (must or shall)? B) Specifically ALLOW the agency to provide it (may)? C) Not specifically address it?	Does the agency evaluate customer satisfaction? (Y/N)	Greatest potential negative impact on the public if not provided	1-3 recommendations to the General Assembly, other than \$ and providing the deliverable, for how the General Assembly can help avoid the greatest potential negative impact	Other state agencies whose mission the deliverable may fit within	Is the agency permitted by statute, regulation, or proviso to charge for it? (Y/N)	Does the agency know the...		
									cost per unit? (Y/N)	annual # of potential customers? (Y/N)	annual # of customers served? (Y/N)
7	Conduct a training and certification program for municipal officials	5-15-90. Municipal Elections conducted by municipal election commission; composition of commission and terms of members; training and certification program.	Require	Yes	If municipal election officials don't receive required training, it could result in inaccurate elections and additional legal challenges to elections	None	None	Yes	No	No	Yes
8	Furnish precinct lists to a qualified elector	7-3-20. Executive Director of the State Election Commission.	Require	No	Transparency and voter confidence may be compromised.	None	None	Yes	Yes	Yes	Yes
9	Audits of the County Board of Voter Registration and Elections	7-3-20. Executive Director of the State Election Commission.	Require	No	Failure to follow state and federal laws and SEC policies and procedures	None	None	No	No	No	No
10	Master file of all qualified electors by county and precinct	7-3-20. Executive Director of the State Election Commission.	Require	No	Ineligible voters participating in elections	None	None	No	No	No	No
11	Deletion of names of electors for certain statutorily reasons	7-3-20. Executive Director of the State Election Commission.	Require	No	Ineligible voters participating in elections	None	None	No	No	No	No
12	Furnish County Boards of Voter Registration and Elections with a master list of all registered voters in the county.	7-3-20. Executive Director of the State Election Commission.	Require	No	Ineligible voter participating in elections	None	None	No	Yes	Yes	Yes
13	Corrective Action plan for non-compliant county Board of Voter Registration and Election members	7-3-25. Noncompliant county board of voter registration and elections.	Require	No	County election officials continue to violate state and federal laws and SEC policies and procedures	None	None	No	No	No	No
14	Notification to the Governor of any county board of voter registration and election official that fails to meet training and certification requirements	7-3-25. Noncompliant county board of voter registration and elections.	Require	No	If county election officials don't receive required training, it could result in certification of inaccurate elections, additional legal challenges to elections, and distrust of public in election process	None	None	No	No	No	No
15	Notification to any elector whose name has been deleted for reason of conviction or change of address.	7-3-30. Notice of deletion of elector's name from roster of electors; appeal by elector; restoration of name.	Require	No	Ineligible voters participating in elections	None	None	No	No	No	Yes
16	Training and certification program for County officials	7-5-10. Appointment of board members; previous offices abolished; training and certification requirements.	Require	Yes	If county election officials don't receive required training, it could result in certification of inaccurate elections, additional legal challenges to elections, and distrust of public in election process	None	None	Yes	No	Yes	Yes

Item #	Deliverable	Applicable Laws	Does the law(s)... A) Specifically REQUIRE the agency provide it (must or shall)? B) Specifically ALLOW the agency to provide it (may)? C) Not specifically address it?	Does the agency evaluate customer satisfaction? (Y/N)	Greatest potential negative impact on the public if not provided	1-3 recommendations to the General Assembly, other than \$ and providing the deliverable, for how the General Assembly can help avoid the greatest potential negative impact	Other state agencies whose mission the deliverable may fit within	Is the agency permitted by statute, regulation, or proviso to charge for it? (Y/N)	Does the agency know the...		
									cost per unit? (Y/N)	annual # of potential customers? (Y/N)	annual # of customer s served? (Y/N)
17	Provide supplement to county boards to defray expenses of the voter registration office	7-5-40. Supplements to counties to help defray expenses of registration office.	Require	No	County governments would have to fully fund the county voter registration office	Delete the requirement.	None	No	No	46	0
18	Written notification to any person who registers to vote and is found qualified to vote	7-5-125. Written notification of registration	Require	No	If citizens do not receive notification that their application had been accepted, they may not vote.	None	None	No	No	No	Yes
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections	7-5-155. Registration of electors by mail.	Require	No	Lack of voter registration applications could prevent citizens from registering to vote	None	None	No	No	No	No
20	Electronic voter registration application on the SEC website	7-5-185. Electronic applications for voter registration.	Require	No	Would make voter registration less accessible to citizens	None	None	No	No	No	No
21	Statewide Voter Registration Database	7-5-186. Statewide Voter registration database.	Require	No	Counties would have no automated method to track eligible voters, assign proper election districts, facilitate absentee voting, track provisional ballots, etc.	None	None	No	No	No	No
22	Method of complaint regarding interference with voter registration or privacy of decision to register	7-5-310. Definitions, designations	Require	No	Voters may face barriers to voter registration	None	None	No	No	No	Yes
23	Removing of elector from official list	7-5-340. Duties of State Election Commission respecting removal of elector from official list.	Require	No	Allowance of ineligible voters to participate in elections	None	None	No	No	No	No
24	Preparation of duplicate registration books for each ward or precinct for every county	7-5-660. Preparation of Registration Books.	Require	No	Lack of duplicate registration books could allow ineligible voters to participate in elections	None	None	No	No	Yes	Yes

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									cost per unit? (Y/N)	annual # of potential customers? (Y/N)	annual # of customer s served? (Y/N)
25	Conduct candidate filing	7-11-15. Qualifications to run as a candidate in general elections	Require	No	Candidates would be denied ballot access	1. Delete requirement in S.C. Code of Laws Section 7-11-15 for candidates to submit three copies of the Statement of Candidacy form. 2. Delete requirement for candidate to sign filing fee receipt. 3. Delete requirement to establish regular hours during the final 72 hours of filing. 4. Provide for online candidate filing	None	No	No	No	No
26	Conduct presidential preference primary for certified political parties receiving at least five percent of the popular vote	7-11-20. Conduct of party convention or party primary elections generally; presidential preference primaries.	Require	No	Lack of continuity in structure of election.	None	None	No	No	No	Yes
27	Furnish petition forms to county election officials and interested persons	7-11-80. Form of nominating petition.	Allow	No	Candidates would be denied ballot access	None	None	No	No	No	No
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts	7-13-15. Primaries to be conducted by State Election Commission and county board of voter registration and elections on second Tuesday in June; filing fees.	Require	No	If the SEC and county boards of voter registration did not conduct primaries, primaries would be run by party volunteers, resulting in poorly run elections	None	None	No	No	No	No
29	Conduct party primaries	7-13-40. Time of party primary; certification of names; verification of candidates' qualifications; filing fee.	Require	No	If the SEC and county boards of voter registration did not conduct primaries, primaries would be run by party volunteers, resulting in poorly run elections	None	None	No	No	No	Yes
30	Establish regular hours and publish notice of candidate filing	7-13-45. Acceptance of Filings.	Require	No	Candidates would be denied ballot access	None	None	No	No	No	No

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									cost per unit? (Y/N)	annual # of potential customers ? (Y/N)	annual # of customer s served? (Y/N)
31	Conduct second or other primaries.	7-13-50. Second and other primaries	Require	No	If the SEC and county boards of voter registration did not conduct primaries, primaries would be run by party volunteers, resulting in poorly run elections	None	None	No	No	No	Yes
32	Training and certification program for poll managers	7-13-72. Managers of Election	Require	No	If poll managers don't receive required training, it could result in errors at the polls; disenfranchisement of voters; inadequate accommodations for voters	None	None	No	No	Yes	Yes
33	Direct size and the color of the ballot	7-13-320. Ballot standards and specifications.	Require	No	Voters may be confused by non-uniform ballots	Delete ballot color requirement.	None	No	No	No	No
34	Placement of petition nominee on appropriate ballot	7-13-351. Nominees by petition.	Require	No	Candidates would be denied ballot access	None	None	No	No	No	No
35	Print and deliver ballots for presidential electors, state officers, US Senators and members of Congress	7-13-340. Printing and distribution of ballots.	Require	No	Lack of ballots for electors	None	None	No	No	Yes	No
36	Ballots that have proposed constitutional amendments.	7-13-410. Ballots where both state-wide and local constitutional amendments are submitted	Require	No	Voters may be confused by non-uniform ballots	None	None	No	No	No	No
37	Prepare separate ballots for each political party holding a primary	7-13-610. Ballot specifications; separate ballots for each party.	Require	No	Voters could be allowed to vote in multiple primaries on the same day	None	None	No	No	Yes	No
38	Ballot labels	7-13-1360. Form and contents of ballot labels; primary elections	Require	No	Voters may be confused by non-uniform ballots	None	None	No	No	No	No
39	Form of a sign to be displayed at polling places using optical scan devise	7-13-1371. Ballots cards used in conjunction with optical scanning device; instructions	Require	No	Use of conflicting information could confuse voters at the polling place	None	None	No	No	No	No
40	Ballot forms	7-13-1380. Write-in Votes.	Require	No	Voters may be confused by non-uniform ballots	None	None	No	No	No	No
41	Approval of Voting System	7-13-1620. Voting System Approval Process.	Require	No	Use of unapproved voting systems could cause inaccurate and inconsistent election results	None	None	No	No	No	No

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42	Approval of One Voting System	7-13-1655. "Voting System" defined. State Election Commission duties.	Require	No	Multiple voting systems being used at polls could result in voter, poll manager, and election official confusion	None	None	No	No	No	No
43	Form application for absentee ballot.	7-15-340. Form and application for absentee ballot.	Require	No	Use of incorrect or inconsistent absentee forms could cause voter confusion	None	None	No	No	No	No
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election	7-15-406. Ballots to be sent to qualified electors under Uniformed and Overseas Citizens Absentee Voting Act; timing.	Require	No	Inability of qualified military and overseas voters to participate in elections	Amend S.C. Code of Laws Section 7-13-190 to provide 45 days between close of candidate filing and the primary, as well as between the primary runoff and special election	None	No	No	No	No
45	Standards and guidelines for voting systems to count absentee ballots	7-15-470. Absentee ballots other than paper ballots	Require	No	Inaccurate election results	None	None	No	No	No	No
46	Certified statement of all votes cast	7-17-240. Board shall make certified statement of all votes cast.	Require	No	Lack of transparency could create public distrust in election results	None	None	No	No	No	Yes
47	Documentation of declaration of elected officials	7-17-250. Board shall declare persons elected and decide contested or protested cases; appeals	Require	No	Lack of transparency could create public distrust in election results	None	None	No	No	No	No
48	Decision of cases held by State Board of Canvassers	7-17-260. Cases decided by State Board; filing and service	Require	No	Candidates would be denied recourse when errors render election results doubtful.	None	None	No	No	No	No
49	Jury List	14-7-130. Preparation of jury list from electronic file of persons holding valid South Carolina driver's license or identification card	Require	No	Ineligible voters participating in elections	None	None	No	No	No	No
50	Disbursement of aid to counties for county voter registration and elections board members	Proviso 101.1 (County Boards of Voter Registration and Election Compensation), 2016-2017, Appropriations Act Part 1B (101-E280-Election Commission).	Require	No	None	None	None	No	No	Yes	Yes



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									cost per unit? (Y/N)	annual # of potential customers? (Y/N)	annual # of customers served? (Y/N)
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings	Proviso 101.3 (Board of State Canvassers Compensation), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission).	Allow	No	None	None	None	No	No	Yes	Yes

<b>Agency Responding</b>	State Election Commission
<b>Date of Submission</b>	4/14/2017

<b>Did the agency have an exit interview and/or survey, evaluation, etc. when employees left the agency in 2013-14; 2014-15; or 2015-16? (Y/N)</b>	2013-14: Y 2014-15: Y 2015-16: Y
--	--

Organizational Unit	Purpose of Unit	Turnover Rate in the organizational unit in 2013-14; 2014-15; and 2015-16	Did the agency evaluate and track employee satisfaction in the organizational unit in 2013-14; 2014-15; and 2015-16? (Y/N)	Did the agency allow for anonymous feedback from employees in the organizational unit in 2013-14; 2014-15; and 2015-16? (Y/N)	Did any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.) in 2013-14; 2014-15; and 2015-16? (Y/N)	If yes, for any years in the previous column, did the agency pay for, or provide in-house, classes/instruction/etc. needed to maintain <b>all, some, or none</b> of the required certifications?
Administration	Leadership and direction for the agency, including administration, finance and support services.	2013-14: 60% 2014-15: 0% 2015-16: 0%	2013-14: Y 2014-15: Y 2015-16: Y	2013-14: Y 2014-15: Y 2015-16: Y	2013-14: N 2014-15: N 2015-16: Y	2013-14: N 2014-15: N 2015-16: Y
Voter Services	Provide and support the statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions, provide counties with election support services and technical assistance related to statewide voting system; provide election security oversight and guidance to counties.	2013-14: 13% 2014-15: 10% 2015-16: 15%	2013-14: Y 2014-15: Y 2015-16: Y	2013-14: Y 2014-15: Y 2015-16: Y	2013-14: N 2014-15: N 2015-16: N	2013-14: N 2014-15: N 2015-16: N
Public Information/Training	Administer a mandatory statewide training and certification program for county and municipal election officials; provide ongoing training events and workshops; provide a poll manager training program and materials; educate the public on the voter registration and election process; provide information regarding elections and agency activities.	2013-14: 0% 2014-15: 0% 2015-16: 0%	2013-14: Y 2014-15: Y 2015-16: Y	2013-14: Y 2014-15: Y 2015-16: Y	2013-14: N 2014-15: N 2015-16: N	2013-14: N 2014-15: N 2015-16: N

March 3, 2017

The Honorable Gary E. Clary, Chairperson  
 Executive Subcommittee  
 Legislative Oversight Committee  
 South Carolina House of Representatives  
 P.O. Box 11867  
 Columbia, S.C. 29211

Dear Representative Clary:

The South Carolina State Election Commission (SEC) has received the Subcommittee's request for information in reference to the Legislative Oversight Committee's study of the agency. Included with this letter are the responses to the questions posed.

#### Voter Fraud

- Have there ever been any verified cases of voter fraud in South Carolina?
- What actions does the state take to try and prevent voter fraud?
- How does the state investigate allegations of voter fraud?
- How does the state address circumstances of voter fraud, when it is found to have occurred? If it has never been found to have occurred, what would the state do to address the situation if found in the future?
  - Please see Attachment A.

#### Local v. State Responsibilities

- Please provide a side by side bulleted list of which aspects of elections are the responsibility of the State Election Commission v. Local Election Officials.
  - Please see Attachment B.
- Please explain who serves as the governing body over the local election officials and if there are any differences among them.
  - Please see Attachment C.
- Please provide a list of the training local election officials are required to complete. Please note if any of the training is required on a regular basis (e.g. annually, before each election, etc.)
  - Please see Attachment D.
- What steps are taken to ensure local officials obtain this training?
  - Please see Attachment E.
- Please provide a table which includes the following: (1) under the first column, a list of common complaints received from the public regarding the election process; (2) under the second column human issues, if any that may cause the situation from which each of the common complaints arise; (3) under

COMMISSIONERS --  
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 MARK A. BENSON  
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the third column, equipment or mechanical issues, if any, that may cause the situation from which each of the common complaints arise; and (4) under the forth column, current laws, if any, that may cause the situation from which each of the common complaints arise.

- Please see Attachment F.

Should the Subcommittee have any additional questions, regarding this matter, please contact this office.

Sincerely,

Signature Redacted

Marci Andino  
Executive Director

## Attachment A

### Voter Fraud

- Have there ever been any verified cases of voter fraud in South Carolina?
  - The State Election Commission does not have the authority to investigate or prosecute alleged voter fraud. Voter fraud is investigated by law enforcement and prosecuted by Solicitors. As a result, the State Election Commission is not necessarily aware of all verified cases of voter fraud in the state. While the State Election Commission is aware of some isolated cases of election crimes, the best source of comprehensive information on these cases are the offices that investigate and prosecute these alleged crimes. While the agency has no comprehensive information about all cases of voter fraud, the known cases seem to indicate that voter fraud is not a significant or widespread problem in South Carolina.
- What actions does the state take to try and prevent voter fraud?
  - The State Election Commission takes voter fraud very seriously and has implemented numerous actions to ensure that everyone eligible to vote has the opportunity to vote, and to ensure those who are not eligible to vote do not vote.
    - Voter Registration
      - Voters must be registered to vote. In applying for voter registration, voters swear under penalty of law that they are qualified. Voters who register by mail must provide proof of identity before voting for the first time. Voters who register online are verified through a crosscheck with Department of Motor Vehicles records.
    - Absentee Voting
      - Voters are required to request an application for absentee voting for each election. Voters sign the application. Voters who are mailed a ballot must also sign the ballot envelope and have it witnessed. Original voter signatures are kept on file at each county voter registration and elections office. Voters who vote absentee in person are required to show one of five qualified Photo IDs before voting.
    - Voting at the Polls
      - Voter registration lists and procedures ensure voters are registered before voting. Voters are required to show one of five qualified Photo IDs before voting. An exception for voters who have a reasonable impediment to obtaining a Photo ID allows these voters to vote after signing an affidavit attesting to their identity and impediment. Voters are required to sign a poll list before voting.

- Training
  - County boards of registration and elections are trained in the proper procedures for conducting voter registration and elections. Election-specific training is conducted prior to every statewide election.
  - Poll Workers are trained by county election officials prior to every election using a training program approved by the State Election Commission.
  - Voters are educated and informed on the proper procedures for registering to vote and voting.
  - SEC conducts a monthly training and information sharing session with county directors.
- Election Infrastructure Security
  - The agency takes all reasonable measures to secure the state's election infrastructure.
  - The SEC works with the Department of Administration, the State Law Enforcement Division, the S.C. National Guard, the U.S. Department of Homeland Security, the Federal Bureau of Investigation, and private vendors to ensure the physical and cyber security of the state's election infrastructure.
  - Voter Registration System contains numerous security elements and features to include the use of Two-Factor Authentication for system user access.
  - Voting System equipment is not connected to the internet.
- How does the state investigate allegations of voter fraud?
  - The State Election Commission does not have the authority to investigate voter fraud. The SEC provides any evidence of voter fraud to the State Law Enforcement Division. However, allegations of voter fraud typically occur at the county level. The SEC instructs county boards of registration and elections to provide any evidence of voter fraud to local law enforcement or Solicitors. The SEC instructs members of the public to provide any allegation or evidence of voter fraud to local law enforcement.
- How does the state address circumstances of voter fraud, when it is found to have occurred? If it has never been found to have occurred, what would the state do to address the situation if found in the future?
  - If the SEC is notified of instances of voter fraud by the results of prosecution, the SEC conducts assessments of state and county operations to identify areas and processes that may need revision.



## ATTACHMENT B

### Election Official Responsibilities

State Election Officials	County Boards of Voter Registration and Elections
Supervise the conduct of county boards of voter registration and elections.	
Conduct reviews, audits or other post-election analysis of county boards to ensure compliance.	
Maintain the statewide voter registration database and provide access to county boards.	Add new registrations and make changes to existing registrations. Determine assignment of proper precinct and election districts.
Remove name of any elector who is no longer qualified to vote and notify electors.	
Furnish voter registration lists to county boards for all elections.	
Procure, lease and contract for use of equipment and services used by agency.	
Furnish at a reasonable price lists of voters to any qualified elector.	
Serve as chief state election official for implementing Federal Acts.	
Publish on agency website changes to voting procedures enacted by state or local governments.	
Administer training and certification program for county and municipal election officials.	
Report noncompliant county board members to legislative delegations and Governor.	
Recommend corrective action plans for non-compliant County Board members.	
	Conduct voter registration and notify applicant of disposition of application.
	Hold hearings when the legal qualifications of a voter are challenged.
Furnish registration forms and other election materials to county boards.	
Coordinate a registration program with state agencies designated to conduct voter registration activities under the National Voter Registration Act.	Process applications received from agencies designated to conduct voter registration activities under the National Voter Registration Act.
Maintain a record of voter participation for all elections.	

State Election Officials	County Boards of Voter Registration and Elections
	Determine polling places/alternative polling places.
	Perform reassignment of precincts and/or reapportionment when precincts and/or district lines are changed.
Certify/decertify political parties.	
Provide a candidate filing and tracking system for use by county boards and the public.	
Conduct candidate filing for statewide offices, Congressional, and Solicitor.	Conduct candidate filing for State Senate, State House, countywide and less than countywide offices.
Provide petition forms.	
Receive petitions for new political parties.	Check petitions for new political parties.
	Check all petition forms.
Receive petitions for candidates wishing to run for statewide offices, Congressional, and Solicitor/determine candidate qualifications.	Receive petitions for candidates wishing to run for State Senate, State House, countywide and less than countywide offices/determine candidate qualifications.
Provide a system for candidate filing.	
Determine if a candidate for statewide or multicounty office has withdrawn for a legitimate nonpolitical reason.	Determine if a candidate for countywide or less than countywide office has withdrawn for a legitimate nonpolitical reason.
Train/advise county boards in conducting primaries.	Conduct primaries and runoffs.
Train/advise county boards in conducting general and special elections.	Conduct general and special elections.
Train/advise county boards in conducting municipal elections.	Conduct municipal elections (duties vary depending on agreement with municipality).
Provide poll manager training materials: handbook, PowerPoint and online training management system.	Recruit and train poll managers. Determine number of poll managers to be used in an election.
Support statewide voting system by determining ballot standards and providing election databases used to produce electronic and paper ballots for primaries and elections.	Establish election definitions following ballot standards for an upcoming election. Eight counties create own their own election databases for primaries and elections. Prepare voting system for use in elections.
Certify and approve voting systems for use in South Carolina. Decertify voting systems that no longer meet the requirements of Title 7.	
Select statewide voting system.	
	Conduct provisional ballot hearings.
	Determine number of voting machines to be assigned to each precinct.

State Election Officials	County Boards of Voter Registration and Elections
	Secure and maintain voting system to include voting machines and equipment.
Provide absentee voting system for use by county boards.	Conduct absentee voting/track absentee voter participation.
Provide electronic ballot delivery system for military and overseas citizens.	Receive/duplicate ballots received from military and overseas citizens by electronic means.
	Determine absentee voting locations.
Canvass votes for multicounty offices.	Canvass votes cast in county.
Conduct pre-certification audit of tabulated results for statewide and county wide elections. Other election audits are preformed upon request.	Submit pre-certification audit files to SEC.
Certify results of multicounty offices.	Certify votes cast in county.
Conduct post-certification audit of tabulated results for statewide and county wide elections. Other election audits are preformed upon request.	Submit post-certification audit files to SEC.
Order mandatory recounts for statewide or multicounty offices.	Order mandatory recounts for countywide and less than countywide offices.
Conduct protest hearings for statewide or multicounty offices.	Conduct protest hearings for countywide and less than countywide offices.
Conduct appeal hearings for countywide and less than countywide offices.	
	Conduct mandatory recounts; canvass and certify.
Report election winners to Secretary of State's Office.	
Conduct voter education and outreach program to educate the public about voter registration, elections and changes in election law.	Conduct voter education and outreach program to educate the public about voter registration, elections and changes in election law.
Complete Federal surveys following statewide elections.	

## ATTACHMENT C

### County Boards of Registration and Elections

**SECTION 7-5-10.** Appointment of board members; previous offices abolished; training and certification requirements.

(A)(1) The Governor shall appoint, upon the recommendation of the legislative delegation of the counties, competent and discreet persons in each county, who are qualified electors of that county and who must be known as the "Board of Voter Registration and Elections of \_\_\_\_\_ County". The total number of members on the board must not be less than five nor more than nine persons. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution: "I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God."

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member's initial appointment or his reappointment following a break in service, or within eighteen months after a staff person's initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

(3) Following completion of the training and certification program required in item (1), each

board member, and each staff person designated by the board or commission, must take at least one training course each year.



## **ATTACHMENT D**

### **Local Election Official Training Required**

County voter registration and elections board members, county directors and staff are required to complete a training and certification program administered by the State Election Commission.

Training requirements are as follows:

- County voter registration and elections board members (6 classes)
  - Two core components
  - Two election electives
  - Two professional development electives
  - One continuing education component each calendar year
- County directors (11 classes)
  - Four core components
  - Three management/leadership components
  - Two election electives
  - Two professional development electives
  - Two continuing education components each calendar year
- County staff (7 classes)
  - Three core components
  - Two election electives
  - Two professional development electives
  - One continuing education component each calendar year

## ATTACHMENT E

### Steps to Ensure Local Officials Obtain Training

County voter registration and elections board members must complete the training and certification program within 18 months of their appointment. Once certification is obtained, county board members must complete one training component or attend the South Carolina Association of Registration and Election Officials conference each year.

Board members who are not compliant with the training and certification program requirements are:

- Not provided with a stipend unless a written request detailing an extenuating circumstance is approved by the legislative delegation. (Proviso 101.7 (Training and Certification Program), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission)).
- Reported to the Governor's Office each quarter for removal unless the Governor grants the member an extension to complete the training and certification program based on extenuating circumstances. (SC Code Ann. § 7-5-10 (D)(2)).
- Reported to the legislative delegation. (Proviso 101.7 (Training and Certification Program), 2016-2017, Appropriations Act Part 1B (101-E280 Election Commission)).

The SEC takes the following steps to ensure local officials have the opportunity to receive training:

- Carefully evaluates participant needs to offer a sufficient number of each type of class to ensure all participants have the opportunity to become certified within the requisite time period and to remain certified during the course of their service. This results in approximately 30 – 35 classes being offered each year.
- Offers Saturday classes.
- Provides training in various regional locations throughout the state.
- Provides a Training Management System which allows board members, directors, and staff to:
  - Register for classes.
  - Make online payments for classes.
  - Track certification progress.

## ATTACHMENT F

### Common Complaints from the Public

The following is a list of some common complaints the State Election Commission receives. Most complaints are received around the time of statewide elections. Most of the complaints listed here are not common but are recurring.

Complaint	Human issues, if any, that may cause situation	Equipment or mechanical issues, if any, that may cause situation	Current laws, if any that may cause situation
Long lines at polling places	<ul style="list-style-type: none"> <li>• Large numbers of voters arriving at the same time</li> <li>• Large numbers of voters with voter registration issues</li> <li>• Failure to use problem resolution table and other queue management techniques</li> <li>• Inefficient polling place arrangement</li> <li>• Inexperienced or poorly trained poll managers</li> </ul>	<ul style="list-style-type: none"> <li>• Insufficient number of voting machines</li> <li>• Voting machine or equipment failure</li> <li>• Failure to use electronic poll books</li> <li>• Insufficient number of electronic poll books</li> <li>• Electronic poll books not working</li> </ul>	
Voting machines not working	<ul style="list-style-type: none"> <li>• Failure to properly prepare or maintain voting machines</li> </ul>	<ul style="list-style-type: none"> <li>• Voting machine screen or other component failures</li> </ul>	

Complaint	Human issues, if any, that may cause situation	Equipment or mechanical issues, if any, that may cause situation	Current laws, if any that may cause situation
Not registered in time for election	<ul style="list-style-type: none"> <li>• Voters fail to ensure they are properly registered prior to deadline</li> <li>• Voters don't understand the proper procedure for updating voter registration address. For example, voter believes an address update with the U.S. Postal Service serves as a voter registration update.</li> </ul>		<ul style="list-style-type: none"> <li>• 7-5-150. Closing registration books; registration of person coming of age while books closed.</li> </ul>
Can't vote in both the Republican and Democratic Primaries	<ul style="list-style-type: none"> <li>• Voter does not understand prohibition in state law</li> </ul>		<ul style="list-style-type: none"> <li>• 7-13-1040. No person to vote in more than one primary on the same day.</li> </ul>
Lack of early voting			<ul style="list-style-type: none"> <li>• 7-15-320. Persons qualified to vote by absentee ballot.</li> </ul>
Inability to write in candidate for President and Vice president			<ul style="list-style-type: none"> <li>• 7-13-360. Place on ballot for write-in names.</li> </ul>
Claims of "vote flipping"	<ul style="list-style-type: none"> <li>• Voter touches screen improperly causing an unintended selection</li> </ul>	<ul style="list-style-type: none"> <li>• Voting machine touchscreens in need of calibration could cause a touch close to the edge of one selection area to register as a selection for an adjacent area</li> </ul>	

Complaint	Human issues, if any, that may cause situation	Equipment or mechanical issues, if any, that may cause situation	Current laws, if any that may cause situation
Candidates/candidate representatives campaigning at polls			<ul style="list-style-type: none"> <li>• 7-25-180. Unlawful distribution of campaign literature.</li> </ul>
Not enough absentee hours or locations	<ul style="list-style-type: none"> <li>• County board does not provide additional absentee hours or locations requiring in-person absentee voting to take place only during regular business hours at the county office.</li> </ul>		
Voting system does not produce a voter-verified paper record		<ul style="list-style-type: none"> <li>• Current voting system does not produce a voter-verified paper record</li> </ul>	
Elected officials/candidates are not residents of the county/district/municipality they represent/seek to represent in elected office	<ul style="list-style-type: none"> <li>• Candidates being registered to vote where they do not reside</li> <li>• Lack of understanding by the complainant of the definition of residency for voter registration purposes</li> </ul>		<ul style="list-style-type: none"> <li>• 7-1-25. "Domicile" defined.</li> <li>• 7-5-230. Legal qualifications; challenges, proof of residency or domicile; appeals.</li> </ul>
Emergency responders unable to transmit ballot electronically when called to remote locations on short notice before an election			<ul style="list-style-type: none"> <li>• 7-15-690. Duty of State Election Commission; regulations.</li> </ul>

## PER Section B – Additional Documents to Submit

### Glossary of Terms

Term	Acronym	Definition
Absentee	ABS	The process by which a voter who meets certain criteria submits a ballot prior to election day.
Attorney General Opinion	AG Opinion	Opinions given by the S.C. Attorney General's office used as Guidance by the State Election Commission in administering elections.
Confirmation Card Mailing		Process by which the State Election Commission mails postcards to voters who have not voted in approximately four years asking the voter to confirm voter registration information.
County Boards of Voter Registration and Elections	County Board	Five to nine member board appointed by the Governor on advice of the county legislative delegation that is the authority charged by law with conducting voter registration and elections in the county.
Department of Justice	DOJ	Federal agency charged with enforcing federal law.
Direct-Recording Electronic	DRE	A type of voting machine that records votes by means of a ballot display provided with mechanical or electro-optical components that can be activated by the voter (typically buttons or a touchscreen); that processes data by means of a computer program; and that records voting data and ballot images in memory components.
Election Central		Central location, usually in the county seat, from which county election officials direct election day activities, receive materials from polling places on election night, and accumulate and report election results on election night.
Election Night Reporting	ENR	SEC website established to collect election results from counties, aggregate results, and report results to the public.
Election Preparation and Results Accumulation Guide	EPRAG	Handbook provided to county voter registration and election officials used preparing voting machines and tabulating results.
Election Systems & Software	ES&S	The voting system vendor that provides the iVotronic voting machine and associated components used throughout South Carolina.
ElectionNET		Secure intranet site used by the State Election Commission as the primary method of communication with county voter registration and election officials.
Electronic Voter Registration List	EVRL	Also known as an electronic poll book. System that allows poll managers to use a laptop instead of a paper voter registration list to verify a voter's eligibility to vote and to record voter participation.
Electronic Voting Accessibility Tool	EVAT	Online system that allows military and overseas voters to access, mark, and print their absentee ballot.



<b>Term</b>	<b>Acronym</b>	<b>Definition</b>
Failsafe Voting		Process by which some voters who have failed to update their address are allowed to update their address and vote on election day.
Federal Voting Assistance Program	FVAP	Voter assistance and education program to ensure that members of the U. S. armed forces, their eligible family members and U.S. citizens overseas are aware of their right to vote and have the tools to do so.
Federal Write-in Absentee Ballot	FWAB	A blank ballot provided by the Federal Voting Assistance Program by which military and overseas voters' can vote by writing in their choices and returning the ballot to their county voter registration and elections office.
Freedom of Information Act	FOIA	State law that guarantees the public the right to attend government meetings and have access to public records.
Help America Vote Act	HAVA	Federal law intended to eliminate the use of punch card and lever-based voting systems, create the Election Assistance Commission to assist in the administration of federal elections, and to establish minimum election administration standards.
Instant Runoff Voting	IRV	Process by which military and overseas citizens submit a ranked choice ballot along with their primary ballot. The ranked choice ballot (the voter ranks each candidate on the ballot by preference) serves as the voters' ballot in case of a primary runoff.
iVotronic	iVo	A brand of touchscreen Direct-Recording Electronic voting machine manufactured by Election Systems and Software used throughout South Carolina.
Military and Overseas Voter Empowerment	MOVE	Federal law enhancing requirements of the Uniformed and Overseas Citizen Absentee Voting Act.
Municipal Election Commission	MEC	Three member board appointed by a municipal governing body that is the authority charged by law with conducting municipal elections.
National Voter Registration Act	NVRA	Also known as "Motor Voter." Federal law requiring all eligible citizens be given the opportunity to register to vote when receiving services from the Department of Motor Vehicles and a variety of other public assistance agencies.
Online Voter Registration	OVR	System allowing voters with a S.C. Driver's License or DMV ID Card to register to vote online.
Personal Electronic Ballot	PEB	Electronic device used with voting machines to activate ballots and extract results
Polling Location Technicians	PLT	Individuals hired and trained by county boards of voter registration and elections to address common technical polling place issues on election day.
Reasonable Impediment		A reasonable impediment is any valid reason, beyond the voter's control, which created an obstacle to the voter obtaining the necessary Photo ID in order to vote.

<b>Term</b>	<b>Acronym</b>	<b>Definition</b>
S.C. State Election Commission	SEC	State agency responsible for overseeing voter registration and election processes in South Carolina.
scVOTES.org		The State Election Commission's website used as the primary method of providing information to the public.
Special Write-in Absentee Ballot	SWAB	A blank ballot provided by the State Election Commission by which military voters and other voters living in isolated or extremely remote areas of the world can vote by writing in their choices and returning the ballot to their county voter registration and elections office.
Statement of Economic Interest and Campaign Disclosure	SEI/CD	Campaign finance reports filed with the State Ethics Commission by candidates and other public officials.
Statement of Intention of Candidacy/Party Pledge Form	SICPP Form	Document required by state law to be submitted by a partisan candidate at the time of filing for elected office which states the candidate's intent to seek a specific office, attests to the candidate qualifications, and swears to the party pledge.
Uniformed and Overseas Citizens Absentee Voting Act	UOCAVA	Federal law requiring states to provide military and overseas citizens with special procedures to help them register and vote.
Unity		Software used to build databases and produce ballots necessary to conduct elections on the statewide voting system.
Voter Registration and Election Management System	VREMS	A statewide voter registration database and election management system that provides various election administration tools including voter registration, absentee voting, candidate tracking, statistical reports, and election management.
Voting Accessibility for the Elderly and Handicapped Act		Federal law requiring voter registration offices and polling places to be accessible to voters with disabilities and voters aged 65 or older.



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

# Overview

## State Election Commission

April 18, 2017

## Agency Mission

To ensure every eligible citizen in South Carolina has the opportunity to register to vote, to participate in fair and impartial elections, and have the assurance that their vote will count.

# Agency Responsibilities

- Supervises county boards of registration & elections to ensure compliance with state and federal law
  - Performs audits and post election analysis
  - Advises county boards with day to day operations
- Maintains statewide voter registration system
  - Database contains information on all registered voters in the state
  - Used to produce voter registration lists and jury rolls
  - Approximately 250 elections held every year



# Agency Responsibilities

- Supports county boards in the use of the statewide voting system/creates election databases used to produce electronic and paper ballots
  - Eliminates the need to contract with vendor – saves taxpayers over \$1.5M per year
- Administers training and certification program for county registration and election officials and municipal election commissioners
  - Approximately 25 classes held each year for county certification in various locations statewide
- Conducts candidate filing

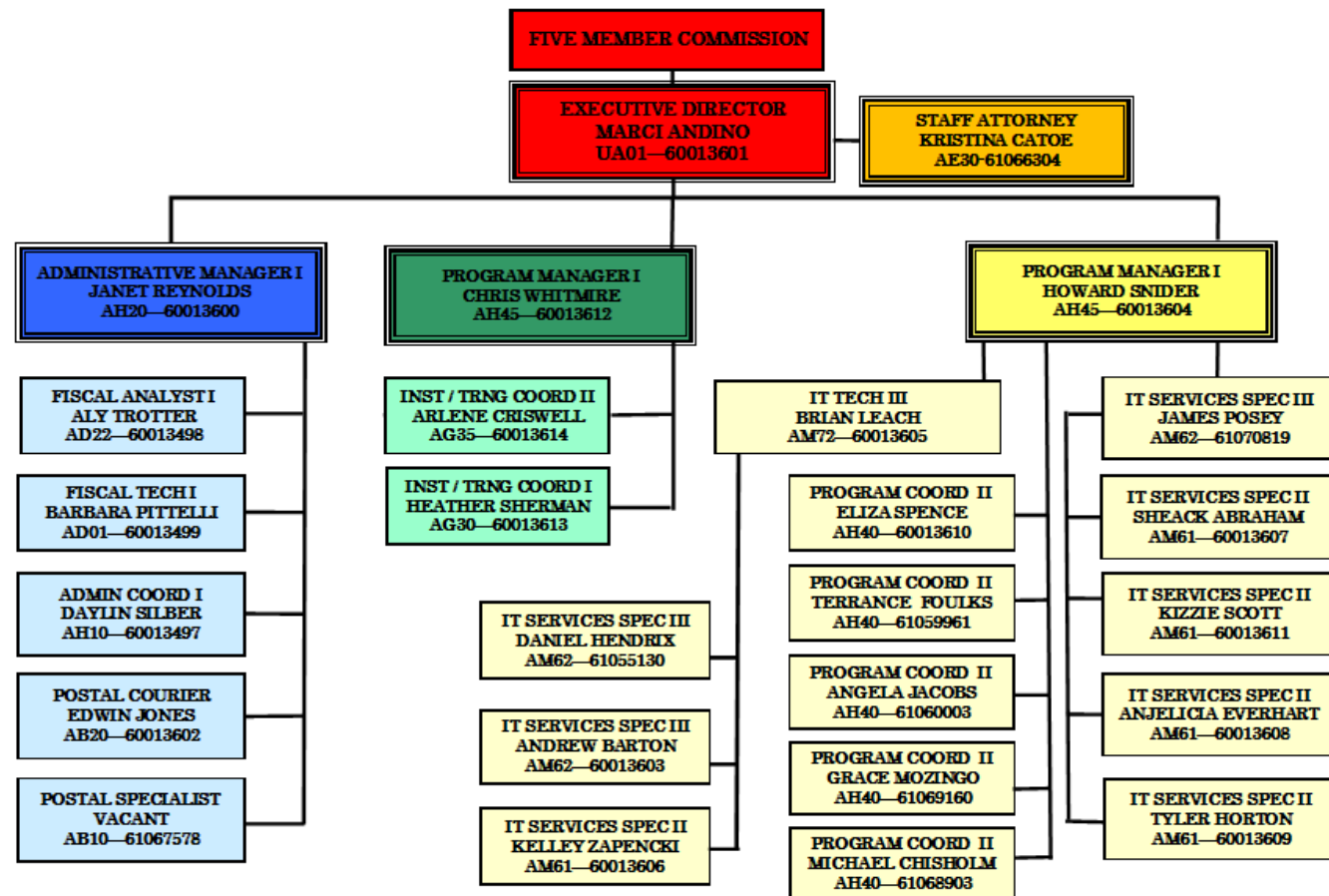
## Commission Members

- 5 members
- Appointed by the Governor
- Serves four year term or until successor is appointed
- At least one member of the majority political party
- At least one member of the largest minority political party

## Commission Members

- Billy Way, Jr., Chairperson, Richland
- Marilyn Bowers, Pickens
- Mark A. Benson, Beaufort
- E. Allen Dawson, Charleston
- Nicole Spain White, Richland

# Organizational Chart



## SEC at a Glance

- 26.5 FTE's, plus temporary employees
- \$5.7M General fund appropriation
- 3.1M registered voters
- 250 elections each year
- Currently, 5 special elections  
(Congressional, State Senate and State House)

## Agency Goals

- Improve voter registration process
- Improve the election process statewide
- Provide resources and support to local election officials to improve voter registration and elections for all citizens



## Recent Agency Successes

- 2016 – five statewide elections
  - Presidential Preference Primaries
  - Primaries and runoffs
  - General Election
- Election infrastructure security
- Supervision of county boards/audits
- Candidate filing
- Photo ID
- Online voter registration

## Agency Challenges

- Security of election infrastructure
- Aging voting system
- Special elections
- Meeting voter expectations
  - Acceptable wait times at polling places
  - Increase voting options (early voting)
  - Online services

# Questions

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



**South Carolina House of Representatives**

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
James E. Smith Jr.  
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*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

*Cathy A. Greer  
Administration Coordinator*

April 19, 2017

### VIA EMAIL and U.S. MAIL

Director Marci Andino  
State Election Commission  
Post Office Box 5987  
Columbia, South Carolina 29250

Dear Director Andino:

The Executive Subcommittee appreciates the Election Commission's partnership in the oversight process. As a follow up to the subcommittee meeting on April 18, 2017, the subcommittee seeks additional information. Please provide the information by Friday, April 28, 2017 so the Subcommittee may review it in preparation for the next meeting on Wednesday, May 3, 2017.

### *Voter Registration*

1. Please provide a list of the additional information a County Election Board may request at the registration stage to determine if an individual is a U.S. citizen, and thus qualified to vote.
2. Please provide a list of requirements for an individual to be eligible to vote. (Note: This is not asking for what can be provided to prove eligibility).
3. Please provide a list of every avenue through which an individual may register to vote (e.g., telephone, mail, online, in person, etc.)

4. For each avenue listed above, please provide the following:
  - Entity and location at which the individual may register (including all agencies through whom an individual may register to vote)
  - Specifically what action the individual must take at the location to register to vote, including the options of information/documentation that can be shown/provided to establish the individual satisfies each requirement of an eligible voter.
  - Who is responsible for verifying the accuracy of the information/documentation shown/provided by the individual registering to vote.
  - How the individual(s) at each entity and location records the information that establishes the individual is an eligible voter;
  - What the entity does with the information recorded (e.g., sends to Election Commission and deletes, sends to Election Commission and stores, etc.);
  - How the entity transmits the individual's information to the Election Commission.
  - The name of the entity responsible for determining an individual's correct county and precinct based on information provided when the individual registered?
5. For each entity and location above, common causes of issues/complaints from individuals who believed they registered to vote through the entity or at the location, but when they arrived at their precinct were told they were not registered to vote.
6. Are there any databases maintained by the Federal government through which the Election Commission could verify those in the voter registration system that are U.S. citizens?
7. Please provide a bullet list summary of the instructions provided to County Election Boards, during mandatory training with the Election Commission, in regards to methods for verifying citizenship.
8. What information from voter registration databases at the Election Commission is available for sale? What information from voter registration lists at County Election Boards is available for sale?

#### *Candidate Registration*

1. Please answer questions 2, 3, and 4 under Voter Registration, but as it relates to individuals registering to run as a candidate in an election.

#### *Cyber Security*

1. How many times per day does each of the Election Commission's databases receive a hit that attempts to penetrate the system?

#### *Voting Machines and Poll Managers*

1. Does statute or regulation not set out a formula for the number of voting machines and poll managers each precinct must have based on the number of registered voters in the precinct?

#### *Election Commissioners*

1. Please provide the list of current commissioners, which of the commissioners serves as the member of the majority party in the General Assembly, which of the commissioners serves as the member of the largest minority party in the General Assembly, and the date each commissioner was originally appointed to serve as a commissioner.

*County Election Boards*

SC Code Section 7-5-10(C) addresses previous governing structures and when they will be transitioned to new ones. Specifically it states: (C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

1. In light of the last sentence of 7-5-10(C), are there any counties that do not have at least five members of the successor board appointed and qualified? (i.e. are there any still running under the old system)
2. Is there a chart which includes the following information, by county:
  - a. Number of individuals on the Board of Voter Registration and Elections
  - b. Number of years each individual has served on the Board

In your responses to these questions, please provide the subcommittee with any relevant, necessary context information. If the agency has any concerns about the format yielding answers that do not provide an accurate reflection of the agency, please express those concerns prior to responding to the question, in a written letter with a copy to staff for the subcommittee. Please retain your working papers for these responses in the event the subcommittee would like to view those. As a reminder, responses to the questions above, as well as responses to any other requests, are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

The subcommittee looks forward to working collaboratively with the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

Signature Redacted

Gary E. Clary  
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams



*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

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April 19, 2017

### VIA EMAIL and U.S. MAIL

Col. Kevin A. Shwedo  
Executive Director  
Department of Motor Vehicles  
Post Office Box 1498  
Blythewood, South Carolina 29016

Dear Col. Shwedo:

The Executive Subcommittee is currently performing an oversight study on the State Election Commission. It is the subcommittee's understanding that individuals may utilize a driver's license or identification card as part of the information necessary to prove the individual is eligible to vote. In regards to these two items, the subcommittee seeks additional information from the Department of Motor Vehicles. Please provide the information by Friday, April 28, 2017 so the Subcommittee may review it in preparation for its next meeting with the Election Commission on Wednesday, May 3, 2017.

### *Drivers License and Identification Cards*

- In regards to drivers' licenses:
  - Please provide a list of what is required to obtain one;
  - If establishment of U.S. Citizenship is required, please explain how it is verified; and
  - If establishment of U.S. Citizenship is not required, please explain if there is any indication on the drivers' license or in the DMV records that the individual is not a U.S. Citizen.

- In regards to State Identification Cards:
  - Please provide a list of what is required to obtain one;
  - If establishment of U.S. Citizenship is required, please explain how it is verified; and
  - If establishment of U.S. Citizenship is not required, please explain if there is any indication on the identification card or in the DMV records that the individual is not a U.S. Citizen.

In your responses to these questions, please provide the subcommittee with any relevant, necessary context information. If the agency has any concerns about the format yielding answers that do not provide an accurate reflection of the agency, please express those concerns prior to responding to the question, in a written letter with a copy to staff for the subcommittee. Please retain your working papers for these responses in the event the subcommittee would like to view those. As a reminder, responses to the questions above, as well as responses to any other requests, are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

The subcommittee looks forward to working collaboratively with the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

Signature Redacted

Gary E. Clary  
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams



Henry McMaster  
Governor

Kevin A. Shwedo  
Executive Director

## *State of South Carolina*

### *Department of Motor Vehicles*

April 26, 2017

Chairman Gary E. Clary  
Subcommittee Chair  
Legislative Oversight Committee  
P. O. Box 11867  
Columbia, SC 29211

Dear Chairman Clary:

The below information is being provided in response to your recent inquiry regarding the requirements for issuing a South Carolina driver's license and identification card by the Department of Motor Vehicles. In fairness to the objective at hand, it is our understanding that our credentials do nothing more than establish identity, they do not validate citizenship.

In 2002, legislation was passed requiring submission of immigration and residency documents from non-US citizens applying for South Carolina credentials. As an agency policy and to prevent being labeled discriminatory, DMV requires **all** persons making application for an original, Beginner Permit, Driver's License or Identification Card to provide supporting documents for proof of identify/citizenship, social security and residency.

We have been documenting individuals as citizens or non-citizens since that time; but that fact is not annotated on either the driver's license or identification card. As part of a customer's internal DMV file, his citizenship status will be shown as "Y" for Yes or "N" for No. We also accept an application from a customer to become a voter, but we only consolidate and forward that information to the Elections Commission.

#### **Documentation to obtain South Carolina Driver's Licenses and Identification Cards:**

The acceptable documents for our US citizens are:

- Birth Certificate
- Birth Certificate from US Territory
- Delayed Birth Certificate
- Current US Passport or US Passport Card

Letter to Chairman Gary E. Clary

Page 2

April 26, 2017

- Certificate of US Naturalization
- US Government Issued Consular Report of Birth Abroad
- Certificate of Citizenship

Our US Citizens' Checklist, MV-93, is posted on our SCDMV website to assist our customers.  
(Encl 1)

Our employees must ensure that all source documents submitted are reviewed and authenticated to meet the criteria outlined in our AAMVA related Fraud Training. The goal is to minimize the potential for receiving fraudulent documents, and to ensure a credential is not issued to the wrong individual.

SCDMV has documented procedures regarding the issuance of our driver licenses and identification cards. I will be more than happy to provide this information upon request.

Respectfully,

Signature Redacted

Kevin A. Shwedo  
Executive Director

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams

1 Encl: MV-93 (new + old)

Judge - I've included our new and old MV-93 Forms (they spell out what documentation is required to obtain a credential. The new form accounts for the federal requirement to validate 2 addresses. Please feel free to call me directly if I can help to clarify any of this information.



(old form)  
**South Carolina Department of Motor Vehicles**  
**United States Citizens' Checklist**

Page 461 of 1104  
**MV-93**  
(Rev. 3/17)

These requirements are for someone who is applying for a first-time SC driver's license, beginner's permit, or identification card, or who was previously licensed in SC and is returning after being issued a license or ID in another state. Please use this checklist as a reference.

- A.** You must surrender any driver's license, beginner's/learner's permit, or ID issued by another state. If it was lost or stolen, you must provide a certified copy of your driving record from the state that issued the driver's license, beginner's permit, or ID.
- B.** You must provide the following **original** documents unless otherwise stated. All documents are subject to verification. Documents not in English must be translated by a qualified translator. The translator must have a letter of verification from their employer on letterhead qualifying them as a translator. The translation must be made on the Translation Document (SCDMV form 4030).
- ☐ 1. Proof of SC residency. *SC Code Sections 56-1-40(7), -80(3).*
  - ☐ 2. Proof of US citizenship/proof of identity, date and place of birth. *SC Code Sections 56-1-40(7), -80, -90.*
  - ☐ 3. Legal documents supporting name change(s), if applicable. See specific requirements below.
  - ☐ 4. Proof of social security number. *SC Code Section 56-1-90.*
  - ☐ 5. Automobile liability insurance information from a company licensed to do business in SC. Insurance information is not required for a beginner's permit or ID. *SC Code Section 56-1-80(C).*

**1. Proof of South Carolina Residency** - *As the applicant, you MUST provide one of the following documents and it must show your name and current physical SC address (not P.O. Box), except as noted:*

- **School Records** - must be from an SC school, college or university (current or prior school year)
  - Student ID or report card (address not required)
  - Letter or contract from Home Schooling Association
  - Official letter from your school or school district on school or district letterhead (must indicate enrollment period)
  - Letter from an out-of-state boarding school or a professional career development institute indicating that you live in SC and attend school out-of-state
  - Certified transcript
  - SC high school diploma (indicating you graduated within the last school year - address not required)
- **Out-of-state or in-state tuition bill** with your SC physical address
- **Current letter of employment or payroll stub/statement** (no more than 90 days old). *Stub must be from an SC employer or indicate your SC address if you have an out-of-state employer.*
- **Utility bill** no more than 90 days old. A utility bill is specific to services for an SC residence and must be mailed to an SC address, not an out-of-state address. Examples are electric, water, sewage, cable, and land line phone. Cell phone, Internet and satellite bills are **not acceptable** because they can be mobile instead of permanent.
- **Parolee card or letter** from parole officer (no more than 90 days old).
- **Home mortgage monthly statement** (no more than 90 days old), or deed.
- **County tax bill or property tax receipt for your home**, not vehicle (current or preceding calendar year) Must be mailed to an SC address.
- **State or federal tax records.**
  - Income tax returns for current or prior year are acceptable including electronic tax file or W2.
  - If you are listed on the SC tax return (even as a dependent).
- **Current military orders** detailing active duty assignment in SC along with your military ID.
- **Current letter from military base** with the commander verifying duty station in SC.
- **Bank statement or signed letter** (must be on bank letterhead) showing your name and SC physical address as the account holder (no more than 90 days old).
- **Social security check or annual statement** showing your name and SC physical address (no more than 90 days old).
- **Insurance documentation** (no more than 90 days old) from a company licensed to do business in SC:
  - Current automobile or life insurance bill (cards or policies are not accepted)
  - Current homeowner's insurance policy or bill
  - Current health insurance statement (cards or policies are not accepted).
- **Letter from director of SC social welfare institution** (such as: homeless shelter, battered women's shelter, halfway house, group home, orphanage) stating you are a resident of its facility (no more than 90 days old).
- **US Postal Service** change of address confirmation letter or postmarked US mail with forwarding address label (no more than 90 days old) must contain your first and last name, state and zip code.

**2. Proof of US Citizenship/Proof of Identity and Date of Birth** - *You must provide one of the following:*

- **Birth certificate** with birth/file, book, volume, page or tracking number and registrar's signature issued by the county or Bureau of Vital Statistics
- **Birth certificate from US territory** (must be translated if not in English) - American Samoa, Guam, Northern Mariana Islands, Puerto Rico (issued after June 30, 2010), and the US Virgin Islands
- **Delayed birth certificate.** If birth certificate is not issued at time of birth, you can apply for birth certificate from Bureau of Vital Statistics
- **Current US Passport or US Passport Card**
- **Certificate of US Naturalization** - USCIS Form (N-550 or N-570)
- **US government issued Consular Report of Birth Abroad**
- **Certificate of Citizenship** (N-560 or N-561)

*If your birth certificate shows that you were not born in the United States, then you must **also** provide an additional document from the above list to prove US citizenship.*

**3. Legal Documents Supporting Name Change(s)**

*If your name has changed since birth, you must present all legal documents (such as: adoption records, copy of marriage certificate or license issued by state/county records office, certificate of naturalization, and court ordered name change) supporting all name changes from the name which appears on your birth certificate or proof of identity to the present.*

**4. Proof of Social Security Number (SSN)** - *You must provide one of the following and it must show your entire SSN:*

- **Social security card**
- **SSA-1099** - "Survivor Benefit Form"
- **US military photo ID** if SSN is present on card (active, retired or reservist military status with DOD)
- **US military photo ID along with DD-214** if SSN is not present on card
- **Current military dependent ID**
- **US Uniform Services Identification and Privilege Card** (DD-1173) *must include photograph*
- **Medicare letter** from Social Security Administration\*
- **Medicare card\***
- **Payroll stub** must include your name and the employer's name\*
- **W-2 Form** must include employer's name, address, and your name\*
- **State or federal income tax return** as long as your name is listed on return with SSN\*

*\* The SCDMV is required to verify your social security number with the Social Security Administration. Visit the Social Security Administration's website for instructions on how to replace a lost social security card <http://www.socialsecurity.gov/ssnumber/>*

**5. Automobile Liability Insurance Information** *from a company licensed to do business in SC only if you are applying for a driver's license*

**If you are from a United States Territory, you must successfully complete the vision, knowledge, and skills tests when applying for commercial driver's licenses.**



# South Carolina Department of Motor Vehicles United States Citizens' Checklist

Page 462 of 1104

**MV-93**  
(Rev. 05/17)

These requirements are for someone who is applying for a first-time SC driver's license, beginner's permit, or identification card, or who was previously licensed in SC and is returning after being issued a license or ID in another state. Please use this checklist as a reference.

- A.** You must surrender any driver's license, beginner's/learner's permit, or ID issued by another state. If it was lost or stolen, you must provide a certified copy of your driving record from the state that issued the driver's license, beginner's permit, or ID.
- B.** You must provide the following **original** (not photocopies) documents unless otherwise stated. All documents are subject to verification. This list is subject to change at the SCDMV's discretion. Documents not in English must be translated by a qualified translator. The translator must have a letter of verification from their employer on letterhead qualifying them as a translator. The translation must be made on the Translation Document (SCDMV form 4030).
- ☐ 1. Two proofs of SC address. 6 CFR Section 37.11(f); SC Code Sections 56-1-40(7), -80(3)
  - ☐ 2. Proof of US citizenship/proof of identity, date and place of birth. 6 CFR Section 37.11(c), (d); SC Code Sections 56-1-40(7), -80, -90
  - ☐ 3. Legal documents supporting name change(s), if applicable. See specific requirements below. 6 CFR Section 37.11(c)
  - ☐ 4. Proof of social security number. 6 CFR Section 37.11(e); SC Code Section 56-1-90.
  - ☐ 5. Automobile liability insurance information from a company licensed to do business in SC. Insurance information is not required for a beginner's permit or ID. SC Code Section 56-1-80(C).

**1. Two Proofs of SC Address** - As the applicant, you **MUST** provide two items from the categories listed below and both must show your name and current SC address of residence (not PO Box). Both items must be from a different category (a through p).

- a) Unexpired SC driver's license, beginner's permit, ID, or vehicle registration:** must show your current residential address or your updated address must be on file within the SCDMV's system if it is not reflected on your credential.
- b) Unexpired SC Concealed Weapons Permit (CWP).**
- c) County tax bill or property tax receipt for your residence** (current or preceding calendar year) Must be mailed to your SC address.
- d) State or federal tax records** Income tax returns for current or prior year are acceptable including electronic tax file or W2. You must be listed as a primary tax payer or dependent.
- e) Current military orders or letter from military base:**
  - Orders detailing active duty assignment in SC along with your military ID.
  - Letter from military base with the commander verifying duty station in SC.
- f) School records** - must be from an SC school, college or university (current or prior school year).
  - Letter or contract from Home Schooling Association.
  - Official letter from your school or school district on school or district letterhead (must indicate enrollment period).
  - Certified transcript.
  - Out-of-state or in-state tuition bill with your SC physical address.
  - Letter from an out-of-state boarding school or a professional career development institute indicating that you live in SC and attend school out-of-state.

**If presenting one of the following items, it cannot be more than 90 days old.**

- g) Utility bill for services at your current SC residence** (mailed to your SC address, not an out-of-state address): may be a water, sewer, gas and electricity, cable/satellite TV, internet, cell phone, or telephone bill.
- h) Financial statements: credit card or bank statement or signed letter on bank letterhead:** must also show your name and SC physical address as the account holder.
- i) Home mortgage monthly statement or deed.**
- j) Social security check or annual statement.**
- k) Insurance documentation from a company licensed to do business in SC:**
  - Automobile or life insurance bill (cards or policies are **not** accepted).
  - Health insurance statement (cards or policies are **not** accepted).
  - Homeowner's insurance policy or bill.
- l) Current letter of employment or payroll stub/statement from an SC or out-of-state employer.**
- m) US Postal Service letter or item delivered by the US Post Office:**
  - Change of address confirmation letter or postmarked US mail with forwarding address label must contain your first and last name, state and zip code.
  - Any postmarked mail showing your name and delivered by the US Post Office to your current address such as: personal letters, or magazines (not advertisements).
- n) Parolee letter from parole officer.**
- o) Other documents issued by federal/state/municipal government.**

**p) Letter from director of SC social welfare institution** (such as a homeless shelter, battered women's shelter, halfway house, group home, orphanage) stating you are a resident of the facility.

**2. Proof of US Citizenship/Proof of Identity and Date of Birth** - You must provide one of the following:

- a) Birth certificate** with birth/file, book, volume, page or tracking number and registrar's signature issued by the county or Bureau of Vital Statistics.
  - Birth certificate from US territory (must be translated if not in English) American Samoa, Guam, Northern Mariana Islands, Puerto Rico (issued after June 30, 2010), and the US Virgin Islands.
  - Delayed birth certificate. If your birth certificate was not issued at time of birth, you can apply for your birth certificate from the Bureau of Vital Statistics.
- b) Unexpired US Passport or US Passport Card.**
- c) Certificate of US Naturalization** - USCIS Form (N-550 or N-570).
- d) US government issued Consular Report of Birth Abroad.**
- e) Certificate of Citizenship** (N-560 or N-561).

If your birth certificate shows that you were not born in the United States, you must **also** provide an additional document from the above list to prove US citizenship.

**3. Legal Documents Supporting Name Change(s)**

If your name has changed since birth, you have two options:

- a) Present a valid unexpired US Passport or US Passport Card**, instead of a birth certificate, and not have to present any name change documents; or
- b) Present a birth certificate or other identity document and provide all legal documents of your name changes linking your name on that identity document to your present day name.** These are examples of legal documents that might support a legal name change: adoption records, copy of marriage certificate or license issued by state/county records office, certificate of naturalization, and court ordered name change.

You have **one** opportunity at the time of marriage to change your middle and/or last name. You may not change your name again to a different variation of the married name without a court order.

**4. Proof of Social Security Number (SSN)** - You must provide one of the following and it must show your name and entire SSN:

- a) Social security card.**
- b) SSA-1099** - "Survivor Benefit Form".
- c) SSA non-1099 form.**
- d) Payroll stub** must include your name and the employer's name.
- e) W-2 Form** must include employer's name, address, and your name.

Visit the Social Security Administration's website for instructions on how to replace a lost social security card <http://www.socialsecurity.gov/ssnumber/>.

**5. Automobile Liability Insurance Information** from a company licensed to do business in SC only if you are applying for a driver's license.

**If you are from a United States Territory, you must successfully complete the vision, knowledge, and skills tests when applying for commercial driver's licenses.**



April 28, 2017

SEC Response to April 19, 2017 Executive Subcommittee Request for Additional Information

***Voter Registration***

- 1. Please provide a list of the additional information a County Election Board may request at the registration stage to determine if an individual is a U.S. citizen, and thus qualified to vote.**

County boards of voter registration and elections may request additional information from an individual at the voter registration stage if the board has reason to believe the individual is not a U.S. citizen. Acceptable documents that can be used to prove citizenship include:

- Birth certificate (issued by a U.S. State or U.S. Department of State)
- U.S. Passport (issued by U.S. Department of State)
- Certificate of Citizenship (issued by U.S. Citizenship and Immigration Services)
- Naturalization Certificate (issued by U.S. Citizenship and Immigration Services)

- 2. Please provide a list of requirements for an individual to be eligible to vote. (Note: This is not asking for what can be provided to prove eligibility).**

To register to vote in South Carolina, a person must meet the following qualifications:

- Must be a U.S. Citizen.
- Must be at least 18 years of age. A person who is not yet 18 years of age, but will attain 18 years of age by the date of an upcoming election, may register to vote beginning 150 days prior to the election. If there is a primary associated with the election, the person may register to vote beginning 150 days prior to the primary.
- Must be a resident of the county and precinct in which the person is registering to vote
- Must not be adjudicated by a court of competent jurisdiction to be mentally incompetent.
- Must not be serving a term of imprisonment for the conviction of any crime.
- Must not be convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

- 3. Please provide a list of every avenue through which an individual may register to vote (e.g., telephone, mail, online, in person, etc.)**

Online	On-line Voter Registration (OVR) application allows a citizen with a valid S.C. Driver's License or S.C. Identification Card issued by the S.C. Department of Motor Vehicles (DMV) to register to vote and/or update their address.
Mail, Email, Fax	Forms accepted by mail, email, fax: 1. S.C. Voter Registration by Mail Form 2. National Voter Registration Application 3. Federal Post Card Application (FPCA) 4. Federal Write-in Absentee Ballot (FWAB) Forms available here: 1. scVOTES.org 2. County Offices of Voter Registration and Elections 3. Public Libraries and other State, County, and City government offices

	Forms may be mailed, emailed or faxed to the voter's county board of voter registration and elections
In-person	County Offices of Voter Registration and Elections
NVRA Agencies	National Voter Registration Act (aka Motor Voter) agencies: DMV, DSS, DHEC, DMH, Commission for the Blind, DAODAS, DHHS, DDSN, Voc Rehab, Armed Forces Recruiting Offices, Protection and Advocacy for People with Disabilities
Electronic Voter Accessibility Tool (EVAT)	Electronic Voter Accessibility Tool (EVAT) allows U.S. citizens who are Service members, their eligible family members or overseas citizens to upload their Federal Post Card Application, which is accepted as a voter registration application.

**4. For each avenue listed above, please provide the following:**

- **Entity and location at which the individual may register (including all agencies through whom an individual may register to vote)**
- **Specifically what action the individual must take at the location to register to vote, including the options of information/documentation that can be shown/provided to establish the individual satisfies each requirement of an eligible voter.**
- **Who is responsible for verifying the accuracy of the information/documentation shown/provided by the individual registering to vote.**
- **How the individual(s) at each entity and location records the information that establishes the individual is an eligible voter;**
- **What the entity does with the information recorded (e.g., sends to Election Commission and deletes, sends to Election Commission and stores, etc.);**
- **How the entity transmits the individual's information to the Election Commission.**
- **The name of the entity responsible for determining an individual's correct county and precinct based on information provided when the individual registered?**

See Attachments A and B.

**5. For each entity and location above, common causes of issues/complaints from individuals who believed they registered to vote through the entity or at the location, but when they arrived at their precinct were told they were not registered to vote.**

See Attachment A.

**6. Are there any databases maintained by the Federal government through which the Election Commission could verify those in the voter registration system that are U.S. citizens?**

The SEC is not aware of any federal database through which the citizenship of all voters could be verified.

**7. Please provide a bullet list summary of the instructions provided to County Election Boards, during mandatory training with the Election Commission, in regards to methods for verifying citizenship.**

The following instruction related to verification of citizenship is included in mandatory training for county boards of voter registration and elections and for county election directors:

- The county board is responsible for determining the qualifications of a person who applies to register to vote.
- The board must be satisfied that the applicant meets all voter registration requirements, including the citizenship requirement.
- All applicants must complete a voter registration application. The applicant must attest to citizenship on the voter registration application and by signing the application takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.
- In most cases, this attestation should be sufficient to satisfy the board that the applicant is a U.S. citizen.
- If the board has some question as to the qualifications (including citizenship) of any applicant, the board may require additional documentation as outline in the response to Question 1.
- County board members, directors, and staff are trained to use caution in requiring additional documentation to prove citizenship. Additional documentation should only be required if there is a real question, based on individual circumstances, about whether the person is a U.S. citizen.
- Additional documentation must not be requested based on race, color, ethnicity, national origin, or language as doing so would be discriminatory. Counties are cautioned that appearing to create a barrier to voter registration would be a violation of Federal and State laws.

**8. What information from voter registration databases at the Election Commission is available for sale?**

Any registered voter in South Carolina can purchase a list of registered voters. The list is available in the following formats: tape, diskette, mailing labels, printed report, or electronic download via online. Information on voters can be selected by the following combinations:

Registered voters

- Name
- Address
- County
- Precinct
- Election district (house, senate, congressional, county council, city council, school district)
- Age
- Gender
- Race
- Household (Information on only one person per household)
- Participation in the last two statewide primaries and statewide general elections
- Date of registration
- Registration status

Election participation

- Name
- Address
- County
- Precinct
- Election district (house, senate, congressional, county council, city council, school district)
- Age
- Gender
- Race
- Household (Information on only one person per household)
- Participation in the last two statewide primaries and statewide general elections
- Date of registration
- Registration status
- UOCAVA status
- Party voted
- Voting method

**What information from voter registration lists at County Election Boards is available for sale?**

None. County boards of voter registration and election may charge a fee under the Freedom of Information Act (FOIA) for voter information when requested, but the county boards do not offer voter registration information for sale.

***Candidate Registration***

- 1. Please answer questions 2, 3, and 4 under Voter Registration, but as it relates to individuals registering to run as a candidate in an election.**

**Candidate Eligibility/Qualifications**

- General Qualifications
  - No person may be popularly elected to and serve in any office in the State unless he is registered to vote in the geographical area represented by the office
  - A person convicted of a felony or an offense against the election laws is not qualified to file for or hold office, unless it has been fifteen years since the completion of the sentence for the crime or unless the person has been pardoned (S.C. Constitution, Article VI, Section 1).
- Specific Qualifications
  - See Attachment C for specific qualifications for federal, state and county offices
  - Qualifications for municipal offices may vary by ordinance.
  - Qualifications for school boards and special purpose district may vary by enabling legislation

## Candidate Filing Process

- **Partisan Candidates**
  - Candidates for federal office, statewide office, and solicitor must file with the State Election Commission.
  - Candidates for State Senate, State House of Representatives, countywide office, and less-than-countywide office must file with the county board of voter registration and elections in the candidate's county of residence.
  - The filing period for the General Election opens at noon on March 16th of the election year and closes at noon on March 30th of the election year.
  - The filing period for special elections opens at noon on the third Friday after the vacancy occurs and closes at noon, 10 days later.
  - A candidate who files for the nomination of a party that nominates by primary must pay a filing fee. The filing fee is one percent of the annual salary of the office multiplied by the number of years in the term of office or \$100, whichever is greater. This fee is applied to funding the party's primary. A candidate who files for the nomination of a party that nominates by convention does not pay a filing fee.
  - At the time of filing, candidates present three copies of a completed Statement of Intention of Candidacy/Party Pledge form (SICPP) available at [scVOTES.org](http://scVOTES.org), the SEC, and county voter registration and elections offices. The candidate must also present a check or money order for any necessary filing fees.
  - The candidate must sign the SICPP form in front of an election official unless the candidate's signature has been notarized.
- **Nonpartisan Candidates**
  - Petition candidates must file a nominating petition containing the valid signatures of at least one percent of the active registered voters in the geographical area represented by the office, not to exceed 10,000 signatures. Candidates for federal and state offices, State Senate, State House, and multi-county offices file petitions with the SEC. Candidates for countywide and lesser offices file petitions with the county board of voter registration and elections. Petition signatures are checked against voter registration records on file with county boards of voter registration and elections to determine the number of valid signatures. The petition deadline for the General Election is noon, July 15. The petition deadline for special elections is noon, 60 days prior to the date of the election.
  - Generally, nonpartisan candidates (other than petition candidates) file using a Nonpartisan Statement of Intention of Candidacy Form available at [scVOTES.org](http://scVOTES.org), the SEC, and county voter registration and elections offices. In General Elections, nonpartisan candidates must file by noon, August 15. The filing period for nonpartisan special elections opens at noon on the third Friday after the vacancy occurs and closes at noon, 10 days later.
  - Candidates should check locally for specific filing requirements for nonpartisan and municipal offices. Nonpartisan candidate filing requirements may vary by office based on requirements in enabling legislation and municipal ordinances.
- When candidates file, their names are entered into the Candidate Tracking System, which is part of the Statewide Voter Registration System. The Candidate Tracking System makes candidate information instantly available to the public throughout a filing period. The public can view candidate names and other information and download copies of candidates' filing forms.

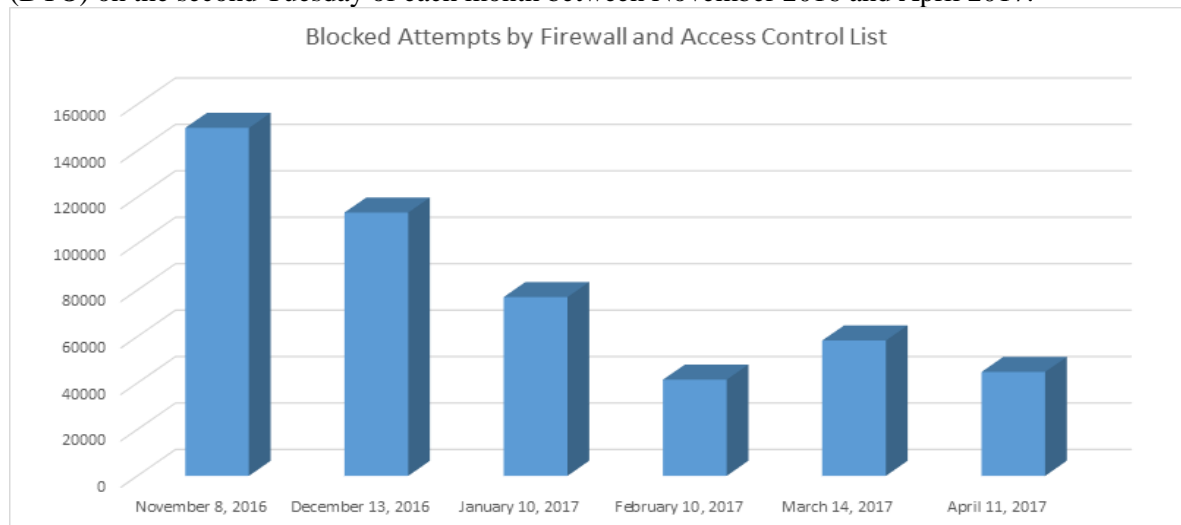
### Candidate Certification Process

- Political parties are responsible for certifying partisan candidates to the SEC and county boards of voter registration and elections. Political parties certify that each candidate meets the qualifications for the office for which the candidate has filed.
- The responsibility for checking qualifications and certifying nonpartisan candidates lies with the entity that receives the filing (SEC, county board of voter registration and elections, or municipal election commission).

### Cyber Security

#### 1. How many times per day does each of the Election Commission's databases receive a hit that attempts to penetrate the system?

The chart below shows the number of blocked attempts to penetrate the firewall of the statewide voter registration system hosted at the Department of Administration Division of Technology (DTO) on the second Tuesday of each month between November 2016 and April 2017.



November 8, 2016	149,832
December 13, 2016	113,372
January 10, 2017	76,993
February 10, 2017	41,420
March 14, 2017	58,278
April 11, 2017	44,754



### ***Voting Machines and Poll Managers***

- 1. Does statute or regulation not set out a formula for the number of voting machines and poll managers each precinct must have based on the number of registered voters in the precinct?**

#### **Poll Managers (SECTION 7-13-72)**

For the general election held on the first Tuesday following the first Monday in November in each even-numbered year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for each five hundred electors, or portion of each five hundred electors, registered to vote at the polling place.

For primary elections held on the second Tuesday in June of each general election year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for the first five hundred electors registered to vote in each precinct in the county, and may appoint three additional managers for each five hundred electors registered to vote in the precinct above the first five hundred electors, or portion thereof.

For all other primary, special, or municipal elections, the authority charged by law with conducting the primary, special, or municipal elections must appoint three managers of election for the first five hundred electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each five hundred electors registered to vote in the precinct above the first five hundred electors.

#### **Voting Machines (SECTION 7-13-1680)**

The governing body of any county or municipality providing voting machines at polling places for use at elections shall provide for each polling place at least one voting machine for each two hundred fifty registered voters or portion thereof or as near thereto as may be practicable.

### ***Election Commissioners***

- 1. Please provide the list of current commissioners, which of the commissioners serves as the member of the majority party in the General Assembly, which of the commissioners serves as the member of the largest minority party in the General Assembly, and the date each commissioner was originally appointed to serve as a commissioner.**

Billy Way, Jr., Chairperson, Richland; Appointed September 15, 2012

Marilyn Bowers, Pickens; Appointed January 22, 2014

Mark A. Benson, Beaufort; Appointed September 15, 2014

E. Allen Dawson, Charleston; Appointed September 15, 2012

Nicole Spain White, Richland; Appointed November 28, 2011

*County Election Boards*

**SC Code Section 7-5-10(C) addresses previous governing structures and when they will be transitioned to new ones. Specifically it states: (C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.**

- 1. In light of the last sentence of 7-5-10(C), are there any counties that do not have at least five members of the successor board appointed and qualified? (i.e. are there any still running under the old system)**

Per the Governor's Office, all board members have been appointed/reappointed under the new system.

- 2. Is there a chart which includes the following information, by county:**
  - a. Number of individuals on the Board of Voter Registration and Elections**
  - b. Number of years each individual has served on the Board**

See Attachment D

Entity/Location	Voter Registration	Common Issues/Complaints
Online Voter Registration (OVR)	<ol style="list-style-type: none"> <li>1. On-line Voter Registration (OVR) application allows a citizen with a valid S.C. Driver's License or S.C. Identification Card issued by the S.C. Department of Motor Vehicles (DMV) to register to vote and/or update their address.</li> <li>2. Citizens access OVR through scVOTES.org. The voter enters their name, address, date of birth and driver's license number.</li> <li>3. The information submitted by the voter is cross-checked against DMV records. If information matches, the system creates a signed voter registration application using the person's signature on file with DMV.</li> <li>4. County election officials receive signed applications and an electronic record in an OVR queue in the statewide voter registration system for processing by the county.</li> </ol>	<ul style="list-style-type: none"> <li>• Was not aware of the voter registration cutoff date for an upcoming election</li> <li>• Voter that has moved from one county to another did not know that they must register in new county by voter registration deadline</li> <li>• Voter fails to update address first with DMV</li> </ul>
Mail, Email, Fax, and In Person Application at County Voter Registration and Elections Offices	<ol style="list-style-type: none"> <li>1. Each county office has staff trained to accept in-person, mail, email and faxed voter registration applications.</li> <li>2. Voters register by submitting a completed and signed voter registration application.</li> <li>3. Forms accepted by mail, email, fax: <ul style="list-style-type: none"> <li>• S.C. Voter Registration by Mail Form</li> <li>• National Voter Registration Application</li> <li>• Federal Post Card Application (FPCA)</li> <li>• Federal Write-in Absentee Ballot (FWAB)</li> </ul> </li> <li>4. Forms available here: <ul style="list-style-type: none"> <li>• scVOTES.org</li> <li>• County Offices of Voter Registration and Elections</li> <li>• Public Libraries and other State, County, and City government offices</li> </ul> </li> <li>5. For in person registration, county officials use an in-office voter registration form</li> <li>6. Acceptable forms of identification for those registering include; <ul style="list-style-type: none"> <li>• Current and valid photo id showing name, address, and picture</li> <li>• Current utility bill listing name and address</li> <li>• Bank statement listing name and address</li> <li>• Paycheck listing name and address</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Was not aware of the voter registration cutoff date for an upcoming election</li> <li>• Voter that has moved from one county to another did not know that they must register in new county by voter registration deadline</li> <li>• Information provided on the application was incomplete</li> <li>• Address provided was invalid</li> <li>• Completed application but did not receive a card</li> </ul>

Entity/Location	Voter Registration	Common Issues/Complaints
	<ul style="list-style-type: none"> <li>• Government document that lists name and address</li> </ul> <p>7. Citizens can request to have a voter registration application mailed to them</p> <p>8. Citizens are required to read and sign the Voter Declaration that affirms they;</p> <ul style="list-style-type: none"> <li>• Are a U.S. citizen</li> <li>• Will be 18 years old on or before the next election</li> <li>• Resident of S.C.</li> <li>• Not under court order declaring them mentally incompetent</li> <li>• Address listed is their only legal place of residence</li> <li>• Not confined in a public prison resulting from a conviction</li> <li>• Have never been convicted of a felony or offense against election laws or of previously convicted they have served their entire sentence</li> </ul> <p>9. County office staff review the application information for completeness then enter the application data directly into the statewide Voter Registration and Election Management System (VREMS) maintained by the State Election Commission (SEC).</p> <p>10. The county board of voter registration and election is responsible for placing voters in correct precincts and districts based on the voter's address.</p> <p>11. Paper applications are kept on file permanently by county board of voter registration and elections.</p>	
<p>Section 7-5-310 NVRA Agencies;</p> <ul style="list-style-type: none"> <li>• DSS</li> <li>• DHEC</li> <li>• DDSN</li> <li>• Blind</li> <li>• Voc Rehab</li> <li>• DAODAS</li> <li>• DMH</li> <li>• DMV</li> <li>• Armed Forces Recruiting Offices</li> </ul>	<p>Each NVRA agency has offices throughout S.C. to assist their clients to register to vote or update their voter registration data. Each agency has staff trained on voter registration qualifications, the NVRA, and to;</p> <ul style="list-style-type: none"> <li>• Verify their clients voter registration qualifications</li> <li>• Offer them assistance to complete their voter registration application</li> <li>• Direct non-clients where to find mail voter registration applications. Many agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Clients submit redundant voter registration applications because clients have contact with more than one NVRA agency.</li> <li>• Voter believes they registered at DMV; however, DMV records shows the</li> </ul>

Entity/Location	Voter Registration	Common Issues/Complaints
<ul style="list-style-type: none"> <li>Protection and Advocacy for People with Disabilities</li> </ul>	<p>have mail voter registration applications available for non-clients complete</p> <ul style="list-style-type: none"> <li>Some agencies transmit client voter registration data electronically to the SEC weekly for uploading into the statewide voter registration system</li> <li>All agencies deliver client voter registration applications directly to county boards of voter registration and elections</li> </ul>	<p>client responded “no” to the voter registration question</p>
<p>Electronic Voter Accessibility Tool (EVAT)</p>	<ol style="list-style-type: none"> <li>The Electronic Voter Accessibility Tool (EVAT) allows U.S. citizens who are Service members, their eligible family members or overseas citizens to upload their Federal Post Card Application (FPCA), which is accepted as a voter registration application.</li> <li>Military and overseas citizens access EVAT online through scVOTES.org.</li> <li>EVAT provides a link to the Federal Voting Assistance Program’s website for completion of the FPCA.</li> <li>Citizen uploads a copy of the FPCA through EVAT.</li> <li>The FPCA appears in a queue in the statewide voter registration system for processing by county boards of voter registration and elections.</li> </ol>	<p>None.</p>

## County Offices of Voter Registration and Elections

County	Address
01 - ABBEVILLE	901 W Greenwood Street, Ste 2500 Abbeville, SC 29620
02 - AIKEN	1930 University Pkwy, Ste 1200 Aiken, SC 29801
03 - ALLENDALE	158 McNair Street Allendale, SC 29810
04 - ANDERSON	301 N Main Street Anderson, SC 29621
05 - BAMBERG	1234 North Street Bamberg, SC 29003
06 - BARNWELL	367 Fuldner Road Barnwell, SC 29812
07 - BEAUFORT	15 John Galt Road Beaufort, SC 29906
08 - BERKELEY	6 Belt Drive Moncks Corner, SC 29461
09 - CALHOUN	102 Courthouse Drive, Ste 115 St Matthews, SC 29135
10 - CHARLESTON	4367 Headquarters Road North Charleston, SC 29405
11 - CHEROKEE	110 Railroad Avenue Gaffney, SC 29340
12 - CHESTER	109 Ella Street Chester, SC 29706
13 - CHESTERFIELD	205 W Main Street Chesterfield, SC 29709
14 - CLARENDON	411 Sunset Drive Manning, SC 29102
15 - COLLETON	2471 Jefferies Hwy Walterboro, SC 29488
16 - DARLINGTON	131 Cashua Street Darlington, SC 29532
17 - DILLON	305 W Hampton Street Dillon, SC 29536
18 - DORCHESTER	201 Johnston Street St George, SC 29477
19 - EDGEFIELD	210 Penn Street, Ste 1 Edgefield, SC 29824
20 - FAIRFIELD	315 S Congress Street Winnsboro, SC 29180
21 - FLORENCE	219 Third Loop Road Florence, SC 29505
22 - GEORGETOWN	303 N Hazard Street Georgetown, SC 29440
23 - GREENVILLE	301 University Ridge, Ste 1900 Greenville, SC 29601



County	Address
24 - GREENWOOD	600 Monument Street, Ste 113 Greenwood, SC 29646
25 - HAMPTON	201 Jackson Avenue W Hampton, SC 29924
26 - HORRY	1515 4th Avenue Conway, SC 29526
27 - JASPER	1506 Grays Hwy Ridgeland, SC 29936
28 - KERSHAW	609 Lafayette Avenue Camden, SC 29020
29 - LANCASTER	101 N Main Street Lancaster, SC 29720
30 - LAURENS	200 Courthouse Public Square Laurens, SC 29360
31 - LEE	101 Gregg Street Bishopville, SC 29010
32 - LEXINGTON	605 W Main Street, Ste 105 Lexington, SC 29072
33 - MCCORMICK	610 S Mine Street McCormick, SC 29835
34 - MARION	2523 E Highway 76 Marion, SC 29571
35 - MARLBORO	119 S Marlboro Street Bennettsville, SC 29512
36 - NEWBERRY	1872 Wilson Road Newberry, SC 29108
37 - OCONEE	415 S Pine Street Walhalla, SC 29691
38 - ORANGEBURG	1437 Amelia Street Orangeburg, SC 29115
39 - PICKENS	222 McDaniel Avenue, Ste B9 Pickens, SC 29671
40 - RICHLAND	2020 Hampton Street Columbia, SC 29204
41 - SALUDA	111 Law Range Saluda, SC 29138
42 - SPARTANBURG	366 N Church Street Spartanburg, SC 29303
43 - SUMTER	141 N Main Street, Rm 114 Sumter, SC 29150
44 - UNION	1246 S Duncan Bypass, Ste B Union, SC 29379
45 - WILLIAMSBURG	5 Court House Square Kingstree, SC 29556
46 - YORK	13 South Congress Street York, SC 29745

## Department of Social Services (DSS) Office Locations

	DSS Office	Address
1.	Abbeville County DSS	909 W. Greenwood St. , Suite 1 Abbeville, SC 29620
2.	Aiken County DSS	1410 Park Ave., SE Aiken, SC 29802
3.	Aiken County DSS – North Augusta	802 East Martintown Rd. Suite 183 North Augusta, SC 29841
4.	Allendale County DSS	521 Barnwell Hwy. Allendale, SC 29810
5.	Anderson County DSS	224 McGee Rd. Anderson, SC 29625
6.	Bamberg County DSS	374 Log Branch Rd. Bamberg, SC 29003
7.	Barnwell County DSS	P.O. Box 1306 Barnwell, SC 29812
8.	Beaufort County DSS	1905 Duke St. Beaufort, SC 29902
9.	Berkeley County DSS	2 Belt Drive Moncks Corner, SC 29461
10.	Berkeley County DSS	105 Gullede Street, Moncks Corner SC
11.	Calhoun County DSS	2831 Old Belleville Rd. St. Matthews, SC 29135
12.	Charleston County DSS	3366 Rivers Ave. N. Charleston, SC 29405
13.	Cherokee County DSS	1434 N. Limestone St. Gaffney, SC 29342
14.	Chester County DSS	115 Reedy St. Chester, SC 29706
15.	Chesterfield County DSS	203 Commerce Avenue Chesterfield, SC 29709
16.	Clarendon County DSS	3 S. Church St. Manning, SC 29102
17.	Colleton County DSS	215 S. Lemacks St. Walterboro, SC 29488
18.	Darlington County DSS	PO Drawer 1377, 130 E. Camden Ave. Hartsville, SC 29551
19.	Darlington County DSS - Darlington	Mozingo Building Darlington, SC 25932
20.	Darlington County DSS- Lamar	528 Cartersville Hwy Lamar, SC 29069
21.	Dillon County DSS	1211 Hwy. 34 W. Dillon, SC 29536
22.	Dorchester County DSS	216 Orangeburg Rd. Summerville, SC 29483
23.	Dorchester County - St. George	201 Johnston St. St. George, SC 29477
24.	Edgefield County DSS	120 W.A. Reel Drive Edgefield, SC 29824
25.	Fairfield County DSS	1136 Kincaid Bridge Road PO Box 210 Winnsboro, SC 29180
26.	Florence County DSS	2685 S. Irby St. Florence, SC 29505
27.	Florence County DSS - Lake City	345 S. Ron McNair Blvd. Lake City, SC 29560
28.	Georgetown County DSS	330 Dozier St. Georgetown, SC 29440
29.	Greenville County DSS	301 University Ridge, Suite 6700 Greenville, SC 29601
30.	Greenville County DSS - Greer	202 Victoria St. Greer, SC 29651
31.	Greenwood County DSS	1118 Phoenix St. Greenwood, SC 29648
32.	Hampton County DSS	102 Ginn Altman Ave., Ste. A Hampton, SC 29924
33.	Horry County DSS	1951 Industrial Park Rd. Conway, SC 29526
34.	Horry County DSS - Loris	3815 Walnut St. Loris, SC 29569
35.	Horry County DSS - Myrtle Beach	1203 21st Ave North Myrtle Beach, SC 29577
36.	Horry County DSS - South Strand	9360 Scipio Lane Myrtle Beach, SC 29588
37.	Jasper County DSS	10908 North Jacob Smart Blvd. Ridgeland, SC 29936
38.	Kershaw County DSS	110 E. Dekalb St. Camden, SC 29020
39.	Lancaster County DSS	1837 Pageland Hwy. Lancaster, SC 29721
40.	Laurens County DSS	93 Human Services Rd. Laurens, SC 29325
41.	Lee County DSS	820 Brown St. Bishopville, SC 29010
42.	Lexington County DSS	1070 S Lake Dr. Suite A Lexington, SC 29073

43.	Marion County DSS	137 Airport Court, Suite A Mullins, SC 29574
44.	Marlboro County DSS	713 S. Parsonage St. Ext. Bennettsville, SC 29512
45.	McCormick County DSS	215 N. Mine St., Hwy 28 N. McCormick, SC 29835
46.	Newberry County DSS	2107 Wilson Rd. Newberry, SC 29108
47.	Oconee County DSS	223A Kenneth St. Walhalla, SC 29691
48.	Orangeburg County DSS	2570 St. Matthews Rd. Orangeburg, SC 29118
49.	Pickens County DSS	212 McDaniel Ave. Pickens, SC 29671
50.	Richland County DSS	3220 Two Notch Rd. Columbia, SC 29204
51.	Richland County DSS - Eastover	120 Clarkson St. Eastover, SC 29044
52.	Saluda County DSS	613 Newberry Hwy. Saluda, SC 29138
53.	Spartanburg County DSS	630 Chesnee Hwy. Spartanburg, SC 29303
54.	Sumter County DSS	105 N. Magnolia St. Sumter, SC 29151
55.	Union County DSS	200 S. Mountain St. Union, SC 29379
56.	Williamsburg County DSS	831 Eastland Ave. Kingstree, SC 29556
57.	York County DSS	933 Heckle Blvd. Rock Hill, SC 29732

## Department of Motor Vehicles (DMV) Office Locations

DMV Office	Address
Abbeville	1331 Haigler St
Aiken	1755 Richland Ave.
Anderson	331 Highway 29 By-Pass North
Bamberg	341 Lacey St.
Barnwell	1270 Main St.
Batesburg	509 Liberty St.
Beaufort	28 Munch Drive
Belton	123 O'Neal St.
Bennettsville	337 Highway 9 W.
Bishopville	508 S. Lee St.
Bluffton	15 Sheridan Park
Blythewood	10311 Wilson Blvd.
Camden	1056 Ehrenclou Drive
Charleston	1119 G Wappoo Road
Charleston	180 Lockwood Blvd.
Chester	508 Belt Road
Chesterfield	100 Laney St.
Columbia	1630 Shop Road
Columbia	228-A O'Neil Court
Conway	4103 Highway 701 N.
Dillon	1705 Highway 301 S.
Edgefield	849 Highway 25 North
Fairfax	3657 Allendale Fairfax Road
Florence	3102 E. Palmetto St.
Fort Mill	3071 Hwy 21
Fountain Inn	1310 N. Main St.
Gaffney	451 Hyatt St.
Georgetown	214 Ridge St.
Greenville	15 Saluda Dam Road
Greenville	300 University Ridge Suite 105
Greenwood	510 W. Alexander Extension
Greer	610 Arlington Road
Irmo	1016 Broad Stone Road
Kingstree	785 Eastland Ave.
Ladson	135 Wimberly Drive
Lake City	728 S. Ron McNair Blvd.
Lancaster	1694 Pageland Highway
Laurens	390 Fairgrounds Road
Lexington	122 Park Road
Little River	107 Highway 57 N.
Manning	3721 Alex Harvin Highway
McCormick	504 Airport Road
Moncks Corner	445 N. Highway 52

DMV Office	Address
Mount Pleasant	1189 Sweetgrass Basket Parkway
Mullins	2757 E. Highway 76
Myrtle Beach	1200 21st Ave. North
Newberry	275 Mount Bethel-Garmany Road
North Augusta	1711 Ascauga Lake Road
North Charleston	3790 Leeds Ave.
Orangeburg	1720 Charleston Highway
Pickens	2133 Gentry Memorial Highway
Ridgeland	407 Live Oak Drive
Rock Hill	305 Hands Mill Road
Saluda	400 W. Wheeler Circle
Seneca	13009 S. Radio Road
Spartanburg	1625 Southport Road
Spartanburg	8794 Fairforest Road
St. George	5315 E. Jim Bilton Blvd.
St. Matthews	415 Chestnut St.
Sumter	430 S. Pike St.
Union	1000 N. Pickney St.
Varnville	115 Cemetary Road
Walterboro	102 Mable T. Willis Blvd.
Winnsboro	1161 Kincaide Bridge Road
Woodruff	351 S. Main St.

## Commission for the Blind Office Locations

Aiken District Office 855 York St. NE Aiken, SC 29801 803.641.7658	Florence District Office 217 Dozier Blvd. Florence, SC 29501 843.661.4788
Charleston District Office Fairfield Office Park 1064 Gardner Road, Suite 109 Charleston, SC 29407 843.852.4225	Greenville District Office 620 North Main St. Greenville, SC 29601 864.241.1111
Columbia Complex (District Office, Administration and Ellen Beach Mack Rehabilitation Center) 1430 Confederate Ave., P.O. Box 2467 Columbia, SC 29202 803.898.8731	Greenwood District Office 108B Bypass 225 S. Greenwood, SC 29646 864.223.3334
Conway District Office 1321-C Third Avenue Conway, SC 29526 843.248.2017	Rock Hill District Office 454 S. Anderson Road, Suite 210 Rock Hill, SC 29730 803.980.8140
	Walterboro District Office 2414 Jeffries Blvd. Walterboro, SC 29488 843.539.1156



## Department of Mental Health (DMH) Office Locations

DMH Office	Address
Polly Best Center Barnwell Clinic	916 Reynolds Road Barnwell, SC 29812
Hartzog Center N. Augusta Clinic	431 West Martintown Road N. Augusta, SC 29841
Aiken Main Clinic	1135 Gregg Highway Aiken, SC 29801
Anderson-Oconee-Pickens Mental Health Center	200 McGee Road Anderson, SC 29625
Day Break Center & WE Pascoe Child & Adolescent Clinic	515 Camson Road, Anderson, SC 29625
Oconee Clinic	115 Carter Park Drive Seneca, SC 29678
Pickens Clinic	337 West Main Street Easley, SC 29640
Beckman (Greenwood) Center for Mental Health Services Main Clinic	1547 Parkway, Suite 100 Greenwood, SC 29646
Abbeville Mental Health Clinic	101 Commercial Drive Abbeville, SC 29620
Edgefield Mental Health Center	409 Simpkins Street Edgefield, SC 29824
Laurens Mental Health Center	442 Professional Park Rd. Clinton, SC 29325
McCormick Mental Health Clinic	202 Highway 28, North McCormick, SC 29835
Newberry Mental Health Clinic, serving Saluda County	2043 Medical Park Dr. Newberry, SC 29108
Berkeley Community Mental Health Center	403 Stoney Landing Road Moncks Corner, SC 29461
Catawba Community Mental Health Center	448 Lakeshore Parkway, Suite 205 Rock Hill, SC 29730
York Adult Services	166 Dotson Street Rock Hill, SC 29732
Chester Clinic	524 Doctors Court Chester, SC 29706
Lancaster Clinic	1906 Hwy. 521 Bypass South Lancaster, SC 29720
Charleston Dorchester Mental Health Center	2100 Charlie Hall Boulevard Charleston, SC 29414
Dorchester Mental Health Clinic	106 Springview Lane Summerville, SC 29485
*Chicora (Naval Hospital)	3600 Rivers Avenue, N. Charleston SC 29405
Coastal Empire Community Mental Health Center	1050 Ribaut Road Beaufort, SC 29902
Allendale County Mental Health Clinic	603 Barnwell Road Allendale, SC 29810
Jasper County Mental Health Clinic	1510 Grays Highway Ridgeland, SC 29936
Colleton County Mental Health Clinic	507 Forest Circle Walterboro, SC 29488
Hampton County Mental Health Clinic	65 Forest Drive Varnville, SC 29944
Hilton Head Mental Health Clinic	151 Dillon Road Hilton Head Island, SC 29925
Columbia Area Mental Health Center	2715 Colonial Drive Suite 100 Columbia, SC 29203
New Horizons/ Lower Richland Clinic	1850 Pineview Dr. Columbia, SC 29209
Fairfield County Clinic / Dayspring (Adult and Child/Adolescent/Family Services)	1073 US Hwy 321 By-Pass S. Winnsboro, SC 29180
Greenville Mental Health Center	124 Mallard Street Greenville, SC 29601
Child and Family Support Services	715 Grove Road, Greenville, SC 29605
Gaston Clinic	3965 Fish Hatchery Road Gaston, SC 29053

DMH Office	Address
Lexington County Community Mental Health Center	301 Palmetto Park Blvd. Lexington, SC 29072
Batesburg/Leesville Clinic	120 W. Church Street, Suite A Batesburg, SC 29006
Orangeburg Area Mental Health Center	2319 St. Matthews Road Orangeburg, SC 29118
Bamberg County Clinic	5573 Carolina Highway Denmark, SC 29042
Calhoun County Clinic	112 Guess Lane St. Matthews SC 29135
Orangeburg County Clinic	1375 Gilway Extension Holly Hill, SC 29059
Pee Dee Mental Health Center	125 East Cheves Street Florence, SC 29506
Darlington County Clinic	900 South Fourth Street Hartsville, SC 29550
Lake City Clinic	675 N. Matthews Road Lake City, SC 29560
Marion County Clinic	1100 S. Main St. Marion, SC 29571
Piedmont Center for Mental Health Services	20 Powderhorn Road Simpsonville, SC 29681
Greer Clinic	220 Executive Drive Greer, SC 29651
Sumter Main Center Medical Services Annex	411 N. Salem Ave Sumter, SC 29151
Sumter County Mental Health Clinic, Adult Services	211 North Magnolia Street Sumter, SC 29151
Children Adolescents and Families Services	1175 Guignard Drive Sumter, SC 29151-1946
Clarendon County Clinic	215 Commerce Street Manning, SC 29102-0273
Kershaw County Clinic	2611 Liberty Hill Road Camden, SC 29020-0645
Lee County Clinic	817 Brown Street Bishopville, SC 29010-0206
Spartanburg Area Mental Health Center	250 Dewey Avenue Spartanburg, SC 29303
Cherokee Mental Health Clinic	125 East Robinson Street Gaffney, SC 29340-3723
Union Mental Health Center	130 Medical Sciences Drive Union, SC 29379-0129
Tri-County Community Mental Health Center	1035 Cheraw Street Bennettsville, SC 29512
Chesterfield Clinic	207 Commerce Ave. Chesterfield, SC 29709
Dillon Clinic	1324 Commerce Drive Dillon, SC 29536
Waccamaw Center for Mental Health Horry County Clinic	164 Waccamaw Medical Park Drive Conway, SC 29526
Georgetown County Clinic	525 Lafayette Circle Georgetown, SC 29440
Williamsburg Clinic	501 Nelson Blvd. Kingstree, SC 29556
G. Werber Bryan Psychiatric Hospital (adult and forensic programs)	220 Faison Drive, Columbia, SC 29203
Patrick B. Harris Psychiatric Hospital	130 Hwy 252, Anderson, SC 29622
Morris Village Alcohol and Addiction Treatment Center	610 Faison Drive, Columbia, SC 29203
William S. Hall Psychiatric Institute	1800 Colonial Drive, Columbia, SC 29203
C. M. Tucker Nursing Care Center (Roddey)	2200 Harden Street, Columbia, SC 29203
Richard M. Campbell Veterans Nursing Home	4605 Belton Highway, Anderson, SC 29621
Veterans' Victory House (Nursing Home)	2461 Sidneys Road, Walterboro, SC 29488
C. M. Tucker Nursing Care Center (Stone)	2200 Harden Street, Columbia, SC 29203
Sexually Violent Predator Treatment Program	4460 Broad River Road, Columbia, SC 29210

## Department of Disabilities and Special Needs (DDSN) Office Locations

DDSN Office	Address
Central Office	3440 Harden Street Ext Columbia, SC 29203
Midlands Regional Center	8301 Farrow Road Columbia, SC 29203
Whitten Center	28373 U.S. Highway 76E Clinton, SC 29325
Coastal Regional Center	9995 Miles Jamison Road Summerville, SC 29485
Pee Dee Regional Center	714 National Cemetery Road Florence, SC 29506
Thad E. Saleeby Development Center	714 Lewellen Avenue Hartsville, SC 29550

## Vocational Rehabilitation (Voc Rehab) Office Locations

Aiken: *(Serving Aiken, Barnwell and Edgefield counties)* 855 York St. N.E. Aiken, SC 29801  
 Anderson: 3001 Martin Luther King Jr. Blvd. Anderson, SC 29625  
 Beaufort: *(Serving Beaufort and Jasper counties)* 747 Robert Smalls Parkway Beaufort, SC 29906  
 Berkeley-Dorchester: 2954 S. Live Oak Drive Moncks Corner, SC 29461  
 Camden: *(Serving Fairfield, Kershaw and Lee counties)* 15 Battleship Road Ext. Camden, SC 29020  
 Charleston: 4360 Dorchester Road North Charleston, SC 29405  
 Conway: *(Serving Horry County)* 3009 Fourth Avenue Conway, SC 29527  
 Conway: *(Serving Georgetown County)* 1777 N. Fraser Street Georgetown, SC 29440  
 Florence: 1947 West Darlington Street Florence, SC 29501  
 Florence: *(Serving Dillon and Marion counties)* 309 North First Avenue Dillon, SC 29536  
 Gaffney Area Office: *(Serving Cherokee County)* 364 Huntington Road Gaffney, SC 29341  
 Gaffney: *(Serving Union County)* 131 North Main Street Jonesville, SC 29353  
 Greenville: *(Serving Greenville /Easley residents in Pickens)* 105 Parkins Mill Road Greenville, SC 29607  
 Greenwood: *(Serving Abbeville, Greenwood, McCormick, Saluda)* 2345 Hwy 72 Greenwood, SC 29646  
 Lancaster: *(Serving Lancaster County and the Pageland area)* 1150 Roddey Drive Lancaster, SC 29720  
 Laurens: 22861 Hwy 76 Clinton, SC 29325  
 Laurens: *(Serving Newberry County)* 2601 Evans Street Newberry, SC 29108  
 Lexington: 1330 Boston Ave. West Columbia, SC 29170  
 Lyman: Bryant Center *(Serving Lyman and the surrounding area)* 180 Groce Road Lyman, SC 29365  
 Marlboro: *(Serving Chesterfield and Marlboro)* 1029 SC-9 West Bennettsville, SC 29512  
 Marlboro: *(Serving Darlington County)* 2413 Stadium Road Hartsville, SC 29550  
 Oconee-Pickens: 1951 Wells Highway Seneca, SC 29678  
 Orangeburg: *(Bamberg, Calhoun and Orangeburg)* 1661 Joe S. Jeffords Hwy S.E. Orangeburg, SC 29115  
 Richland: 516 Percival Road Columbia, SC 29206  
 Richland: *(Downtown Office)* 1430 Confederate Avenue Columbia, SC 29202  
 Richland: *(Satellite Office and Work Training Center)* 201 Corporate Park Blvd. Columbia, SC 29223  
 Rock Hill: *(Serving Chester and York)* 1020 Heckle Blvd. Rock Hill, SC 29732  
 Spartanburg: *(Serving Spartanburg County)* 353 S. Church Street Spartanburg, SC 29306  
 Sumter: *(Serving Clarendon and Sumter)* 1760 North Main Street Sumter, SC 29153  
 Walterboro: *(Serving Allendale, Colleton and Hampton)* 919 Thunderbolt Drive Walterboro, SC 29488  
 Williamsburg: 405 Martin Luther King Jr. Avenue Kingstree, SC 29556

## Department of Alcohol and Other Drug Abuse Services (DAODAS) Office Locations

**SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES**

Mount/February 8, 2017

**ABBEVILLE**

Ms. Laurie Fallaw, Executive Director  
 Cornerstone  
 112 Whitehall Street  
 P.O. Box 921  
 Abbeville, SC 29620  
*Phone:* (864) 366-9661  
*FAX:* (864) 459-5314  
*E-Mail:* lfallow@cornerstonecares.org

**AIKEN**

Mr. H. Herbert Mattocks, Executive Director  
 Aiken Center  
 1105 Gregg Highway  
 Aiken, SC 29801  
*Phone:* (803) 649-1900  
*FAX:* (803) 643-2926  
*E-Mail:* info@aikencenter.org

**ALLENDALE**

Ms. Estelle Rivers, Executive Director  
 New Life Center  
 571 Memorial Avenue  
 P.O. Box 806  
 Allendale, SC 29810  
*Phone:* (803) 584-4238  
*FAX:* (803) 584-0370  
*E-Mail:* erivers@nlcbhsa.org

**ANDERSON**

Ms. Karen B. Beck, Director  
 Anderson/Oconee Behavioral  
 Health Services  
 226 McGee Road  
 Anderson, SC 29625  
*Phone:* (864) 260-4168  
*FAX:* (864) 261-7543  
*E-Mail:* karenbeck@aobhs.org

**BAMBERG**

Mr. Mike Dennis, Executive Director  
 Tri-County Commission  
 on Alcohol and Drug Abuse  
 608 North Main Street  
 P.O. Box 907  
 Bamberg, SC 29003  
*Phone:* (803) 245-4360  
*FAX:* (803) 245-4360 (call before faxing)  
*E-Mail:* sbolton@tccada.state.sc.us

**BARNWELL**

Ms. Cheryl Azouri Long, Executive Director  
 Axis I Center of Barnwell  
 1644 Jackson Street  
 Barnwell, SC 29812  
*Phone:* (803) 541-1245  
*FAX:* (803) 541-1247  
*E-Mail:* info@axis1.org

**BEAUFORT**

Mr. Douglas H. "Bud" Boyne Jr., Director  
 Beaufort County Alcohol and  
 Drug Abuse Department  
 1905 Duke Street (29902)  
 P.O. Box 311  
 Beaufort, SC 29901  
*Phone:* (843) 255-6000  
*FAX:* (843) 255-9406  
*E-Mail:* bray@bcgov.net

**BERKELEY**

Mr. Jerome E. Tilghman Jr., Executive Director  
 Ernest E. Kennedy Center  
 306 Airport Drive  
 Moncks Corner, SC 29461  
*Phone:* (843) 761-8272  
*FAX:* (843) 719-3025  
*E-Mail:* ekcenter@infoave.net

**CALHOUN**

Mr. Mike Dennis, Executive Director  
 Tri-County Commission  
 on Alcohol and Drug Abuse  
 2827 Old Belleville Road  
 P.O. Box 322  
 St. Matthews, SC 29135  
*Phone:* (803) 655-7963  
*FAX:* (803) 655-7963 (call before faxing)  
*E-Mail:* sbolton@tccada.state.sc.us

**CHARLESTON**

Dr. Chanda Brown, Director  
 Charleston Center  
 5 Charleston Center Drive (29401)  
 P.O. Box 31398  
 Charleston, SC 29417  
*Phone:* (843) 958-3300  
*FAX:* (843) 958-3498  
*E-Mail:* cfbrown@charlestoncounty.org

**CHEROKEE**

Ms. Christian C. Little, Executive Director  
 Cherokee County Commission on  
 Alcohol and Drug Abuse  
 201 West Montgomery Street  
 Gaffney, SC 29341  
*Phone:* (864) 487-2721  
*FAX:* (864) 487-2764  
*E-Mail:* cccadacl@bellsouth.net

**CHESTER**

Ms. Maria Bates, Executive Director  
 Hazel Pittman Center  
 130 Hudson Street  
 Chester, SC 29706  
*Phone:* (803) 377-8111  
*FAX:* (803) 581-5380  
*E-Mail:* maria@hazelpittman.org

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **CHESTERFIELD**

Mr. Paul W. Napper, Executive Director  
The ALPHA Behavioral Health Center  
1218 East Boulevard  
P.O. Box 838  
Chesterfield, SC 29709  
*Phone:* (843) 623-7062  
*FAX:* (843) 623-7112  
*E-Mail:* pnapper@alphacentersc.com

### **CLARENDON**

Ms. A. Ann Kirven, Chief Executive Officer  
Clarendon Behavioral Health Services  
14 North Church Street  
P.O. Box 430  
Manning, SC 29102  
*Phone:* (803) 435-2121  
*FAX:* (803) 435-8856  
*E-Mail:* akirven@clarendonbhs.com

### **COLLETON**

Mr. Ronald Rickenbaker, Director  
Colleton County Commission on  
Alcohol and Drug Abuse  
1439 Thunderbolt Drive  
P.O. Box 1037  
Walterboro, SC 29488  
*Phone:* (843) 538-4343  
*FAX:* (843) 538-7613  
*E-Mail:* rickenbaker@lowcountrybhhsa.org

### **DARLINGTON**

Ms. Denise Cooper, Director  
Rubicon Family Counseling Services  
510 East Carolina Avenue (29550)  
P.O. Box 2076  
Hartsville, SC 29551  
*Phone:* (843) 332-4156  
*FAX:* (843) 332-4159  
*E-Mail:* d.cooper@rubiconsc.org

### **DILLON**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
204 Martin Luther King Jr. Blvd.  
Dillon, SC 29536  
*Phone:* (843) 774-6591  
*FAX:* (843) 774-1409  
*E-Mail:* dillon@trinitybehavioralcare.org

### **DORCHESTER**

Mr. Samuel J. Miller, Director  
Dorchester Alcohol and Drug Commission  
500 North Main Street, Suite 4  
Summerville, SC 29483  
*Phone:* (843) 871-4790  
*FAX:* (843) 871-8579  
*E-Mail:* tsmith@dadac.org

### **EDGEFIELD**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
603 Augusta Road  
P.O. Box 41  
Edgefield, SC 29824  
*Phone:* (803) 637-9336  
*FAX:* (803) 637-9339  
*E-Mail:* lfallow@cornerstonecares.org

### **FAIRFIELD**

Mr. Vernon Kennedy, Executive Director  
Fairfield Behavioral Health Services  
200 Calhoun Street  
P.O. Box 388  
Winnsboro, SC 29180  
*Phone:* (803) 635-2335  
*FAX:* (803) 635-9695  
*E-Mail:* vkennedy@fairfieldbhs.org

### **FLORENCE**

Mr. Randy Cole, Chief Executive Officer  
Circle Park Behavioral Health Services  
238 South Coit Street (29501)  
P.O. Box 6196  
Florence, SC 29502  
*Phone:* (843) 665-9349  
*FAX:* (843) 667-1615  
*E-Mail:* rcole@circlepark.com

### **GEORGETOWN**

Mr. Raphael M. Carr, Executive Director  
Georgetown County Alcohol and  
Drug Abuse Commission  
1423 Winyah Street (29440)  
P.O. Box 515  
Georgetown, SC 29442  
*Phone:* (843) 527-3125  
*FAX:* (843) 527-1697  
*E-Mail:* rcarr@gcadac.org

### **GREENVILLE**

Mr. Adam Brickner, Executive Director  
The Phoenix Center  
1400 Cleveland Street (29607)  
P.O. Box 1948  
Greenville, SC 29602  
*Phone:* (864) 467-3790  
*FAX:* (864) 467-2631  
*E-Mail:* abrickner@phoenixcenter.org

### **GREENWOOD**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
1612 Rivers Street  
P.O. Box 50209  
Greenwood, SC 29649  
*Phone:* (864) 227-1001  
*FAX:* (864) 227-3619  
*E-Mail:* lfallow@cornerstonecares.org



## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **HAMPTON**

Ms. Estelle Rivers, Executive Director  
New Life Center  
102 Ginn Altman Avenue, Suite C  
Hampton, SC 29924  
*Phone:* (803) 943-2800  
*FAX:* (803) 943-2267  
*E-Mail:* [erivers@nlcbhsa.org](mailto:erivers@nlcbhsa.org)

### **HORRY**

Mr. John Coffin, Executive Director  
Shoreline Behavioral Health Services  
2404 Wise Road (29526)  
P.O. Box 136  
Conway, SC 29528  
*Phone:* (843) 365-8884  
*Admin. FAX:* (843) 365-6697  
*Clinical FAX:* (843) 365-6685  
*E-Mail:* [john.coffin@shorelinebhs.org](mailto:john.coffin@shorelinebhs.org)

### **JASPER**

Ms. Estelle Rivers, Executive Director  
New Life Center  
651 Grays Highway  
P.O. Box 1362  
Ridgeland, SC 29936  
*Phone:* (843) 726-5996  
*FAX:* (843) 726-4313  
*E-Mail:* [erivers@nlcbhsa.org](mailto:erivers@nlcbhsa.org)

### **KERSHAW**

Mr. Paul W. Napper, Executive Director  
The ALPHA Behavioral Health Center  
709 Mill Street  
Camden, SC 29020  
*Phone:* (803) 432-6902  
*FAX:* (803) 432-6890  
*E-Mail:* [pnapper@alphacentersc.com](mailto:pnapper@alphacentersc.com)

### **LANCASTER**

Mr. Walter J. Quinn, Director  
Counseling Services of Lancaster  
114 South Main Street (29720)  
P.O. Box 1627  
Lancaster, SC 29721  
*Phone:* (803) 285-6911  
*FAX:* (803) 286-6697  
*E-Mail:* [csi@comporium.net](mailto:csi@comporium.net)

### **LAURENS**

Mr. Charles D. Stinson, Executive Director  
GateWay Counseling Center  
219 Human Services Road  
Clinton, SC 29325  
*Phone:* (864) 833-6500  
*FAX:* (864) 833-6905  
*E-Mail:* [cstinson@gatewaycounseling.org](mailto:cstinson@gatewaycounseling.org)

### **LEE**

Mr. Paul W. Napper, Executive Director  
The Lee Center Family Counseling  
and Addiction Services  
108 East Church Street  
Bishopville, SC 29010  
*Phone:* (803) 484-6025  
*FAX:* (803) 484-6121  
*E-Mail:* [pnapper@alphacentersc.com](mailto:pnapper@alphacentersc.com)

### **LEXINGTON**

Ms. Gayle Aycok, President &  
Chief Executive Officer  
LRADAC  
1068 South Lake Drive  
Lexington, SC 29073  
*Phone:* (803) 726-9400  
*FAX:* (803) 726-9403  
*E-Mail:* [clewis@lradac.org](mailto:clewis@lradac.org)

### **MARION**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
103 Court Street  
P.O. Box 1011  
Marion, SC 29571  
*Phone:* (843) 423-8292  
*FAX:* (843) 423-8294  
*E-Mail:* [marion@trinitybehavioralcare.org](mailto:marion@trinitybehavioralcare.org)

### **MARLBORO**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
211 North Marlboro Street, Second Floor  
P.O. Box 1053  
Bennettsville, SC 29512  
(Mail to Director should be sent to Marion address.)  
*Phone:* (843) 479-5683  
*FAX:* (843) 479-5685  
*E-Mail:* [mdcada@trinitybehavioralcare.org](mailto:mdcada@trinitybehavioralcare.org)

### **MCCORMICK**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
504 North Mine Street  
P.O. Box 337  
McCormick, SC 29835  
*Phone:* (864) 852-3306  
*FAX:* (864) 852-3148  
*E-Mail:* [lfallaw@cornerstonecares.org](mailto:lfallaw@cornerstonecares.org)

### **NEWBERRY**

Mr. Hugh B. Gray, Executive Director  
Westview Behavioral Health Services  
800 Main Street  
P.O. Box 738  
Newberry, SC 29108  
*Phone:* (803) 276-5690  
*FAX:* (803) 321-2234  
*E-Mail:* [hgray@westviewbehavioral.org](mailto:hgray@westviewbehavioral.org)

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **OCONEE**

Ms. Karen B. Beck, Director  
Anderson/Oconee Behavioral  
Health Services  
691 South Oak Street  
Seneca, SC 29678  
*Phone:* (864) 882-7563  
*FAX:* (864) 882-7388  
*E-Mail:* karenbeck@aobhs.org

### **ORANGEBURG**

Mr. Mike Dennis, Executive Director  
Tri-County Commission  
on Alcohol and Drug Abuse  
910 Cook Road (29118)  
P.O. Box 1166  
Orangeburg, SC 29116  
*Phone:* (803) 536-4900  
*FAX:* (803) 531-8419  
*E-Mail:* sbolton@tccada.state.sc.us

### **PICKENS**

Mr. Bob Hiott, Executive Director  
Behavioral Health Services  
of Pickens County  
309 East Main Street  
Pickens, SC 29671  
*Phone:* (864) 898-5800  
*FAX:* (864) 898-5804  
*E-Mail:* rehiott@bhspickens.com

### **RICHLAND**

Ms. Gayle Aycock, President &  
Chief Executive Officer  
LRADAC  
2711 Colonial Drive (29203)  
P.O. Box 50597  
Columbia, SC 29250  
*Phone:* (803) 726-9300  
*FAX:* (803)  
*E-Mail:* clewis@lradac.org

### **SALUDA**

Mr. Hugh B. Gray, Executive Director  
Westview Behavioral Health Services – Saluda Office  
204 Ramage Street  
Saluda, SC 29138  
*Phone:* (864) 445-2968  
(864) 445-3827  
*FAX:* (864) 445-9592  
*E-Mail:* hgray@westviewbehavioral.org

### **SPARTANBURG**

Ms. Susan O'Brien, Executive Director  
Forrester Center for Behavioral Health  
187 West Broad Street, Suite 200 (29306)  
P.O. Box 1252  
Spartanburg, SC 29304  
*Phone:* (864) 582-7588  
*FAX:* (864) 582-8119  
*E-Mail:* susan@sadac.org

### **SUMTER**

Mr. Glenn Peagler, Executive Director  
Sumter Behavioral Health Services  
115 North Harvin Street, 3rd Floor (29150)  
P.O. Box 39  
Sumter, SC 29151  
*Phone:* (803) 775-6815  
(803) 775-2727  
*FAX:* (803) 773-6232  
*E-Mail:* gpeagler@sumterbhs.org

### **UNION**

Ms. Nikki Pyles, Executive Director  
Union County Commission on  
Alcohol and Drug Abuse  
201 South Herndon Street  
P.O. Box 844  
Union, SC 29379  
*Phone:* (864) 429-1656  
*FAX:* (864) 429-1667  
*E-Mail:* uccada@uccada.org

### **WILLIAMSBURG**

Ms. Jackie Scott Graham, Director  
Williamsburg County Department on  
Alcohol and Drug Abuse  
115 Short Street  
P.O. Box 506  
Kingstree, SC 29556  
*Phone:* (843) 355-9113  
(843) 355-7123  
*FAX:* (843) 355-9389  
*E-Mail:* jgraham@wcdada.org

### **YORK**

Ms. Janet Martini, Executive Director  
Keystone Substance Abuse Services  
199 South Herlong Avenue  
P.O. Box 4437  
Rock Hill, SC 29732  
*Phone:* (803) 324-1800  
*FAX:* (803) 328-3831  
*E-Mail:* info@keystoneyork.org

## Department of Health and Human Services (DHHS) Office Locations

**Abbeville County**

Human Services Building, 903 West Greenwood Street Abbeville, South Carolina 29620-5678

**Aiken County**

County Commissioner's Building, 1410 Park Avenue, SE Aiken, South Carolina 29801-4776

**Allendale County**

521 Barnwell Road Allendale, SC 29810-1903

**Anderson County**

224 McGee Road Anderson, South Carolina 29625-2104

**Bamberg County**

374 Log Branch Road Bamberg, South Carolina 29003-0544

**Barnwell County**

10913 Ellenton Street Barnwell, South Carolina 29812-0648

**Beaufort County**

1905 Duke Street Beaufort, South Carolina 29902-4403

**Berkeley County**

2 Belt Drive Moncks Corner, South Carolina 29461-2801

**Calhoun County**

*Closed due to flood, working out of Orangeburg office.*

2831 Old Belleville Road St. Matthews, South Carolina 29135-9010

**Charleston County**

3366 Rivers Ave Charleston, South Carolina 29401-1124

**Cherokee County**

1231 N Limestone St, Unit C, Gaffney, SC 29340

**Chester County**

115 Reedy Street Chester, South Carolina 29706-1881

**Chesterfield County**

203 Commerce Ave Chesterfield, South Carolina 29709-1201

**Clarendon County**

3 South Church Street Manning, South Carolina 29102-3454

**Colleton County**

215 South Lemacks Street Walterboro, South Carolina 29488

**Darlington County**

300 Russell Street, Room 145 Darlington, South Carolina 29532-3340

**Darlington County**

404 South Fourth Street, Suite 300 Hartsville, South Carolina 29550-5718

**Dillon County**

1213 Highway 34 West Dillon, South Carolina 29536-8141

**Dorchester County**

216 Orangeburg Road Summerville, South Carolina 29483-8945

**Edgefield County**

120 W.A. Reel Drive Edgefield, South Carolina 29824-1607

**Fairfield County**

1136 Kincaid Bridge Rd Winnsboro, South Carolina 29180-7116

**Florence County**

2685 South Irby Street, Box I Florence, South Carolina 29505-3440

## Department of Health and Human Services (DHHS) Office Locations (Continued)

**Florence County**

345 South Ron McNair Blvd Lake City, South Carolina 29560-3434

**Georgetown County**

330 Dozier Street Georgetown, South Carolina 29440-3219

**Greenville County**

301 University Ridge, Suite 6700 Greenville, South Carolina 29601-3636

**Greenwood County**

1118 Phoenix Street Greenwood, South Carolina 29646-3918

**Hampton County**

102 Ginn Altman Avenue, Suite B Hampton, South Carolina 29924-3962

**Horry County**

Genesis Complex, 1201 Creel St. Conway SC 29527

**Jasper County**

10908 North Jacob Smart Boulevard Ridgeland, South Carolina 29936-2708

**Kershaw County**

110 East DeKalb Street Camden, South Carolina 29020-4432

**Lancaster County DHHS**

1599 Pageland Hwy Lancaster, South Carolina 29720-2409

**Laurens County**

93 Human Services Road Clinton, South Carolina 29325-7546

**Lee County**

820 Brown Street Bishopville, South Carolina 29010-4207

**Lexington County**

605 West Main Street Lexington, South Carolina 29072-2550

**McCormick County**

215 North Mine Street - Highway 28 N McCormick, South Carolina 29835-8363

**Marion County**

137 Airport Ct., Suite J Mullins, SC 29574

**Marlboro County**

713 S. Parsonage St. Ext. Bennettsville, SC 29512

**Newberry County**

County Human Services Center, 2107 Wilson Road Newberry, South Carolina 29108-1603

**Oconee County**

223 B Kenneth Street Walhalla, South Carolina 29691-2443

**Orangeburg County**

2570 Old St. Matthews Road NE Orangeburg, South Carolina 29118-1407

**Pickens County**

212 McDaniel Avenue Pickens, South Carolina 29671-2527

**Richland County**

3220 Two Notch Road Columbia, South Carolina 29204-2826

**Saluda County**

613 Newberry Hwy Saluda, South Carolina 29138-8903

**Spartanburg County**

1000 N. Pine Street, Suite 23, Pinewood Shopping Ctr. Spartanburg, South Carolina 29303

**Sumter County**

105 North Magnolia Street, 3rd Floor Sumter, South Carolina 29150-4941

Department of Health and Human Services (DHHS) Office Locations (Continued)

**Union County**

200 South Mountain Street Union, South Carolina 29379-2389

**Williamsburg County**

121 Hampton Avenue Kingstree, South Carolina 29556-2555

**York County**

454 S. Anderson Road, Suite 10 Rock Hill, SC 29730

## Department of Health and Environmental Control (DHEC) – WIC Program Office Locations

<b>DHEC - WIC Program Location and Address</b>
Abbeville County Health Department 905 W. Greenwood Street Abbeville, SC 29620
Anderson County Health Department 220 McGee Road Anderson, SC 29625
Cherokee County Health Department 400 S. Logan Street Gaffney, SC 29341
Chesnee Health Department 210 Hampton Street Chesnee, SC 29323
Greenville Health Department 200 University Ridge Greenville, SC 29601
Greer Health Department 202 Victoria Street Greer, SC 29651
GHS-OB 701 Grove Road Greenville, SC 29605
Greenwood County Health Department 1736 South Main Street Greenwood, SC 29646
Inman Health Department 6 S. Howard Street Inman, SC 29349
McCormick County Health Department 204 Highway 28 McCormick, SC 29835
Pickens County Health Department 200 McDaniel Avenue Pickens, SC 29671
Simpsonville Center for Community Services 1102 Howard Drive Simpsonville, SC 29681



Slater/Marietta Health Department Foothill Family Resources 3 Main Street Slater, SC 29683
Spartanburg County Health Department 151 E. Wood Street Spartanburg, SC 29303
Union County Health Department 115 Thomas Street Union, SC 29379
Seneca Health Department 609 North Townville Street Seneca, SC 29678
Woodruff Health Department 240 Gregory Street Woodruff, SC 29388
Laurens County Health Department 93 Human Services Road Clinton, SC 29325
Phillis Wheatley Community Center 335 Greenacre Road Greenville, SC 29607
Aiken County Health Department 222 Beaufort Street, NE Aiken, SC 29801
Margaret J. Weston Site 4645 Augusta Road Clearwater, SC 29822
Barnwell County Health Department 11015 Ellenton Street Barnwell , SC 29812
Batesburg-Leesville Clinic 229 West Church Street Batesburg, SC 29006
Chester County Health Department 129 Wylie Street Chester, SC 29706
Edgefield County Health Department 21 Star Road Edgefield, SC 29824

Fairfield County Health Department 1136 Kincaid Bridge Road Winnsboro, SC 29180
Fort Jackson Clinic 4500 Stuart Street FT. Jackson, SC 29207
Kershaw County Health Department 1116 Church Street Camden, SC 29020
Lancaster County Health Department 1833 Pageland Highway Lancaster, SC 29720
Lexington County Health Department 1070-B S Lake Drive Lexington, SC 29073
Newberry County Health Department 2111 Wilson Road Newberry, SC 29108
WIC Satellite Eastover 120 Clarkson Street Eastover, SC 29044
Richland County Health Department 2000 Hampton Street Columbia, SC 29204
Saluda County Health Department 613 Newberry Highway Saluda, SC 29138
York County Health Department 1070-B Heckle Boulevard #204 Rock Hill, SC 29732
York Health Center 116 North Congress Street York, SC 29745
Chesterfield County Health Department 203 N Page Street Chesterfield, SC 29709

Clarendon County Health Department 110 E Boyce Street Manning, SC 29102
Conway Public Health Department 1931 Industrial Park Road Conway, SC 29536
Darlington County Health Department 305 Russell Street Darlington, SC 29532
Dillon County Health Department 201 W Hampton Street Dillon, SC 29536
Florence County Health Department 145 E Cheves Street Florence, SC 29506
Georgetown County Health Department 531 Lafayette Street Georgetown, SC 29440
Hartsville Health Department 130 Camden Avenue Hartsville, SC 29550
Williamsburg County Health Department 520 Thurgood Marshall Highway, Suite A Kingstree, SC 29556
Lee County Health Department 810 Brown Street Bishopville, SC 29010
Marion County Health Department 206 Airport Court, Suite B Mullins, SC 29574
Marlboro County Health Department 711 South Parsonage Street Bennettsville, SC 29512
Sumter County Health Department 105 N Magnolia Street Sumter, SC 29150

Shaw AFB WIC Office 524 Stuart Avenue Shaw AFB, SC 29152
Lake City Health Department 137 N Acline Street Lake City, SC 29560
Myrtle Beach Health Department 700 21 <sup>st</sup> Avenue North Myrtle Beach, SC 29577
Stephen's Crossroad Public Health Department 107 Highway 57 North Little River, SC 29582
Allendale County Health Department 571 N. Memorial Avenue Allendale, SC 29810
Bamberg County Health Department 370 Log Branch Road Bamberg, SC 29003
Berkeley County Health Clinic 109 W Main Street Moncks Corner, SC 29461
Beaufort County Health Department 601 Wilmington Street Beaufort, SC 29902
Bluffton Health Center 4819 Bluffton Parkway #141 Bluffton, SC 29910
Calhoun County Health Department 2837 Bellville Road St. Matthews, SC 29135
Colleton County Health Department 219 S Lemacks Street Walterboro, SC 29488
Goose Creek Health Department 106 Westview Boulevard Goose Creek, SC 29445
Hampton Health Department 531 W Carolina Avenue Varnville, SC 29944
Jasper County Health Department 651 Grays Highway Ridgeland, SC 29936
Holly Hill Health Center

932 Holly Street Holly Hill, SC 29059
Mt. Pleasant Health Clinic 1189 Sweetgrass Basket Parkway Mt. Pleasant, SC 29464
Sea Island Medical Center 3627 Maybank Highway Johns Island, SC 29455
North Area Health Clinic 3963 Whipper Barony Lane Charleston Heights, SC 29405
Northwoods Health Clinic 2070 Northbrook Blvd. A-20 N. Charleston, SC 29406
Orangeburg County Health Department 1550 Carolina Avenue Orangeburg, SC 29116
Dorchester County Health Department 500 N Main Street Summerville, SC 29483

**MINIMUM REQUIREMENTS FOR STATE/FEDERAL OFFICES:**

<b>Office</b>	<b>Min. Age</b>	<b>State Resident</b>	<b>US Citizen</b>	<b>Registered Voter</b>	<b>Term of Office</b>	<b>Consecutive Terms</b>	<b>Special Qualifications/Notes</b>
US Senate	30	No time limit	9 years	Yes	6 years	Indefinite	
US House of Representatives	25	No time limit	7 years	Yes	2 years	Indefinite	
Governor	30	5 years	5 years	Yes	4 years	2	
Lieutenant Governor	30	5 years	5 years	Yes	4 years	2	
Secretary of State	18	No time limit	No time limit	Yes	4 years	Indefinite	
State Treasurer	18	No time limit	No time limit	Yes	4 years	Indefinite	
Attorney General	18	No time limit	No time limit	Yes	4 years	Indefinite	
Comptroller General	18	No time limit	No time limit	Yes	4 years	Indefinite	
State Superintendent of Education	18	No time limit	No time limit	Yes	4 years	Indefinite	
Adjutant General	18	No time limit	No time limit	Yes	4 years	Indefinite	
Agriculture Commissioner	18	No time limit	No time limit	Yes	4 years	Indefinite	
SC Senate	25	No time limit	No time limit	Yes	4 years	Indefinite	Must be a legal resident of the district at the time of filing
SC House of Representatives	21	No time limit	No time limit	Yes	2 years	Indefinite	Must be a legal resident of the district at the time of filing
Solicitors	18	No time limit	No time limit	Yes	4 years	Indefinite	Must be legal resident of circuit 30 days prior to the election. Must be licensed to practice law by the S.C. Bar at the time of his election and throughout his term.



**MINIMUM REQUIREMENTS FOR COUNTY OFFICES:**

<b>Office</b>	<b>Min. Age</b>	<b>Residency Requirement</b>	<b>Registered Voter</b>	<b>Term of Office</b>	<b>Consecutive Terms</b>	<b>Special Qualifications/Notes</b>
Council	18	Must be a resident of the county and/or district at the time of the election	Yes	4 or 2 years	Indefinite	Term is 2 years in Anderson, Edgefield, Orangeburg, & York Counties.
Treasurer	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	Treasurer is appointed in Greenwood & York Counties.
Auditor	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	Auditor is appointed in Greenwood & York Counties.
Clerk of Court	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	
Coroner	21	Must be a resident of the county for at least 1 year immediately preceding the date of the election. Must be a U.S. citizen	Yes	4 years	Indefinite	*See below for complete qualifications
Probate Judge	21	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	S.C. Code of Laws Section 14-23-1040 includes an education/experience requirement for Probate Judge. (Act 678 of 1990) However, the U.S. Department of Justice objected to the requirement, and the act was never precleared and is therefore unenforceable.
Sheriff	21	Must be a resident of the county for at least 1 year immediately preceding the date of the election. Must be a U.S. citizen.	Yes	4 years	Indefinite	**See below for complete qualifications

Office	Min. Age	Residency Requirement	Registered Voter	Term of Office	Consecutive Terms	Special Qualifications/Notes
Register of Deeds	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	
School Board	18	Must be a resident of the county and/or district at the time of the election	Yes	4, 3 or 2 years	Indefinite	Additional qualifications may exist for any particular school board or district. For specific lengths of terms and qualifications, contact the local school district or the S.C. School Board Association.
Soil & Water Conservation District Commissioner	18	Must be a resident of the county and/or district at the time of the election	Yes	4 years	Indefinite	

**\*Candidates for Coroner must meet the following qualifications (S.C. Code of Laws 17-5-130):**

- Must have a high school diploma or equivalent recognized by the State Department of Education.
- Must not have been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.
- Must have one of the following combinations of education and experience:
  - 3 years experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - 2 year associate degree and 2 years experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - 4 year baccalaureate degree and 1 year experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - be a law enforcement officer, as defined by S.C. Code of Laws 23-23-10(E)(1), certified by the S.C. Law Enforcement Training Council with a minimum of 2 years of experience; or
  - be a licensed private investigator with a minimum of 2 years of experience; or
  - have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within 1 year of being elected to the office of coroner.
- Candidates must file a sworn affidavit with the county party chairman no later than the close of the filing period (petition candidates file the affidavit with the county election commission). A Coroner's Filing Affidavit is available for download from the [Filing Forms page](#). Affidavits must contain the following information:
  - date and place of person's birth
  - person's citizenship
  - county of residence and how long the person has been a resident of that county
  - whether the person is a registered voter
  - date person obtained high school diploma or its recognized equivalent

- whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.
- date person obtained an associate degree or baccalaureate degree, if applicable
- date person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable

**\*\*Candidates for Sheriff must meet the following qualifications (S.C. Code of Laws 23-11-110):**

- Must have one of the following combinations of education and experience:
  - High school diploma & 5 years experience as a certified law enforcement officer; or
  - 2 year associate degree & 3 years experience as a certified law enforcement officer; or
  - 4 year bachelor's degree & 1 year experience as a certified law enforcement officer; or
  - Served as a summary court judge for at least 10 years.
- Must not have pled guilty or been convicted of a felony in this state or in any other state or pled guilty or been convicted of driving under suspension of a license or driving under the influence of drugs or alcohol within the past 10 years.
- Candidates must be fingerprinted and have SLED make a search of local, state and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than 130 days prior to the General Election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the results with the county election commission in the county of his residence.
- Candidates must file a sworn affidavit with the county party chairman no later than the close of the filing period (petition candidates file the affidavit with the county election commission). A Sheriff's Filing Affidavit is available for download from the [Filing Forms page](#). Affidavits must contain the following information:
  - date and place of person's birth
  - date person graduated from high school or received equivalent of high school diploma
  - number of years experience person has as a certified law enforcement officer, when applicable
  - number of years experience person has as a summary court judge, when applicable
  - an affirmation the person meets all of the qualification requirements of 23-11-110(A)

<b>County</b>	<b>Current Board Members</b>	<b>Years Served on Board</b>
Abbeville (7)	Teresa Bannister Laura Baughman Betty Bowen Betty Henry Janet Miller Conway Shirley Brenda Tolbert	Unknown 6 3 10 Unknown 3 2
Aiken (9)	James Cosnahan Douglas Gantt Paul Hudak Ron Kolosek Amanda Kay McIver Andrew Marine Moses Myers Sarah Rutland Blanche S. Wimberly	3 1 3 Less than 1 Unknown 5 Unknown 5 2
Allendale (4)	Edwina Bing Robert Connelly, III Jacob Prince Georgia Williams	3 3 3 3
Anderson (7)	Linda Burdette Karen Claflin Jean Holloway Craig Isom Melissa Ledford William Orr Peggy Taylor	Unknown 5 5 Unknown Less than 1 Unknown 11
Bamberg (7)	Verline Baucham Patricia Blume Jimmy Brickle Jannie Johnson Dorothy Lee Eva Manigault Curtis Tyler, Jr.	Unknown Unknown 9 10 Unknown 3 2
Barnwell (7)	Ivan Cohen Bobby Hundley Harriett McKnight Gwendolyn Neal Caroline Nolte Myrtle Smoak Mary Kathleen Thomas	3 10 2 11 4 5 11
Beaufort (8)	William Bronson Tyrone Clifford Beverly Dore Dean Hewitt Bruce Massey James Rowe William Severns Henry Waddington	3 Unknown 7 11 3 8 5 Unknown

Berkeley (9)	Wade Arnette Leon Brown Orval Mills Judy Moody Zonda Powell Donald Rose Don Saturday Frances Taylor Darel Trout	1 Unknown Unknown 11 2 Unknown Unknown Unknown 2
Calhoun (8)	Johnnie Bates Vivian Bodrick Catherine Crosby Rebecca Keller Pamela Phillips Jeff Reid, Jr. Ashley Summers Judy Taylor	Unknown Unknown Unknown Unknown Unknown Unknown 11 Unknown
Charleston (9)	John Bourne Carolyn Lecque Dan Martin Robin Poliakoff Charles Shine June Smith Mary Ann Taylor Christine Varnado Troy Watson	Unknown Unknown Unknown 3 Unknown Unknown 4 Unknown Unknown
Cherokee (8)	Richard Baines Lamar Batchelor Jason Blanton Carlton Bridges Mike Byars James Elliott John Hoilo Meredith McKey	3 Unknown 5 3 1 1 1 1
Chester (6)	Anna Boulware Luke Cameron Andrew Johnson William (Bill) Marion Debbie Parsons Bobbie Starks	3 9 7 Unknown 9 9
Chesterfield (5)	Gerald Baker Martha Charles Roy Neal Phillip Powell Donald Sellers	11 4 Unknown Less than 1 Unknown

Clarendon (9)	Paula Bryant Jeremy Cannon Nancy Cave Gregory Holliday Mattie Johnson Sharon Ridgeway Maggie Robertson Beatrice Simon Betsy Watson	Unknown 1 5 Unknown 1 Unknown 9 Less than 1 2
Colleton (7)	Queenie Crawford Lynette Fryar Angela Gilliard Scott Harvin Dale Headden Celia Price Randall Ulmer, Sr.	7 Unknown 6 6 11 11 2
Darlington (4)	Ellen Causey Hannah Dixon Thomas Heatley Hamer Parnell	Unknown 12 9 6
Dillon (8)	Wilson Brown James Calhoun Amy Cardwell Dorothy Carmichael Mary Davis Michael Grice Ralph Herndon Melissa Thompson	Less than 1 Less than 1 3 3 3 Less than 1 Less than 1 1
Dorchester (5)	Queen Bowman Ronald Jaicks Rodney Profit Arthur Shields Cecil Toulon	Unknown 3 Unknown Unknown 3
Edgefield (6)	Vickie C. Butler Eddie Feagin Donna Lybrand Bob Ramsey David Satcher Beatrice Scott	Less than 1 Unknown Less than 1 Unknown 10 Unknown
Fairfield (7)	Thomas Chase Robert Drake John Glenn, Sr. Carolyn Prioleau Alice Rice Donna Royson Betty Trapp	6 5 9 10 5 3 Unknown



Florence (6)	Gary Cooper Helen Dimery Becky Docherty Rudy Hughes Quincy Kennedy Ashley Nance	1 3 3 Unknown 9 5
Georgetown (8)	Billy Altman Nancy Brown Tracy Gibson Mary Joyce Holmes Jan Lane Dean Smith Robert Wigglesworth Jimmy Young	Unknown Unknown Less than 1 5 4 6 Less than 1 Unknown
Greenville (8)	Jerry Barron Wayne Davis Joyce Hoffman Bill Lynch Bunny Phillips Glenn Phillips Bob Schaffner Markylena Tolbert-Wydman	Unknown Unknown 2 7 Unknown 2 Unknown 7
Greenwood (8)	Ann Broome Jack Chalock David Connor David Eddy Don Going Beth Rembert Derwin Sthare James Wilson	3 Unknown 4 9 3 7 6 Unknown
Hampton (5)	Mark Altman Linda Givens Elise McQuire Kakela Robinson Carlar Williams	3 Unknown 1 9 4
Horry (8)	Vickie Autry Charlie Bellamy, II James Michael Frazier Deborah Johnson Maurice Jones Lawrence Leagans Dorsey Strickland Wiley Taylor, III	Unknown 2 Unknown Unknown 7 Unknown 2 5

Jasper (9)	Joseph Arzillo Rodney Catterton Timothy Crosby Denise Davidson Carrie Fair John Kemp Regenia Scott Carl Tyler Pamela Williams	3 3 1 1 Less than 1 1 Less than 1 12 Unknown
Kershaw (7)	Marvin Best Julia Brock Sally Brown John Clinton Anna Isgett Morris Pate Thoyd Warren	7 Unknown 2 7 Unknown 1 Unknown
Lancaster (4)	Marshall Benson Rick Crimminger Elvira McIlwain-Faulkner Ronnie Wall	9 Unknown 9 8
Laurens (9)	William Adair Chip Brownlee Marilyn Easter Ralph Hardy John Henley Tim Howard Patrick Jackson Reynold Stoddard Cathy Williams	Unknown 3 Unknown 9 3 8 2 5 Unknown
Lee (5)	Herbert Brisbon, Jr. Mary LeGrant Sytricia Price George Wallace Carl Whetsel	2 5 2 1 2
Lexington (9)	Ben Barfield Freddie Black Frenche Brewer John Carrigg Constance Flemming Wilfred Laintz Frances Lindler Jerry McCormick Wyman Merchant	1 7 2 2 1 Less than 1 2 3 2
McCormick (6)	Larry Baker Martha Brown Suffie Jennings Laverne James Moss Peter Shumway Rita Smith	1 5 1 Unknown 1 5

Marion (8)	Curtis Campbell Norma Coote Lewis Evans Linda Godfrey Brenda Hatfield Wallace Hayes Jacqueline McGill David Stone	10 1 11 12 Unknown 10 Unknown 3
Marlboro (8)	James Abraham Keith Brewington Weldon Bruce Chavis Brenda Dixon Phyllis Hagan Ray Howe Marion Smith Sharon Thomas	1 12 2 Unknown Unknown Unknown 4 12
Newberry (6)	Brenda Fulmer John Glasgow Samuel Price, Jr. Doretha Simpson Henry Summer Martha Waller	3 Less than 1 Unknown 3 5 5
Oconee (5)	Robert Brock Edna Reid Flora Riley Webb Smathers, Jr. Bobbie Wilhite	2 15 20 3 7
Orangeburg (6)	Gayle Brown Rose Carson Broadus Jamerson, III Katherine John Jimmy Johnson, Jr. Cornelius Sumpter	5 3 2 Unknown Unknown 3
Pickens (7)	June Bowers Gretchen Campbell Sheree Chapman Kathleen Hane Geneva Robinson William Thompson, Jr. Mary Jane Weeks	12 12 2 3 3 Unknown 6
Richland (5)	Adell Adams Jane Emerson Sylvia Holley Peter Kennedy Shirley Mack	6 2 2 2 Less than 1
Saluda (4)	Jack W. Atkinson Johnny Bosket Ruby Jean Mobley Charles Rentz	6 6 6 5

Spartanburg (6)	Dorothy Broyles Rosemary Byerly Cynthia Church Ruth Littlejohn William Thompson, Jr. Don Watson	8 5 Unknown 3 3 Unknown
Sumter (6)	Leroy Blanding Goliath Brunson, Jr. Edgar Donnalld Glenn Harrell Charles Moore Selena Smith	Unknown Unknown Less than 1 4 Unknown 4
Union (8)	Harriette Belk Doug Gilliam Roger Gregory Pat Littlejohn Deborah O'Daniel Grover Allen Owens Dianne Spencer Keith Vanderford	Unknown Unknown 5 Unknown 4 1 5 Unknown
Williamsburg (7)	Robert Brown Ernest Jarrett Helen McFadden Richard Nelson Glannie Tisdale Sharon Washington Brenda Woods	Unknown 7 Unknown 2 5 Unknown Unknown
York (7)	Joseph Berger Sadie Culp Jonell Hagner Diane Linkous Kenneth Love James Mabrey Steven Rast	Unknown 3 3 Unknown Unknown Unknown Unknown

## *Appendix J. May 3, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - April 18, 2017 - Meeting minutes
  - Study timeline
  - Agency snapshot
  - History
  - Legal directives
    - Creation of the agency
    - Governing body
    - Intent of the General Assembly
  - Products, services, and customers
    - Law require deliverable?
    - # of potential customers and customers served
    - Customer service evaluated?
    - Can agency charge for product/service?
    - Does agency know the cost per unit of the product/service?
    - List of all products and services
  - Other agencies that serve the same or similar customers/products/services
  - Organizational chart
  - Organizational unit details
  - Mission and vision
  - Goals
  - Agency's response to Subcommittee's April 19, 2017 letter
    - Voter registration
    - Candidate registration
    - Cybersecurity
    - Voting machines and poll managers
    - Election commissioners
    - County election boards
    - Attachment A - Voter registration
    - Attachment B - Voter registration locations
    - Attachment C - Candidate qualifications
    - Attachment D - County board members
  - Committee Contact Information
- Documents provided by constituent during meeting
  - Additional materials provided by constituent during May 3, 2017 Subcommittee meeting.

*Executive Subcommittee*

Wednesday, May 3, 2017

**Table of Contents**

\*Items in bold are focus of meeting discussion

	Page Number
• Agenda.....	1
• April 18, 2017 - Meeting Minutes.....	2
• Study Timeline.....	4
• Agency Snapshot.....	6
• History.....	7
• Legal Directives	
o Creation of the Agency.....	9
o Governing Body.....	9
o Intent of the General Assembly.....	10
• <b>Products, Services and Customers</b>	
o Law require deliverable?.....	11
o # of Potential Customers and Customers Served.....	11
o Customer Service Evaluated?.....	11
o Can agency charge for product/service?.....	11
o Does agency know the cost per unit of the product/service?..	12
o List of All Products and Services.....	13
• <b>Other agencies that serve the same or similar customers/products/services</b> .....	16
• <b>Organizational Chart</b> .....	17
• <b>Organizational Unit Details</b> .....	18
• Mission and Vision.....	19
• <b>Goals</b> .....	19
• Agency's Response to Subcommittee's April 19, 2017 letter requesting information	
o Voter Registration.....	21
o Candidate Registration.....	24
o Cybersecurity.....	26
o Voting Machines and Poll Managers.....	27
o Election Commissioners.....	28
o County Election Boards.....	28
o Attachment A - Voter Registration.....	29
o Attachment B - Voter Registration Locations.....	32
o Attachment C - Candidate Qualifications.....	56
o Attachment D - County Board Members.....	60
• Committee Contact Information.....	67



**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Wednesday, May 3, 2017***

***8:30 am***

***Room 110, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Minutes from the April 18, 2017 Subcommittee Meeting**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Robert L. Ridgeway III  
James E. Smith Jr.  
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### **Executive Subcommittee of the Legislative Oversight Committee**

Tuesday, April 18, 2017

Blatt Room 321

#### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

#### **Attendance**

- I. Subcommittee Chairman Gary E. Clary calls the Executive Subcommittee meeting to order on the morning of Tuesday, April 18, 2017, in Room 321 of the Blatt Building. The following members of the Subcommittee are present during all or part of the meeting: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Newton moves to approve the minutes from the February 15, 2017 Subcommittee meeting.

Rep. Newton's motion to approve the minutes from April 5, 2017:	Yea	Nay	Not Voting
Rep. Clary	✓		
Rep. Funderburk	✓		
Rep. Newton	✓		
Rep. Williams	✓		

## Discussion of the State Election Commission

- I. Chairman Clary provides an update on the status of the study of the State Election Commission.
- II. State Election Commission Director Andino presents information on the following topics related to the agency:
  - a. Mission;
  - b. Responsibilities;
  - c. Successes;
  - d. Challenges and Issues;
  - e. Emerging Issues in the next five years;
  - f. History of the agency; and
  - g. Agency's Governing Body.

Members ask questions about the information including but not limited to the methods by which each voter's qualifications to vote (e.g., over 18, citizen of the United States, etc.) are verified, which Director Andino answers.

- III. The meeting is adjourned.

- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study.** Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency submits its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- April 18, 2017 - Subcommittee meets with agency (**Meeting #4**) to discuss the agency's (a) mission, (b) responsibilities, (c) successes, (d) challenges and issues, (e) emerging Issues in the next five years, (f) history of the agency, and (g) agency's governing body.
- May 3, 2017 - (TODAY) Subcommittee meets with agency (Meeting #5) to discuss deliverables (i.e. products and services), organizational units, and goals.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

Study Step: Step #1, Agency Legal Directives, Plan, and Resources

Purpose of Study Step: Determine if the intent of the General Assembly is being implemented (i.e., to put into effect according to or by means of a definite plan or procedure) in the agency's mission, vision and strategic plan.

Meeting #: Meeting 1 and 2 of 2 in Study Step #1

Agency will present:

- History
- Products/services/customers the law instructs the agency to serve/provide and potential negative impacts if the service/product is not provided;
- Other agencies that serve the same or similar products/services/customers and why the manner in which the law instructs the agency to serve/provide is different than the other agencies;
- Mission and Vision; and
- Agency goals and how those goals align with the agency's daily operations.

Source of Information on attached pages: Agency Program Evaluation Report and State Statute

# State Election Commission

## History

Independent agency created in 1968.

SC was the first state in the country to have a statewide voter registration system.

## Voter Services

(1) Statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions; (2) Election support services and technical assistance related to statewide voting system to Counties; (3) Election security oversight and guidance to counties

## Public Information/Training

(1) Administer a mandatory statewide training and certification program for county and municipal election officials; (2) Ongoing training events and workshops; (3) Poll manager training program and materials; (4) Educate the public on the voter registration and election process; (5) Provide information regarding elections and agency activities

## Administration

Leadership and direction for the agency, including administration, finance and support services

## SUCCESSES

- Conduct Statewide Elections and Security

- Statewide Voting System Audits, County Compliance Audits, and Supervision of Counties

- Implementation of Candidate Filing and Photo ID

## ISSUES

- Voting System Refresh
- Election Security
- Meeting Demands of Voters
- Voting System Replacement
- Cyber Security



## History

The State Election Commission (SEC) is created as an independent agency in 1968. At this time, South Carolina creates the first statewide voter registration system in the country. Mr. James B. Ellisor is named executive director, a position he serves until 1992.

In 1984 the SEC implemented the federal Voting Accessibility for the Elderly and Handicapped Act. Also in that year, the **first two counties in the state were given online access to the statewide voter registration system.**

The SEC launched a statewide project to replace paper ballots in 1986. The agency also implemented voter registration by mail, implemented the federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and successfully **transitioned five counties in the state to use of electronic voting machines.**

In 1992, South Carolina began running primaries; and implemented reapportionment following the 1990 census. Lynn McCants was named executive director of the SEC.

As of 1993, **all county election boards have online access to the statewide voter registration system.** James F. Hendrix becomes executive director of the SEC in 1994 and serves in the position through 2002.

The SEC begins a training and certification program for county boards and launches a website to provide information to voters in 1995. The SEC also implements the National Voter Registration Act (Motor Voter) and participates in a technology exhibit for the U.S. Department of Commerce showcasing electronic voting machines used in the state.

In 2000, the SEC participates in the Voting over the Internet Project, which is sponsored by the U.S. Department of Defense, Federal Voting Assistance Program. Following the 2000 census, the SEC implements reapportionment in 2002.

Ms. Marci Andino becomes executive director of the agency in 2003, a position in which she continues to serve at the present. During that year the agency implements the Help America Vote Act.

In 2004 the SEC **begins implementing a statewide electronic voting system** in fifteen counties and moves the agency website to a new platform located at scVOTES.org. It also combines its Voter Services and Election Services Divisions to create the Public Information and Training Division. The statewide electronic voting system is completed in 2005.

For military and overseas voters, the SEC implements instant runoff voting (rank choice) in runoffs in 2006. The agency develops and **begins using electronic voter registration lists at polling places** and launches an intranet site to provide election related information to, as well as communicate with, county election officials.

In 2007 the agency budget is reduced 24%.

The agency conducts the Presidential Preference Primaries for the first time in 2008. In total, it conducts five statewide elections that year (2 Presidential Preference Primaries, Statewide Primary and Runoff, and General Election).

In 2010, the agency implements the federal Military and Overseas Voter Empowerment Act (MOVE). It also **develops and implements an electronic ballot delivery system for military and overseas citizens.**

The statewide **Voter Registration and Election Management System (VREMS)** is implemented in 2011. The agency also develops a voting system audit program to validate vote totals, all while its budget is reduced 24%.

In 2012, the agency **implements an Online Voter Registration System (OVR)**, conducts the Republican Presidential Preference Primary, and undergoes an audit by the Legislative Audit Council.

Following the 2012 census, the agency implements reapportionment and during fiscal year 2012-13, the General Assembly passes recurring funding for the agency to conduct Primaries and General Elections.

In 2013, the agency implements photo identification. Also that year, the U.S. Supreme Court strikes down Section 4 of Voting Rights Act (no longer required to have election changes pre-cleared by the U.S. Department of Justice).

In 2014, the agency is given **supervisory responsibility over county boards of voter registration and elections; responsibility for conducting county compliance audits** and other postelection analysis; and responsibility for conducting candidate filing, which was previously conducted by political parties. That same year the agency creates an *Information Security position*.

The agency conducts the first county compliance audits in 2015. It also creates the *first Area Representative position* and holds a voting system fair to become familiar with current voting systems available around the country at that time.

In 2016, the agency creates a *Staff Attorney position*, *four additional Area Representative positions*, and conducts five statewide elections (2 Presidential Preference Primaries, Statewide Primary and Runoff, and General Election).

## Legal Directives

### Creation of the Agency

State statute created the State Election Commission (SEC). The information below relates to the laws as they exist at the start of 2017.

### Governing Body (i.e. director, commissioners, trustees, etc.)

Pursuant to state statute, the State Election Commission is composed of five Commissioners, with at least one from the majority political party and at least one from the largest minority political party in the General Assembly.<sup>1</sup> Each Commissioner is appointed by the Governor for a four year term, but continues to serve until a successor is appointed.<sup>2</sup>

The Chairman of the Commission is also appointed by the Governor.<sup>3</sup> The Chairman serves a two year term, but continues until a successor is appointed.<sup>4</sup>

The Commission elects an Executive Director of the agency who is directly responsible to the commission, serves at the pleasure of the commission, and is the chief administrative officer for the State Election Commission.<sup>5</sup>

### Meetings

The commission meets in Columbia, South Carolina at least once each month or at such times as considered necessary by the commission.<sup>6</sup> The commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.<sup>7</sup>

### Prohibitions

Commissioners are prohibited from (1) participating in political management or in a political campaign during the member's term of office, (2) making a contribution to a candidate, and (3) knowingly attending a fundraiser held for the benefit of a candidate.<sup>8</sup> Those who violate these rules are subject to removal by the Governor.<sup>9</sup>

Below is a list of the current Commissioners and the date they were appointed.

Date appointed	Commissioner's Name
Sept. 2012	Billy Way, Jr., Chair
Sept. 2010	Mark A. Benson
Sept. 2011	Marilyn Bowers
Sept. 2012	E. Allen Dawson
Nov. 2011	Nicole Spain White

## Intent of the General Assembly

The **intent of the General Assembly** in creating the SEC is not specifically stated in one statute, like other agencies, such as the Law Enforcement Training Council<sup>10</sup>.

Instead, statute outlines numerous tasks for which the Executive Director of the SEC is responsible, including<sup>11</sup>,

- 1) Supervise the conduct of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;
- 2) Conduct reviews, audits, or other postelection analysis of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;
- 3) Maintain a complete master file of all qualified electors by county and by precincts;
- 4) Delete the name of any elector who is:
  - (1) deceased; (2) no longer qualified to vote in the precinct where currently registered;
  - (3) has been convicted of a disqualifying crime; (4) otherwise no longer qualified to vote as may be provided by law; or (5) requests in writing that his name be removed;
- 5) Enter names on the master file as they are reported by the county boards of voter registration and elections;
- 6) Furnish each county board of voter registration and elections 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 official list of voters;
- 7) Maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;
- 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;
- 9) Secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;
- 10) Obtain information from any other source which may assist in carrying out purposes of this section;
- 11) Perform such other duties relating to elections as may be assigned by State Election Commission;
- 12) Furnish at reasonable price any precinct lists to a qualified elector requesting them;
- 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;
- 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
- 15) Establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law.

## Products, Services, and Customers

The agency was asked to provide a list of all its deliverables (i.e. products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts, about each deliverable. A list of the agency's 53 deliverables are included at the end of this section. Below is a summary of the information related to the deliverables.

- Does the law require, allow, or not address the deliverable?

51 of the 53 deliverables are required by law. The two which are allowed in law, but not required are below.

<u>Item #</u>	<u>Allowed pursuant to law, but not required</u>
27	Furnish petition forms to county election officials and interested persons
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings

- Does the agency know the number of potential customers and customers served?

The agency knows the annual number of potential customers for 22 of its 53 deliverables.

The agency knows the annual number of customers served for 29 of its 53 deliverables.

- Does the agency evaluate customer service?

The agency does not evaluate customer service for 50 of its 53 deliverables. There are three deliverables for which the agency does evaluate customer service are below.

<u>Item #</u>	<u>Customer Service Evaluated by agency</u>
7	Conduct a training and certification program for municipal officials
16	Training and certification program for County officials
52	Training courses with common curriculum available in various locations of the state

- Can the agency charge others for the product or service?

The law does not permit the agency to charge for 49 of its 53 deliverables. The four deliverables for which the law allows the agency to charge are below.

<u>Item #</u>	<u>Law Allows Agency to Charge for Deliverable</u>
7	Conduct a training and certification program for municipal officials
8	Furnish precinct lists to a qualified elector
16	Training and certification program for County officials
52	Training courses with common curriculum available in various locations of the state

- Does the agency know the **cost per unit** for the product or service?

The agency does not know the cost per unit for 37 of its 53 deliverables. The sixteen deliverables for which the agency does know the cost per unit are below.

<u>Item #</u>	<u>Cost per Unit known by Agency</u>
8	Furnish precinct lists to a qualified elector
12	Furnish County Boards of Voter Registration and Elections with master list of all registered voters in county
16	Training and certification program for County officials
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections
26	Conduct presidential preference primaries for certified political parties receiving at least five percent of the popular vote
27	Furnish petition forms to county election officials and interested persons
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts
29	Conduct party primaries
30	Establish regular hours and publish notice of candidate filing
31	Conduct second or other primaries
43	Form application for absentee ballot
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election
49	Jury List
50	Disbursement of aid to counties for county voter registration and elections board members
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings
52	Training courses with common curriculum available in various locations of the state



### Agency's Products and Services

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
1	Registration offices and polling places that are accessible to voters with disabilities and voters sixty-five and older	7-11-80
2	Take appropriate steps to ensure that communication with applicants, participants and members of the public with disabilities are effective as communications with other individuals	Proviso 101.3, 2016-2017, Appropriations Act Part 1B
3	Opportunity to register to vote at certain agencies	5-15-90
4	Programs and procedures regarding provisional voting, voting information, updating and upgrading voting equipment, establishing statewide voter registration databases, voter identification and administrative complaints.	42 U.S.C. §§ 1973ee-ee6. (1984)
5	Allowance of qualified service members and overseas citizens to register to vote and vote absentee	42 U.S.C. § 12101, et seq. (1990)
6	Electronic communication for sending material and absentee ballots to UOCAVA voters at least forty-five days prior to the election	52 U.S.C. § 20501, et seq. (1993)
7	Conduct a training and certification program for municipal officials <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the service</i></li> </ul>	52 U.S.C. §§ 20901-21145 (2002)
8	Furnish precinct lists to a qualified elector <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the product</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	52 U.S.C. §§ 20301-20311, (1986)
9	Audits of the County Board of Voter Registration and Elections <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	42 U.S.C. § 1973ff-1 (2009)
10	Master file of all qualified electors by county and precinct	7-3-20
11	Deletion of names of electors for certain statutory reasons	7-3-20
12	Furnish County Boards of Voter Registration and Elections with a master list of all registered voters in the county. <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-3-20
13	Corrective Action plan for non-compliant county Board of Voter Registration and Election members <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-20

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
14	Notification to the Governor of any county board of voter registration and election official that fails to meet training and certification requirements <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-20
15	Notification to any elector whose name has been deleted for reason of conviction or change of address <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-3-25
16	Training and certification program for County officials <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the product</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-3-25
17	Provide supplement to county boards to defray expenses of the voter registration office <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-30
18	Written notification to any person who registers to vote and is found qualified to vote <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-10
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-5-40
20	Electronic voter registration application on the SEC website <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-125
21	Statewide Voter Registration Database <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-5-155.
22	Method of complaint regarding interference with voter registration or privacy of decision to register <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-185
23	Removing of elector from official list	7-5-186
24	Preparation of duplicate registration books for each ward or precinct for every county <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-5-310
25	Conduct candidate filing <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-340
26	Conduct presidential preference primary for certified political parties receiving at least five percent of the popular vote <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-5-660
27	Furnish petition forms to county election officials and interested persons <ul style="list-style-type: none"> <li>• <i>Law allows the service, but does not require it (7-11-80. Form of nominating petition.)</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-11-15

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-11-20
29	Conduct party primaries <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-15
30	Establish regular hours and publish notice of candidate filing <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-40
31	Conduct second or other primaries <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-45
32	Training and certification program for poll managers <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-13-50
33	Direct size and the color of the ballot	7-13-72
34	Placement of petition nominee on appropriate ballot	7-13-320
35	Print and deliver ballots for presidential electors, state officers, US Senators and members of Congress <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> </ul>	7-13-351
36	Ballots that have proposed constitutional amendments.	7-13-340
37	Prepare separate ballots for each political party holding a primary <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> </ul>	7-13-410
38	Ballot labels	7-13-610
39	Form of a sign to be displayed at polling places using optical scan devise	7-13-1360
40	Ballot forms	7-13-1371
41	Approval of Voting System	7-13-1380
42	Approval of One Voting System	7-13-1620
43	Form application for absentee ballot <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-1655
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-15-340
45	Standards and guidelines for voting systems to count absentee ballots	7-15-406
46	Certified statement of all votes cast <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-15-470

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

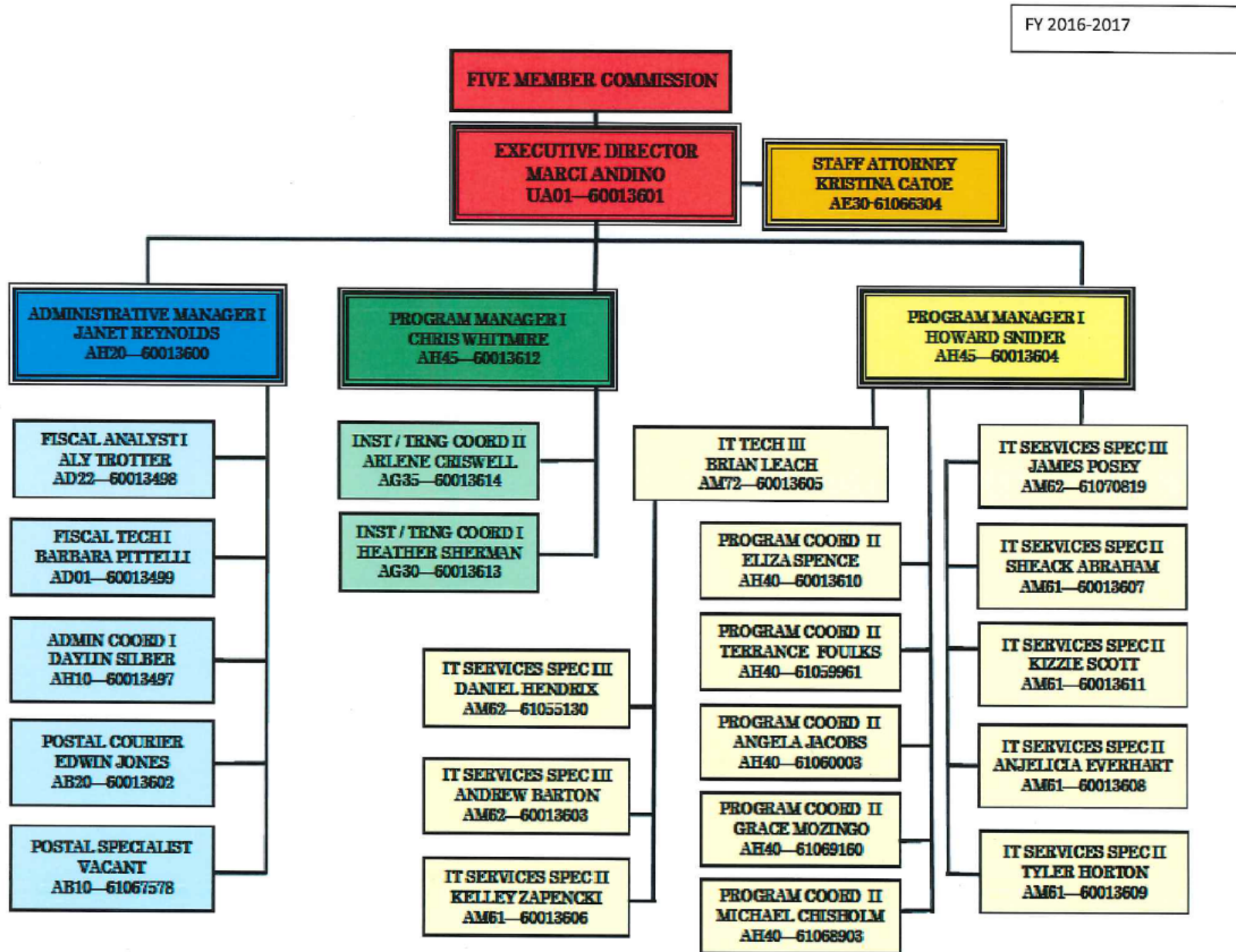
Item #	Deliverable	Applicable Laws
47	Documentation of declaration of elected officials	7-17-240
48	Decision of cases held by State Board of Canvassers	7-17-250
49	Jury List <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-17-260
50	Disbursement of aid to counties for county voter registration and elections board members <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	14-7-130
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings <ul style="list-style-type: none"> <li>• <i>Law allows the service, but does not require it</i> (Proviso 101.3 (Board of State Canvassers Compensation), 2016-2017, Appropriations Act Part 1B)</li> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	Proviso 101.1, 2016-2017, Appropriations Act Part 1B
52	Training courses with common curriculum available in various locations of the state <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the service</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	Proviso 101.7, 2016-2017, Appropriations Act Part 1B
53	Information Technology and Security Plan	Proviso 117.114, 2016, 2017, Appropriations Act Part 1B

### Other Agencies that serve the same or similar customers/products/services

The State Election Commission does not believe the products and services it provides would fit within the mission of any other state agency.

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

# Agency's Organizational Chart



## Organizational Unit Details

### Unit: ADMINISTRATION

Purpose of Unit: Leadership and direction for the agency, including administration, finance and support services.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	60%	0%	0%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	Yes
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	Yes

### Unit: VOTER SERVICES

Purpose of Unit: Provide and support the statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions, provide counties with election support services and technical assistance related to statewide voting system; provide election security oversight and guidance to counties.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	13%	10%	15%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

### Unit: PUBLIC INFORMATION/TRAINING

Purpose of Unit: Administer a mandatory statewide training and certification program for county and municipal election officials; provide ongoing training events and workshops; provide a poll manager training program and materials; educate the public on the voter registration and election process; provide information regarding elections and agency activities.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	0%	0%	0%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No



## Mission, Vision and Goals

### *Mission*

“The mission of the State Election Commission is to ensure every eligible citizen in South Carolina has the opportunity to register to vote, participate in fair and impartial elections, and have the assurance that their vote will count.”

### *Vision*

“The State Election Commission will conduct secure, fair and impartial elections through the management of resources along with the use of innovative strategies and technologies to reflect the will of the electorate in South Carolina.”

### *Goals*

**Goal 1** - Provide for a system of voter registration that is free of barriers

- Intended Public Benefit/Outcome: All citizens have the opportunity to register to vote
- Responsible Employee: Howard Snider (Responsible more than 4 years)

**Goal 2** - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters

- Intended Public Benefit/Outcome: All voters have the opportunity vote in fair and impartial elections and have the assurance that their vote will count
- Responsible Employee: Howard Snider (Responsible more than 4 years)

**Goal 3** - Support counties in conducting voter registration and fair, open and impartial elections

- Intended Public Benefit/Outcome: All voters have the opportunity vote in fair and impartial elections and have the assurance that their vote will count
- Responsible Employee:
  - o Chris Whitmire (Responsible more than 5 years)
  - o Howard Snider (Responsible more than 4 years)

**Goal 4** - Effectively oversee all agency programs and operations

- Intended Public Benefit/Outcome: Agency operates in an efficient and prudent manner
- Responsible Employee:
  - o Janet Reynolds (Responsible less than 17 years)

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<sup>1</sup> SC Code 7-3-10(a)

<sup>2</sup> SC Code 7-3-10(a)

<sup>3</sup> SC Code 7-3-10(b)

<sup>4</sup> SC Code 7-3-10(b)

<sup>5</sup> SC Code 7-3-20(A)

<sup>6</sup> SC Code 7-3-10(c)

<sup>7</sup> SC Code 7-3-10(c)

<sup>8</sup> SC Code 7-3-10(e)

<sup>9</sup> SC Code 7-3-10(e)

<sup>10</sup> SC Code 23-23-10(C)

<sup>11</sup> SC Code 7-3-20(C)

April 28, 2017

SEC Response to April 19, 2017 Executive Subcommittee Request for Additional Information

***Voter Registration***

- 1. Please provide a list of the additional information a County Election Board may request at the registration stage to determine if an individual is a U.S. citizen, and thus qualified to vote.**

County boards of voter registration and elections may request additional information from an individual at the voter registration stage if the board has reason to believe the individual is not a U.S. citizen. Acceptable documents that can be used to prove citizenship include:

- Birth certificate (issued by a U.S. State or U.S. Department of State)
- U.S. Passport (issued by U.S. Department of State)
- Certificate of Citizenship (issued by U.S. Citizenship and Immigration Services)
- Naturalization Certificate (issued by U.S. Citizenship and Immigration Services)

- 2. Please provide a list of requirements for an individual to be eligible to vote. (Note: This is not asking for what can be provided to prove eligibility).**

To register to vote in South Carolina, a person must meet the following qualifications:

- Must be a U.S. Citizen.
- Must be at least 18 years of age. A person who is not yet 18 years of age, but will attain 18 years of age by the date of an upcoming election, may register to vote beginning 150 days prior to the election. If there is a primary associated with the election, the person may register to vote beginning 150 days prior to the primary.
- Must be a resident of the county and precinct in which the person is registering to vote
- Must not be adjudicated by a court of competent jurisdiction to be mentally incompetent.
- Must not be serving a term of imprisonment for the conviction of any crime.
- Must not be convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

- 3. Please provide a list of every avenue through which an individual may register to vote (e.g., telephone, mail, online, in person, etc.)**

Online	On-line Voter Registration (OVR) application allows a citizen with a valid S.C. Driver's License or S.C. Identification Card issued by the S.C. Department of Motor Vehicles (DMV) to register to vote and/or update their address.
Mail, Email, Fax	Forms accepted by mail, email, fax: 1. S.C. Voter Registration by Mail Form 2. National Voter Registration Application 3. Federal Post Card Application (FPCA) 4. Federal Write-in Absentee Ballot (FWAB) Forms available here: 1. scVOTES.org 2. County Offices of Voter Registration and Elections 3. Public Libraries and other State, County, and City government offices

	Forms may be mailed, emailed or faxed to the voter's county board of voter registration and elections
In-person	County Offices of Voter Registration and Elections
NVRA Agencies	National Voter Registration Act (aka Motor Voter) agencies: DMV, DSS, DHEC, DMH, Commission for the Blind, DAODAS, DHHS, DDSN, Voc Rehab, Armed Forces Recruiting Offices, Protection and Advocacy for People with Disabilities
Electronic Voter Accessibility Tool (EVAT)	Electronic Voter Accessibility Tool (EVAT) allows U.S. citizens who are Service members, their eligible family members or overseas citizens to upload their Federal Post Card Application, which is accepted as a voter registration application.

**4. For each avenue listed above, please provide the following:**

- **Entity and location at which the individual may register (including all agencies through whom an individual may register to vote)**
- **Specifically what action the individual must take at the location to register to vote, including the options of information/documentation that can be shown/provided to establish the individual satisfies each requirement of an eligible voter.**
- **Who is responsible for verifying the accuracy of the information/documentation shown/provided by the individual registering to vote.**
- **How the individual(s) at each entity and location records the information that establishes the individual is an eligible voter;**
- **What the entity does with the information recorded (e.g., sends to Election Commission and deletes, sends to Election Commission and stores, etc.);**
- **How the entity transmits the individual's information to the Election Commission.**
- **The name of the entity responsible for determining an individual's correct county and precinct based on information provided when the individual registered?**

See Attachments A and B.

**5. For each entity and location above, common causes of issues/complaints from individuals who believed they registered to vote through the entity or at the location, but when they arrived at their precinct were told they were not registered to vote.**

See Attachment A.

**6. Are there any databases maintained by the Federal government through which the Election Commission could verify those in the voter registration system that are U.S. citizens?**

The SEC is not aware of any federal database through which the citizenship of all voters could be verified.

**7. Please provide a bullet list summary of the instructions provided to County Election Boards, during mandatory training with the Election Commission, in regards to methods for verifying citizenship.**

The following instruction related to verification of citizenship is included in mandatory training for county boards of voter registration and elections and for county election directors:

- The county board is responsible for determining the qualifications of a person who applies to register to vote.
- The board must be satisfied that the applicant meets all voter registration requirements, including the citizenship requirement.
- All applicants must complete a voter registration application. The applicant must attest to citizenship on the voter registration application and by signing the application takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.
- In most cases, this attestation should be sufficient to satisfy the board that the applicant is a U.S. citizen.
- If the board has some question as to the qualifications (including citizenship) of any applicant, the board may require additional documentation as outline in the response to Question 1.
- County board members, directors, and staff are trained to use caution in requiring additional documentation to prove citizenship. Additional documentation should only be required if there is a real question, based on individual circumstances, about whether the person is a U.S. citizen.
- Additional documentation must not be requested based on race, color, ethnicity, national origin, or language as doing so would be discriminatory. Counties are cautioned that appearing to create a barrier to voter registration would be a violation of Federal and State laws.

**8. What information from voter registration databases at the Election Commission is available for sale?**

Any registered voter in South Carolina can purchase a list of registered voters. The list is available in the following formats: tape, diskette, mailing labels, printed report, or electronic download via online. Information on voters can be selected by the following combinations:

Registered voters

- Name
- Address
- County
- Precinct
- Election district (house, senate, congressional, county council, city council, school district)
- Age
- Gender
- Race
- Household (Information on only one person per household)
- Participation in the last two statewide primaries and statewide general elections
- Date of registration
- Registration status

Election participation

- Name
- Address
- County
- Precinct
- Election district (house, senate, congressional, county council, city council, school district)
- Age
- Gender
- Race
- Household (Information on only one person per household)
- Participation in the last two statewide primaries and statewide general elections
- Date of registration
- Registration status
- UOCAVA status
- Party voted
- Voting method

**What information from voter registration lists at County Election Boards is available for sale?**

None. County boards of voter registration and election may charge a fee under the Freedom of Information Act (FOIA) for voter information when requested, but the county boards do not offer voter registration information for sale.

***Candidate Registration***

- 1. Please answer questions 2, 3, and 4 under Voter Registration, but as it relates to individuals registering to run as a candidate in an election.**

**Candidate Eligibility/Qualifications**

- General Qualifications
  - No person may be popularly elected to and serve in any office in the State unless he is registered to vote in the geographical area represented by the office
  - A person convicted of a felony or an offense against the election laws is not qualified to file for or hold office, unless it has been fifteen years since the completion of the sentence for the crime or unless the person has been pardoned (S.C. Constitution, Article VI, Section 1).
- Specific Qualifications
  - See Attachment C for specific qualifications for federal, state and county offices
  - Qualifications for municipal offices may vary by ordinance.
  - Qualifications for school boards and special purpose district may vary by enabling legislation



## Candidate Filing Process

- **Partisan Candidates**
  - Candidates for federal office, statewide office, and solicitor must file with the State Election Commission.
  - Candidates for State Senate, State House of Representatives, countywide office, and less-than-countywide office must file with the county board of voter registration and elections in the candidate's county of residence.
  - The filing period for the General Election opens at noon on March 16th of the election year and closes at noon on March 30th of the election year.
  - The filing period for special elections opens at noon on the third Friday after the vacancy occurs and closes at noon, 10 days later.
  - A candidate who files for the nomination of a party that nominates by primary must pay a filing fee. The filing fee is one percent of the annual salary of the office multiplied by the number of years in the term of office or \$100, whichever is greater. This fee is applied to funding the party's primary. A candidate who files for the nomination of a party that nominates by convention does not pay a filing fee.
  - At the time of filing, candidates present three copies of a completed Statement of Intention of Candidacy/Party Pledge form (SICPP) available at [scVOTES.org](http://scVOTES.org), the SEC, and county voter registration and elections offices. The candidate must also present a check or money order for any necessary filing fees.
  - The candidate must sign the SICPP form in front of an election official unless the candidate's signature has been notarized.
- **Nonpartisan Candidates**
  - Petition candidates must file a nominating petition containing the valid signatures of at least one percent of the active registered voters in the geographical area represented by the office, not to exceed 10,000 signatures. Candidates for federal and state offices, State Senate, State House, and multi-county offices file petitions with the SEC. Candidates for countywide and lesser offices file petitions with the county board of voter registration and elections. Petition signatures are checked against voter registration records on file with county boards of voter registration and elections to determine the number of valid signatures. The petition deadline for the General Election is noon, July 15. The petition deadline for special elections is noon, 60 days prior to the date of the election.
  - Generally, nonpartisan candidates (other than petition candidates) file using a Nonpartisan Statement of Intention of Candidacy Form available at [scVOTES.org](http://scVOTES.org), the SEC, and county voter registration and elections offices. In General Elections, nonpartisan candidates must file by noon, August 15. The filing period for nonpartisan special elections opens at noon on the third Friday after the vacancy occurs and closes at noon, 10 days later.
  - Candidates should check locally for specific filing requirements for nonpartisan and municipal offices. Nonpartisan candidate filing requirements may vary by office based on requirements in enabling legislation and municipal ordinances.
- When candidates file, their names are entered into the Candidate Tracking System, which is part of the Statewide Voter Registration System. The Candidate Tracking System makes candidate information instantly available to the public throughout a filing period. The public can view candidate names and other information and download copies of candidates' filing forms.

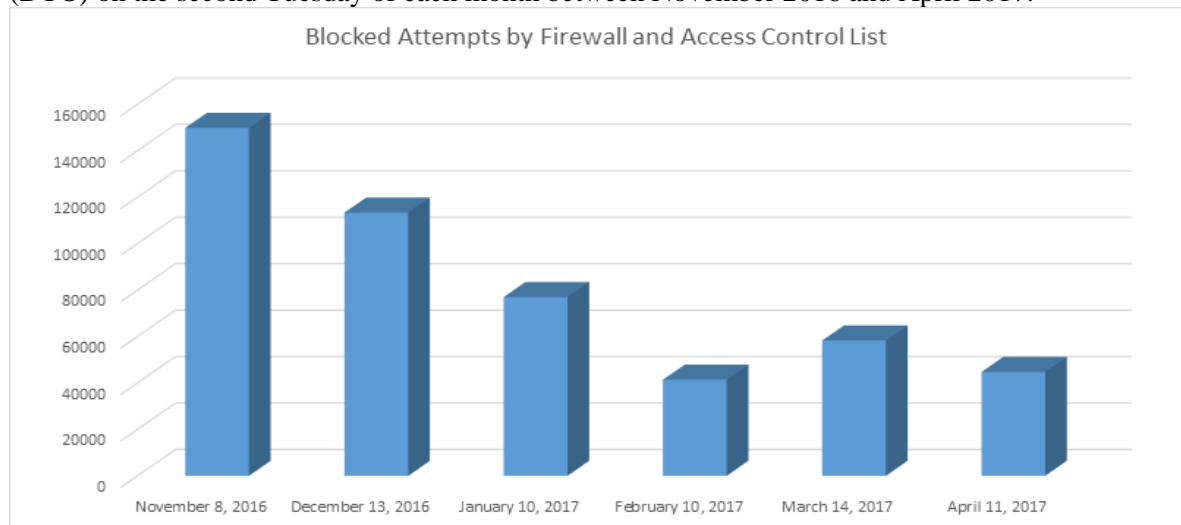
### Candidate Certification Process

- Political parties are responsible for certifying partisan candidates to the SEC and county boards of voter registration and elections. Political parties certify that each candidate meets the qualifications for the office for which the candidate has filed.
- The responsibility for checking qualifications and certifying nonpartisan candidates lies with the entity that receives the filing (SEC, county board of voter registration and elections, or municipal election commission).

### Cyber Security

#### 1. How many times per day does each of the Election Commission's databases receive a hit that attempts to penetrate the system?

The chart below shows the number of blocked attempts to penetrate the firewall of the statewide voter registration system hosted at the Department of Administration Division of Technology (DTO) on the second Tuesday of each month between November 2016 and April 2017.



November 8, 2016	149,832
December 13, 2016	113,372
January 10, 2017	76,993
February 10, 2017	41,420
March 14, 2017	58,278
April 11, 2017	44,754

### ***Voting Machines and Poll Managers***

- 1. Does statute or regulation not set out a formula for the number of voting machines and poll managers each precinct must have based on the number of registered voters in the precinct?**

#### **Poll Managers (SECTION 7-13-72)**

For the general election held on the first Tuesday following the first Monday in November in each even-numbered year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for each five hundred electors, or portion of each five hundred electors, registered to vote at the polling place.

For primary elections held on the second Tuesday in June of each general election year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for the first five hundred electors registered to vote in each precinct in the county, and may appoint three additional managers for each five hundred electors registered to vote in the precinct above the first five hundred electors, or portion thereof.

For all other primary, special, or municipal elections, the authority charged by law with conducting the primary, special, or municipal elections must appoint three managers of election for the first five hundred electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each five hundred electors registered to vote in the precinct above the first five hundred electors.

#### **Voting Machines (SECTION 7-13-1680)**

The governing body of any county or municipality providing voting machines at polling places for use at elections shall provide for each polling place at least one voting machine for each two hundred fifty registered voters or portion thereof or as near thereto as may be practicable.

### ***Election Commissioners***

- 1. Please provide the list of current commissioners, which of the commissioners serves as the member of the majority party in the General Assembly, which of the commissioners serves as the member of the largest minority party in the General Assembly, and the date each commissioner was originally appointed to serve as a commissioner.**

Billy Way, Jr., Chairperson, Richland; Appointed September 15, 2012

Marilyn Bowers, Pickens; Appointed January 22, 2014

Mark A. Benson, Beaufort; Appointed September 15, 2014

E. Allen Dawson, Charleston; Appointed September 15, 2012

Nicole Spain White, Richland; Appointed November 28, 2011

*County Election Boards*

**SC Code Section 7-5-10(C) addresses previous governing structures and when they will be transitioned to new ones. Specifically it states: (C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.**

- 1. In light of the last sentence of 7-5-10(C), are there any counties that do not have at least five members of the successor board appointed and qualified? (i.e. are there any still running under the old system)**

Per the Governor's Office, all board members have been appointed/reappointed under the new system.

- 2. Is there a chart which includes the following information, by county:**
  - a. Number of individuals on the Board of Voter Registration and Elections**
  - b. Number of years each individual has served on the Board**

See Attachment D

Entity/Location	Voter Registration	Common Issues/Complaints
Online Voter Registration (OVR)	<ol style="list-style-type: none"> <li>1. On-line Voter Registration (OVR) application allows a citizen with a valid S.C. Driver's License or S.C. Identification Card issued by the S.C. Department of Motor Vehicles (DMV) to register to vote and/or update their address.</li> <li>2. Citizens access OVR through scVOTES.org. The voter enters their name, address, date of birth and driver's license number.</li> <li>3. The information submitted by the voter is cross-checked against DMV records. If information matches, the system creates a signed voter registration application using the person's signature on file with DMV.</li> <li>4. County election officials receive signed applications and an electronic record in an OVR queue in the statewide voter registration system for processing by the county.</li> </ol>	<ul style="list-style-type: none"> <li>• Was not aware of the voter registration cutoff date for an upcoming election</li> <li>• Voter that has moved from one county to another did not know that they must register in new county by voter registration deadline</li> <li>• Voter fails to update address first with DMV</li> </ul>
Mail, Email, Fax, and In Person Application at County Voter Registration and Elections Offices	<ol style="list-style-type: none"> <li>1. Each county office has staff trained to accept in-person, mail, email and faxed voter registration applications.</li> <li>2. Voters register by submitting a completed and signed voter registration application.</li> <li>3. Forms accepted by mail, email, fax: <ul style="list-style-type: none"> <li>• S.C. Voter Registration by Mail Form</li> <li>• National Voter Registration Application</li> <li>• Federal Post Card Application (FPCA)</li> <li>• Federal Write-in Absentee Ballot (FWAB)</li> </ul> </li> <li>4. Forms available here: <ul style="list-style-type: none"> <li>• scVOTES.org</li> <li>• County Offices of Voter Registration and Elections</li> <li>• Public Libraries and other State, County, and City government offices</li> </ul> </li> <li>5. For in person registration, county officials use an in-office voter registration form</li> <li>6. Acceptable forms of identification for those registering include; <ul style="list-style-type: none"> <li>• Current and valid photo id showing name, address, and picture</li> <li>• Current utility bill listing name and address</li> <li>• Bank statement listing name and address</li> <li>• Paycheck listing name and address</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Was not aware of the voter registration cutoff date for an upcoming election</li> <li>• Voter that has moved from one county to another did not know that they must register in new county by voter registration deadline</li> <li>• Information provided on the application was incomplete</li> <li>• Address provided was invalid</li> <li>• Completed application but did not receive a card</li> </ul>

Entity/Location	Voter Registration	Common Issues/Complaints
	<ul style="list-style-type: none"> <li>Government document that lists name and address</li> </ul> <ol style="list-style-type: none"> <li>Citizens can request to have a voter registration application mailed to them</li> <li>Citizens are required to read and sign the Voter Declaration that affirms they;               <ul style="list-style-type: none"> <li>Are a U.S. citizen</li> <li>Will be 18 years old on or before the next election</li> <li>Resident of S.C.</li> <li>Not under court order declaring them mentally incompetent</li> <li>Address listed is their only legal place of residence</li> <li>Not confined in a public prison resulting from a conviction</li> <li>Have never been convicted of a felony or offense against election laws or of previously convicted they have served their entire sentence</li> </ul> </li> <li>County office staff review the application information for completeness then enter the application data directly into the statewide Voter Registration and Election Management System (VREMS) maintained by the State Election Commission (SEC).</li> <li>The county board of voter registration and election is responsible for placing voters in correct precincts and districts based on the voter's address.</li> <li>Paper applications are kept on file permanently by county board of voter registration and elections.</li> </ol>	
Section 7-5-310 NVRA Agencies; <ul style="list-style-type: none"> <li>DSS</li> <li>DHEC</li> <li>DDSN</li> <li>Blind</li> <li>Voc Rehab</li> <li>DAODAS</li> <li>DMH</li> <li>DMV</li> <li>Armed Forces Recruiting Offices</li> </ul>	Each NVRA agency has offices throughout S.C. to assist their clients to register to vote or update their voter registration data. Each agency has staff trained on voter registration qualifications, the NVRA, and to; <ul style="list-style-type: none"> <li>Verify their clients voter registration qualifications</li> <li>Offer them assistance to complete their voter registration application</li> <li>Direct non-clients where to find mail voter registration applications. Many agencies</li> </ul>	<ul style="list-style-type: none"> <li>Clients submit redundant voter registration applications because clients have contact with more than one NVRA agency.</li> <li>Voter believes they registered at DMV; however, DMV records shows the</li> </ul>



Entity/Location	Voter Registration	Common Issues/Complaints
<ul style="list-style-type: none"> <li>Protection and Advocacy for People with Disabilities</li> </ul>	<p>have mail voter registration applications available for non-clients complete</p> <ul style="list-style-type: none"> <li>Some agencies transmit client voter registration data electronically to the SEC weekly for uploading into the statewide voter registration system</li> <li>All agencies deliver client voter registration applications directly to county boards of voter registration and elections</li> </ul>	<p>client responded “no” to the voter registration question</p>
<p>Electronic Voter Accessibility Tool (EVAT)</p>	<ol style="list-style-type: none"> <li>The Electronic Voter Accessibility Tool (EVAT) allows U.S. citizens who are Service members, their eligible family members or overseas citizens to upload their Federal Post Card Application (FPCA), which is accepted as a voter registration application.</li> <li>Military and overseas citizens access EVAT online through scVOTES.org.</li> <li>EVAT provides a link to the Federal Voting Assistance Program’s website for completion of the FPCA.</li> <li>Citizen uploads a copy of the FPCA through EVAT.</li> <li>The FPCA appears in a queue in the statewide voter registration system for processing by county boards of voter registration and elections.</li> </ol>	<p>None.</p>

## County Offices of Voter Registration and Elections

County	Address
01 - ABBEVILLE	901 W Greenwood Street, Ste 2500 Abbeville, SC 29620
02 - AIKEN	1930 University Pkwy, Ste 1200 Aiken, SC 29801
03 - ALLENDALE	158 McNair Street Allendale, SC 29810
04 - ANDERSON	301 N Main Street Anderson, SC 29621
05 - BAMBERG	1234 North Street Bamberg, SC 29003
06 - BARNWELL	367 Fuldner Road Barnwell, SC 29812
07 - BEAUFORT	15 John Galt Road Beaufort, SC 29906
08 - BERKELEY	6 Belt Drive Moncks Corner, SC 29461
09 - CALHOUN	102 Courthouse Drive, Ste 115 St Matthews, SC 29135
10 - CHARLESTON	4367 Headquarters Road North Charleston, SC 29405
11 - CHEROKEE	110 Railroad Avenue Gaffney, SC 29340
12 - CHESTER	109 Ella Street Chester, SC 29706
13 - CHESTERFIELD	205 W Main Street Chesterfield, SC 29709
14 - CLARENDON	411 Sunset Drive Manning, SC 29102
15 - COLLETON	2471 Jefferies Hwy Walterboro, SC 29488
16 - DARLINGTON	131 Cashua Street Darlington, SC 29532
17 - DILLON	305 W Hampton Street Dillon, SC 29536
18 - DORCHESTER	201 Johnston Street St George, SC 29477
19 - EDGEFIELD	210 Penn Street, Ste 1 Edgefield, SC 29824
20 - FAIRFIELD	315 S Congress Street Winnsboro, SC 29180
21 - FLORENCE	219 Third Loop Road Florence, SC 29505
22 - GEORGETOWN	303 N Hazard Street Georgetown, SC 29440
23 - GREENVILLE	301 University Ridge, Ste 1900 Greenville, SC 29601

County	Address
24 - GREENWOOD	600 Monument Street, Ste 113 Greenwood, SC 29646
25 - HAMPTON	201 Jackson Avenue W Hampton, SC 29924
26 - HORRY	1515 4th Avenue Conway, SC 29526
27 - JASPER	1506 Grays Hwy Ridgeland, SC 29936
28 - KERSHAW	609 Lafayette Avenue Camden, SC 29020
29 - LANCASTER	101 N Main Street Lancaster, SC 29720
30 - LAURENS	200 Courthouse Public Square Laurens, SC 29360
31 - LEE	101 Gregg Street Bishopville, SC 29010
32 - LEXINGTON	605 W Main Street, Ste 105 Lexington, SC 29072
33 - MCCORMICK	610 S Mine Street McCormick, SC 29835
34 - MARION	2523 E Highway 76 Marion, SC 29571
35 - MARLBORO	119 S Marlboro Street Bennettsville, SC 29512
36 - NEWBERRY	1872 Wilson Road Newberry, SC 29108
37 - OCONEE	415 S Pine Street Walhalla, SC 29691
38 - ORANGEBURG	1437 Amelia Street Orangeburg, SC 29115
39 - PICKENS	222 McDaniel Avenue, Ste B9 Pickens, SC 29671
40 - RICHLAND	2020 Hampton Street Columbia, SC 29204
41 - SALUDA	111 Law Range Saluda, SC 29138
42 - SPARTANBURG	366 N Church Street Spartanburg, SC 29303
43 - SUMTER	141 N Main Street, Rm 114 Sumter, SC 29150
44 - UNION	1246 S Duncan Bypass, Ste B Union, SC 29379
45 - WILLIAMSBURG	5 Court House Square Kingstree, SC 29556
46 - YORK	13 South Congress Street York, SC 29745

## Department of Social Services (DSS) Office Locations

	DSS Office	Address
1.	Abbeville County DSS	909 W. Greenwood St. , Suite 1 Abbeville, SC 29620
2.	Aiken County DSS	1410 Park Ave., SE Aiken, SC 29802
3.	Aiken County DSS – North Augusta	802 East Martintown Rd. Suite 183 North Augusta, SC 29841
4.	Allendale County DSS	521 Barnwell Hwy. Allendale, SC 29810
5.	Anderson County DSS	224 McGee Rd. Anderson, SC 29625
6.	Bamberg County DSS	374 Log Branch Rd. Bamberg, SC 29003
7.	Barnwell County DSS	P.O. Box 1306 Barnwell, SC 29812
8.	Beaufort County DSS	1905 Duke St. Beaufort, SC 29902
9.	Berkeley County DSS	2 Belt Drive Moncks Corner, SC 29461
10.	Berkeley County DSS	105 Gullede Street, Moncks Corner SC
11.	Calhoun County DSS	2831 Old Belleville Rd. St. Matthews, SC 29135
12.	Charleston County DSS	3366 Rivers Ave. N. Charleston, SC 29405
13.	Cherokee County DSS	1434 N. Limestone St. Gaffney, SC 29342
14.	Chester County DSS	115 Reedy St. Chester, SC 29706
15.	Chesterfield County DSS	203 Commerce Avenue Chesterfield, SC 29709
16.	Clarendon County DSS	3 S. Church St. Manning, SC 29102
17.	Colleton County DSS	215 S. Lemacks St. Walterboro, SC 29488
18.	Darlington County DSS	PO Drawer 1377, 130 E. Camden Ave. Hartsville, SC 29551
19.	Darlington County DSS - Darlington	Mozingo Building Darlington, SC 25932
20.	Darlington County DSS- Lamar	528 Cartersville Hwy Lamar, SC 29069
21.	Dillon County DSS	1211 Hwy. 34 W. Dillon, SC 29536
22.	Dorchester County DSS	216 Orangeburg Rd. Summerville, SC 29483
23.	Dorchester County - St. George	201 Johnston St. St. George, SC 29477
24.	Edgefield County DSS	120 W.A. Reel Drive Edgefield, SC 29824
25.	Fairfield County DSS	1136 Kincaid Bridge Road PO Box 210 Winnsboro, SC 29180
26.	Florence County DSS	2685 S. Irby St. Florence, SC 29505
27.	Florence County DSS - Lake City	345 S. Ron McNair Blvd. Lake City, SC 29560
28.	Georgetown County DSS	330 Dozier St. Georgetown, SC 29440
29.	Greenville County DSS	301 University Ridge, Suite 6700 Greenville, SC 29601
30.	Greenville County DSS - Greer	202 Victoria St. Greer, SC 29651
31.	Greenwood County DSS	1118 Phoenix St. Greenwood, SC 29648
32.	Hampton County DSS	102 Ginn Altman Ave., Ste. A Hampton, SC 29924
33.	Horry County DSS	1951 Industrial Park Rd. Conway, SC 29526
34.	Horry County DSS - Loris	3815 Walnut St. Loris, SC 29569
35.	Horry County DSS - Myrtle Beach	1203 21st Ave North Myrtle Beach, SC 29577
36.	Horry County DSS - South Strand	9360 Scipio Lane Myrtle Beach, SC 29588
37.	Jasper County DSS	10908 North Jacob Smart Blvd. Ridgeland, SC 29936
38.	Kershaw County DSS	110 E. Dekalb St. Camden, SC 29020
39.	Lancaster County DSS	1837 Pageland Hwy. Lancaster, SC 29721
40.	Laurens County DSS	93 Human Services Rd. Laurens, SC 29325
41.	Lee County DSS	820 Brown St. Bishopville, SC 29010
42.	Lexington County DSS	1070 S Lake Dr. Suite A Lexington, SC 29073

43.	Marion County DSS	137 Airport Court, Suite A Mullins, SC 29574
44.	Marlboro County DSS	713 S. Parsonage St. Ext. Bennettsville, SC 29512
45.	McCormick County DSS	215 N. Mine St., Hwy 28 N. McCormick, SC 29835
46.	Newberry County DSS	2107 Wilson Rd. Newberry, SC 29108
47.	Oconee County DSS	223A Kenneth St. Walhalla, SC 29691
48.	Orangeburg County DSS	2570 St. Matthews Rd. Orangeburg, SC 29118
49.	Pickens County DSS	212 McDaniel Ave. Pickens, SC 29671
50.	Richland County DSS	3220 Two Notch Rd. Columbia, SC 29204
51.	Richland County DSS - Eastover	120 Clarkson St. Eastover, SC 29044
52.	Saluda County DSS	613 Newberry Hwy. Saluda, SC 29138
53.	Spartanburg County DSS	630 Chesnee Hwy. Spartanburg, SC 29303
54.	Sumter County DSS	105 N. Magnolia St. Sumter, SC 29151
55.	Union County DSS	200 S. Mountain St. Union, SC 29379
56.	Williamsburg County DSS	831 Eastland Ave. Kingstree, SC 29556
57.	York County DSS	933 Heckle Blvd. Rock Hill, SC 29732

## Department of Motor Vehicles (DMV) Office Locations

DMV Office	Address
Abbeville	1331 Haigler St
Aiken	1755 Richland Ave.
Anderson	331 Highway 29 By-Pass North
Bamberg	341 Lacey St.
Barnwell	1270 Main St.
Batesburg	509 Liberty St.
Beaufort	28 Munch Drive
Belton	123 O'Neal St.
Bennettsville	337 Highway 9 W.
Bishopville	508 S. Lee St.
Bluffton	15 Sheridan Park
Blythewood	10311 Wilson Blvd.
Camden	1056 Ehrencloou Drive
Charleston	1119 G Wappoo Road
Charleston	180 Lockwood Blvd.
Chester	508 Belt Road
Chesterfield	100 Laney St.
Columbia	1630 Shop Road
Columbia	228-A O'Neil Court
Conway	4103 Highway 701 N.
Dillon	1705 Highway 301 S.
Edgefield	849 Highway 25 North
Fairfax	3657 Allendale Fairfax Road
Florence	3102 E. Palmetto St.
Fort Mill	3071 Hwy 21
Fountain Inn	1310 N. Main St.
Gaffney	451 Hyatt St.
Georgetown	214 Ridge St.
Greenville	15 Saluda Dam Road
Greenville	300 University Ridge Suite 105
Greenwood	510 W. Alexander Extension
Greer	610 Arlington Road
Irmo	1016 Broad Stone Road
Kingstree	785 Eastland Ave.
Ladson	135 Wimberly Drive
Lake City	728 S. Ron McNair Blvd.
Lancaster	1694 Pageland Highway
Laurens	390 Fairgrounds Road
Lexington	122 Park Road
Little River	107 Highway 57 N.
Manning	3721 Alex Harvin Highway
McCormick	504 Airport Road
Moncks Corner	445 N. Highway 52

DMV Office	Address
Mount Pleasant	1189 Sweetgrass Basket Parkway
Mullins	2757 E. Highway 76
Myrtle Beach	1200 21st Ave. North
Newberry	275 Mount Bethel-Garmany Road
North Augusta	1711 Ascauga Lake Road
North Charleston	3790 Leeds Ave.
Orangeburg	1720 Charleston Highway
Pickens	2133 Gentry Memorial Highway
Ridgeland	407 Live Oak Drive
Rock Hill	305 Hands Mill Road
Saluda	400 W. Wheeler Circle
Seneca	13009 S. Radio Road
Spartanburg	1625 Southport Road
Spartanburg	8794 Fairforest Road
St. George	5315 E. Jim Bilton Blvd.
St. Matthews	415 Chestnut St.
Sumter	430 S. Pike St.
Union	1000 N. Pickney St.
Varnville	115 Cemetary Road
Walterboro	102 Mable T. Willis Blvd.
Winnsboro	1161 Kincaide Bridge Road
Woodruff	351 S. Main St.



## Commission for the Blind Office Locations

Aiken District Office 855 York St. NE Aiken, SC 29801 803.641.7658	Florence District Office 217 Dozier Blvd. Florence, SC 29501 843.661.4788
Charleston District Office Fairfield Office Park 1064 Gardner Road, Suite 109 Charleston, SC 29407 843.852.4225	Greenville District Office 620 North Main St. Greenville, SC 29601 864.241.1111
Columbia Complex (District Office, Administration and Ellen Beach Mack Rehabilitation Center) 1430 Confederate Ave., P.O. Box 2467 Columbia, SC 29202 803.898.8731	Greenwood District Office 108B Bypass 225 S. Greenwood, SC 29646 864.223.3334
Conway District Office 1321-C Third Avenue Conway, SC 29526 843.248.2017	Rock Hill District Office 454 S. Anderson Road, Suite 210 Rock Hill, SC 29730 803.980.8140
	Walterboro District Office 2414 Jeffries Blvd. Walterboro, SC 29488 843.539.1156

## Department of Mental Health (DMH) Office Locations

DMH Office	Address
Polly Best Center Barnwell Clinic	916 Reynolds Road Barnwell, SC 29812
Hartzog Center N. Augusta Clinic	431 West Martintown Road N. Augusta, SC 29841
Aiken Main Clinic	1135 Gregg Highway Aiken, SC 29801
Anderson-Oconee-Pickens Mental Health Center	200 McGee Road Anderson, SC 29625
Day Break Center & WE Pascoe Child & Adolescent Clinic	515 Camson Road, Anderson, SC 29625
Oconee Clinic	115 Carter Park Drive Seneca, SC 29678
Pickens Clinic	337 West Main Street Easley, SC 29640
Beckman (Greenwood) Center for Mental Health Services Main Clinic	1547 Parkway, Suite 100 Greenwood, SC 29646
Abbeville Mental Health Clinic	101 Commercial Drive Abbeville, SC 29620
Edgefield Mental Health Center	409 Simpkins Street Edgefield, SC 29824
Laurens Mental Health Center	442 Professional Park Rd. Clinton, SC 29325
McCormick Mental Health Clinic	202 Highway 28, North McCormick, SC 29835
Newberry Mental Health Clinic, serving Saluda County	2043 Medical Park Dr. Newberry, SC 29108
Berkeley Community Mental Health Center	403 Stoney Landing Road Moncks Corner, SC 29461
Catawba Community Mental Health Center	448 Lakeshore Parkway, Suite 205 Rock Hill, SC 29730
York Adult Services	166 Dotson Street Rock Hill, SC 29732
Chester Clinic	524 Doctors Court Chester, SC 29706
Lancaster Clinic	1906 Hwy. 521 Bypass South Lancaster, SC 29720
Charleston Dorchester Mental Health Center	2100 Charlie Hall Boulevard Charleston, SC 29414
Dorchester Mental Health Clinic	106 Springview Lane Summerville, SC 29485
*Chicora (Naval Hospital)	3600 Rivers Avenue, N. Charleston SC 29405
Coastal Empire Community Mental Health Center	1050 Ribaut Road Beaufort, SC 29902
Allendale County Mental Health Clinic	603 Barnwell Road Allendale, SC 29810
Jasper County Mental Health Clinic	1510 Grays Highway Ridgeland, SC 29936
Colleton County Mental Health Clinic	507 Forest Circle Walterboro, SC 29488
Hampton County Mental Health Clinic	65 Forest Drive Varnville, SC 29944
Hilton Head Mental Health Clinic	151 Dillon Road Hilton Head Island, SC 29925
Columbia Area Mental Health Center	2715 Colonial Drive Suite 100 Columbia, SC 29203
New Horizons/ Lower Richland Clinic	1850 Pineview Dr. Columbia, SC 29209
Fairfield County Clinic / Dayspring (Adult and Child/Adolescent/Family Services)	1073 US Hwy 321 By-Pass S. Winnsboro, SC 29180
Greenville Mental Health Center	124 Mallard Street Greenville, SC 29601
Child and Family Support Services	715 Grove Road, Greenville, SC 29605
Gaston Clinic	3965 Fish Hatchery Road Gaston, SC 29053

DMH Office	Address
Lexington County Community Mental Health Center	301 Palmetto Park Blvd. Lexington, SC 29072
Batesburg/Leesville Clinic	120 W. Church Street, Suite A Batesburg, SC 29006
Orangeburg Area Mental Health Center	2319 St. Matthews Road Orangeburg, SC 29118
Bamberg County Clinic	5573 Carolina Highway Denmark, SC 29042
Calhoun County Clinic	112 Guess Lane St. Matthews SC 29135
Orangeburg County Clinic	1375 Gilway Extension Holly Hill, SC 29059
Pee Dee Mental Health Center	125 East Cheves Street Florence, SC 29506
Darlington County Clinic	900 South Fourth Street Hartsville, SC 29550
Lake City Clinic	675 N. Matthews Road Lake City, SC 29560
Marion County Clinic	1100 S. Main St. Marion, SC 29571
Piedmont Center for Mental Health Services	20 Powderhorn Road Simpsonville, SC 29681
Greer Clinic	220 Executive Drive Greer, SC 29651
Sumter Main Center Medical Services Annex	411 N. Salem Ave Sumter, SC 29151
Sumter County Mental Health Clinic, Adult Services	211 North Magnolia Street Sumter, SC 29151
Children Adolescents and Families Services	1175 Guignard Drive Sumter, SC 29151-1946
Clarendon County Clinic	215 Commerce Street Manning, SC 29102-0273
Kershaw County Clinic	2611 Liberty Hill Road Camden, SC 29020-0645
Lee County Clinic	817 Brown Street Bishopville, SC 29010-0206
Spartanburg Area Mental Health Center	250 Dewey Avenue Spartanburg, SC 29303
Cherokee Mental Health Clinic	125 East Robinson Street Gaffney, SC 29340-3723
Union Mental Health Center	130 Medical Sciences Drive Union, SC 29379-0129
Tri-County Community Mental Health Center	1035 Cheraw Street Bennettsville, SC 29512
Chesterfield Clinic	207 Commerce Ave. Chesterfield, SC 29709
Dillon Clinic	1324 Commerce Drive Dillon, SC 29536
Waccamaw Center for Mental Health Horry County Clinic	164 Waccamaw Medical Park Drive Conway, SC 29526
Georgetown County Clinic	525 Lafayette Circle Georgetown, SC 29440
Williamsburg Clinic	501 Nelson Blvd. Kingstree, SC 29556
G. Werber Bryan Psychiatric Hospital (adult and forensic programs)	220 Faison Drive, Columbia, SC 29203
Patrick B. Harris Psychiatric Hospital	130 Hwy 252, Anderson, SC 29622
Morris Village Alcohol and Addiction Treatment Center	610 Faison Drive, Columbia, SC 29203
William S. Hall Psychiatric Institute	1800 Colonial Drive, Columbia, SC 29203
C. M. Tucker Nursing Care Center (Roddey)	2200 Harden Street, Columbia, SC 29203
Richard M. Campbell Veterans Nursing Home	4605 Belton Highway, Anderson, SC 29621
Veterans' Victory House (Nursing Home)	2461 Sidneys Road, Walterboro, SC 29488
C. M. Tucker Nursing Care Center (Stone)	2200 Harden Street, Columbia, SC 29203
Sexually Violent Predator Treatment Program	4460 Broad River Road, Columbia, SC 29210

## Department of Disabilities and Special Needs (DDSN) Office Locations

DDSN Office	Address
Central Office	3440 Harden Street Ext Columbia, SC 29203
Midlands Regional Center	8301 Farrow Road Columbia, SC 29203
Whitten Center	28373 U.S. Highway 76E Clinton, SC 29325
Coastal Regional Center	9995 Miles Jamison Road Summerville, SC 29485
Pee Dee Regional Center	714 National Cemetery Road Florence, SC 29506
Thad E. Saleeby Development Center	714 Lewellen Avenue Hartsville, SC 29550

## Vocational Rehabilitation (Voc Rehab) Office Locations

Aiken: (*Serving Aiken, Barnwell and Edgefield counties*) 855 York St. N.E. Aiken, SC 29801  
 Anderson: 3001 Martin Luther King Jr. Blvd. Anderson, SC 29625  
 Beaufort: (*Serving Beaufort and Jasper counties*) 747 Robert Smalls Parkway Beaufort, SC 29906  
 Berkeley-Dorchester: 2954 S. Live Oak Drive Moncks Corner, SC 29461  
 Camden: (*Serving Fairfield, Kershaw and Lee counties*) 15 Battleship Road Ext. Camden, SC 29020  
 Charleston: 4360 Dorchester Road North Charleston, SC 29405  
 Conway: (*Serving Horry County*) 3009 Fourth Avenue Conway, SC 29527  
 Conway: (*Serving Georgetown County*) 1777 N. Fraser Street Georgetown, SC 29440  
 Florence: 1947 West Darlington Street Florence, SC 29501  
 Florence: (*Serving Dillon and Marion counties*) 309 North First Avenue Dillon, SC 29536  
 Gaffney Area Office: (*Serving Cherokee County*) 364 Huntington Road Gaffney, SC 29341  
 Gaffney: (*Serving Union County*) 131 North Main Street Jonesville, SC 29353  
 Greenville: (*Serving Greenville /Easley residents in Pickens*) 105 Parkins Mill Road Greenville, SC 29607  
 Greenwood: (*Serving Abbeville, Greenwood, McCormick, Saluda*) 2345 Hwy 72 Greenwood, SC 29646  
 Lancaster: (*Serving Lancaster County and the Pageland area*) 1150 Roddey Drive Lancaster, SC 29720  
 Laurens: 22861 Hwy 76 Clinton, SC 29325  
 Laurens: (*Serving Newberry County*) 2601 Evans Street Newberry, SC 29108  
 Lexington: 1330 Boston Ave. West Columbia, SC 29170  
 Lyman: Bryant Center (*Serving Lyman and the surrounding area*) 180 Groce Road Lyman, SC 29365  
 Marlboro: (*Serving Chesterfield and Marlboro*) 1029 SC-9 West Bennettsville, SC 29512  
 Marlboro: (*Serving Darlington County*) 2413 Stadium Road Hartsville, SC 29550  
 Oconee-Pickens: 1951 Wells Highway Seneca, SC 29678  
 Orangeburg: (*Bamberg, Calhoun and Orangeburg*) 1661 Joe S. Jeffords Hwy S.E. Orangeburg, SC 29115  
 Richland: 516 Percival Road Columbia, SC 29206  
 Richland: (*Downtown Office*) 1430 Confederate Avenue Columbia, SC 29202  
 Richland: (*Satellite Office and Work Training Center*) 201 Corporate Park Blvd. Columbia, SC 29223  
 Rock Hill: (*Serving Chester and York*) 1020 Heckle Blvd. Rock Hill, SC 29732  
 Spartanburg: (*Serving Spartanburg County*) 353 S. Church Street Spartanburg, SC 29306  
 Sumter: (*Serving Clarendon and Sumter*) 1760 North Main Street Sumter, SC 29153  
 Walterboro: (*Serving Allendale, Colleton and Hampton*) 919 Thunderbolt Drive Walterboro, SC 29488  
 Williamsburg: 405 Martin Luther King Jr. Avenue Kingstree, SC 29556

## Department of Alcohol and Other Drug Abuse Services (DAODAS) Office Locations

**SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES**

Mount/February 8, 2017

**ABBEVILLE**

Ms. Laurie Fallaw, Executive Director  
 Cornerstone  
 112 Whitehall Street  
 P.O. Box 921  
 Abbeville, SC 29620  
*Phone:* (864) 366-9661  
*FAX:* (864) 459-5314  
*E-Mail:* lfallow@cornerstonecares.org

**AIKEN**

Mr. H. Herbert Mattocks, Executive Director  
 Aiken Center  
 1105 Gregg Highway  
 Aiken, SC 29801  
*Phone:* (803) 649-1900  
*FAX:* (803) 643-2926  
*E-Mail:* info@aikencenter.org

**ALLENDALE**

Ms. Estelle Rivers, Executive Director  
 New Life Center  
 571 Memorial Avenue  
 P.O. Box 806  
 Allendale, SC 29810  
*Phone:* (803) 584-4238  
*FAX:* (803) 584-0370  
*E-Mail:* erivers@nlcbhsa.org

**ANDERSON**

Ms. Karen B. Beck, Director  
 Anderson/Oconee Behavioral  
 Health Services  
 226 McGee Road  
 Anderson, SC 29625  
*Phone:* (864) 260-4168  
*FAX:* (864) 261-7543  
*E-Mail:* karenbeck@aobhs.org

**BAMBERG**

Mr. Mike Dennis, Executive Director  
 Tri-County Commission  
 on Alcohol and Drug Abuse  
 608 North Main Street  
 P.O. Box 907  
 Bamberg, SC 29003  
*Phone:* (803) 245-4360  
*FAX:* (803) 245-4360 (call before faxing)  
*E-Mail:* sbolton@tccada.state.sc.us

**BARNWELL**

Ms. Cheryl Azouri Long, Executive Director  
 Axis I Center of Barnwell  
 1644 Jackson Street  
 Barnwell, SC 29812  
*Phone:* (803) 541-1245  
*FAX:* (803) 541-1247  
*E-Mail:* info@axis1.org

**BEAUFORT**

Mr. Douglas H. "Bud" Boyne Jr., Director  
 Beaufort County Alcohol and  
 Drug Abuse Department  
 1905 Duke Street (29902)  
 P.O. Box 311  
 Beaufort, SC 29901  
*Phone:* (843) 255-6000  
*FAX:* (843) 255-9406  
*E-Mail:* bray@bcgov.net

**BERKELEY**

Mr. Jerome E. Tilghman Jr., Executive Director  
 Ernest E. Kennedy Center  
 306 Airport Drive  
 Moncks Corner, SC 29461  
*Phone:* (843) 761-8272  
*FAX:* (843) 719-3025  
*E-Mail:* ekcenter@infoave.net

**CALHOUN**

Mr. Mike Dennis, Executive Director  
 Tri-County Commission  
 on Alcohol and Drug Abuse  
 2827 Old Belleville Road  
 P.O. Box 322  
 St. Matthews, SC 29135  
*Phone:* (803) 655-7963  
*FAX:* (803) 655-7963 (call before faxing)  
*E-Mail:* sbolton@tccada.state.sc.us

**CHARLESTON**

Dr. Chanda Brown, Director  
 Charleston Center  
 5 Charleston Center Drive (29401)  
 P.O. Box 31398  
 Charleston, SC 29417  
*Phone:* (843) 958-3300  
*FAX:* (843) 958-3498  
*E-Mail:* cfbrown@charlestoncounty.org

**CHEROKEE**

Ms. Christian C. Little, Executive Director  
 Cherokee County Commission on  
 Alcohol and Drug Abuse  
 201 West Montgomery Street  
 Gaffney, SC 29341  
*Phone:* (864) 487-2721  
*FAX:* (864) 487-2764  
*E-Mail:* cccadacl@bellsouth.net

**CHESTER**

Ms. Maria Bates, Executive Director  
 Hazel Pittman Center  
 130 Hudson Street  
 Chester, SC 29706  
*Phone:* (803) 377-8111  
*FAX:* (803) 581-5380  
*E-Mail:* maria@hazelpittman.org

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **CHESTERFIELD**

Mr. Paul W. Napper, Executive Director  
The ALPHA Behavioral Health Center  
1218 East Boulevard  
P.O. Box 838  
Chesterfield, SC 29709  
*Phone:* (843) 623-7062  
*FAX:* (843) 623-7112  
*E-Mail:* pnapper@alphacentersc.com

### **CLARENDON**

Ms. A. Ann Kirven, Chief Executive Officer  
Clarendon Behavioral Health Services  
14 North Church Street  
P.O. Box 430  
Manning, SC 29102  
*Phone:* (803) 435-2121  
*FAX:* (803) 435-8856  
*E-Mail:* akirven@clarendonbhs.com

### **COLLETON**

Mr. Ronald Rickenbaker, Director  
Colleton County Commission on  
Alcohol and Drug Abuse  
1439 Thunderbolt Drive  
P.O. Box 1037  
Walterboro, SC 29488  
*Phone:* (843) 538-4343  
*FAX:* (843) 538-7613  
*E-Mail:* rickenbaker@lowcountrybhhsa.org

### **DARLINGTON**

Ms. Denise Cooper, Director  
Rubicon Family Counseling Services  
510 East Carolina Avenue (29550)  
P.O. Box 2076  
Hartsville, SC 29551  
*Phone:* (843) 332-4156  
*FAX:* (843) 332-4159  
*E-Mail:* d.cooper@rubiconsc.org

### **DILLON**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
204 Martin Luther King Jr. Blvd.  
Dillon, SC 29536  
*Phone:* (843) 774-6591  
*FAX:* (843) 774-1409  
*E-Mail:* dillon@trinitybehavioralcare.org

### **DORCHESTER**

Mr. Samuel J. Miller, Director  
Dorchester Alcohol and Drug Commission  
500 North Main Street, Suite 4  
Summerville, SC 29483  
*Phone:* (843) 871-4790  
*FAX:* (843) 871-8579  
*E-Mail:* tsmith@dadac.org

### **EDGEFIELD**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
603 Augusta Road  
P.O. Box 41  
Edgefield, SC 29824  
*Phone:* (803) 637-9336  
*FAX:* (803) 637-9339  
*E-Mail:* lfallow@cornerstonecares.org

### **FAIRFIELD**

Mr. Vernon Kennedy, Executive Director  
Fairfield Behavioral Health Services  
200 Calhoun Street  
P.O. Box 388  
Winnsboro, SC 29180  
*Phone:* (803) 635-2335  
*FAX:* (803) 635-9695  
*E-Mail:* vkennedy@fairfieldbhs.org

### **FLORENCE**

Mr. Randy Cole, Chief Executive Officer  
Circle Park Behavioral Health Services  
238 South Coit Street (29501)  
P.O. Box 6196  
Florence, SC 29502  
*Phone:* (843) 665-9349  
*FAX:* (843) 667-1615  
*E-Mail:* rcole@circlepark.com

### **GEORGETOWN**

Mr. Raphael M. Carr, Executive Director  
Georgetown County Alcohol and  
Drug Abuse Commission  
1423 Winyah Street (29440)  
P.O. Box 515  
Georgetown, SC 29442  
*Phone:* (843) 527-3125  
*FAX:* (843) 527-1697  
*E-Mail:* rcarr@gcadac.org

### **GREENVILLE**

Mr. Adam Brickner, Executive Director  
The Phoenix Center  
1400 Cleveland Street (29607)  
P.O. Box 1948  
Greenville, SC 29602  
*Phone:* (864) 467-3790  
*FAX:* (864) 467-2631  
*E-Mail:* abrickner@phoenixcenter.org

### **GREENWOOD**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
1612 Rivers Street  
P.O. Box 50209  
Greenwood, SC 29649  
*Phone:* (864) 227-1001  
*FAX:* (864) 227-3619  
*E-Mail:* lfallow@cornerstonecares.org



## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **HAMPTON**

Ms. Estelle Rivers, Executive Director  
New Life Center  
102 Ginn Altman Avenue, Suite C  
Hampton, SC 29924  
*Phone:* (803) 943-2800  
*FAX:* (803) 943-2267  
*E-Mail:* [erivers@nlcbhsa.org](mailto:erivers@nlcbhsa.org)

### **HORRY**

Mr. John Coffin, Executive Director  
Shoreline Behavioral Health Services  
2404 Wise Road (29526)  
P.O. Box 136  
Conway, SC 29528  
*Phone:* (843) 365-8884  
*Admin. FAX:* (843) 365-6697  
*Clinical FAX:* (843) 365-6685  
*E-Mail:* [john.coffin@shorelinebhs.org](mailto:john.coffin@shorelinebhs.org)

### **JASPER**

Ms. Estelle Rivers, Executive Director  
New Life Center  
651 Grays Highway  
P.O. Box 1362  
Ridgeland, SC 29936  
*Phone:* (843) 726-5996  
*FAX:* (843) 726-4313  
*E-Mail:* [erivers@nlcbhsa.org](mailto:erivers@nlcbhsa.org)

### **KERSHAW**

Mr. Paul W. Napper, Executive Director  
The ALPHA Behavioral Health Center  
709 Mill Street  
Camden, SC 29020  
*Phone:* (803) 432-6902  
*FAX:* (803) 432-6890  
*E-Mail:* [pnapper@alphacentersc.com](mailto:pnapper@alphacentersc.com)

### **LANCASTER**

Mr. Walter J. Quinn, Director  
Counseling Services of Lancaster  
114 South Main Street (29720)  
P.O. Box 1627  
Lancaster, SC 29721  
*Phone:* (803) 285-6911  
*FAX:* (803) 286-6697  
*E-Mail:* [csl@comporium.net](mailto:csl@comporium.net)

### **LAURENS**

Mr. Charles D. Stinson, Executive Director  
GateWay Counseling Center  
219 Human Services Road  
Clinton, SC 29325  
*Phone:* (864) 833-6500  
*FAX:* (864) 833-6905  
*E-Mail:* [cstinson@gatewaycounseling.org](mailto:cstinson@gatewaycounseling.org)

### **LEE**

Mr. Paul W. Napper, Executive Director  
The Lee Center Family Counseling  
and Addiction Services  
108 East Church Street  
Bishopville, SC 29010  
*Phone:* (803) 484-6025  
*FAX:* (803) 484-6121  
*E-Mail:* [pnapper@alphacentersc.com](mailto:pnapper@alphacentersc.com)

### **LEXINGTON**

Ms. Gayle Aycok, President &  
Chief Executive Officer  
LRADAC  
1068 South Lake Drive  
Lexington, SC 29073  
*Phone:* (803) 726-9400  
*FAX:* (803) 726-9403  
*E-Mail:* [clewis@lradac.org](mailto:clewis@lradac.org)

### **MARION**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
103 Court Street  
P.O. Box 1011  
Marion, SC 29571  
*Phone:* (843) 423-8292  
*FAX:* (843) 423-8294  
*E-Mail:* [marion@trinitybehavioralcare.org](mailto:marion@trinitybehavioralcare.org)

### **MARLBORO**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
211 North Marlboro Street, Second Floor  
P.O. Box 1053  
Bennettsville, SC 29512  
(Mail to Director should be sent to Marion address.)  
*Phone:* (843) 479-5683  
*FAX:* (843) 479-5685  
*E-Mail:* [mdcada@trinitybehavioralcare.org](mailto:mdcada@trinitybehavioralcare.org)

### **MCCORMICK**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
504 North Mine Street  
P.O. Box 337  
McCormick, SC 29835  
*Phone:* (864) 852-3306  
*FAX:* (864) 852-3148  
*E-Mail:* [lfallaw@cornerstonecares.org](mailto:lfallaw@cornerstonecares.org)

### **NEWBERRY**

Mr. Hugh B. Gray, Executive Director  
Westview Behavioral Health Services  
800 Main Street  
P.O. Box 738  
Newberry, SC 29108  
*Phone:* (803) 276-5690  
*FAX:* (803) 321-2234  
*E-Mail:* [hgray@westviewbehavioral.org](mailto:hgray@westviewbehavioral.org)

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **OCONEE**

Ms. Karen B. Beck, Director  
Anderson/Oconee Behavioral  
Health Services  
691 South Oak Street  
Seneca, SC 29678  
*Phone:* (864) 882-7563  
*FAX:* (864) 882-7388  
*E-Mail:* karenbeck@aobhs.org

### **ORANGEBURG**

Mr. Mike Dennis, Executive Director  
Tri-County Commission  
on Alcohol and Drug Abuse  
910 Cook Road (29118)  
P.O. Box 1166  
Orangeburg, SC 29116  
*Phone:* (803) 536-4900  
*FAX:* (803) 531-8419  
*E-Mail:* sbolton@tccada.state.sc.us

### **PICKENS**

Mr. Bob Hiott, Executive Director  
Behavioral Health Services  
of Pickens County  
309 East Main Street  
Pickens, SC 29671  
*Phone:* (864) 898-5800  
*FAX:* (864) 898-5804  
*E-Mail:* rehiott@bhspickens.com

### **RICHLAND**

Ms. Gayle Aycock, President &  
Chief Executive Officer  
LRADAC  
2711 Colonial Drive (29203)  
P.O. Box 50597  
Columbia, SC 29250  
*Phone:* (803) 726-9300  
*FAX:* (803)  
*E-Mail:* clewis@lradac.org

### **SALUDA**

Mr. Hugh B. Gray, Executive Director  
Westview Behavioral Health Services – Saluda Office  
204 Ramage Street  
Saluda, SC 29138  
*Phone:* (864) 445-2968  
(864) 445-3827  
*FAX:* (864) 445-9592  
*E-Mail:* hgray@westviewbehavioral.org

### **SPARTANBURG**

Ms. Susan O'Brien, Executive Director  
Forrester Center for Behavioral Health  
187 West Broad Street, Suite 200 (29306)  
P.O. Box 1252  
Spartanburg, SC 29304  
*Phone:* (864) 582-7588  
*FAX:* (864) 582-8119  
*E-Mail:* susan@sadac.org

### **SUMTER**

Mr. Glenn Peagler, Executive Director  
Sumter Behavioral Health Services  
115 North Harvin Street, 3rd Floor (29150)  
P.O. Box 39  
Sumter, SC 29151  
*Phone:* (803) 775-6815  
(803) 775-2727  
*FAX:* (803) 773-6232  
*E-Mail:* gpeagler@sumterbhs.org

### **UNION**

Ms. Nikki Pyles, Executive Director  
Union County Commission on  
Alcohol and Drug Abuse  
201 South Herndon Street  
P.O. Box 844  
Union, SC 29379  
*Phone:* (864) 429-1656  
*FAX:* (864) 429-1667  
*E-Mail:* uccada@uccada.org

### **WILLIAMSBURG**

Ms. Jackie Scott Graham, Director  
Williamsburg County Department on  
Alcohol and Drug Abuse  
115 Short Street  
P.O. Box 506  
Kingstree, SC 29556  
*Phone:* (843) 355-9113  
(843) 355-7123  
*FAX:* (843) 355-9389  
*E-Mail:* jgraham@wcdada.org

### **YORK**

Ms. Janet Martini, Executive Director  
Keystone Substance Abuse Services  
199 South Herlong Avenue  
P.O. Box 4437  
Rock Hill, SC 29732  
*Phone:* (803) 324-1800  
*FAX:* (803) 328-3831  
*E-Mail:* info@keystoneyork.org

## Department of Health and Human Services (DHHS) Office Locations

**Abbeville County**

Human Services Building, 903 West Greenwood Street Abbeville, South Carolina 29620-5678

**Aiken County**

County Commissioner's Building, 1410 Park Avenue, SE Aiken, South Carolina 29801-4776

**Allendale County**

521 Barnwell Road Allendale, SC 29810-1903

**Anderson County**

224 McGee Road Anderson, South Carolina 29625-2104

**Bamberg County**

374 Log Branch Road Bamberg, South Carolina 29003-0544

**Barnwell County**

10913 Ellenton Street Barnwell, South Carolina 29812-0648

**Beaufort County**

1905 Duke Street Beaufort, South Carolina 29902-4403

**Berkeley County**

2 Belt Drive Moncks Corner, South Carolina 29461-2801

**Calhoun County**

*Closed due to flood, working out of Orangeburg office.*

2831 Old Belleville Road St. Matthews, South Carolina 29135-9010

**Charleston County**

3366 Rivers Ave Charleston, South Carolina 29401-1124

**Cherokee County**

1231 N Limestone St, Unit C, Gaffney, SC 29340

**Chester County**

115 Reedy Street Chester, South Carolina 29706-1881

**Chesterfield County**

203 Commerce Ave Chesterfield, South Carolina 29709-1201

**Clarendon County**

3 South Church Street Manning, South Carolina 29102-3454

**Colleton County**

215 South Lemacks Street Walterboro, South Carolina 29488

**Darlington County**

300 Russell Street, Room 145 Darlington, South Carolina 29532-3340

**Darlington County**

404 South Fourth Street, Suite 300 Hartsville, South Carolina 29550-5718

**Dillon County**

1213 Highway 34 West Dillon, South Carolina 29536-8141

**Dorchester County**

216 Orangeburg Road Summerville, South Carolina 29483-8945

**Edgefield County**

120 W.A. Reel Drive Edgefield, South Carolina 29824-1607

**Fairfield County**

1136 Kincaid Bridge Rd Winnsboro, South Carolina 29180-7116

**Florence County**

2685 South Irby Street, Box I Florence, South Carolina 29505-3440

## Department of Health and Human Services (DHHS) Office Locations (Continued)

**Florence County**

345 South Ron McNair Blvd Lake City, South Carolina 29560-3434

**Georgetown County**

330 Dozier Street Georgetown, South Carolina 29440-3219

**Greenville County**

301 University Ridge, Suite 6700 Greenville, South Carolina 29601-3636

**Greenwood County**

1118 Phoenix Street Greenwood, South Carolina 29646-3918

**Hampton County**

102 Ginn Altman Avenue, Suite B Hampton, South Carolina 29924-3962

**Horry County**

Genesis Complex, 1201 Creel St. Conway SC 29527

**Jasper County**

10908 North Jacob Smart Boulevard Ridgeland, South Carolina 29936-2708

**Kershaw County**

110 East DeKalb Street Camden, South Carolina 29020-4432

**Lancaster County DHHS**

1599 Pageland Hwy Lancaster, South Carolina 29720-2409

**Laurens County**

93 Human Services Road Clinton, South Carolina 29325-7546

**Lee County**

820 Brown Street Bishopville, South Carolina 29010-4207

**Lexington County**

605 West Main Street Lexington, South Carolina 29072-2550

**McCormick County**

215 North Mine Street - Highway 28 N McCormick, South Carolina 29835-8363

**Marion County**

137 Airport Ct., Suite J Mullins, SC 29574

**Marlboro County**

713 S. Parsonage St. Ext. Bennettsville, SC 29512

**Newberry County**

County Human Services Center, 2107 Wilson Road Newberry, South Carolina 29108-1603

**Oconee County**

223 B Kenneth Street Walhalla, South Carolina 29691-2443

**Orangeburg County**

2570 Old St. Matthews Road NE Orangeburg, South Carolina 29118-1407

**Pickens County**

212 McDaniel Avenue Pickens, South Carolina 29671-2527

**Richland County**

3220 Two Notch Road Columbia, South Carolina 29204-2826

**Saluda County**

613 Newberry Hwy Saluda, South Carolina 29138-8903

**Spartanburg County**

1000 N. Pine Street, Suite 23, Pinewood Shopping Ctr. Spartanburg, South Carolina 29303

**Sumter County**

105 North Magnolia Street, 3rd Floor Sumter, South Carolina 29150-4941

Department of Health and Human Services (DHHS) Office Locations (Continued)

**Union County**

200 South Mountain Street Union, South Carolina 29379-2389

**Williamsburg County**

121 Hampton Avenue Kingstree, South Carolina 29556-2555

**York County**

454 S. Anderson Road, Suite 10 Rock Hill, SC 29730

## Department of Health and Environmental Control (DHEC) – WIC Program Office Locations

<b>DHEC - WIC Program Location and Address</b>
<p>Abbeville County Health Department 905 W. Greenwood Street Abbeville, SC 29620</p>
<p>Anderson County Health Department 220 McGee Road Anderson, SC 29625</p>
<p>Cherokee County Health Department 400 S. Logan Street Gaffney, SC 29341</p>
<p>Chesnee Health Department 210 Hampton Street Chesnee, SC 29323</p>
<p>Greenville Health Department 200 University Ridge Greenville, SC 29601</p>
<p>Greer Health Department 202 Victoria Street Greer, SC 29651</p>
<p>GHS-OB 701 Grove Road Greenville, SC 29605</p>
<p>Greenwood County Health Department 1736 South Main Street Greenwood, SC 29646</p>
<p>Inman Health Department 6 S. Howard Street Inman, SC 29349</p>
<p>McCormick County Health Department 204 Highway 28 McCormick, SC 29835</p>
<p>Pickens County Health Department 200 McDaniel Avenue Pickens, SC 29671</p>
<p>Simpsonville Center for Community Services 1102 Howard Drive Simpsonville, SC 29681</p>

Slater/Marietta Health Department Foothill Family Resources 3 Main Street Slater, SC 29683
Spartanburg County Health Department 151 E. Wood Street Spartanburg, SC 29303
Union County Health Department 115 Thomas Street Union, SC 29379
Seneca Health Department 609 North Townville Street Seneca, SC 29678
Woodruff Health Department 240 Gregory Street Woodruff, SC 29388
Laurens County Health Department 93 Human Services Road Clinton, SC 29325
Phillis Wheatley Community Center 335 Greenacre Road Greenville, SC 29607
Aiken County Health Department 222 Beaufort Street, NE Aiken, SC 29801
Margaret J. Weston Site 4645 Augusta Road Clearwater, SC 29822
Barnwell County Health Department 11015 Ellenton Street Barnwell, SC 29812
Batesburg-Leesville Clinic 229 West Church Street Batesburg, SC 29006
Chester County Health Department 129 Wylie Street Chester, SC 29706
Edgefield County Health Department 21 Star Road Edgefield, SC 29824



Fairfield County Health Department 1136 Kincaid Bridge Road Winnsboro, SC 29180
Fort Jackson Clinic 4500 Stuart Street FT. Jackson, SC 29207
Kershaw County Health Department 1116 Church Street Camden, SC 29020
Lancaster County Health Department 1833 Pageland Highway Lancaster, SC 29720
Lexington County Health Department 1070-B S Lake Drive Lexington, SC 29073
Newberry County Health Department 2111 Wilson Road Newberry, SC 29108
WIC Satellite Eastover 120 Clarkson Street Eastover, SC 29044
Richland County Health Department 2000 Hampton Street Columbia, SC 29204
Saluda County Health Department 613 Newberry Highway Saluda, SC 29138
York County Health Department 1070-B Heckle Boulevard #204 Rock Hill, SC 29732
York Health Center 116 North Congress Street York, SC 29745
Chesterfield County Health Department 203 N Page Street Chesterfield, SC 29709

Clarendon County Health Department 110 E Boyce Street Manning, SC 29102
Conway Public Health Department 1931 Industrial Park Road Conway, SC 29536
Darlington County Health Department 305 Russell Street Darlington, SC 29532
Dillon County Health Department 201 W Hampton Street Dillon, SC 29536
Florence County Health Department 145 E Cheves Street Florence, SC 29506
Georgetown County Health Department 531 Lafayette Street Georgetown, SC 29440
Hartsville Health Department 130 Camden Avenue Hartsville, SC 29550
Williamsburg County Health Department 520 Thurgood Marshall Highway, Suite A Kingstree, SC 29556
Lee County Health Department 810 Brown Street Bishopville, SC 29010
Marion County Health Department 206 Airport Court, Suite B Mullins, SC 29574
Marlboro County Health Department 711 South Parsonage Street Bennettsville, SC 29512
Sumter County Health Department 105 N Magnolia Street Sumter, SC 29150

Shaw AFB WIC Office 524 Stuart Avenue Shaw AFB, SC 29152
Lake City Health Department 137 N Acline Street Lake City, SC 29560
Myrtle Beach Health Department 700 21 <sup>st</sup> Avenue North Myrtle Beach, SC 29577
Stephen's Crossroad Public Health Department 107 Highway 57 North Little River, SC 29582
Allendale County Health Department 571 N. Memorial Avenue Allendale, SC 29810
Bamberg County Health Department 370 Log Branch Road Bamberg, SC 29003
Berkeley County Health Clinic 109 W Main Street Moncks Corner, SC 29461
Beaufort County Health Department 601 Wilmington Street Beaufort, SC 29902
Bluffton Health Center 4819 Bluffton Parkway #141 Bluffton, SC 29910
Calhoun County Health Department 2837 Bellville Road St. Matthews, SC 29135
Colleton County Health Department 219 S Lemacks Street Walterboro, SC 29488
Goose Creek Health Department 106 Westview Boulevard Goose Creek, SC 29445
Hampton Health Department 531 W Carolina Avenue Varnville, SC 29944
Jasper County Health Department 651 Grays Highway Ridgeland, SC 29936
Holly Hill Health Center

932 Holly Street Holly Hill, SC 29059
Mt. Pleasant Health Clinic 1189 Sweetgrass Basket Parkway Mt. Pleasant, SC 29464
Sea Island Medical Center 3627 Maybank Highway Johns Island, SC 29455
North Area Health Clinic 3963 Whipper Barony Lane Charleston Heights, SC 29405
Northwoods Health Clinic 2070 Northbrook Blvd. A-20 N. Charleston, SC 29406
Orangeburg County Health Department 1550 Carolina Avenue Orangeburg, SC 29116
Dorchester County Health Department 500 N Main Street Summerville, SC 29483

**MINIMUM REQUIREMENTS FOR STATE/FEDERAL OFFICES:**

<b>Office</b>	<b>Min. Age</b>	<b>State Resident</b>	<b>US Citizen</b>	<b>Registered Voter</b>	<b>Term of Office</b>	<b>Consecutive Terms</b>	<b>Special Qualifications/Notes</b>
US Senate	30	No time limit	9 years	Yes	6 years	Indefinite	
US House of Representatives	25	No time limit	7 years	Yes	2 years	Indefinite	
Governor	30	5 years	5 years	Yes	4 years	2	
Lieutenant Governor	30	5 years	5 years	Yes	4 years	2	
Secretary of State	18	No time limit	No time limit	Yes	4 years	Indefinite	
State Treasurer	18	No time limit	No time limit	Yes	4 years	Indefinite	
Attorney General	18	No time limit	No time limit	Yes	4 years	Indefinite	
Comptroller General	18	No time limit	No time limit	Yes	4 years	Indefinite	
State Superintendent of Education	18	No time limit	No time limit	Yes	4 years	Indefinite	
Adjutant General	18	No time limit	No time limit	Yes	4 years	Indefinite	
Agriculture Commissioner	18	No time limit	No time limit	Yes	4 years	Indefinite	
SC Senate	25	No time limit	No time limit	Yes	4 years	Indefinite	Must be a legal resident of the district at the time of filing
SC House of Representatives	21	No time limit	No time limit	Yes	2 years	Indefinite	Must be a legal resident of the district at the time of filing
Solicitors	18	No time limit	No time limit	Yes	4 years	Indefinite	Must be legal resident of circuit 30 days prior to the election. Must be licensed to practice law by the S.C. Bar at the time of his election and throughout his term.

**MINIMUM REQUIREMENTS FOR COUNTY OFFICES:**

<b>Office</b>	<b>Min. Age</b>	<b>Residency Requirement</b>	<b>Registered Voter</b>	<b>Term of Office</b>	<b>Consecutive Terms</b>	<b>Special Qualifications/Notes</b>
Council	18	Must be a resident of the county and/or district at the time of the election	Yes	4 or 2 years	Indefinite	Term is 2 years in Anderson, Edgefield, Orangeburg, & York Counties.
Treasurer	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	Treasurer is appointed in Greenwood & York Counties.
Auditor	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	Auditor is appointed in Greenwood & York Counties.
Clerk of Court	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	
Coroner	21	Must be a resident of the county for at least 1 year immediately preceding the date of the election. Must be a U.S. citizen	Yes	4 years	Indefinite	*See below for complete qualifications
Probate Judge	21	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	S.C. Code of Laws Section 14-23-1040 includes an education/experience requirement for Probate Judge. (Act 678 of 1990) However, the U.S. Department of Justice objected to the requirement, and the act was never precleared and is therefore unenforceable.
Sheriff	21	Must be a resident of the county for at least 1 year immediately preceding the date of the election. Must be a U.S. citizen.	Yes	4 years	Indefinite	**See below for complete qualifications

Office	Min. Age	Residency Requirement	Registered Voter	Term of Office	Consecutive Terms	Special Qualifications/Notes
Register of Deeds	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	
School Board	18	Must be a resident of the county and/or district at the time of the election	Yes	4, 3 or 2 years	Indefinite	Additional qualifications may exist for any particular school board or district. For specific lengths of terms and qualifications, contact the local school district or the S.C. School Board Association.
Soil & Water Conservation District Commissioner	18	Must be a resident of the county and/or district at the time of the election	Yes	4 years	Indefinite	

**\*Candidates for Coroner must meet the following qualifications (S.C. Code of Laws 17-5-130):**

- Must have a high school diploma or equivalent recognized by the State Department of Education.
- Must not have been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.
- Must have one of the following combinations of education and experience:
  - 3 years experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - 2 year associate degree and 2 years experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - 4 year baccalaureate degree and 1 year experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - be a law enforcement officer, as defined by S.C. Code of Laws 23-23-10(E)(1), certified by the S.C. Law Enforcement Training Council with a minimum of 2 years of experience; or
  - be a licensed private investigator with a minimum of 2 years of experience; or
  - have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within 1 year of being elected to the office of coroner.
- Candidates must file a sworn affidavit with the county party chairman no later than the close of the filing period (petition candidates file the affidavit with the county election commission). A Coroner's Filing Affidavit is available for download from the [Filing Forms page](#). Affidavits must contain the following information:
  - date and place of person's birth
  - person's citizenship
  - county of residence and how long the person has been a resident of that county
  - whether the person is a registered voter
  - date person obtained high school diploma or its recognized equivalent



- whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.
- date person obtained an associate degree or baccalaureate degree, if applicable
- date person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable

**\*\*Candidates for Sheriff must meet the following qualifications (S.C. Code of Laws 23-11-110):**

- Must have one of the following combinations of education and experience:
  - High school diploma & 5 years experience as a certified law enforcement officer; or
  - 2 year associate degree & 3 years experience as a certified law enforcement officer; or
  - 4 year bachelor's degree & 1 year experience as a certified law enforcement officer; or
  - Served as a summary court judge for at least 10 years.
- Must not have pled guilty or been convicted of a felony in this state or in any other state or pled guilty or been convicted of driving under suspension of a license or driving under the influence of drugs or alcohol within the past 10 years.
- Candidates must be fingerprinted and have SLED make a search of local, state and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than 130 days prior to the General Election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the results with the county election commission in the county of his residence.
- Candidates must file a sworn affidavit with the county party chairman no later than the close of the filing period (petition candidates file the affidavit with the county election commission). A Sheriff's Filing Affidavit is available for download from the [Filing Forms page](#). Affidavits must contain the following information:
  - date and place of person's birth
  - date person graduated from high school or received equivalent of high school diploma
  - number of years experience person has as a certified law enforcement officer, when applicable
  - number of years experience person has as a summary court judge, when applicable
  - an affirmation the person meets all of the qualification requirements of 23-11-110(A)

County	Current Board Members	Years Served on Board
Abbeville (7)	Teresa Bannister Laura Baughman Betty Bowen Betty Henry Janet Miller Conway Shirley Brenda Tolbert	Unknown 6 3 10 Unknown 3 2
Aiken (9)	James Cosnahan Douglas Gantt Paul Hudak Ron Kolosek Amanda Kay McIver Andrew Marine Moses Myers Sarah Rutland Blanche S. Wimberly	3 1 3 Less than 1 Unknown 5 Unknown 5 2
Allendale (4)	Edwina Bing Robert Connelly, III Jacob Prince Georgia Williams	3 3 3 3
Anderson (7)	Linda Burdette Karen Claflin Jean Holloway Craig Isom Melissa Ledford William Orr Peggy Taylor	Unknown 5 5 Unknown Less than 1 Unknown 11
Bamberg (7)	Verline Baucham Patricia Blume Jimmy Brickle Jannie Johnson Dorothy Lee Eva Manigault Curtis Tyler, Jr.	Unknown Unknown 9 10 Unknown 3 2
Barnwell (7)	Ivan Cohen Bobby Hundley Harriett McKnight Gwendolyn Neal Caroline Nolte Myrtle Smoak Mary Kathleen Thomas	3 10 2 11 4 5 11
Beaufort (8)	William Bronson Tyrone Clifford Beverly Dore Dean Hewitt Bruce Massey James Rowe William Severns Henry Waddington	3 Unknown 7 11 3 8 5 Unknown

Berkeley (9)	Wade Arnette Leon Brown Orval Mills Judy Moody Zonda Powell Donald Rose Don Saturday Frances Taylor Darel Trout	1 Unknown Unknown 11 2 Unknown Unknown Unknown 2
Calhoun (8)	Johnnie Bates Vivian Bodrick Catherine Crosby Rebecca Keller Pamela Phillips Jeff Reid, Jr. Ashley Summers Judy Taylor	Unknown Unknown Unknown Unknown Unknown Unknown 11 Unknown
Charleston (9)	John Bourne Carolyn Lecque Dan Martin Robin Poliakoff Charles Shine June Smith Mary Ann Taylor Christine Varnado Troy Watson	Unknown Unknown Unknown 3 Unknown Unknown 4 Unknown Unknown
Cherokee (8)	Richard Baines Lamar Batchelor Jason Blanton Carlton Bridges Mike Byars James Elliott John Hoilo Meredith McKey	3 Unknown 5 3 1 1 1 1
Chester (6)	Anna Boulware Luke Cameron Andrew Johnson William (Bill) Marion Debbie Parsons Bobbie Starks	3 9 7 Unknown 9 9
Chesterfield (5)	Gerald Baker Martha Charles Roy Neal Phillip Powell Donald Sellers	11 4 Unknown Less than 1 Unknown

Clarendon (9)	Paula Bryant Jeremy Cannon Nancy Cave Gregory Holliday Mattie Johnson Sharon Ridgeway Maggie Robertson Beatrice Simon Betsy Watson	Unknown 1 5 Unknown 1 Unknown 9 Less than 1 2
Colleton (7)	Queenie Crawford Lynette Fryar Angela Gilliard Scott Harvin Dale Headden Celia Price Randall Ulmer, Sr.	7 Unknown 6 6 11 11 2
Darlington (4)	Ellen Causey Hannah Dixon Thomas Heatley Hamer Parnell	Unknown 12 9 6
Dillon (8)	Wilson Brown James Calhoun Amy Cardwell Dorothy Carmichael Mary Davis Michael Grice Ralph Herndon Melissa Thompson	Less than 1 Less than 1 3 3 3 Less than 1 Less than 1 1
Dorchester (5)	Queen Bowman Ronald Jaicks Rodney Profit Arthur Shields Cecil Toulon	Unknown 3 Unknown Unknown 3
Edgefield (6)	Vickie C. Butler Eddie Feagin Donna Lybrand Bob Ramsey David Satcher Beatrice Scott	Less than 1 Unknown Less than 1 Unknown 10 Unknown
Fairfield (7)	Thomas Chase Robert Drake John Glenn, Sr. Carolyn Prioleau Alice Rice Donna Royson Betty Trapp	6 5 9 10 5 3 Unknown

Florence (6)	Gary Cooper Helen Dimery Becky Docherty Rudy Hughes Quincy Kennedy Ashley Nance	1 3 3 Unknown 9 5
Georgetown (8)	Billy Altman Nancy Brown Tracy Gibson Mary Joyce Holmes Jan Lane Dean Smith Robert Wigglesworth Jimmy Young	Unknown Unknown Less than 1 5 4 6 Less than 1 Unknown
Greenville (8)	Jerry Barron Wayne Davis Joyce Hoffman Bill Lynch Bunny Phillips Glenn Phillips Bob Schaffner Markylena Tolbert-Wydman	Unknown Unknown 2 7 Unknown 2 Unknown 7
Greenwood (8)	Ann Broome Jack Chalock David Connor David Eddy Don Going Beth Rembert Derwin Sthare James Wilson	3 Unknown 4 9 3 7 6 Unknown
Hampton (5)	Mark Altman Linda Givens Elise McQuire Kakela Robinson Carlar Williams	3 Unknown 1 9 4
Horry (8)	Vickie Autry Charlie Bellamy, II James Michael Frazier Deborah Johnson Maurice Jones Lawrence Leagans Dorsey Strickland Wiley Taylor, III	Unknown 2 Unknown Unknown 7 Unknown 2 5

Jasper (9)	Joseph Arzillo Rodney Catterton Timothy Crosby Denise Davidson Carrie Fair John Kemp Regenia Scott Carl Tyler Pamela Williams	3 3 1 1 Less than 1 1 Less than 1 12 Unknown
Kershaw (7)	Marvin Best Julia Brock Sally Brown John Clinton Anna Isgett Morris Pate Thoyd Warren	7 Unknown 2 7 Unknown 1 Unknown
Lancaster (4)	Marshall Benson Rick Crimminger Elvira McIlwain-Faulkner Ronnie Wall	9 Unknown 9 8
Laurens (9)	William Adair Chip Brownlee Marilyn Easter Ralph Hardy John Henley Tim Howard Patrick Jackson Reynold Stoddard Cathy Williams	Unknown 3 Unknown 9 3 8 2 5 Unknown
Lee (5)	Herbert Brisbon, Jr. Mary LeGrant Sytricia Price George Wallace Carl Whetsel	2 5 2 1 2
Lexington (9)	Ben Barfield Freddie Black Frenche Brewer John Carrigg Constance Flemming Wilfred Laintz Frances Lindler Jerry McCormick Wyman Merchant	1 7 2 2 1 Less than 1 2 3 2
McCormick (6)	Larry Baker Martha Brown Suffie Jennings Laverne James Moss Peter Shumway Rita Smith	1 5 1 Unknown 1 5

Marion (8)	Curtis Campbell Norma Coote Lewis Evans Linda Godfrey Brenda Hatfield Wallace Hayes Jacqueline McGill David Stone	10 1 11 12 Unknown 10 Unknown 3
Marlboro (8)	James Abraham Keith Brewington Weldon Bruce Chavis Brenda Dixon Phyllis Hagan Ray Howe Marion Smith Sharon Thomas	1 12 2 Unknown Unknown Unknown 4 12
Newberry (6)	Brenda Fulmer John Glasgow Samuel Price, Jr. Doretha Simpson Henry Summer Martha Waller	3 Less than 1 Unknown 3 5 5
Oconee (5)	Robert Brock Edna Reid Flora Riley Webb Smathers, Jr. Bobbie Wilhite	2 15 20 3 7
Orangeburg (6)	Gayle Brown Rose Carson Broadus Jamerson, III Katherine John Jimmy Johnson, Jr. Cornelius Sumpter	5 3 2 Unknown Unknown 3
Pickens (7)	June Bowers Gretchen Campbell Sheree Chapman Kathleen Hane Geneva Robinson William Thompson, Jr. Mary Jane Weeks	12 12 2 3 3 Unknown 6
Richland (5)	Adell Adams Jane Emerson Sylvia Holley Peter Kennedy Shirley Mack	6 2 2 2 Less than 1
Saluda (4)	Jack W. Atkinson Johnny Bosket Ruby Jean Mobley Charles Rentz	6 6 6 5



Spartanburg (6)	Dorothy Broyles Rosemary Byerly Cynthia Church Ruth Littlejohn William Thompson, Jr. Don Watson	8 5 Unknown 3 3 Unknown
Sumter (6)	Leroy Blanding Goliath Brunson, Jr. Edgar Donnalld Glenn Harrell Charles Moore Selena Smith	Unknown Unknown Less than 1 4 Unknown 4
Union (8)	Harriette Belk Doug Gilliam Roger Gregory Pat Littlejohn Deborah O'Daniel Grover Allen Owens Dianne Spencer Keith Vanderford	Unknown Unknown 5 Unknown 4 1 5 Unknown
Williamsburg (7)	Robert Brown Ernest Jarrett Helen McFadden Richard Nelson Glannie Tisdale Sharon Washington Brenda Woods	Unknown 7 Unknown 2 5 Unknown Unknown
York (7)	Joseph Berger Sadie Culp Jonell Hagner Diane Linkous Kenneth Love James Mabrey Steven Rast	Unknown 3 3 Unknown Unknown Unknown Unknown



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

**MENU**

- [Economic Analysis and Reports](#)
- [Legislative Fiscal Impact Statements](#)
- [Demographics](#)
- [Health Statistics](#)
- [Wireless E-911](#)
- [Mapping](#)
- [Budget Development](#)
- [Geodetic Survey](#)
  - [GPS Height Modernization](#)
  - [SC Real Time Network](#)
  - [-- SC RTN Status Map](#)
  - [SC National CORS Sites](#)
  - [SC County Line Projects](#)
  - [SC/NC Boundary Program](#)
  - [Locate Geodetic Control](#)
  - [Calibration Baselines](#)
  - [Contacts](#)
  - [Links](#)

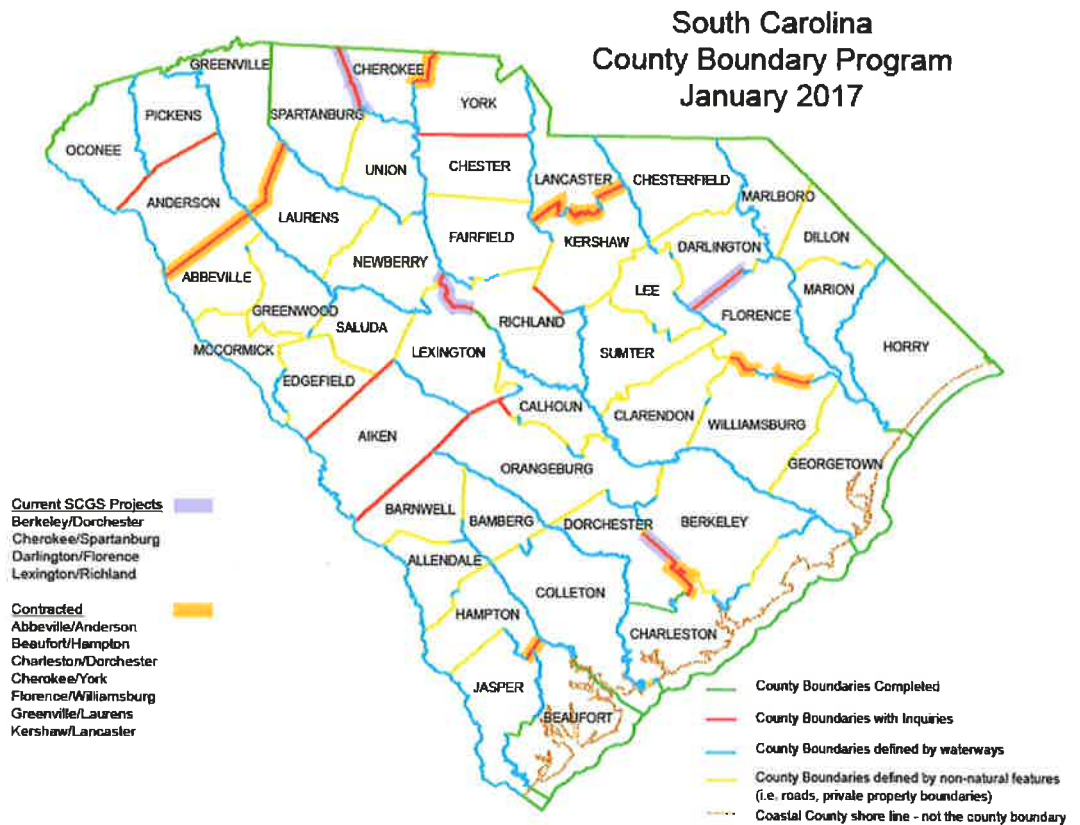
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- [Report State Agency Fraud \(Office of Inspector General\)](#)

[Home](#) > [Geodetic Survey](#) > SC County Line Projects

## Geodetic Survey

### SC County Line Projects

**Beaufort:**

[Beaufort/Jasper](#) (Effective Date January 10, 2017)

**Charleston:**

[Charleston/Dorchester: County Line Road](#) (Effective Date January 10, 2017)

[Charleston/Dorchester: Middleton](#) (Effective Date January 10, 2017)

**Cherokee:**

[Cherokee/Spartanburg](#)

[Cherokee/York](#)

**Dorchester:**

[Charleston/Dorchester: County Line Road](#) (Effective Date January 10, 2017)

[Charleston/Dorchester: Middleton](#) (Effective Date January 10, 2017)

**Florence:**

[Florence/Williamsburg](#) (Effective Date April 14, 2017)

**Jasper:**

[Beaufort/Jasper](#) (Effective Date January 10, 2017)

Page 579 of 1104

**Spartanburg:**

[Cherokee/Spartanburg](#)

**Williamsburg:**

[Florence/Williamsburg](#) (Effective Date April 14, 2017)

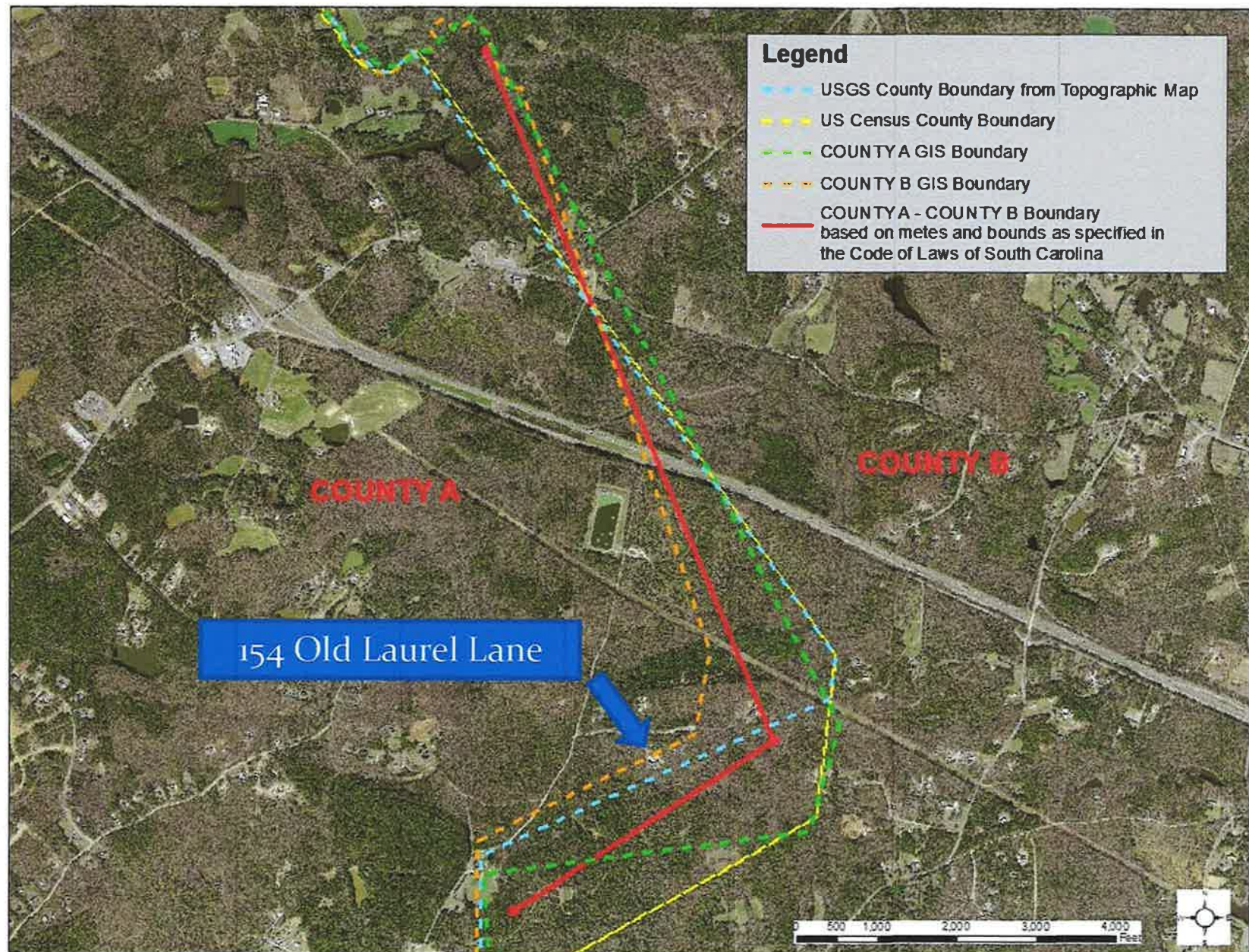
**York:**

[Cherokee/York](#)

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**Main Office, 1000 Assembly Street, Rembert Dennis Building, Suite 402, Columbia, SC 29201**  
**Geodetic Survey Section, 5 Geology Road, Columbia, SC 29212**  
**Health and Demographics Section, 1000 Assembly Street, Rembert Dennis Building, Suite 240, Columbia, SC 29201**





STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND	)	FOR THE FIFTH JUDICIAL CIRCUIT

ROBERT GANTT AND  
EDWARD K. WHITE

Petitioners,

v.

SAMUEL J. SELPH as Director, and  
MARJORIE JOHNSON, ADELL  
ADAMS, E. PETER KENNEDY, SYLVIA  
HOLLEY and JANE EMERSON as the  
Members of the RICHLAND COUNTY  
VOTER REGISTRATION AND  
ELECTION COMMISSION,

Respondents.

AFFIDAVIT OF  
WILLIAM F. ROBERTS, JR.

Personally appeared before me, WILLIAM F. ROBERTS, JR., who first being duly sworn states as follows:

1. I am a citizen and resident of Richland County, South Carolina over the age of eighteen years and have the capacity to provide this affidavit.
2. I am the Program Director of the Precinct Demographics and Digital Cartography Section, and State Political Cartographer for the Revenue and Fiscal Affairs Office of the State of South Carolina. I have been employed in the office since 2000 when it was known as the Budget and Control Board Office of Research and Statistics.
3. In my current job, I am responsible for maintaining the official precinct maps for the State of South Carolina and working with the Legislature and County Voter Registration and Election Commissions to ensure that accurate maps are maintained and acted upon.



4. On Monday, August 29, 2016 the State Election Commission requested that my office run a statewide report showing possible errors in voter assignments in accordance with budget proviso 102.2 in part IB of the 2016-2017 appropriations bill (H.5001) and §1-11-360 using the official state precinct maps created under §7-7-30 through §7-7-530. The file provided by the State Election Commission was for Richland County.

5. My office, fulfilling its official responsibility prepared the reports for Richland noting errors and returned the completed report back to the State Election Commission on August 31, 2016 at 3:27 PM. The reports returned to the State Election Commission identified approximately 752 voters as being in the incorrect precinct.

6. On Thursday September 1, 2016 Chelle Cromer Epps at the Richland County Voter Registration and Elections Office contacted me and requested assistance reviewing the reports that were sent to Richland County by the State Election Commission. I met with the Richland County Voter Registration and Elections office on September 1, 2016 and began assisting with the verification of the voter locations utilizing both the mapping information that the Richland County GIS provides through an online mapping application as well as the official precinct maps prepared pursuant to statute and maintained and produced by the Revenue and Fiscal Affairs Office.

7. During the review I was informed by the Richland County Voter Registration and Elections Office that if a residence was inside of a Richland County tax parcel but outside the Richland County voting precincts, the Richland County Voter Registration and Elections Office would use the tax parcel for precinct assignment. If a residence was outside of a Richland County tax parcel, and outside the Richland voting precincts, but registered to vote in Richland County, the voter was going to be sent a letter to be notifying them that they needed to register to



vote in the county in which they pay taxes on their residence. I was informed by the Richland County Voter Registration and Elections Office that these notified voters would not be removed from the Richland County voter registration list. This result is in conflict with S.C. Code Ann. §11-11-360 and §11-9-1130 (2016) which dictate that the Revenue and Fiscal Affairs Office maintains the official precinct maps and those maps dictate the location of a residence and the proper precinct for registration. The Richland County Voter Registration and Elections Office was relying on tax maps instead of the official precinct maps to determine if a voter was inside or outside of a Richland County voting precinct. This is erroneous and results in voters voting in the improper precincts and in many cases in the wrong election districts.

8. After the review of the approximate 752 voters with the Richland County Voter Registration and Elections Office, a number of voters were reassigned to the proper precincts. According to the report notes provided by Richland County, there remain approximately 135 registered voters in Richland County that fall outside of a Richland County voting precinct according to the official maps established by our office, but reside in Richland County according to the tax maps. I was informed by the Richland County Voter Registration and Elections Office these voters would not change because they pay property taxes to Richland County.

9. Among those voters flagged by the most recent analysis of the official state precinct maps were the residents of the property at 154 Old Laurel Lane, Chapin, SC. Those residents are currently registered in the Spring Hill precinct. According to the official maps, they reside in the Chapin precinct. When presented with this fact, the Richland County Voter Registration and Elections Office would not discuss the issue of the residents at 154 Old Laurel Lane, Chapin SC, citing the recent ruling by the commission during the hearing on August 30, 2016. I am informed and believe that this action by Richland County contravenes the applicable statutes and

results in these residents all voting in the wrong precinct which may have an effect on the outcome of elections.

FURTHER AFFIANT SAYETH NOT

Signature Redacted

WILLIAM F. ROBERTS, JR.

Sworn to and subscribed before me this  
6<sup>th</sup> day of September, 2016

Signature Redacted

Notary Public for South Carolina  
My Commission Expires:

July 6, 2020



STATE OF SOUTH CAROLINA	)	
	)	
COUNTY OF RICHLAND	)	IN THE COURT OF COMMON PLEAS FOR THE FIFTH JUDICIAL CIRCUIT

ROBERT GANTT AND  
EDWARD K. WHITE

Petitioners,

v.

SAMUEL J. SELPH as Director, and  
MARJORIE JOHNSON, ADELL  
ADAMS, E. PETER KENNEDY, SYLVIA  
HOLLEY and JANE EMERSON as the  
Members of the RICHLAND COUNTY  
VOTER REGISTRATION AND  
ELECTION COMMISSION,

Respondents.

AFFIDAVIT OF  
WILLIAM F. ROBERTS, JR.

Personally appeared before me, WILLIAM F. ROBERTS, JR., who first being duly sworn states as follows:

1. I am a citizen and resident of Richland County, South Carolina over the age of eighteen years and have the capacity to provide this affidavit.
2. I am the Program Director of the Precinct Demographics and Digital Cartography Section, and State Political Cartographer for the Revenue and Fiscal Affairs Office of the State of South Carolina. I have been employed in the office since 2000 when it was known as the Budget and Control Board Office of Research and Statistics.
3. In my current job, I am responsible for maintaining the official precinct maps for the State of South Carolina and working with the Legislature and County Voter Registration and Election Commissions to ensure that accurate maps are maintained and acted upon.

4. In 2012, our office was responsible under budget proviso 80A.20 to assist county voter registration offices in making sure that voters were assigned to the correct election districts. During that effort we determined that the voters registered as living at 154 Old Laurel Lane, Chapin SC 29036 were not voting in the proper precinct or districts. We notified both Richland and Lexington Counties of this discrepancy.

5. After discovering this issue, I also contacted my colleagues at the South Carolina Geodetic Survey. They performed and continue to perform survey field work which has confirmed that the residence at 154 Old Laurel Lane, Chapin SC 29036 is not located in Richland County, but instead is located in Lexington County.

6. As a part of my job, I make and communicate these determinations based upon the official precinct maps maintained in our office.

7. *S.C. Code Ann. §7-7-465* (1976) defines the voting precincts in Richland County. That statute provides that our office provides the official boundaries. It provides, inter alia, "The precinct lines defining the precincts provided in subsection (A) are as shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-79-15 and as shown on copies of the official map provided to the Board of Voter Registration and Elections of Richland County by the Revenue and Fiscal Affairs office."

8. My office has reviewed the official map which we maintain as to the location of the residence at 154 Old Laurel Lane, Chapin, South Carolina 29036.

9. Pursuant to our review, that residence is located wholly within the boundaries of the Chapin precinct in Lexington County. No portion of the residence is located within the boundaries of the Springhill precinct in Richland County. The residence is hundreds of feet inside of the Chapin precinct.

10. My office has advised the Richland County Voter Registration and Election Commission of the fact that this residence is not located in the Springhill precinct. We first gave this notification in January of 2013. Most recently I testified to this fact at a hearing before the Commission on August 30, 2016. In each case we provided documents and reference to the official maps maintained by our office reflecting not only the precinct assignment, but house, senate and county council districts. In no circumstance was the residence at 154 Old Laurel Lane located in a Richland County voting precinct or district.

11. The attached exhibits to this affidavit numbered 1 through 8 constitute copies of relevant portions of the official map identified in statute as P-79-15 which enumerate the official precinct boundaries of the Springhill precinct in Richland County as maintained in our office. They show that the residence is located in the Chapin Precinct of Lexington County, that it is located in House District 85, Senate District 18, Lexington County Council District 6 and that it is located in Lexington County by the US Census maps. Richland County's own GIS precinct map shows the address at 154 Old Laurel Ln. outside of the Spring Hill precinct. It is error for the Richland County Voter Registration and Election Commission to rely upon the GIS tax maps to register voters and assign precincts. Our office provides them with the official maps established by the legislature for that purpose.

12. The residents at 154 Old Laurel Lane, Chapin, SC do not reside in the Springhill precinct and if placed in that precinct are registered and voting in a precinct in which they do not reside.

13. The South Carolina Geodetic survey has also performed research and surveys which clearly demonstrate that the residence at 154 Old Laurel Lane, Chapin SC 29036 is located wholly within Lexington County. The residence is more than .1 mile northwest of the county line in Lexington County.

14. On August 29, 2016 I was asked by the State Election Commission to run a report in accordance with budget proviso 102.2. After receiving the data I ran a report and identified over one hundred registered voters in the incorrect precincts around the county boundary according to the official precinct map on file with our office.

15. The Richland County Voter Registration and Election Commission either ignored or willfully failed to comply with state law in making a determination by allowing a resident or residents of 154 Old Laurel Lane, Chapin SC, 29036 to register in the Springhill precinct, to maintain a registration in the Springhill precinct and to file for a Richland County office as a resident of the Springhill precinct where the residence is not located in the Springhill precinct.

**FURTHER AFFIANT SAYETH NOT**

Signature Redacted

**WILLIAM F. ROBERTS, JR.**

Sworn to and subscribed before me this  
6<sup>th</sup> day of September, 2016

Signature Redacted

Notary Public for South Carolina

My Commission Expires: July 6, 2020





NIKKI HALEY, CHAIRMAN  
GOVERNOR

CURTIS M. LOFTIS, JR.  
STATE TREASURER

RICHARD ECKSTROM, CPA  
COMPTROLLER GENERAL



SC BUDGET AND CONTROL BOARD

Division of Research and Statistics

Bobby M. Bowers  
DIRECTOR

803-734-3793

Page 589 of 1104

HUGH K. LEATHERMAN, SR.  
CHAIRMAN, SENATE FINANCE COMMITTEE

W. BRIAN WHITE  
CHAIRMAN, HOUSE WAYS AND MEANS  
COMMITTEE

MARCIA ADAMS  
EXECUTIVE DIRECTOR

January 11, 2013

Mr. Jasper Salmond  
Interim Executive Director  
Richland County Voter Registration and Elections  
P.O. Box 192  
Columbia, SC 29202

Dear Mr. Salmond,

In a recent request from Robert Gantt, Chairman of the Richland Lexington School District Five Board of Trustees we were reviewing a residential addresses along the Lexington and Richland County boundary. In our review, we discovered multiple addresses of voters that are currently registered to vote in Richland County that actually reside inside of Lexington County. These voters are currently voting in the incorrect precinct and election districts. The two addresses are 154 Old Laurel Ln., Chapin, SC 29036 and 195 Old Laurel Ln., Chapin, SC 29036.

We used three sources to determine the county location of these addresses: 1. the U.S. Census Bureau, 2. Precinct maps on file with this office based on codified law, and 3. Research and field work conducted by the South Carolina Geodetic Survey.

The U.S. Census Bureau PL94-171 database shows both addresses as being located in U.S. Census Block 450630212042059. This puts them in the State of South Carolina in Lexington County in Tract 021204 in Block 2059. Based on the database, the entire street of Old Laurel Ln. is located in Lexington County.

The next analysis we conducted was based on the official precinct maps on file with our office. As established in §1-11-360 our office serves as the focal point for verifying official precinct information for the counties and serves as the official repository for precinct maps. The map on file with this office (P-63-10) show these addresses as being in Lexington County and should be voting in the Lexington County Chapin precinct for House District 85, Senate District 18, and Lexington County Council District 6.

The third source is research and field work conducted by the South Carolina Geodetic Survey. Section 4-3-460 of the Code of Laws of South Carolina 1976 defining the Richland County boundary states that Rocky Ford on Wateree Creek is a point on the Richland-Lexington county boundary. GPS was used to determine the coordinates for Rocky Ford. From Rocky Ford, one boundary line segment bears northwest and another bears southwest. The northwest-trending line segment from Rocky Ford to its intersection with Risters Creek has an azimuth of 343° for a distance of 9405 feet. The southwest-trending line segment from Rocky Ford has an azimuth of 243° for a distance of 3920 feet. Plotting this information on orthophotography demonstrates that both addresses are in Lexington County.



We ask that you take appropriate action to resolve this issue by notifying the voters that they are registered to vote in the incorrect county and need to be registered to vote in Lexington County so that they may be placed in the correct precinct and election districts in which they reside. Thanks for your help in this matter.

Sincerely,

Signature Redacted

Bobby M. Bowers

BMB:wfr

CC: Dean Crepes – Lexington County Voter Registration and Elections  
John Cloyd – Richland County Tax Assessor  
Richard Dolan – Lexington County Tax Assessor ✓

# *Elections & Voter Registration*

COMMISSIONERS  
ALLEN DOWDY, ACTING CHAIR  
ADELL T. ADAMS  
ELAINE D. DUBOSE  
HERBERT W. SIMS



JASPER SALMOND  
ACTING EXECUTIVE DIRECTOR

## *Richland County, South Carolina*

January 23, 2013

Bobby Bowers, Director  
SC Budget & Control Board  
1000 Assembly Street, Suite 425  
Columbia, SC 29201

Re: B & CB Letter of January 11, 2013

Addresses: 154 Old Laurel Lane, Chapin SC 29036 and 195 Old Laurel Lane, Chapin SC 29036

Dear Mr. Bowers:

Your letter of January 11, 2013 to the Richland County Elections and Voter Registration office has been reviewed and assessed. While I appreciate your efforts and the research you provided, we are unaware of any authority this office has to unilaterally make the revision you request. Please provide any statutory authority you think may be relevant and we would be glad to revisit the issue. Until that time, however, this office will be unable to remove these persons from the list of registered voters in Richland County.

Sincerely,

Signature Redacted

Dr. Jasper Salmond, Interim Executive Director  
Richland County Elections & Voter Registration

Cc: Larry Smith, Esquire  
Allen Dowdy, Vice Chair

## *Appendix K. May 9, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - May 3, 2017 - Meeting minutes
  - Study timeline
  - Agency snapshot
  - History
  - Legal directives
  - Products, services, and customers
  - Other agencies that serve the same or similar customers/products/services
  - Organizational chart
  - Organizational unit details
  - Mission and vision
  - Goals
  - Resources available
    - Funding
    - Funding not utilized: Carryforward
    - Employees
    - Employee demographics
    - Relationships with other entities
  - Methodology utilized to allocate resources
  - Agency's response to Subcommittee's April 19, 2017 letter
  - Committee contact information
- Documents provided by agency during meeting
  - PowerPoint - Presentation by State Election Commission (May 9, 2017 Subcommittee meeting)
- Letter from Oversight Subcommittee to State Election Commission (May 11, 2017)
  - The Executive Subcommittee sent this letter as a follow up to the May 9, 2017 Subcommittee meeting. This letter requests information on the following topics by May 24: (1) training; (2) printing of ballots; (3) samples; (4) filing fees; and (5) voter eligibility & removal from voter lists.
- Letter from State Election Commission to Oversight Subcommittee (May 24, 2017)
  - The State Election Commission provides information in response to the Subcommittee's May 11, 2017 letter: (1) ballot printer qualification program; (2) voter information available for sale; (3) voter registration application samples; (4) candidate filing fees by state (survey responses from states) ; (5) how voter qualifications are verified
- Letter from Oversight Subcommittee to interested parties (June 12, 2017)
  - The Executive Subcommittee sent this letter as a follow up to prior Subcommittee meetings during which it has been suggested that potential revisions to statutes may help clarify situations relating to county boundaries, an issue which directly impacts both elections and other matters for local governments and citizens.
- Letter from SC Association of Registration and Election Officials, Inc. to Oversight Subcommittee (June 22, 2017)
  - SC Association of Registration and Election Officials provides input to the Oversight Subcommittee.

***Executive Subcommittee***

Tuesday, May 9, 2017

**Table of Contents**

\*Items in bold are focus of meeting discussion

	Page Number
• Agenda.....	1
• May 3, 2017 - Meeting Minutes.....	2
• Study Timeline.....	4
• Agency Snapshot.....	6
• History.....	7
• Legal Directives	
o Creation of the Agency.....	9
o Governing Body.....	9
o Intent of the General Assembly.....	10
• <b>Products, Services and Customers</b>	
o Law require deliverable?.....	12
o # of Potential Customers and Customers Served.....	12
o Customer Service Evaluated?.....	12
o Can agency charge for product/service?.....	13
o Does agency know the cost per unit of the product/service?.....	14
o List of All Products and Services.....	15
• <b>Other agencies that serve the same or similar customers/products/services.....</b>	18
• <b>Organizational Chart.....</b>	19
• <b>Organizational Unit Details.....</b>	20
• Mission and Vision.....	21
• <b>Goals.....</b>	21
• Resources Available	
o Funding.....	23
o Funding Not Utilized: Carryforward.....	24
o Employees.....	25
o Employee Demographics.....	27
o Relationships with Other Entities.....	28
• Allocation of Resources	
o Methodology Utilized to Allocate Resources.....	29
• Agency's Response to Subcommittee's April 19, 2017 letter	
o Qualifications to Vote.....	39
o Voter Registration Information Available for Sale.....	41
o Cybersecurity.....	44
o Voting Machines and Poll Managers.....	45
o Election Commissioners.....	46
o County Election Boards.....	46
o Attachment A - Voter Registration.....	47
o Attachment B - Voter Registration Locations.....	50
o Attachment C - Candidate Qualifications.....	74
• Committee Contact Information.....	85

**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Tuesday, May 9, 2017***

***10:00 am***

***Room 321, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AMENDED AGENDA**

- I. Approval of Minutes from the May 3, 2017 Subcommittee Meeting**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**



*Katherine E. "Katie"  
Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
James E. Smith Jr.  
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*Charles L. Appleby IV  
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*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

### **Executive Subcommittee of the Legislative Oversight Committee**

Wednesday, May 3, 2017

Blatt Room 321

#### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

#### **Attendance**

- I. Subcommittee Chairman Gary E. Clary calls the Executive Subcommittee meeting to order on the morning of Wednesday, April 18, 2017, in Room 321 of the Blatt Building. The following members of the Subcommittee are present during all or part of the meeting: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Williams moves to approve the minutes from the April 18, 2017 Subcommittee meeting.

Rep. William's motion to approve the minutes from April 18, 2017:	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk			✓	
Rep. Newton	✓			
Rep. Williams	✓			

## Discussion of the State Election Commission

- I. Chairman Clary provides an update on the status of the study of the State Election Commission.
- II. Constituent Kim Murphy, after being reminded she is still under oath from being sworn in at a prior Committee meeting, testifies to the Subcommittee about her concerns with election boundaries.
  - a. Erroneously formed county precinct lines; and
  - b. State's county precinct boundary maps do not match county boundaries.

Members ask questions, which Ms. Murphy, and Will Roberts from the Revenue and Fiscal Affairs Office, answer.

- III. State Election Commission Director Andino presents information on the agency's services, products, and customers.

Members ask questions, which Director Andino answers.

- IV. The meeting is adjourned.



- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study**. Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency submits its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- April 18, 2017 - Subcommittee meets with agency (**Meeting #4**) to discuss the agency's (a) mission, (b) responsibilities, (c) successes, (d) challenges and issues, (e) emerging Issues in the next five years, (f) history of the agency, and (g) agency's governing body.
- May 3, 2017 - Subcommittee meets with agency (**Meeting #5**) to hear testimony from a constituent and begin discussion of deliverables (i.e. products and services), organizational units, and goals.
- May 9, 2017 - (TODAY) Subcommittee meets with agency (Meeting #6) to continue discussion of deliverables, organizational units, and goals
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

Study Step: Step #1, Agency Legal Directives, Plan, and Resources

Purpose of Study Step: Determine if the intent of the General Assembly is being implemented (i.e., to put into effect according to or by means of a definite plan or procedure) in the agency's mission, vision and strategic plan.

Meeting #: Meeting 2 and 2 of 2 in Study Step #1

Agency will present:

- History
- Products/services/customers the law instructs the agency to serve/provide and potential negative impacts if the service/product is not provided;
- Other agencies that serve the same or similar products/services/customers and why the manner in which the law instructs the agency to serve/provide is different than the other agencies;
- Mission and Vision; and
- Agency goals and how those goals align with the agency's daily operations.

Source of Information on attached pages: Agency Program Evaluation Report and State Statute

# State Election Commission

## History

Independent agency created in 1968.  
SC was the first state in the country to have a statewide voter registration system.

## Voter Services

(1) Statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions; (2) Election support services and technical assistance related to statewide voting system to Counties; (3) Election security oversight and guidance to counties

## Public Information/Training

(1) Administer a mandatory statewide training and certification program for county and municipal election officials; (2) Ongoing training events and workshops; (3) Poll manager training program and materials; (4) Educate the public on the voter registration and election process; (5) Provide information regarding elections and agency activities

## Administration

Leadership and direction for the agency, including administration, finance and support services

## SUCCESSES

- Conduct Statewide Elections and Security
- Statewide Voting System Audits, County Compliance Audits, and Supervision of Counties
- Implementation of Candidate Filing and Photo ID

## ISSUES

- Voting System Refresh
- Election Security
- Meeting Demands of Voters
- Voting System Replacement
- Cyber Security

## History

The State Election Commission (SEC) is created as an independent agency in 1968. At this time, South Carolina creates the first statewide voter registration system in the country. Mr. James B. Ellisor is named executive director, a position he serves until 1992.

In 1984 the SEC implemented the federal Voting Accessibility for the Elderly and Handicapped Act. Also in that year, the **first two counties in the state were given online access to the statewide voter registration system.**

The SEC launched a statewide project to replace paper ballots in 1986. The agency also implemented voter registration by mail, implemented the federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and successfully **transitioned five counties in the state to use of electronic voting machines.**

In 1992, South Carolina began running statewide primaries; and implemented reapportionment following the 1990 census. Prior to 1992, statewide primaries were run by political parties.<sup>1</sup> Lynn McCants was named executive director of the SEC.

As of 1993, **all county election boards have online access to the statewide voter registration system.** James F. Hendrix becomes executive director of the SEC in 1994 and serves in the position through 2002.

The SEC begins a training and certification program for county boards and launches a website to provide information to voters in 1995. The SEC also implements the National Voter Registration Act (Motor Voter) and participates in a technology exhibit for the U.S. Department of Commerce showcasing electronic voting machines used in the state.

In 2000, the SEC participates in the Voting over the Internet Project, which is sponsored by the U.S. Department of Defense, Federal Voting Assistance Program. Following the 2000 census, the SEC implements reapportionment in 2002.

Ms. Marci Andino becomes executive director of the agency in 2003, a position in which she continues to serve at the present. During that year the agency implements the Help America Vote Act.

In 2004 the SEC **begins implementing a statewide electronic voting system** in fifteen counties and moves the agency website to a new platform located at scVOTES.org. It also combines its Voter Services and Election Services Divisions to create the Public Information and Training Division. The statewide electronic voting system is completed in 2005. This is the first time South Carolina has a single voting system.<sup>2</sup> Prior to 2004, there were five to six different types of voting systems, including punch cards, utilized by different counties.<sup>3</sup>

For military and overseas voters, the SEC implements instant runoff voting (rank choice) in runoffs in 2006. This solves the problem of being able to obtain votes, in a timely manner, from overseas voters for runoff, since runoffs are two weeks after a primary.<sup>4</sup> The agency develops and **begins using electronic voter registration lists at polling places** and launches an intranet site to provide election related information to, as well as communicate with, county election officials.

In 2007 the agency budget is reduced 24%.

The agency conducts the Presidential Preference Primaries for the first time in 2008. In total, it conducts five statewide elections that year (2 Presidential Preference Primaries, Statewide Primary and Runoff, and General Election).

In 2010, the agency implements the federal Military and Overseas Voter Empowerment Act (MOVE). It also **develops and implements an electronic ballot delivery system for military and overseas citizens.**

The statewide **Voter Registration and Election Management System (VREMS) is implemented in 2011.** The agency also develops a voting system audit program to validate vote totals, all while its budget is reduced 24%.

In 2012, the agency **implements an Online Voter Registration System (OVR)**, conducts the Republican Presidential Preference Primary, and undergoes an audit by the Legislative Audit Council.

Following the 2012 census, the agency implements reapportionment and during fiscal year 2012-13, the General Assembly passes recurring funding for the agency to conduct Primaries and General Elections.

In 2013, the agency implements photo identification. Also that year, the U.S. Supreme Court strikes down Section 4 of Voting Rights Act (no longer required to have election changes pre-cleared by the U.S. Department of Justice).

In 2014, the agency is given **supervisory responsibility over county boards of voter registration and elections; responsibility for conducting county compliance audits** and other postelection analysis; and responsibility for conducting candidate filing, which was previously conducted by political parties. That same year the agency creates an *Information Security position*.

The agency conducts the first county compliance audits in 2015. It also creates the *first Area Representative position* and holds a voting system fair to become familiar with current voting systems available around the country at that time.

In 2016, the agency creates a *Staff Attorney position*, *four additional Area Representative positions*, and conducts five statewide elections (2 Presidential Preference Primaries, Statewide Primary and Runoff, and General Election).

## Legal Directives

### Creation of the Agency

State statute created the State Election Commission (SEC). The information below relates to the laws as they exist at the start of 2017.

### Governing Body (i.e. director, commissioners, trustees, etc.)

Pursuant to state statute, the State Election Commission is composed of five Commissioners, with at least one from the majority political party and at least one from the largest minority political party in the General Assembly.<sup>5</sup> Each Commissioner is appointed by the Governor for a four year term, but continues to serve until a successor is appointed.<sup>6</sup>

The Chairman of the Commission is also appointed by the Governor.<sup>7</sup> The Chairman serves a two year term, but continues until a successor is appointed.<sup>8</sup>

Below is a list of the current Commissioners and the date they were appointed.

Date Appointed	Commissioner's Name	# of Years on Commission
Sept. 2012	Billy Way, Jr., Chair	4.5 years
Sept. 2010	Mark A. Benson	6.5 years
Sept. 2011	Marilyn Bowers	5.5 years
Nov. 2011	Nicole Spain White	5.5 years
Sept. 2012	E. Allen Dawson	4.5 years

The Commission elects an Executive Director of the agency who is directly responsible to the commission, serves at the pleasure of the commission, and is the chief administrative officer for the State Election Commission.<sup>9</sup>

Date Elected	Executive Director's Name	# of Years as ED
2003 - Present	Marci Andino	14 years
1994-2002	James F. Hendrix	8 years
1992-1994	Lynn McCants	2 years
1968-1992	James B. Ellisor	35 years

### Meetings

The commission meets in Columbia, South Carolina at least once each month or at such times as considered necessary by the commission.<sup>10</sup> The commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.<sup>11</sup>

### Prohibitions

Commissioners are prohibited from (1) participating in political management or in a political campaign during the member's term of office, (2) making a contribution to a candidate, and (3) knowingly attending a fundraiser held for the benefit of a candidate.<sup>12</sup> Those who violate these rules are subject to removal by the Governor.<sup>13</sup>

## Intent of the General Assembly

The **intent of the General Assembly** in creating the SEC is not specifically stated in one statute, like other agencies, such as the Law Enforcement Training Council<sup>14</sup>.

Instead, state statute outlines numerous tasks for which the Executive Director of the SEC is responsible, including<sup>15</sup>,

- **Supervise the conduct of county board of elections and voter registration**, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process<sup>16</sup>;
- **Conduct reviews, audits, or other postelection analysis of county board of elections and voter registration**, as established pursuant to Article 1, Chapter 5, **to ensure those boards' compliance** with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process<sup>17</sup>;
- **Maintain a complete master file of all qualified electors by county and by precincts**;
  - a. Enter names on the master file **as they are reported by the county boards** of voter registration and elections<sup>18</sup>;
  - b. Delete the name of any elector who is: (1) deceased<sup>19</sup>; (2) no longer qualified to vote in the precinct where currently registered; (3) has been convicted of a disqualifying crime; (4) otherwise no longer qualified to vote as may be provided by law; or (5) requests in writing that his name be removed<sup>20</sup>;
    - i. Secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes<sup>21</sup>;
    - ii. Obtain information from any other source which may assist in carrying out purposes of this section<sup>22</sup>;
  - c. Retain all information furnished relating to the inclusion or deletion of names from the master file for four years<sup>23</sup>
- **Furnish**
  - a. Qualified Elector any **precinct lists requested, at a reasonable price**<sup>24</sup>;
  - b. 10 days prior to each election, to each county board of voter registration and elections
    - i. **master list of all registered voters in the county**,<sup>25</sup> together with
    - ii. copy of **all registered voters in each precinct of the county**<sup>26</sup>;
    - iii. The precinct copies shall be used as official list of voters<sup>27</sup>;
- **Statewide voter registration database** - Establish, maintain, administer, and make it,
  - a. Make it continuously available to
    - i. each county board of voter registration and elections<sup>28</sup>;
    - ii. other agencies as authorized by law<sup>29</sup>;
  - b. Database contains information on all registered voters in the state<sup>30</sup>
  - c. Database is used to produce voter registration lists and jury rolls
- Serve as the chief state election official responsible for implementing and coordinating the state's responsibilities under the
  - a. National Voter Registration Act of 1993<sup>31</sup>;
  - b. Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq.<sup>32</sup>;



- 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<sup>33</sup>; and
- Perform such other duties relating to elections as may be assigned by State Election Commission<sup>34</sup>.

## Products, Services, and Customers

The agency was asked to provide a list of all its deliverables (i.e. products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts, about each deliverable. A list of the agency's 53 deliverables are included at the end of this section. Below is a summary of the information related to the deliverables.

- Does the law require, allow, or not address the deliverable?

51 of the 53 deliverables are required by law. The two which are allowed in law, but not required are below.

<u>Item #</u>	<u>Allowed pursuant to law, but not required</u>
27	Furnish petition forms to county election officials and interested persons
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings

- Does the agency know the number of potential customers and customers served?

The agency knows the annual number of potential customers for 22 of its 53 deliverables.

The agency knows the annual number of customers served for 29 of its 53 deliverables.

- Does the agency evaluate customer service?

The agency does not evaluate customer service for 50 of its 53 deliverables. There are three deliverables for which the agency does evaluate customer service are below.

<u>Item #</u>	<u>Customer Service Evaluated by agency</u>
7	Conduct a training and certification program for municipal officials
16	Training and certification program for County officials
52	Training courses with common curriculum available in various locations of the state

The agency also testified it continually receives informal feedback from voters.<sup>35</sup> When the agency receives complaints, it attempts to address the complaints directly at the source.<sup>36</sup> If the complaint relates to issues in how an election was run, the agency, via its area representatives, will communicate the concerns directly to the County Board and work with the Board to try and resolve the current issue as well as prevent any similar issues in the future.<sup>37</sup>

- **Can the agency charge others for the product or service?**

The law does not permit the agency to charge for 49 of its 53 deliverables. The four deliverables for which the law allows the agency to charge are below.

<u>Item #</u>	<u>Law Allows Agency to Charge for Deliverable</u>
7	Conduct a training and certification program for municipal officials <ul style="list-style-type: none"> <li>• Agency charges \$25/person to cover cost of materials and outside instructors</li> </ul>
8	Furnish precinct lists to a qualified elector <ul style="list-style-type: none"> <li>• Agency charges... JANET CAN YOU PLEASE EMAIL ME THE VARIOUS COSTS DEPENDING ON THE INFORMATION REQUESTED. Depending on the length of the document, I will either add the information here or include it as an Attachment at the end</li> </ul>
16	Training and certification program for County officials <ul style="list-style-type: none"> <li>• Agency charges \$25/person to cover cost of materials and outside instructors</li> </ul>
52	Training courses with common curriculum available in various locations of the state <ul style="list-style-type: none"> <li>• Agency charges \$25/person to cover cost of materials and outside instructors</li> </ul>

<u>Source of Revenue</u>	<u>Recurring or one-time?</u>	<u>2014-15 Revenue</u>	<u>2015-16 Revenue</u>	<u>2016-17 Revenue Estimate</u>
General Appropriations	Recurring	\$0	\$0	\$0
General Revenue	Recurring	\$539	\$2,012	\$0
Candidate Filing Fees	Recurring	\$78,287	\$1,215,574	\$10,000
Training Program	Recurring	\$15,165	\$18,500	\$15,000
Sale of List Program	Recurring	\$104,637	\$175,957	\$100,000
PPPs	One-time	\$0	\$360,000	\$0
HAVA Grant	One-time	\$5,476	\$4,755	\$4,000
FVAP/EVAT Grant	One-time	\$0	\$8,652	\$0
Totals	n/a	\$204,104	\$1,785,450	\$129,000

- Does the agency know the **cost per unit** for the product or service?

The agency does not know the cost per unit for 37 of its 53 deliverables. The sixteen deliverables for which the agency does know the cost per unit are below.

<u>Item #</u>	<u>Cost per Unit known by Agency</u>
8	Furnish precinct lists to a qualified elector
12	Furnish County Boards of Voter Registration and Elections with master list of all registered voters in county
16	Training and certification program for County officials
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections
26	Conduct presidential preference primaries for certified political parties receiving at least five percent of the popular vote
27	Furnish petition forms to county election officials and interested persons
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts
29	Conduct party primaries
30	Establish regular hours and publish notice of candidate filing
31	Conduct second or other primaries
43	Form application for absentee ballot
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election
49	Jury List
50	Disbursement of aid to counties for county voter registration and elections board members
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings
52	Training courses with common curriculum available in various locations of the state

### Agency's Products and Services

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
1	Registration offices and polling places that are accessible to voters with disabilities and voters sixty-five and older	7-11-80
2	Take appropriate steps to ensure that communication with applicants, participants and members of the public with disabilities are effective as communications with other individuals	Proviso 101.3, 2016-2017, Appropriations Act Part 1B
3	Opportunity to register to vote at certain agencies	5-15-90
4	Programs and procedures regarding provisional voting, voting information, updating and upgrading voting equipment, establishing statewide voter registration databases, voter identification and administrative complaints.	42 U.S.C. §§ 1973ee-ee6. (1984)
5	Allowance of qualified service members and overseas citizens to register to vote and vote absentee	42 U.S.C. § 12101, et seq. (1990)
6	Electronic communication for sending material and absentee ballots to UOCAVA voters at least forty-five days prior to the election	52 U.S.C. § 20501, et seq. (1993)
7	Conduct a training and certification program for municipal officials <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the service</i></li> </ul>	52 U.S.C. §§ 20901-21145 (2002)
8	Furnish precinct lists to a qualified elector <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the product</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	52 U.S.C. §§ 20301-20311, (1986)
9	Audits of the County Board of Voter Registration and Elections <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	42 U.S.C. § 1973ff-1 (2009)
10	Master file of all qualified electors by county and precinct	7-3-20
11	Deletion of names of electors for certain statutory reasons	7-3-20
12	Furnish County Boards of Voter Registration and Elections with a master list of all registered voters in the county. <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-3-20
13	Corrective Action plan for non-compliant county Board of Voter Registration and Election members <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-20

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
14	Notification to the Governor of any county board of voter registration and election official that fails to meet training and certification requirements <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-20
15	Notification to any elector whose name has been deleted for reason of conviction or change of address <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-3-25
16	Training and certification program for County officials <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the product</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-3-25
17	Provide supplement to county boards to defray expenses of the voter registration office <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-30
18	Written notification to any person who registers to vote and is found qualified to vote <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-10
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-5-40
20	Electronic voter registration application on the SEC website <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-125
21	Statewide Voter Registration Database <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-5-155.
22	Method of complaint regarding interference with voter registration or privacy of decision to register <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-185
23	Removing of elector from official list	7-5-186
24	Preparation of duplicate registration books for each ward or precinct for every county <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-5-310
25	Conduct candidate filing <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-5-340
26	Conduct presidential preference primary for certified political parties receiving at least five percent of the popular vote <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-5-660
27	Furnish petition forms to county election officials and interested persons <ul style="list-style-type: none"> <li>• <i>Law allows the service, but does not require it (7-11-80. Form of nominating petition.)</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-11-15

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-11-20
29	Conduct party primaries <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-15
30	Establish regular hours and publish notice of candidate filing <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-40
31	Conduct second or other primaries <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-45
32	Training and certification program for poll managers <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-13-50
33	Direct size and the color of the ballot	7-13-72
34	Placement of petition nominee on appropriate ballot	7-13-320
35	Print and deliver ballots for presidential electors, state officers, US Senators and members of Congress <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> </ul>	7-13-351
36	Ballots that have proposed constitutional amendments.	7-13-340
37	Prepare separate ballots for each political party holding a primary <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> </ul>	7-13-410
38	Ballot labels	7-13-610
39	Form of a sign to be displayed at polling places using optical scan devise	7-13-1360
40	Ballot forms	7-13-1371
41	Approval of Voting System	7-13-1380
42	Approval of One Voting System	7-13-1620
43	Form application for absentee ballot <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-1655
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-15-340
45	Standards and guidelines for voting systems to count absentee ballots	7-15-406
46	Certified statement of all votes cast <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-15-470

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.



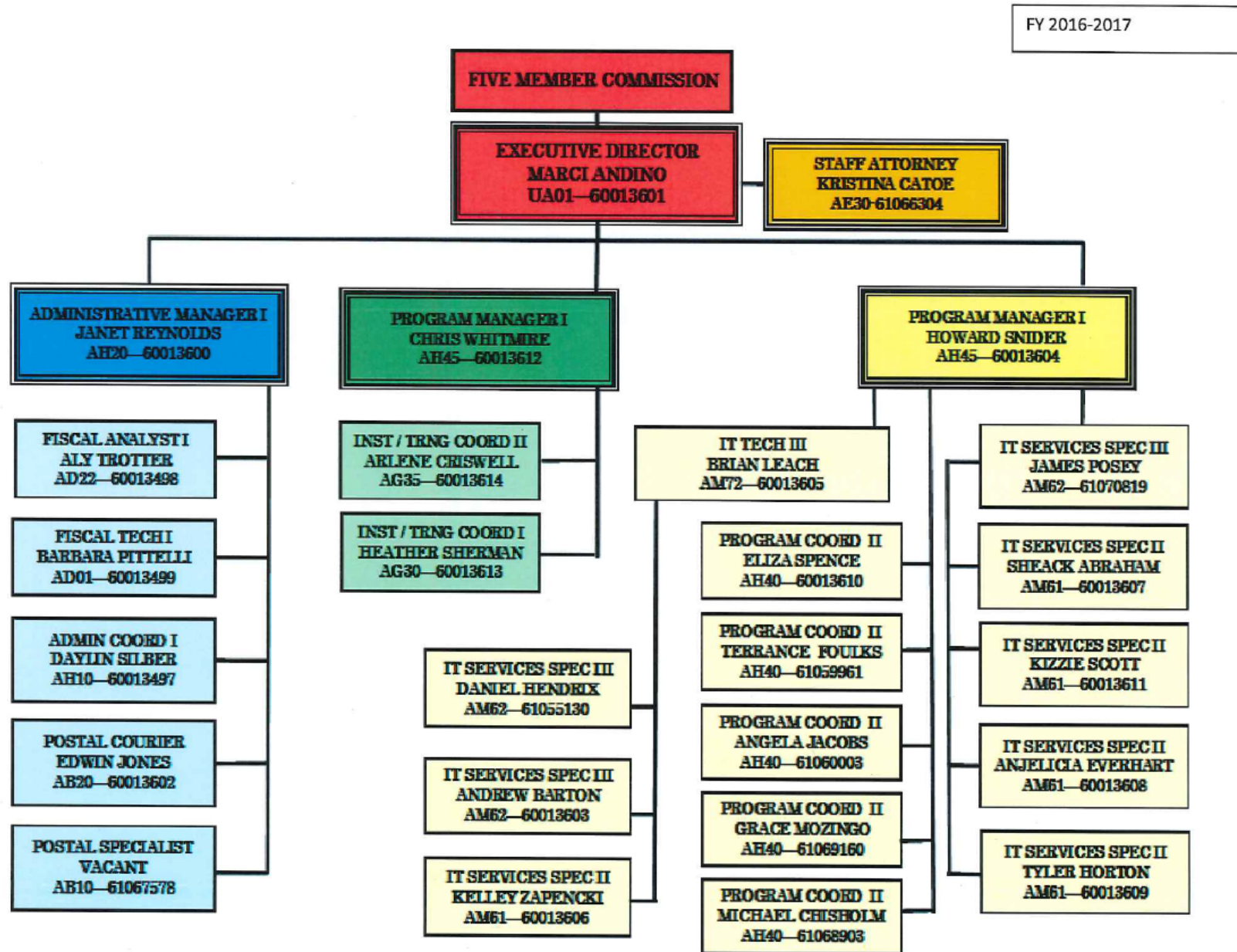
Item #	Deliverable	Applicable Laws
47	Documentation of declaration of elected officials	7-17-240
48	Decision of cases held by State Board of Canvassers	7-17-250
49	Jury List <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-17-260
50	Disbursement of aid to counties for county voter registration and elections board members <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	14-7-130
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings <ul style="list-style-type: none"> <li>• <i>Law allows the service, but does not require it</i> (Proviso 101.3 (Board of State Canvassers Compensation), 2016-2017, Appropriations Act Part 1B)</li> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	Proviso 101.1, 2016-2017, Appropriations Act Part 1B
52	Training courses with common curriculum available in various locations of the state <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the service</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	Proviso 101.7, 2016-2017, Appropriations Act Part 1B
53	Information Technology and Security Plan	Proviso 117.114, 2016, 2017, Appropriations Act Part 1B

### Other Agencies that serve the same or similar customers/products/services

The State Election Commission does not believe the products and services it provides would fit within the mission of any other state agency.

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

# Agency's Organizational Chart



## Organizational Unit Details

Unit: **ADMINISTRATION**

Purpose: Leadership and direction for the agency, including administration, finance and support services.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	60%	0%	0%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	Yes
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	Yes

Unit: **VOTER SERVICES**

Purpose: Provide and support the statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions, provide counties with election support services and technical assistance related to statewide voting system; provide election security oversight and guidance to counties.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	13%	10%	15%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

Unit: **PUBLIC INFORMATION/TRAINING**

Purpose: Administer a mandatory statewide training and certification program for county and municipal election officials; provide ongoing training events and workshops; provide a poll manager training program and materials; educate the public on the voter registration and election process; provide information regarding elections and agency activities.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	0%	0%	0%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

## Mission, Vision and Goals

### *Mission*

“The mission of the State Election Commission is to ensure every eligible citizen in South Carolina has the opportunity to register to vote, participate in fair and impartial elections, and have the assurance that their vote will count.”<sup>38</sup>

### *Vision*

“The State Election Commission will conduct secure, fair and impartial elections through the management of resources along with the use of innovative strategies and technologies to reflect the will of the electorate in South Carolina.”<sup>39</sup>

### *Goals*

**Goal 1** - Provide for a system of voter registration that is free of barriers

- Intended Public Benefit/Outcome: All citizens have the opportunity to register to vote
- Responsible Employee: Howard Snider (Responsible more than 4 years)

**Goal 2** - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters

- Intended Public Benefit/Outcome: All voters have the opportunity vote in fair and impartial elections and have the assurance that their vote will count
- Responsible Employee: Howard Snider (Responsible more than 4 years)

**Goal 3** - Support counties in conducting voter registration and fair, open and impartial elections

- Intended Public Benefit/Outcome: All voters have the opportunity vote in fair and impartial elections and have the assurance that their vote will count
- Responsible Employee:
  - o Chris Whitmire (Responsible more than 5 years)
  - o Howard Snider (Responsible more than 4 years)

**Goal 4** - Effectively oversee all agency programs and operations

- Intended Public Benefit/Outcome: Agency operates in an efficient and prudent manner
- Responsible Employee:
  - o Janet Reynolds (Responsible less than 17 years)

## Resources: General Availability & Utilization

### Available: Financial Capital

*A background on the budget process is included in Exhibit A at the end of the report.* Information about the funds available to the agency last year and this year are provided in Table 1 and 2 on the next page. In regards to the groupings for the source of funds, the agency was instructed to group the funding sources however was best for the agency to provide information regarding how much money from each source was utilized toward accomplishment of specific objectives. The agency was not restricted in the number of groupings of funds. The agency was only told that however it chose to group its funding sources, it should be clear how much the agency had available to spend and where the agency spent the funds. The information below only relates to how much the agency had available to spend.

Table 1. Funds Available in 2015-16 as of April 12, 2017<sup>40</sup> (AA = Appropriated and Authorized)

SCEIS fund	Totals (6/30/15)		General Fund (6/30/15)	General Revenue (6/30/15)	Operating Revenue (6/30/15)		Election List Sales (6/30/15)	Capital Reserve Fund (6/30/15)	HAVA (6/30/15)	Electronic ABS System (FVAP) (6/30/15)
Cash balance	\$780,520		\$0	\$2,413	\$160,734		\$171,880	\$0	\$445,494	\$0
Source of Funding	Totals (7/1/15)	Totals (6/30/16)	General Appropriations (6/30/16)	General Revenue (6/30/16)	Candidate Filing Fees (6/30/16)	Training Program (6/30/16)	Sale of List Program (6/30/16)	PPPs* (6/30/16)	HAVA Grant (6/30/16)	FVAP/EVAT Grant (6/30/16)
Recurring or one-time?			Recurring	Recurring	Recurring	Recurring	Recurring	One-time	One-time	One-time
AA at end of 2014-15 that agency can use in 2015-16		\$2,205,139	\$1,759,645	\$0	\$0	\$0	\$0	\$0	\$445,494	\$0
AA to the agency for 2015-16	\$9,349,316	\$9,353,793	\$5,504,441	\$0	\$1,300,000	\$35,000	\$305,700	\$2,200,000	\$0	\$8,652
<b>Total allowed to spend 2015-16</b>		<b>\$11,558,932</b>	<b>\$7,264,086</b>	<b>\$0</b>	<b>\$1,300,000</b>	<b>\$35,000</b>	<b>\$305,700</b>	<b>\$2,200,000</b>	<b>\$445,494</b>	<b>\$8,652</b>

\*PPP = Presidential Preference Primaries

Table 2. Funds Available in 2016-17 as of April 12, 2017<sup>41</sup> (AA = Appropriated and Authorized)

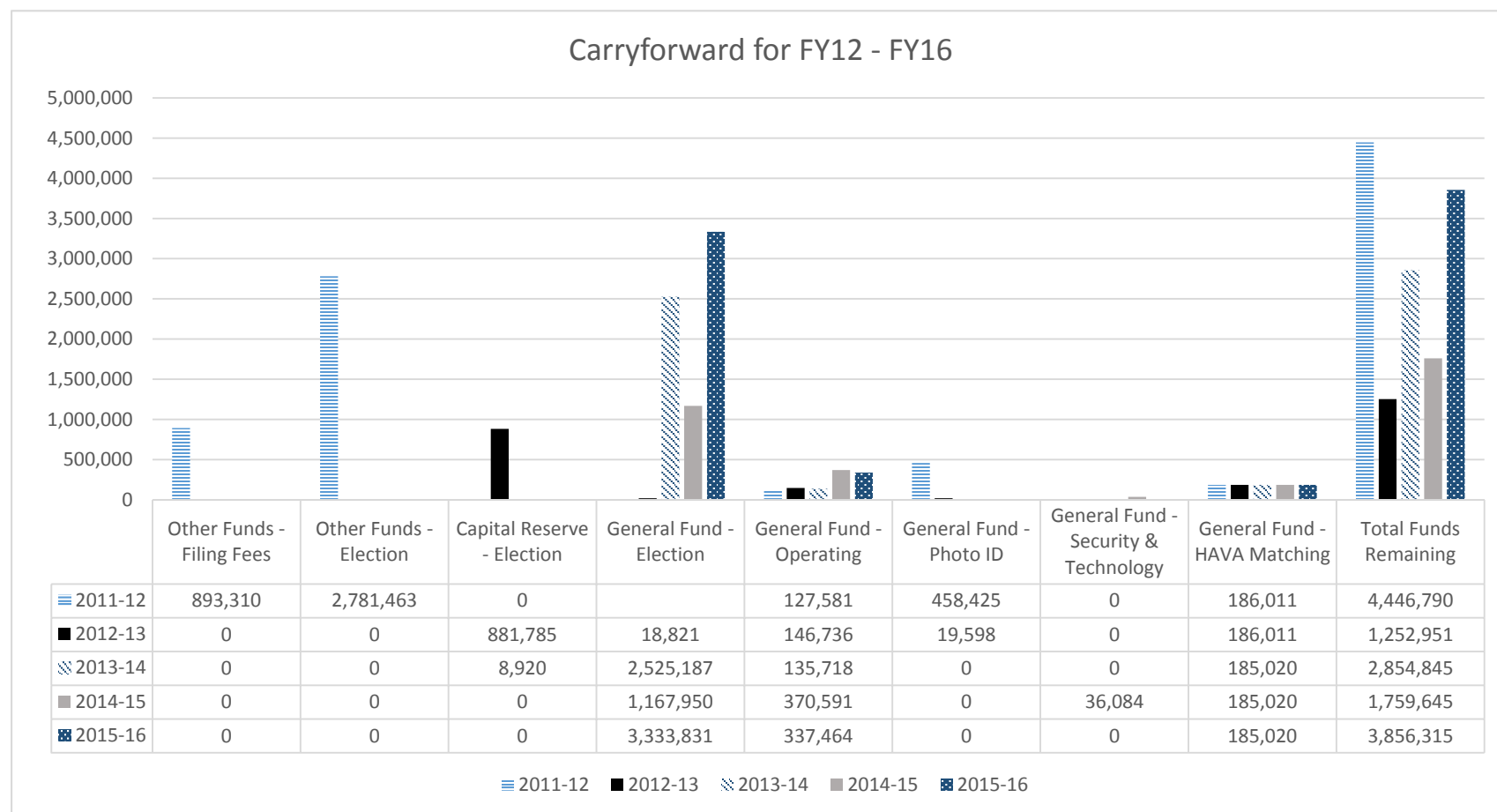
SCEIS fund	Totals (6/30/16)		General Fund (6/30/16)	General Revenue (6/30/16)	Operating Revenue (6/30/16)		Election List Sales (6/30/16)		HAVA (6/30/16)	
Cash balance as of June 30, 2016 (end of FY 2015-16)	\$1,587,318		\$0	\$2,852	\$934,925		\$249,612		\$399,929	
Source of Funding	Totals (7/1/16)	Totals (6/30/17)	General Appropriations (7/1/16)	General Revenue (7/1/16)	Candidate Filing Fees (7/1/16)	Training Program (7/1/16)	Sale of List Program (7/1/16)		HAVA Grant (7/1/16)	
Recurring or one-time?			Recurring	Recurring	Recurring	Recurring	Recurring		One-time	
AA at end of 2015-16 that agency can use in 2016-17	\$4,256,244		\$3,856,315	\$0	\$0	\$0	\$0		\$445,494	
AA to the agency for 2016-17	\$7,407,172		\$5,766,472	\$0	\$1,300,000	\$35,000	\$305,700		\$0	
<b>Total allowed to spend 2016-17</b>	<b>\$11,663,416</b>		<b>\$9,622,787</b>	<b>\$0</b>	<b>\$1,300,000</b>	<b>\$35,000</b>	<b>\$305,700</b>		<b>\$399,929</b>	

## Not Utilized: Financial Capital

### *How much does the agency believe is necessary to have in carry forward and why?*

The agency stated the amount of necessary carryforward funds varies from year to year. The agency asserts that each year it must have funds on hand to conduct special primaries, runoffs and elections that may occur. In even years, statewide primaries and runoffs occur late in the fiscal year, therefore, the agency believes it must have funds to pay statewide primary expenses across two fiscal years.

Figure 7. Agency carry forward for the past five years<sup>42</sup>



Source: Agency Program Evaluation Report



## Employees

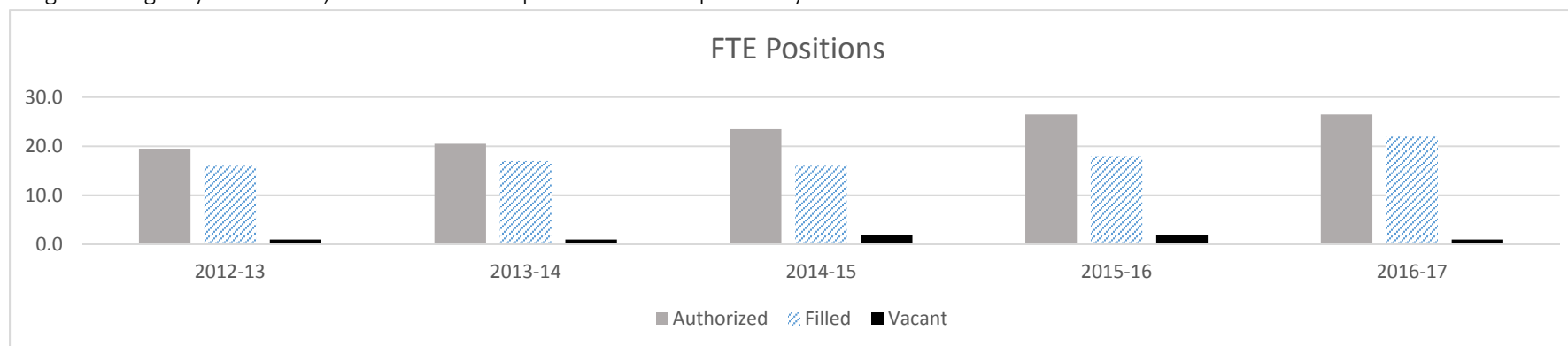
There is information which explains the types of state employees in Exhibit C at the end of this report. Historical information about the agency's available and filled employee positions over the past five years is provided in Table 3.

Table 3. Agency authorized FTEs for the past five fiscal years as of July 1 each year.<sup>43</sup>

Authorized						Filled					
	2012-13	2013-14	2014-15	2015-16	2016-17		2012-13	2013-14	2014-15	2015-16	2016-17
Total	19.5	20.5	23.5	26.5	26.5	Total	16.0	17.0	16.0	18.0	22.0
State	17.0	18.0	21.0	24.0	24.0	State	14.0	15.0	14.0	17.0	20.0
Federal	0.0	0.0	0.0	0.0	0.0	Federal	0.0	0.0	0.0	0.0	0.0
Other	2.5	2.5	2.5	2.5	2.5	Other	2.0	2.0	2.0	1.0	2.0
Actual						Vacant					
	2012-13	2013-14	2014-15	2015-16	2016-17		2012-13	2013-14	2014-15	2015-16	2016-17
Total	17.0	18.0	18.0	20.0	23.0	Total	1.0	1.0	2.0	2.0	1.0
State	15.0	16.0	16.0	18.0	21.0	State	1.0	1.0	2.0	1.0	1.0
Federal	0.0	0.0	0.0	0.0	0.0	Federal	0.0	0.0	0.0	0.0	0.0
Other	2.0	2.0	2.0	2.0	2.0	Other	0.0	0.0	0.0	1.0	0.0

Notes: 1) The **Authorized** is as of July 1 of the fiscal year, as stated in the Appropriations Act. 2) **Actual** is the sum of Filled FTE and Vacant FTE. It is based on what the agency has entered in SCEIS and is as of June 30. 3) If Actual is more than Authorized, it may be because during the course of the year, the Executive Budget Office can authorize interim FTE positions, which the agency typically requests authorization for in the next budget. 4) If Actual is less than Authorized, it is because the agency has not setup all of the Authorized positions in SCEIS yet. 5) **Filled** are positions the agency has setup in SCEIS in which someone is actually working. 6) **Vacant** are positions the agency has setup in SCEIS in which no one is actually working. The agency may or may not have these positions posted so that individuals can apply for them.

Figure 8. Agency authorized, filled and unfilled positions for the past five years



### *Demographics*

The information below, and included in Table 4 on the next page, is about the agency's demographics from the SC State Human Affairs Commission 2016 and 2017 Annual Report.

#### EEO Category Column

E1 = Executives  
E2 = Professionals  
E3 = Technicians  
E5 = Paraprofessionals  
E6 = Secretary/Clerical  
E7 = Skilled Craft  
E8 = Service/Maintenance

#### Adjusted Availability % Column

Percentage of people available in the labor market with the qualifications to perform the duties and responsibilities of the positions assigned to the EEO category

#### Underutilization Column

The figures are a comparison of the Adjusted Availability percentages (Column 3), and the actual workforce percentages (Column 2). If the current workforce is less than the Adjusted Availability, then underutilization exists. The underutilization is expressed as a percentage. If there is no underutilization a "No" appears in the block. In any job group where the percent of underutilization is so small that it would compute to less than one whole person, an asterisk will appear in the appropriate block indicating that no goals are required.

#### % of Goals Met Column

When an agency has achieved the Adjusted Availability displayed on the form for a race/sex group, a YES is indicated in the appropriate block. If not, the percentage achieved is displayed. The overall percentage of the goals achieved is noted at the bottom of each agency's chart.

For further details regarding the columns in Table 4, see Exhibit D.

Table 4. Employee Demographics from SC State Human Affairs Commission Annual Report

2015 Statistics

EEO CATEGORY	ACTUAL WORKFORCE ON 09/30/2015							Adjusted Availability% (Qualified Labor Pool)			UNDERUTILIZATION			HIRES AND PROMOTIONS - 10/01/2014 - 09/30/2015							% OF Goals Met Based on Adjusted Availability		
	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF	BM	WF	BF	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF
E1 and E2	# 2	1		4			7										1			1			
	% 28.6	14.3		57.1			100.0	5.7	32.8	10.4	NO	NO	10.4				100.0			100.0	YES	YES	0.0%
E3, E5, and E6	# 3	3		2	1	1	10	10.1	22.8	14.0	NO	2.8	4.0				1			1	YES		
	% 30.0	30.0		20.0	10.0	10.0	100.0										100.0			100.0	87.7%		71.4%

Level of Goal Attainment for 2013: 97.1 percent  
Level of Goal Attainment for 2014: 84.5 percent  
Level of Goal Attainment for 2015: 91.8 percent

2016 Statistics

EEO CATEGORY	ACTUAL WORKFORCE ON 09/30/2016							Adjusted Availability% (Qualified Labor Pool)			UNDERUTILIZATION			HIRES AND PROMOTIONS - 10/01/2015 - 09/30/2016							% OF Goals Met Based on Adjusted Availability		
	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF	BM	WF	BF	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF
E1 and E2	# 3	2		6	1		12	5.9	29.4	9.3				1	1		2	1		5			
	% 25.0	16.7		50.0	8.3		100.0				NO	NO	1.0	20.0	20.0		40.0	20.0		100.0	YES	YES	89.2%
E3, E5 and E6	# 3	3		4	1		11	8.6	25.1	14.2	NO	NO	5.1		1		2			3	YES		
	% 27.3	27.3		36.4	9.1		100.0								33.3		66.7			100.0	YES	YES	64.1%

Level of Goal Attainment for 2014: 84.5 percent  
Level of Goal Attainment for 2015: 91.8 percent  
Level of Goal Attainment for 2016: 92.2 percent

**LEGEND:** WM = White Male    BM = Black Male    OM = Other Male    T = Total    % = Percentage  
WF = White Female    BF = Black Female    OF = Other Female    # = Number

*If an agency is not employing any race/sex group at a rate equal to the Adjusted Availability percentage, the underutilization is noted in Column # 4.*

\*No goal established because the underutilization is less than one whole person.

## Relationships with Other Entities Utilized to Leverage Resources

### Partnerships

Below is information the agency provided about the entities, by segment, the agency worked with in 2015-16, or plans to work with during 2016-17, that help the agency leverage its resources to accomplish its strategic plan.

#### To assist with...

- **Goal #1** - Provide for a system of voter registration that is free of barriers
  - DSIT
  - SLED
  - S.C. National Guard
  - U.S. Department of Homeland Security
  - Federal Bureau of Investigation
  - County Boards of Voter Registration and Elections
  - DMV and other agencies designated as voter registration sites under the National Voter Registration Act and state law, County Boards of Voter Registration and Elections
- **Goal #2** - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters
  - County Boards of Voter Registration and Elections
- **Goal #3** - Support counties in conducting voter registration and fair, open and impartial elections
  - DSIT
  - County Boards of Voter Registration and Elections
- **Goal #4** - Effectively oversee all agency programs and operations
  - Department of Administration
  - Comptroller General's Office
  - State Treasurer's Office

## Methodology the Agency Utilized to Allocate Resources to Accomplish its Strategic Plan

### Overview

The agency was not instructed to utilize a specific methodology when calculating how much money it utilized toward accomplishment of its objectives. The agency was only told that it should be able to provide a logical explanation of its methodology, it should be clear how much the agency spent toward each objective, and the Committee understood the numbers would be approximations and not exact.

Below is an overview of the agency's methodology for determining how much it was spending last fiscal year, and how much of its resources will be used this fiscal year, to accomplish each of its objectives, which allows the General Assembly and public to see approximately how much the agency is spending to accomplish what the General Assembly instructs the agency to do in law. The next section provides more detailed information on what the agency reviews when prioritizing how much of its resources will be used toward different aspects of its strategic plan.

Agency's Method - Operational and Employee Costs Related to Each Objective<sup>44</sup>

Election Commission is updating this information

## Exhibit A: Background on the Budget Process

Below is a background on the state's budget process. The **total budget**, which is found each year in the Appropriations Act, is **made up of 3 funds: Federal, General and Other**. The General Assembly does not spend federal and other funds in the annual appropriations act. The act authorizes a maximum amount that agencies may spend for the fiscal year. The General Assembly controls the agencies' authorizations and can adjust them via the appropriations act. The state's general fund, on the other hand, is South Carolina's bank account; those are the taxes and fees that are available to appropriate every year as the General Assembly sees fit.

<b>Federal Funds</b> (Fund Code 5000 )	<ul style="list-style-type: none"> <li>• Authorization</li> <li>• Examples: Medicaid; Education; Higher Education – Research and financial aid grants; Federal gas tax</li> </ul>
<b>Other Funds</b> (State Earmarked = Fund Code 3000) (State Restricted = Fund Code 4000)	<ul style="list-style-type: none"> <li>• Authorization</li> <li>• State Earmarked (a.k.a. Fund Code 3000 or Other Funds) - Special revenues which are to be used for a specific use; typically the revenue is from the agency providing some type of service for which it earns fees and the earmarked funds are those portion of fees that are kept by the agency (i.e. tuition and fees for universities; DNR license fees; etc.)</li> <li>• State Restricted (a.k.a. Fund Code 4000 or Other Funds) - Special deposits, primarily debt service and trust funds; these funds earn interest and the interest goes back into the account (i.e. bonds, trusts, etc.)</li> </ul>
<b>General Funds</b> (Fund Code 1000)	<ul style="list-style-type: none"> <li>• Appropriated</li> <li>• South Carolina's Bank Account</li> </ul>

When the funds are authorized or appropriated, it can be **recurring or non-recurring**. Non-recurring dollars are money available to spend on a one-time expense. Examples of funds that are authorized or appropriated on a non-recurring basis include (a) excess money (e.g. projected year end surplus not included in recurring estimate; cash in the bank that exceeded previous year's estimate; vetoed items sustained by the General Assembly); (b) money from lawsuits where the State is a plaintiff; and (c) capital reserve funds.

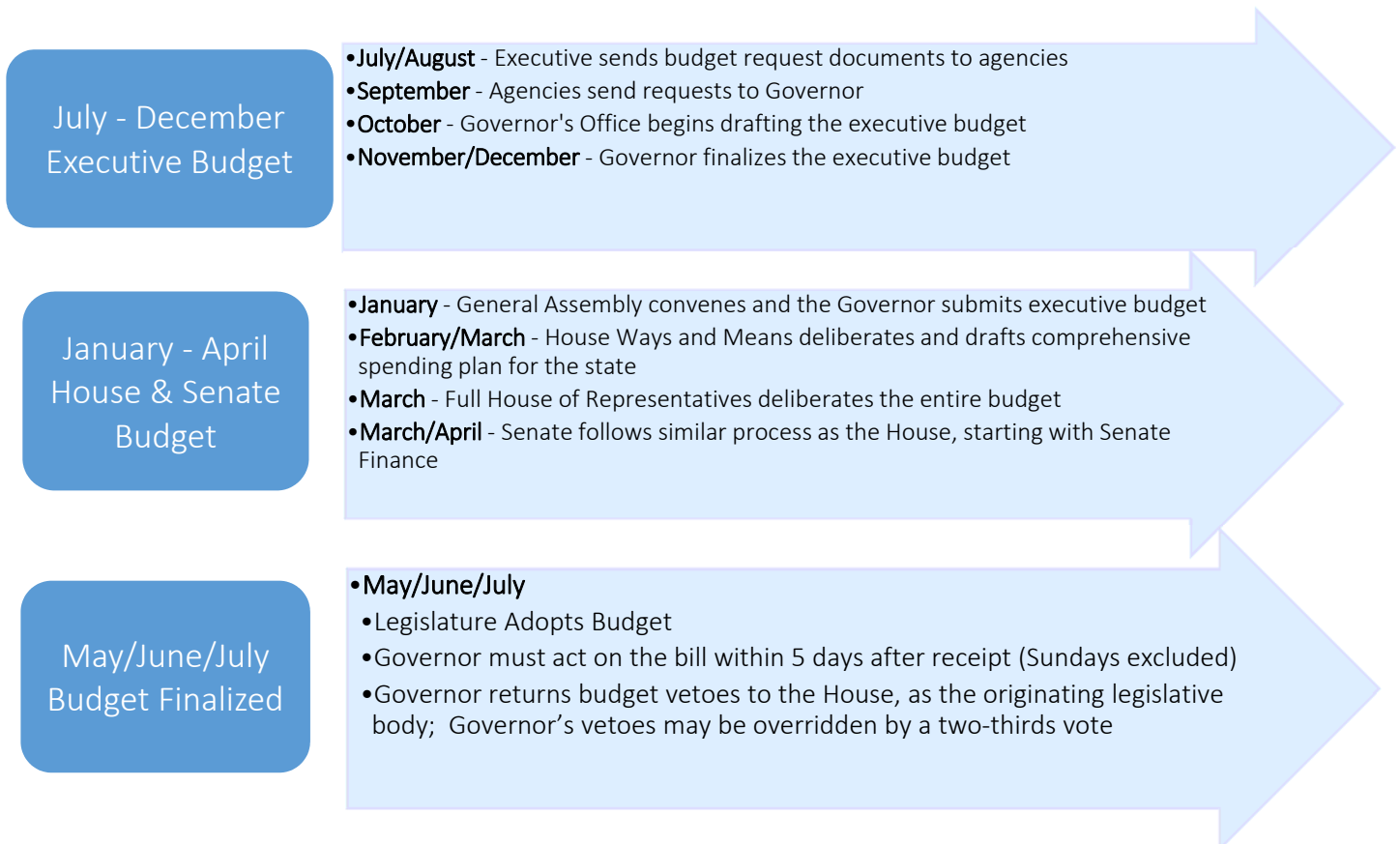
The **Appropriations Act** contains **three main parts**. These parts are as follows:

<b>Part 1A</b>	<b>Part 1B</b>	<b>Part II</b>
<ul style="list-style-type: none"> <li>• Often referred to as the "Dollars" section of the Act</li> <li>• Establishes funding levels for state agencies</li> <li>• This is the Part of the Act that actually looks like a "budget."</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary laws effective just for the fiscal year referred to in the Act – also known as "provisos."</li> <li>• Regulate the expenditure of funds appropriated to agencies in Part 1A and often make provisions for the operation of state government</li> </ul>	<ul style="list-style-type: none"> <li>• Part II provisions are permanent provisions of law</li> <li>• There have been no Part II's in the final annual appropriation bill since fiscal year 2000-2001.</li> </ul>

In previous years, there have also been Part III and even Part IV to the Appropriations Act. Part III was utilized for bond bills. Part IV was utilized for Medicaid and the federal match.

The budget process has three main phases in its **timeline**. These phases are illustrated in Figure 9.

Figure 9. Three phases of the budget process.





## Exhibit C: Types of State Employees

The main entity who keeps track of employees is the Division of State Human Resources within the Department of Administration. Their website is <http://admin.sc.gov/humanresources>.

There are four main types of state employees which are as follows<sup>45</sup>:

(1) **Temporary** - These positions are full-time or part-time positions created for a period of time not to exceed one year.

(2) **Time-Limited** - These positions are positions established to perform work directly associated with a time-limited project. The main difference between a temporary employee and a time-limited employee is the time-limited employee is employed to work on a particular project, and is employed only until the goals are met or the funding ends for that project.

(3) **Temporary Grant** - These positions are positions established to perform work directly associated with federal grants, public charity grants, private foundation grants, or research grants.

(4) **Full-time Equivalent (FTE)** - Within the full time type of employment (FTE), there are two main groupings, classified and unclassified. Agencies are granted a specific number of classified and unclassified FTE positions as part of the budget process, which must be kept in balance throughout the fiscal year.

(a) **Classified FTE** - In the classified system, each position is assigned to a class. A class is a group of positions sufficiently similar in the duties performed; degree of supervision exercised or received; minimum requirements of education or experience; and the knowledge, skills, and abilities required that the Division of State Human Resources applies the same State class title and the same State salary range to each position in the group. The State class titles are grouped into the following categories: Administrative, Information Services, Education, Health Services, Human Services, Technical Services, Law Enforcement and Regulatory Services, Trade Services, and Agricultural and Natural Resources. Each State class title is assigned to one of 10 State salary ranges, or pay bands. The classified system is governed by sections 19-702 and 19-705 of the State Human Resources Regulations, Classification Plan and Classified Employee Pay Plan.

(b) **Unclassified FTE** - In the unclassified system, each position is assigned to an unclassified State title. Unlike the classified system, however, unclassified titles do not have class specifications, which outline examples of the duties performed; degree of supervision exercised or received; minimum requirements of education or experience; the knowledge, skills, and abilities required; and a State salary range for the position. Therefore, State agencies are afforded greater flexibility with unclassified positions than with classified positions. The unclassified system is governed by applicable portions of section 19-706 of the State Human Resources Regulations, Establishment of Unclassified Positions and Unclassified Employee Pay Plan. There are four distinct groups of unclassified positions:

(1) ***Agency heads covered by the Agency Head Salary Commission,***

The compensation of agency heads covered by the Agency Head Salary Commission is governed by the Commission.

(2) ***Executive compensation system,***

In the Executive Compensation System, each position is evaluated by the State Division of Human Resources based on the Hay Method of Job Evaluation. Through this evaluation

process, each position is assigned a given number of points based on the three attributes of Know-How, Problem-Solving, and Accountability. The sum of these points is then used to calculate a salary range for the specific position. The position is assigned an unclassified title; however, the salary range is tied to the evaluation of the specific position, not the title assigned to the position. Therefore, different positions with the same title may have different Hay evaluations and salary ranges. The Executive Compensation System is primarily utilized for deputy directors or other high level management positions within State agencies.

(3) *Academic personnel*, and

(4) *Unclassified other*, which includes teachers, agency heads not covered by the Agency Head Salary Commission, and other positions exempted from the State Classification and Compensations Plan by the General Assembly.

The compensation of academic personnel and unclassified other positions are governed by the agencies within the provisions the State Human Resources Regulations and other applicable state laws.

## Exhibit D: Human Affairs Charts

The information below is obtained from the Human Affairs 2016 and 2017 Annual Reports. The wording is provided verbatim from various sections of the Reports. For more information about the Human Affairs Commission of their Annual Reports, please visit the agency's website, <http://www.schac.sc.gov>.

In accordance with Section 1-13-110 of the South Carolina Code of Laws of 1976, as amended, the Human Affairs Commission "shall submit a report on the status of State Agencies' Affirmative Action Plans and Programs to the General Assembly by February 1st each year. This report shall contain the total number of persons employed in each job group, by race and sex, at the end of the preceding reporting period, a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of whether affirmative action goals were achieved."

Many people perceive affirmative action programs to be synonymous with quotas and preference programs for minorities and women. It is important to understand that in South Carolina State Government, affirmative action programs are used to eliminate preferences, not to create them. The plans and programs are used as benchmarks or indicators of how successful agencies are in achieving equal employment opportunity

### **Column One: Equal Employment Opportunity (EEO) Category Codes**

This section has codes for groups of employees that perform jobs having similar work content, pay rates and promotional opportunities. State agencies use codes E1 through E8. Four-year colleges and universities use codes E1 through E8 and C1 through C9. Technical education colleges use codes E1 through E8 and T1 through T5. When the number of employees assigned to a category is so small as to prohibit establishing goals, more than one EEO category may be combined to create a larger group of employees. Likewise, when an EEO category is extremely large, it can be subdivided into two or more categories. A general description of the kinds of jobs assigned to each EEO code follows:

#### **E1) Executives:**

Includes all employees whose assignments require meeting with the agency head or a designee to set agency policies that affect both internal and external statewide operations. Incumbents are expected to exercise discretion and independent judgment when assessing policy needs and ensuring that policies created are in line with state and federal laws, rules and regulations. Includes all employees whose assignments require the performance of work directly related to management policies and the general business operations of the agency or institution. Employees must perform the above functions and should report directly to the agency director or deputy director. Includes directors, deputy directors, department heads, division directors, regional directors, district directors and unclassified administrative managerial positions.

NOTE: Supervisory personnel of the professional, technical, clerical, skilled craft and service/maintenance workforce will be reported within the specific categories of the personnel they supervise unless they set broad policies described above.

#### **E2) Professionals:**

Includes all employees required to possess specialized and theoretical knowledge that is usually acquired through college training or work experience and other training that provides comparable knowledge. Includes personnel specialists, social workers, doctors, registered nurses, systems analysts, accountants, counselors, teachers, police captains and lieutenants, classified professional non-faculty employees and kindred workers.

#### **E3) Technicians:**

Includes employees required to possess a combination of basic scientific or technical knowledge and manual skill that can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes computer programmers and operators, draftspersons, surveyors, licensed practical nurses, photographers, radio operators, technical illustrators, technicians (medical, dental, electronic, physical sciences), assessors, inspectors, police and fire sergeants and kindred workers.

E4) Protective Services:

Includes employees entrusted with public safety, security and protection of the public from destructive forces. Includes police, patrol officers, fire fighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers and kindred workers.

E5) Paraprofessionals:

Includes employees who perform some of the duties of a professional or technician in a supportive role and who usually require less formal training and/or experience than normally required for professional or technical positions. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Includes library assistants, administrative assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemaker's aides, home health aides, and kindred workers.

E6) Secretary/Clerical:

Includes employees responsible for internal and external communication, recording and retrieval of data and/or information and other paper work required in an office. Includes bookkeepers, messengers, office machines operators, clerk-typists, stenographers, court transcribers, secretaries, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, and kindred workers.

E7) Skilled Craft:

Includes employees performing jobs that require special manual skill and thorough and comprehensive knowledge of the processes involved in the work, which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machinists, carpenters, compositors and typesetters and kindred workers.

E8) Service/Maintenance:

Includes workers performing duties related to the upkeep and care of buildings, facilities, or grounds. Workers in this group may operate machinery. Includes chauffeurs, laundry and dry cleaning operators, truck drivers, bus drivers and garage laborers, custodial personnel, gardeners and grounds keepers, refuse collectors, construction laborers and kindred workers.

**Column Two: Workforce Totals**

The information provided in Column Two shows the race/sex totals by number (#) and percentage (%) of persons employed in each EEO category as of September 30, 2015. For purposes of the report, the following race/sex categories are used:

The information showing in the number (#) blocks of section 2 and 5 was provided by each agency, college or university or technical school and was reviewed for accuracy by agency representatives prior to the writing of this report. The percentage (%) of each race/sex group was computed by dividing the number (#) of each race/sex group by the total number (#) of persons in the EEO category.

### **Column Three: Adjusted Availability**

Column Three displays the percentage of people available in the labor market with the qualifications to perform the duties and responsibilities of the positions assigned to the EEO category. The percentages are taken from each agency's Affirmative Action Plan.

Availability is an estimate of the percentage of the workforce you reasonably could expect to be employed based on the employer's analysis of the qualified labor pool. Availability estimates are reported for three groups: black males, white females and black females. Availability is established for any minority group exceeding two percent of the relevant labor market. The availability is then adjusted to a rate that is within 90.0 percent of what would be expected (a fluctuation of 10 percent). The availability adjustment is to allow for the possibility that the current workforce disparities may not be statistically significant. If you add the availability percentages and subtract from 100, you will have the availability for white males and all other racial groups not depicted on this form. Historically, there has not been a pattern of underutilization of white males in employer workforces. No other race or ethnic group was over the 2 percent threshold.

### **Column Four: Underutilization**

These figures are a comparison of the Adjusted Availability (Column Three) percentages, and the actual workforce (Column Two) percentages. If the current workforce is less than the Adjusted Availability, then underutilization exists. The underutilization is expressed as a percentage. If there is no underutilization a "No" appears in the block.

In any job group where the percent of underutilization is so small that it would compute to less than one whole person, an asterisk will appear in the appropriate block indicating that no goals are required.

*This process is based on statistical fact, not its cause.* However, the SCHAC recognizes that the mathematical comparison between availability and the current workforce should not be the sole consideration in determining underutilization. Other reasons can be discussed with SCHAC.

### **Column Five: New Hires and Promotions**

This section displays by race and sex the number (#) and percentage (%) of persons who were hired or promoted during the stated time frame. The information was obtained and calculated in the same manner as the information in Column Two. Transactions counted in Column Five include positions filled by means of new hires, internal promotions that include a change in pay and job duties, promotions involving moving from one state agency to a higher job grade in another state agency, reinstatements and transfers from one state agency to another.

The reclassification of an already filled position is not counted in Column Five.

### **Column Six: Goals Met**

When an agency has achieved the Adjusted Availability displayed on the form for a race/sex group, a YES is indicated in the appropriate block. If not, the percentage (%) achieved is displayed. The overall percentage of the goals achieved is noted at the bottom of each agency's chart.

*The percentage of goals achieved is calculated by dividing the percent employed (in Column Two) by the percent available (in Column Three).*

*In race/sex groups where underutilization is less than one whole person, an asterisk will appear in the appropriate blocks.*

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<sup>1</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.

<sup>2</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.

<sup>3</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.

<sup>4</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.

<sup>5</sup> SC Code 7-3-10(a)

<sup>6</sup> SC Code 7-3-10(a)

<sup>7</sup> SC Code 7-3-10(b)

<sup>8</sup> SC Code 7-3-10(b)

<sup>9</sup> SC Code 7-3-20(A)

<sup>10</sup> SC Code 7-3-10(c)

<sup>11</sup> SC Code 7-3-10(c)

<sup>12</sup> SC Code 7-3-10(e)

<sup>13</sup> SC Code 7-3-10(e)

<sup>14</sup> SC Code 23-23-10(C)

<sup>15</sup> SC Code 7-3-20(C)

<sup>16</sup> SC Code 7-3-20(C)

<sup>17</sup> SC Code 7-3-20(C)

<sup>18</sup> SC Code 7-3-20(C)

<sup>19</sup> During the April 18, 2017 Subcommittee meeting Director Andino testified that to determine those who are deceased the Election Commission (1) receives an electronic file of all those over 18 who are deceased from DHEC's Bureau of vital statistics (but this only records those who die in south Carolina, someone could be registered to vote here, but die in another state); and (2) checks with the Social Security Administration.

<sup>20</sup> SC Code 7-3-20(C)

<sup>21</sup> SC Code 7-3-20(C)

<sup>22</sup> SC Code 7-3-20(C)

<sup>23</sup> SC Code 7-3-20(C)

<sup>24</sup> SC Code 7-3-20(C)

<sup>25</sup> SC Code 7-3-20(C)

<sup>26</sup> SC Code 7-3-20(C)

<sup>27</sup> SC Code 7-3-20(C)

<sup>28</sup> SC Code 7-3-20(C)

<sup>29</sup> SC Code 7-3-20(C)

<sup>30</sup> SEC Overview PowerPoint during April 18, 2017 meeting.

<sup>31</sup> SC Code 7-3-20(C)

<sup>32</sup> SC Code 7-3-20(C)

<sup>33</sup> SC Code 7-3-20(C)

<sup>34</sup> SC Code 7-3-20(C)

<sup>35</sup> Testimony from Director Andino during May 3, 2017 Subcommittee Meeting.

<sup>36</sup> Testimony from Director Andino during May 3, 2017 Subcommittee Meeting.

<sup>37</sup> Testimony from Director Andino during May 3, 2017 Subcommittee Meeting.

<sup>38</sup> State Election Commission's Program Evaluation Report

<sup>39</sup> State Election Commission's Program Evaluation Report

<sup>40</sup> SC House of Representatives, House Legislative Oversight Committee, "Agency PER - Amended (August 12, 2016) (updated April 12, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Law Enforcement Training Council and Criminal Justice Academy,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20\(August%2012,%202016\)%20-%20Updated%20April%2012,%202017.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20(August%2012,%202016)%20-%20Updated%20April%2012,%202017.pdf) (last accessed April 12, 2017)

<sup>41</sup> SC House of Representatives, House Legislative Oversight Committee, "Agency PER - Amended (August 12, 2016) (updated April 12, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Law Enforcement Training Council and Criminal Justice Academy,"

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[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20\(August%2012,%202016\)%20-%20Updated%20April%2012,%202017.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20(August%2012,%202016)%20-%20Updated%20April%2012,%202017.pdf) (last accessed April 12, 2017)

<sup>42</sup> SC House of Representatives, House Legislative Oversight Committee, “Agency PER - Amended (August 12, 2016) (updated April 12, 2017),” under “Agency and Other Studies,” and under “Law Enforcement Training Council and Criminal Justice Academy,”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20\(August%2012,%202016\)%20-%20Updated%20April%2012,%202017.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20(August%2012,%202016)%20-%20Updated%20April%2012,%202017.pdf) (last accessed April 12, 2017)

<sup>43</sup> Table information is compiled from the following sources: Authorized - Review of General Appropriations Acts from fiscal year 2011-12 through fiscal year 2015-2016 which are available on the General Assembly’s website under “Legislation,” and under “Budget Bills,” <http://www.scstatehouse.gov/budget.php> (accessed September 26, 2015); Filled - Charts produced through the South Carolina Enterprise Information System by the South Carolina Department of Administration’s Division of State Human Resources.

<sup>44</sup> Email from agency CFO Tom McQueen to Committee Staff, April 13, 2017.

<sup>45</sup> Information was provided to the Committee during the June 30, 2015 Economic Development, Transportation, Natural Resources and Regulatory Subcommittee meeting by Ms. Kim Adyette, State Director of the Division of Human Resources for the SC Department of Administration.



April 28, 2017

SEC Response to April 19, 2017 Executive Subcommittee Request for Additional Information

***Voter Registration***

- 1. Please provide a list of the additional information a County Election Board may request at the registration stage to determine if an individual is a U.S. citizen, and thus qualified to vote.**

County boards of voter registration and elections may request additional information from an individual at the voter registration stage if the board has reason to believe the individual is not a U.S. citizen. Acceptable documents that can be used to prove citizenship include:

- Birth certificate (issued by a U.S. State or U.S. Department of State)
- U.S. Passport (issued by U.S. Department of State)
- Certificate of Citizenship (issued by U.S. Citizenship and Immigration Services)
- Naturalization Certificate (issued by U.S. Citizenship and Immigration Services)

- 2. Please provide a list of requirements for an individual to be eligible to vote. (Note: This is not asking for what can be provided to prove eligibility).**

To register to vote in South Carolina, a person must meet the following qualifications:

- Must be a U.S. Citizen.
- Must be at least 18 years of age. A person who is not yet 18 years of age, but will attain 18 years of age by the date of an upcoming election, may register to vote beginning 150 days prior to the election. If there is a primary associated with the election, the person may register to vote beginning 150 days prior to the primary.
- Must be a resident of the county and precinct in which the person is registering to vote
- Must not be adjudicated by a court of competent jurisdiction to be mentally incompetent.
- Must not be serving a term of imprisonment for the conviction of any crime.
- Must not be convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

- 3. Please provide a list of every avenue through which an individual may register to vote (e.g., telephone, mail, online, in person, etc.)**

Online	On-line Voter Registration (OVR) application allows a citizen with a valid S.C. Driver's License or S.C. Identification Card issued by the S.C. Department of Motor Vehicles (DMV) to register to vote and/or update their address.
Mail, Email, Fax	Forms accepted by mail, email, fax: 1. S.C. Voter Registration by Mail Form 2. National Voter Registration Application 3. Federal Post Card Application (FPCA) 4. Federal Write-in Absentee Ballot (FWAB) Forms available here: 1. scVOTES.org 2. County Offices of Voter Registration and Elections 3. Public Libraries and other State, County, and City government offices

	Forms may be mailed, emailed or faxed to the voter's county board of voter registration and elections
In-person	County Offices of Voter Registration and Elections
NVRA Agencies	National Voter Registration Act (aka Motor Voter) agencies: DMV, DSS, DHEC, DMH, Commission for the Blind, DAODAS, DHHS, DDSN, Voc Rehab, Armed Forces Recruiting Offices, Protection and Advocacy for People with Disabilities
Electronic Voter Accessibility Tool (EVAT)	Electronic Voter Accessibility Tool (EVAT) allows U.S. citizens who are Service members, their eligible family members or overseas citizens to upload their Federal Post Card Application, which is accepted as a voter registration application.

**4. For each avenue listed above, please provide the following:**

- **Entity and location at which the individual may register (including all agencies through whom an individual may register to vote)**
- **Specifically what action the individual must take at the location to register to vote, including the options of information/documentation that can be shown/provided to establish the individual satisfies each requirement of an eligible voter.**
- **Who is responsible for verifying the accuracy of the information/documentation shown/provided by the individual registering to vote.**
- **How the individual(s) at each entity and location records the information that establishes the individual is an eligible voter;**
- **What the entity does with the information recorded (e.g., sends to Election Commission and deletes, sends to Election Commission and stores, etc.);**
- **How the entity transmits the individual's information to the Election Commission.**
- **The name of the entity responsible for determining an individual's correct county and precinct based on information provided when the individual registered?**

See Attachments A and B.

**5. For each entity and location above, common causes of issues/complaints from individuals who believed they registered to vote through the entity or at the location, but when they arrived at their precinct were told they were not registered to vote.**

See Attachment A.

**6. Are there any databases maintained by the Federal government through which the Election Commission could verify those in the voter registration system that are U.S. citizens?**

The SEC is not aware of any federal database through which the citizenship of all voters could be verified.

**7. Please provide a bullet list summary of the instructions provided to County Election Boards, during mandatory training with the Election Commission, in regards to methods for verifying citizenship.**

The following instruction related to verification of citizenship is included in mandatory training for county boards of voter registration and elections and for county election directors:

- The county board is responsible for determining the qualifications of a person who applies to register to vote.
- The board must be satisfied that the applicant meets all voter registration requirements, including the citizenship requirement.
- All applicants must complete a voter registration application. The applicant must attest to citizenship on the voter registration application and by signing the application takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.
- In most cases, this attestation should be sufficient to satisfy the board that the applicant is a U.S. citizen.
- If the board has some question as to the qualifications (including citizenship) of any applicant, the board may require additional documentation as outline in the response to Question 1.
- County board members, directors, and staff are trained to use caution in requiring additional documentation to prove citizenship. Additional documentation should only be required if there is a real question, based on individual circumstances, about whether the person is a U.S. citizen.
- Additional documentation must not be requested based on race, color, ethnicity, national origin, or language as doing so would be discriminatory. Counties are cautioned that appearing to create a barrier to voter registration would be a violation of Federal and State laws.

**8. What information from voter registration databases at the Election Commission is available for sale?**

Any registered voter in South Carolina can purchase a list of registered voters. The list is available in the following formats: tape, diskette, mailing labels, printed report, or electronic download via online. Information on voters can be selected by the following combinations:

Registered voters

- Name
- Address
- County
- Precinct
- Election district (house, senate, congressional, county council, city council, school district)
- Age
- Gender
- Race
- Household (Information on only one person per household)
- Participation in the last two statewide primaries and statewide general elections
- Date of registration
- Registration status

Election participation

- Name
- Address
- County
- Precinct
- Election district (house, senate, congressional, county council, city council, school district)
- Age
- Gender
- Race
- Household (Information on only one person per household)
- Participation in the last two statewide primaries and statewide general elections
- Date of registration
- Registration status
- UOCAVA status
- Party voted
- Voting method

**What information from voter registration lists at County Election Boards is available for sale?**

None. County boards of voter registration and election may charge a fee under the Freedom of Information Act (FOIA) for voter information when requested, but the county boards do not offer voter registration information for sale.

***Candidate Registration***

- 1. Please answer questions 2, 3, and 4 under Voter Registration, but as it relates to individuals registering to run as a candidate in an election.**

**Candidate Eligibility/Qualifications**

- General Qualifications
  - No person may be popularly elected to and serve in any office in the State unless he is registered to vote in the geographical area represented by the office
  - A person convicted of a felony or an offense against the election laws is not qualified to file for or hold office, unless it has been fifteen years since the completion of the sentence for the crime or unless the person has been pardoned (S.C. Constitution, Article VI, Section 1).
- Specific Qualifications
  - See Attachment C for specific qualifications for federal, state and county offices
  - Qualifications for municipal offices may vary by ordinance.
  - Qualifications for school boards and special purpose district may vary by enabling legislation

## Candidate Filing Process

- **Partisan Candidates**
  - Candidates for federal office, statewide office, and solicitor must file with the State Election Commission.
  - Candidates for State Senate, State House of Representatives, countywide office, and less-than-countywide office must file with the county board of voter registration and elections in the candidate's county of residence.
  - The filing period for the General Election opens at noon on March 16th of the election year and closes at noon on March 30th of the election year.
  - The filing period for special elections opens at noon on the third Friday after the vacancy occurs and closes at noon, 10 days later.
  - A candidate who files for the nomination of a party that nominates by primary must pay a filing fee. The filing fee is one percent of the annual salary of the office multiplied by the number of years in the term of office or \$100, whichever is greater. This fee is applied to funding the party's primary. A candidate who files for the nomination of a party that nominates by convention does not pay a filing fee.
  - At the time of filing, candidates present three copies of a completed Statement of Intention of Candidacy/Party Pledge form (SICPP) available at [scVOTES.org](http://scVOTES.org), the SEC, and county voter registration and elections offices. The candidate must also present a check or money order for any necessary filing fees.
  - The candidate must sign the SICPP form in front of an election official unless the candidate's signature has been notarized.
- **Nonpartisan Candidates**
  - Petition candidates must file a nominating petition containing the valid signatures of at least one percent of the active registered voters in the geographical area represented by the office, not to exceed 10,000 signatures. Candidates for federal and state offices, State Senate, State House, and multi-county offices file petitions with the SEC. Candidates for countywide and lesser offices file petitions with the county board of voter registration and elections. Petition signatures are checked against voter registration records on file with county boards of voter registration and elections to determine the number of valid signatures. The petition deadline for the General Election is noon, July 15. The petition deadline for special elections is noon, 60 days prior to the date of the election.
  - Generally, nonpartisan candidates (other than petition candidates) file using a Nonpartisan Statement of Intention of Candidacy Form available at [scVOTES.org](http://scVOTES.org), the SEC, and county voter registration and elections offices. In General Elections, nonpartisan candidates must file by noon, August 15. The filing period for nonpartisan special elections opens at noon on the third Friday after the vacancy occurs and closes at noon, 10 days later.
  - Candidates should check locally for specific filing requirements for nonpartisan and municipal offices. Nonpartisan candidate filing requirements may vary by office based on requirements in enabling legislation and municipal ordinances.
- When candidates file, their names are entered into the Candidate Tracking System, which is part of the Statewide Voter Registration System. The Candidate Tracking System makes candidate information instantly available to the public throughout a filing period. The public can view candidate names and other information and download copies of candidates' filing forms.

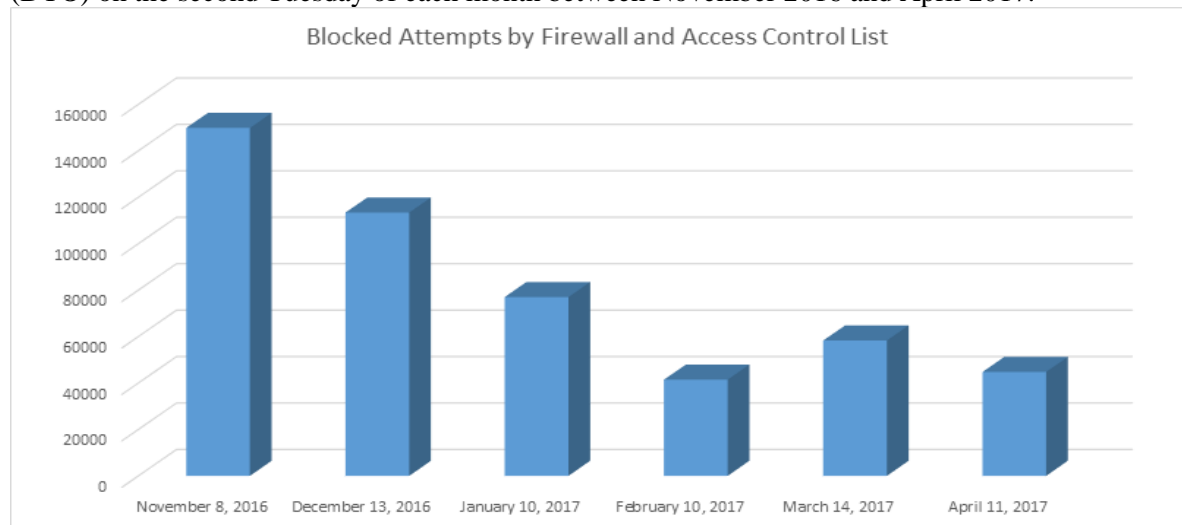
### Candidate Certification Process

- Political parties are responsible for certifying partisan candidates to the SEC and county boards of voter registration and elections. Political parties certify that each candidate meets the qualifications for the office for which the candidate has filed.
- The responsibility for checking qualifications and certifying nonpartisan candidates lies with the entity that receives the filing (SEC, county board of voter registration and elections, or municipal election commission).

### Cyber Security

#### 1. How many times per day does each of the Election Commission's databases receive a hit that attempts to penetrate the system?

The chart below shows the number of blocked attempts to penetrate the firewall of the statewide voter registration system hosted at the Department of Administration Division of Technology (DTO) on the second Tuesday of each month between November 2016 and April 2017.



November 8, 2016	149,832
December 13, 2016	113,372
January 10, 2017	76,993
February 10, 2017	41,420
March 14, 2017	58,278
April 11, 2017	44,754

### ***Voting Machines and Poll Managers***

- 1. Does statute or regulation not set out a formula for the number of voting machines and poll managers each precinct must have based on the number of registered voters in the precinct?**

#### **Poll Managers (SECTION 7-13-72)**

For the general election held on the first Tuesday following the first Monday in November in each even-numbered year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for each five hundred electors, or portion of each five hundred electors, registered to vote at the polling place.

For primary elections held on the second Tuesday in June of each general election year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for the first five hundred electors registered to vote in each precinct in the county, and may appoint three additional managers for each five hundred electors registered to vote in the precinct above the first five hundred electors, or portion thereof.

For all other primary, special, or municipal elections, the authority charged by law with conducting the primary, special, or municipal elections must appoint three managers of election for the first five hundred electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each five hundred electors registered to vote in the precinct above the first five hundred electors.

#### **Voting Machines (SECTION 7-13-1680)**

The governing body of any county or municipality providing voting machines at polling places for use at elections shall provide for each polling place at least one voting machine for each two hundred fifty registered voters or portion thereof or as near thereto as may be practicable.

### ***Election Commissioners***

- 1. Please provide the list of current commissioners, which of the commissioners serves as the member of the majority party in the General Assembly, which of the commissioners serves as the member of the largest minority party in the General Assembly, and the date each commissioner was originally appointed to serve as a commissioner.**

Billy Way, Jr., Chairperson, Richland; Appointed September 15, 2012

Marilyn Bowers, Pickens; Appointed January 22, 2014

Mark A. Benson, Beaufort; Appointed September 15, 2014

E. Allen Dawson, Charleston; Appointed September 15, 2012

Nicole Spain White, Richland; Appointed November 28, 2011



### *County Election Boards*

**SC Code Section 7-5-10(C) addresses previous governing structures and when they will be transitioned to new ones. Specifically it states: (C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.**

- 1. In light of the last sentence of 7-5-10(C), are there any counties that do not have at least five members of the successor board appointed and qualified? (i.e. are there any still running under the old system)**

Per the Governor's Office, all board members have been appointed/reappointed under the new system.

- 2. Is there a chart which includes the following information, by county:**
  - a. Number of individuals on the Board of Voter Registration and Elections**
  - b. Number of years each individual has served on the Board**

See Attachment D

Entity/Location	Voter Registration	Common Issues/Complaints
Online Voter Registration (OVR)	<ol style="list-style-type: none"> <li>1. On-line Voter Registration (OVR) application allows a citizen with a valid S.C. Driver's License or S.C. Identification Card issued by the S.C. Department of Motor Vehicles (DMV) to register to vote and/or update their address.</li> <li>2. Citizens access OVR through scVOTES.org. The voter enters their name, address, date of birth and driver's license number.</li> <li>3. The information submitted by the voter is cross-checked against DMV records. If information matches, the system creates a signed voter registration application using the person's signature on file with DMV.</li> <li>4. County election officials receive signed applications and an electronic record in an OVR queue in the statewide voter registration system for processing by the county.</li> </ol>	<ul style="list-style-type: none"> <li>• Was not aware of the voter registration cutoff date for an upcoming election</li> <li>• Voter that has moved from one county to another did not know that they must register in new county by voter registration deadline</li> <li>• Voter fails to update address first with DMV</li> </ul>
Mail, Email, Fax, and In Person Application at County Voter Registration and Elections Offices	<ol style="list-style-type: none"> <li>1. Each county office has staff trained to accept in-person, mail, email and faxed voter registration applications.</li> <li>2. Voters register by submitting a completed and signed voter registration application.</li> <li>3. Forms accepted by mail, email, fax: <ul style="list-style-type: none"> <li>• S.C. Voter Registration by Mail Form</li> <li>• National Voter Registration Application</li> <li>• Federal Post Card Application (FPCA)</li> <li>• Federal Write-in Absentee Ballot (FWAB)</li> </ul> </li> <li>4. Forms available here: <ul style="list-style-type: none"> <li>• scVOTES.org</li> <li>• County Offices of Voter Registration and Elections</li> <li>• Public Libraries and other State, County, and City government offices</li> </ul> </li> <li>5. For in person registration, county officials use an in-office voter registration form</li> <li>6. Acceptable forms of identification for those registering include; <ul style="list-style-type: none"> <li>• Current and valid photo id showing name, address, and picture</li> <li>• Current utility bill listing name and address</li> <li>• Bank statement listing name and address</li> <li>• Paycheck listing name and address</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Was not aware of the voter registration cutoff date for an upcoming election</li> <li>• Voter that has moved from one county to another did not know that they must register in new county by voter registration deadline</li> <li>• Information provided on the application was incomplete</li> <li>• Address provided was invalid</li> <li>• Completed application but did not receive a card</li> </ul>

Entity/Location	Voter Registration	Common Issues/Complaints
	<ul style="list-style-type: none"> <li>Government document that lists name and address</li> </ul> <p>7. Citizens can request to have a voter registration application mailed to them</p> <p>8. Citizens are required to read and sign the Voter Declaration that affirms they;</p> <ul style="list-style-type: none"> <li>Are a U.S. citizen</li> <li>Will be 18 years old on or before the next election</li> <li>Resident of S.C.</li> <li>Not under court order declaring them mentally incompetent</li> <li>Address listed is their only legal place of residence</li> <li>Not confined in a public prison resulting from a conviction</li> <li>Have never been convicted of a felony or offense against election laws or of previously convicted they have served their entire sentence</li> </ul> <p>9. County office staff review the application information for completeness then enter the application data directly into the statewide Voter Registration and Election Management System (VREMS) maintained by the State Election Commission (SEC).</p> <p>10. The county board of voter registration and election is responsible for placing voters in correct precincts and districts based on the voter's address.</p> <p>11. Paper applications are kept on file permanently by county board of voter registration and elections.</p>	
<p>Section 7-5-310 NVRA Agencies;</p> <ul style="list-style-type: none"> <li>DSS</li> <li>DHEC</li> <li>DDSN</li> <li>Blind</li> <li>Voc Rehab</li> <li>DAODAS</li> <li>DMH</li> <li>DMV</li> <li>Armed Forces Recruiting Offices</li> </ul>	<p>Each NVRA agency has offices throughout S.C. to assist their clients to register to vote or update their voter registration data. Each agency has staff trained on voter registration qualifications, the NVRA, and to;</p> <ul style="list-style-type: none"> <li>Verify their clients voter registration qualifications</li> <li>Offer them assistance to complete their voter registration application</li> <li>Direct non-clients where to find mail voter registration applications. Many agencies</li> </ul>	<ul style="list-style-type: none"> <li>Clients submit redundant voter registration applications because clients have contact with more than one NVRA agency.</li> <li>Voter believes they registered at DMV; however, DMV records shows the</li> </ul>

Entity/Location	Voter Registration	Common Issues/Complaints
<ul style="list-style-type: none"> <li>Protection and Advocacy for People with Disabilities</li> </ul>	<p>have mail voter registration applications available for non-clients complete</p> <ul style="list-style-type: none"> <li>Some agencies transmit client voter registration data electronically to the SEC weekly for uploading into the statewide voter registration system</li> <li>All agencies deliver client voter registration applications directly to county boards of voter registration and elections</li> </ul>	<p>client responded “no” to the voter registration question</p>
Electronic Voter Accessibility Tool (EVAT)	<ol style="list-style-type: none"> <li>The Electronic Voter Accessibility Tool (EVAT) allows U.S. citizens who are Service members, their eligible family members or overseas citizens to upload their Federal Post Card Application (FPCA), which is accepted as a voter registration application.</li> <li>Military and overseas citizens access EVAT online through scVOTES.org.</li> <li>EVAT provides a link to the Federal Voting Assistance Program’s website for completion of the FPCA.</li> <li>Citizen uploads a copy of the FPCA through EVAT.</li> <li>The FPCA appears in a queue in the statewide voter registration system for processing by county boards of voter registration and elections.</li> </ol>	None.

## County Offices of Voter Registration and Elections

County	Address
01 - ABBEVILLE	901 W Greenwood Street, Ste 2500 Abbeville, SC 29620
02 - AIKEN	1930 University Pkwy, Ste 1200 Aiken, SC 29801
03 - ALLENDALE	158 McNair Street Allendale, SC 29810
04 - ANDERSON	301 N Main Street Anderson, SC 29621
05 - BAMBERG	1234 North Street Bamberg, SC 29003
06 - BARNWELL	367 Fuldner Road Barnwell, SC 29812
07 - BEAUFORT	15 John Galt Road Beaufort, SC 29906
08 - BERKELEY	6 Belt Drive Moncks Corner, SC 29461
09 - CALHOUN	102 Courthouse Drive, Ste 115 St Matthews, SC 29135
10 - CHARLESTON	4367 Headquarters Road North Charleston, SC 29405
11 - CHEROKEE	110 Railroad Avenue Gaffney, SC 29340
12 - CHESTER	109 Ella Street Chester, SC 29706
13 - CHESTERFIELD	205 W Main Street Chesterfield, SC 29709
14 - CLARENDON	411 Sunset Drive Manning, SC 29102
15 - COLLETON	2471 Jefferies Hwy Walterboro, SC 29488
16 - DARLINGTON	131 Cashua Street Darlington, SC 29532
17 - DILLON	305 W Hampton Street Dillon, SC 29536
18 - DORCHESTER	201 Johnston Street St George, SC 29477
19 - EDGEFIELD	210 Penn Street, Ste 1 Edgefield, SC 29824
20 - FAIRFIELD	315 S Congress Street Winnsboro, SC 29180
21 - FLORENCE	219 Third Loop Road Florence, SC 29505
22 - GEORGETOWN	303 N Hazard Street Georgetown, SC 29440
23 - GREENVILLE	301 University Ridge, Ste 1900 Greenville, SC 29601

County	Address
24 - GREENWOOD	600 Monument Street, Ste 113 Greenwood, SC 29646
25 - HAMPTON	201 Jackson Avenue W Hampton, SC 29924
26 - HORRY	1515 4th Avenue Conway, SC 29526
27 - JASPER	1506 Grays Hwy Ridgeland, SC 29936
28 - KERSHAW	609 Lafayette Avenue Camden, SC 29020
29 - LANCASTER	101 N Main Street Lancaster, SC 29720
30 - LAURENS	200 Courthouse Public Square Laurens, SC 29360
31 - LEE	101 Gregg Street Bishopville, SC 29010
32 - LEXINGTON	605 W Main Street, Ste 105 Lexington, SC 29072
33 - MCCORMICK	610 S Mine Street McCormick, SC 29835
34 - MARION	2523 E Highway 76 Marion, SC 29571
35 - MARLBORO	119 S Marlboro Street Bennettsville, SC 29512
36 - NEWBERRY	1872 Wilson Road Newberry, SC 29108
37 - OCONEE	415 S Pine Street Walhalla, SC 29691
38 - ORANGEBURG	1437 Amelia Street Orangeburg, SC 29115
39 - PICKENS	222 McDaniel Avenue, Ste B9 Pickens, SC 29671
40 - RICHLAND	2020 Hampton Street Columbia, SC 29204
41 - SALUDA	111 Law Range Saluda, SC 29138
42 - SPARTANBURG	366 N Church Street Spartanburg, SC 29303
43 - SUMTER	141 N Main Street, Rm 114 Sumter, SC 29150
44 - UNION	1246 S Duncan Bypass, Ste B Union, SC 29379
45 - WILLIAMSBURG	5 Court House Square Kingstree, SC 29556
46 - YORK	13 South Congress Street York, SC 29745

## Department of Social Services (DSS) Office Locations

	DSS Office	Address
1.	Abbeville County DSS	909 W. Greenwood St. , Suite 1 Abbeville, SC 29620
2.	Aiken County DSS	1410 Park Ave., SE Aiken, SC 29802
3.	Aiken County DSS – North Augusta	802 East Martintown Rd. Suite 183 North Augusta, SC 29841
4.	Allendale County DSS	521 Barnwell Hwy. Allendale, SC 29810
5.	Anderson County DSS	224 McGee Rd. Anderson, SC 29625
6.	Bamberg County DSS	374 Log Branch Rd. Bamberg, SC 29003
7.	Barnwell County DSS	P.O. Box 1306 Barnwell, SC 29812
8.	Beaufort County DSS	1905 Duke St. Beaufort, SC 29902
9.	Berkeley County DSS	2 Belt Drive Moncks Corner, SC 29461
10.	Berkeley County DSS	105 Gullede Street, Moncks Corner SC
11.	Calhoun County DSS	2831 Old Belleville Rd. St. Matthews, SC 29135
12.	Charleston County DSS	3366 Rivers Ave. N. Charleston, SC 29405
13.	Cherokee County DSS	1434 N. Limestone St. Gaffney, SC 29342
14.	Chester County DSS	115 Reedy St. Chester, SC 29706
15.	Chesterfield County DSS	203 Commerce Avenue Chesterfield, SC 29709
16.	Clarendon County DSS	3 S. Church St. Manning, SC 29102
17.	Colleton County DSS	215 S. Lemacks St. Walterboro, SC 29488
18.	Darlington County DSS	PO Drawer 1377, 130 E. Camden Ave. Hartsville, SC 29551
19.	Darlington County DSS - Darlington	Mozingo Building Darlington, SC 25932
20.	Darlington County DSS- Lamar	528 Cartersville Hwy Lamar, SC 29069
21.	Dillon County DSS	1211 Hwy. 34 W. Dillon, SC 29536
22.	Dorchester County DSS	216 Orangeburg Rd. Summerville, SC 29483
23.	Dorchester County - St. George	201 Johnston St. St. George, SC 29477
24.	Edgefield County DSS	120 W.A. Reel Drive Edgefield, SC 29824
25.	Fairfield County DSS	1136 Kincaid Bridge Road PO Box 210 Winnsboro, SC 29180
26.	Florence County DSS	2685 S. Irby St. Florence, SC 29505
27.	Florence County DSS - Lake City	345 S. Ron McNair Blvd. Lake City, SC 29560
28.	Georgetown County DSS	330 Dozier St. Georgetown, SC 29440
29.	Greenville County DSS	301 University Ridge, Suite 6700 Greenville, SC 29601
30.	Greenville County DSS - Greer	202 Victoria St. Greer, SC 29651
31.	Greenwood County DSS	1118 Phoenix St. Greenwood, SC 29648
32.	Hampton County DSS	102 Ginn Altman Ave., Ste. A Hampton, SC 29924
33.	Horry County DSS	1951 Industrial Park Rd. Conway, SC 29526
34.	Horry County DSS - Loris	3815 Walnut St. Loris, SC 29569
35.	Horry County DSS - Myrtle Beach	1203 21st Ave North Myrtle Beach, SC 29577
36.	Horry County DSS - South Strand	9360 Scipio Lane Myrtle Beach, SC 29588
37.	Jasper County DSS	10908 North Jacob Smart Blvd. Ridgeland, SC 29936
38.	Kershaw County DSS	110 E. Dekalb St. Camden, SC 29020
39.	Lancaster County DSS	1837 Pageland Hwy. Lancaster, SC 29721
40.	Laurens County DSS	93 Human Services Rd. Laurens, SC 29325
41.	Lee County DSS	820 Brown St. Bishopville, SC 29010
42.	Lexington County DSS	1070 S Lake Dr. Suite A Lexington, SC 29073



43.	Marion County DSS	137 Airport Court, Suite A Mullins, SC 29574
44.	Marlboro County DSS	713 S. Parsonage St. Ext. Bennettsville, SC 29512
45.	McCormick County DSS	215 N. Mine St., Hwy 28 N. McCormick, SC 29835
46.	Newberry County DSS	2107 Wilson Rd. Newberry, SC 29108
47.	Oconee County DSS	223A Kenneth St. Walhalla, SC 29691
48.	Orangeburg County DSS	2570 St. Matthews Rd. Orangeburg, SC 29118
49.	Pickens County DSS	212 McDaniel Ave. Pickens, SC 29671
50.	Richland County DSS	3220 Two Notch Rd. Columbia, SC 29204
51.	Richland County DSS - Eastover	120 Clarkson St. Eastover, SC 29044
52.	Saluda County DSS	613 Newberry Hwy. Saluda, SC 29138
53.	Spartanburg County DSS	630 Chesnee Hwy. Spartanburg, SC 29303
54.	Sumter County DSS	105 N. Magnolia St. Sumter, SC 29151
55.	Union County DSS	200 S. Mountain St. Union, SC 29379
56.	Williamsburg County DSS	831 Eastland Ave. Kingstree, SC 29556
57.	York County DSS	933 Heckle Blvd. Rock Hill, SC 29732

## Department of Motor Vehicles (DMV) Office Locations

DMV Office	Address
Abbeville	1331 Haigler St
Aiken	1755 Richland Ave.
Anderson	331 Highway 29 By-Pass North
Bamberg	341 Lacey St.
Barnwell	1270 Main St.
Batesburg	509 Liberty St.
Beaufort	28 Munch Drive
Belton	123 O'Neal St.
Bennettsville	337 Highway 9 W.
Bishopville	508 S. Lee St.
Bluffton	15 Sheridan Park
Blythewood	10311 Wilson Blvd.
Camden	1056 Ehrencloou Drive
Charleston	1119 G Wappoo Road
Charleston	180 Lockwood Blvd.
Chester	508 Belt Road
Chesterfield	100 Laney St.
Columbia	1630 Shop Road
Columbia	228-A O'Neil Court
Conway	4103 Highway 701 N.
Dillon	1705 Highway 301 S.
Edgefield	849 Highway 25 North
Fairfax	3657 Allendale Fairfax Road
Florence	3102 E. Palmetto St.
Fort Mill	3071 Hwy 21
Fountain Inn	1310 N. Main St.
Gaffney	451 Hyatt St.
Georgetown	214 Ridge St.
Greenville	15 Saluda Dam Road
Greenville	300 University Ridge Suite 105
Greenwood	510 W. Alexander Extension
Greer	610 Arlington Road
Irmo	1016 Broad Stone Road
Kingstree	785 Eastland Ave.
Ladson	135 Wimberly Drive
Lake City	728 S. Ron McNair Blvd.
Lancaster	1694 Pageland Highway
Laurens	390 Fairgrounds Road
Lexington	122 Park Road
Little River	107 Highway 57 N.
Manning	3721 Alex Harvin Highway
McCormick	504 Airport Road
Moncks Corner	445 N. Highway 52

DMV Office	Address
Mount Pleasant	1189 Sweetgrass Basket Parkway
Mullins	2757 E. Highway 76
Myrtle Beach	1200 21st Ave. North
Newberry	275 Mount Bethel-Garmany Road
North Augusta	1711 Ascauga Lake Road
North Charleston	3790 Leeds Ave.
Orangeburg	1720 Charleston Highway
Pickens	2133 Gentry Memorial Highway
Ridgeland	407 Live Oak Drive
Rock Hill	305 Hands Mill Road
Saluda	400 W. Wheeler Circle
Seneca	13009 S. Radio Road
Spartanburg	1625 Southport Road
Spartanburg	8794 Fairforest Road
St. George	5315 E. Jim Bilton Blvd.
St. Matthews	415 Chestnut St.
Sumter	430 S. Pike St.
Union	1000 N. Pickney St.
Varnville	115 Cemetary Road
Walterboro	102 Mable T. Willis Blvd.
Winnsboro	1161 Kincaide Bridge Road
Woodruff	351 S. Main St.

## Commission for the Blind Office Locations

Aiken District Office 855 York St. NE Aiken, SC 29801 803.641.7658	Florence District Office 217 Dozier Blvd. Florence, SC 29501 843.661.4788
Charleston District Office Fairfield Office Park 1064 Gardner Road, Suite 109 Charleston, SC 29407 843.852.4225	Greenville District Office 620 North Main St. Greenville, SC 29601 864.241.1111
Columbia Complex (District Office, Administration and Ellen Beach Mack Rehabilitation Center) 1430 Confederate Ave., P.O. Box 2467 Columbia, SC 29202 803.898.8731	Greenwood District Office 108B Bypass 225 S. Greenwood, SC 29646 864.223.3334
Conway District Office 1321-C Third Avenue Conway, SC 29526 843.248.2017	Rock Hill District Office 454 S. Anderson Road, Suite 210 Rock Hill, SC 29730 803.980.8140
	Walterboro District Office 2414 Jeffries Blvd. Walterboro, SC 29488 843.539.1156

## Department of Mental Health (DMH) Office Locations

DMH Office	Address
Polly Best Center Barnwell Clinic	916 Reynolds Road Barnwell, SC 29812
Hartzog Center N. Augusta Clinic	431 West Martintown Road N. Augusta, SC 29841
Aiken Main Clinic	1135 Gregg Highway Aiken, SC 29801
Anderson-Oconee-Pickens Mental Health Center	200 McGee Road Anderson, SC 29625
Day Break Center & WE Pascoe Child & Adolescent Clinic	515 Camson Road, Anderson, SC 29625
Oconee Clinic	115 Carter Park Drive Seneca, SC 29678
Pickens Clinic	337 West Main Street Easley, SC 29640
Beckman (Greenwood) Center for Mental Health Services Main Clinic	1547 Parkway, Suite 100 Greenwood, SC 29646
Abbeville Mental Health Clinic	101 Commercial Drive Abbeville, SC 29620
Edgefield Mental Health Center	409 Simpkins Street Edgefield, SC 29824
Laurens Mental Health Center	442 Professional Park Rd. Clinton, SC 29325
McCormick Mental Health Clinic	202 Highway 28, North McCormick, SC 29835
Newberry Mental Health Clinic, serving Saluda County	2043 Medical Park Dr. Newberry, SC 29108
Berkeley Community Mental Health Center	403 Stoney Landing Road Moncks Corner, SC 29461
Catawba Community Mental Health Center	448 Lakeshore Parkway, Suite 205 Rock Hill, SC 29730
York Adult Services	166 Dotson Street Rock Hill, SC 29732
Chester Clinic	524 Doctors Court Chester, SC 29706
Lancaster Clinic	1906 Hwy. 521 Bypass South Lancaster, SC 29720
Charleston Dorchester Mental Health Center	2100 Charlie Hall Boulevard Charleston, SC 29414
Dorchester Mental Health Clinic	106 Springview Lane Summerville, SC 29485
*Chicora (Naval Hospital)	3600 Rivers Avenue, N. Charleston SC 29405
Coastal Empire Community Mental Health Center	1050 Ribaut Road Beaufort, SC 29902
Allendale County Mental Health Clinic	603 Barnwell Road Allendale, SC 29810
Jasper County Mental Health Clinic	1510 Grays Highway Ridgeland, SC 29936
Colleton County Mental Health Clinic	507 Forest Circle Walterboro, SC 29488
Hampton County Mental Health Clinic	65 Forest Drive Varnville, SC 29944
Hilton Head Mental Health Clinic	151 Dillon Road Hilton Head Island, SC 29925
Columbia Area Mental Health Center	2715 Colonial Drive Suite 100 Columbia, SC 29203
New Horizons/ Lower Richland Clinic	1850 Pineview Dr. Columbia, SC 29209
Fairfield County Clinic / Dayspring (Adult and Child/Adolescent/Family Services)	1073 US Hwy 321 By-Pass S. Winnsboro, SC 29180
Greenville Mental Health Center	124 Mallard Street Greenville, SC 29601
Child and Family Support Services	715 Grove Road, Greenville, SC 29605
Gaston Clinic	3965 Fish Hatchery Road Gaston, SC 29053

DMH Office	Address
Lexington County Community Mental Health Center	301 Palmetto Park Blvd. Lexington, SC 29072
Batesburg/Leesville Clinic	120 W. Church Street, Suite A Batesburg, SC 29006
Orangeburg Area Mental Health Center	2319 St. Matthews Road Orangeburg, SC 29118
Bamberg County Clinic	5573 Carolina Highway Denmark, SC 29042
Calhoun County Clinic	112 Guess Lane St. Matthews SC 29135
Orangeburg County Clinic	1375 Gilway Extension Holly Hill, SC 29059
Pee Dee Mental Health Center	125 East Cheves Street Florence, SC 29506
Darlington County Clinic	900 South Fourth Street Hartsville, SC 29550
Lake City Clinic	675 N. Matthews Road Lake City, SC 29560
Marion County Clinic	1100 S. Main St. Marion, SC 29571
Piedmont Center for Mental Health Services	20 Powderhorn Road Simpsonville, SC 29681
Greer Clinic	220 Executive Drive Greer, SC 29651
Sumter Main Center Medical Services Annex	411 N. Salem Ave Sumter, SC 29151
Sumter County Mental Health Clinic, Adult Services	211 North Magnolia Street Sumter, SC 29151
Children Adolescents and Families Services	1175 Guignard Drive Sumter, SC 29151-1946
Clarendon County Clinic	215 Commerce Street Manning, SC 29102-0273
Kershaw County Clinic	2611 Liberty Hill Road Camden, SC 29020-0645
Lee County Clinic	817 Brown Street Bishopville, SC 29010-0206
Spartanburg Area Mental Health Center	250 Dewey Avenue Spartanburg, SC 29303
Cherokee Mental Health Clinic	125 East Robinson Street Gaffney, SC 29340-3723
Union Mental Health Center	130 Medical Sciences Drive Union, SC 29379-0129
Tri-County Community Mental Health Center	1035 Cheraw Street Bennettsville, SC 29512
Chesterfield Clinic	207 Commerce Ave. Chesterfield, SC 29709
Dillon Clinic	1324 Commerce Drive Dillon, SC 29536
Waccamaw Center for Mental Health Horry County Clinic	164 Waccamaw Medical Park Drive Conway, SC 29526
Georgetown County Clinic	525 Lafayette Circle Georgetown, SC 29440
Williamsburg Clinic	501 Nelson Blvd. Kingstree, SC 29556
G. Werber Bryan Psychiatric Hospital (adult and forensic programs)	220 Faison Drive, Columbia, SC 29203
Patrick B. Harris Psychiatric Hospital	130 Hwy 252, Anderson, SC 29622
Morris Village Alcohol and Addiction Treatment Center	610 Faison Drive, Columbia, SC 29203
William S. Hall Psychiatric Institute	1800 Colonial Drive, Columbia, SC 29203
C. M. Tucker Nursing Care Center (Roddey)	2200 Harden Street, Columbia, SC 29203
Richard M. Campbell Veterans Nursing Home	4605 Belton Highway, Anderson, SC 29621
Veterans' Victory House (Nursing Home)	2461 Sidneys Road, Walterboro, SC 29488
C. M. Tucker Nursing Care Center (Stone)	2200 Harden Street, Columbia, SC 29203
Sexually Violent Predator Treatment Program	4460 Broad River Road, Columbia, SC 29210

## Department of Disabilities and Special Needs (DDSN) Office Locations

DDSN Office	Address
Central Office	3440 Harden Street Ext Columbia, SC 29203
Midlands Regional Center	8301 Farrow Road Columbia, SC 29203
Whitten Center	28373 U.S. Highway 76E Clinton, SC 29325
Coastal Regional Center	9995 Miles Jamison Road Summerville, SC 29485
Pee Dee Regional Center	714 National Cemetery Road Florence, SC 29506
Thad E. Saleeby Development Center	714 Lewellen Avenue Hartsville, SC 29550



## Vocational Rehabilitation (Voc Rehab) Office Locations

Aiken: (*Serving Aiken, Barnwell and Edgefield counties*) 855 York St. N.E. Aiken, SC 29801  
 Anderson: 3001 Martin Luther King Jr. Blvd. Anderson, SC 29625  
 Beaufort: (*Serving Beaufort and Jasper counties*) 747 Robert Smalls Parkway Beaufort, SC 29906  
 Berkeley-Dorchester: 2954 S. Live Oak Drive Moncks Corner, SC 29461  
 Camden: (*Serving Fairfield, Kershaw and Lee counties*) 15 Battleship Road Ext. Camden, SC 29020  
 Charleston: 4360 Dorchester Road North Charleston, SC 29405  
 Conway: (*Serving Horry County*) 3009 Fourth Avenue Conway, SC 29527  
 Conway: (*Serving Georgetown County*) 1777 N. Fraser Street Georgetown, SC 29440  
 Florence: 1947 West Darlington Street Florence, SC 29501  
 Florence: (*Serving Dillon and Marion counties*) 309 North First Avenue Dillon, SC 29536  
 Gaffney Area Office: (*Serving Cherokee County*) 364 Huntington Road Gaffney, SC 29341  
 Gaffney: (*Serving Union County*) 131 North Main Street Jonesville, SC 29353  
 Greenville: (*Serving Greenville /Easley residents in Pickens*) 105 Parkins Mill Road Greenville, SC 29607  
 Greenwood: (*Serving Abbeville, Greenwood, McCormick, Saluda*) 2345 Hwy 72 Greenwood, SC 29646  
 Lancaster: (*Serving Lancaster County and the Pageland area*) 1150 Roddey Drive Lancaster, SC 29720  
 Laurens: 22861 Hwy 76 Clinton, SC 29325  
 Laurens: (*Serving Newberry County*) 2601 Evans Street Newberry, SC 29108  
 Lexington: 1330 Boston Ave. West Columbia, SC 29170  
 Lyman: Bryant Center (*Serving Lyman and the surrounding area*) 180 Groce Road Lyman, SC 29365  
 Marlboro: (*Serving Chesterfield and Marlboro*) 1029 SC-9 West Bennettsville, SC 29512  
 Marlboro: (*Serving Darlington County*) 2413 Stadium Road Hartsville, SC 29550  
 Oconee-Pickens: 1951 Wells Highway Seneca, SC 29678  
 Orangeburg: (*Bamberg, Calhoun and Orangeburg*) 1661 Joe S. Jeffords Hwy S.E. Orangeburg, SC 29115  
 Richland: 516 Percival Road Columbia, SC 29206  
 Richland: (*Downtown Office*) 1430 Confederate Avenue Columbia, SC 29202  
 Richland: (*Satellite Office and Work Training Center*) 201 Corporate Park Blvd. Columbia, SC 29223  
 Rock Hill: (*Serving Chester and York*) 1020 Heckle Blvd. Rock Hill, SC 29732  
 Spartanburg: (*Serving Spartanburg County*) 353 S. Church Street Spartanburg, SC 29306  
 Sumter: (*Serving Clarendon and Sumter*) 1760 North Main Street Sumter, SC 29153  
 Walterboro: (*Serving Allendale, Colleton and Hampton*) 919 Thunderbolt Drive Walterboro, SC 29488  
 Williamsburg: 405 Martin Luther King Jr. Avenue Kingstree, SC 29556

## Department of Alcohol and Other Drug Abuse Services (DAODAS) Office Locations

**SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES**

Mount/February 8, 2017

**ABBEVILLE**

Ms. Laurie Fallaw, Executive Director  
 Cornerstone  
 112 Whitehall Street  
 P.O. Box 921  
 Abbeville, SC 29620  
*Phone:* (864) 366-9661  
*FAX:* (864) 459-5314  
*E-Mail:* lfallow@cornerstonecares.org

**AIKEN**

Mr. H. Herbert Mattocks, Executive Director  
 Aiken Center  
 1105 Gregg Highway  
 Aiken, SC 29801  
*Phone:* (803) 649-1900  
*FAX:* (803) 643-2926  
*E-Mail:* info@aikencenter.org

**ALLENDALE**

Ms. Estelle Rivers, Executive Director  
 New Life Center  
 571 Memorial Avenue  
 P.O. Box 806  
 Allendale, SC 29810  
*Phone:* (803) 584-4238  
*FAX:* (803) 584-0370  
*E-Mail:* erivers@nlcbhsa.org

**ANDERSON**

Ms. Karen B. Beck, Director  
 Anderson/Oconee Behavioral  
 Health Services  
 226 McGee Road  
 Anderson, SC 29625  
*Phone:* (864) 260-4168  
*FAX:* (864) 261-7543  
*E-Mail:* karenbeck@aobhs.org

**BAMBERG**

Mr. Mike Dennis, Executive Director  
 Tri-County Commission  
 on Alcohol and Drug Abuse  
 608 North Main Street  
 P.O. Box 907  
 Bamberg, SC 29003  
*Phone:* (803) 245-4360  
*FAX:* (803) 245-4360 (call before faxing)  
*E-Mail:* sbolton@tccada.state.sc.us

**BARNWELL**

Ms. Cheryl Azouri Long, Executive Director  
 Axis I Center of Barnwell  
 1644 Jackson Street  
 Barnwell, SC 29812  
*Phone:* (803) 541-1245  
*FAX:* (803) 541-1247  
*E-Mail:* info@axis1.org

**BEAUFORT**

Mr. Douglas H. "Bud" Boyne Jr., Director  
 Beaufort County Alcohol and  
 Drug Abuse Department  
 1905 Duke Street (29902)  
 P.O. Box 311  
 Beaufort, SC 29901  
*Phone:* (843) 255-6000  
*FAX:* (843) 255-9406  
*E-Mail:* bray@bcgov.net

**BERKELEY**

Mr. Jerome E. Tilghman Jr., Executive Director  
 Ernest E. Kennedy Center  
 306 Airport Drive  
 Moncks Corner, SC 29461  
*Phone:* (843) 761-8272  
*FAX:* (843) 719-3025  
*E-Mail:* ekcenter@infoave.net

**CALHOUN**

Mr. Mike Dennis, Executive Director  
 Tri-County Commission  
 on Alcohol and Drug Abuse  
 2827 Old Belleville Road  
 P.O. Box 322  
 St. Matthews, SC 29135  
*Phone:* (803) 655-7963  
*FAX:* (803) 655-7963 (call before faxing)  
*E-Mail:* sbolton@tccada.state.sc.us

**CHARLESTON**

Dr. Chanda Brown, Director  
 Charleston Center  
 5 Charleston Center Drive (29401)  
 P.O. Box 31398  
 Charleston, SC 29417  
*Phone:* (843) 958-3300  
*FAX:* (843) 958-3498  
*E-Mail:* cfbrown@charlestoncounty.org

**CHEROKEE**

Ms. Christian C. Little, Executive Director  
 Cherokee County Commission on  
 Alcohol and Drug Abuse  
 201 West Montgomery Street  
 Gaffney, SC 29341  
*Phone:* (864) 487-2721  
*FAX:* (864) 487-2764  
*E-Mail:* cccadacl@bellsouth.net

**CHESTER**

Ms. Maria Bates, Executive Director  
 Hazel Pittman Center  
 130 Hudson Street  
 Chester, SC 29706  
*Phone:* (803) 377-8111  
*FAX:* (803) 581-5380  
*E-Mail:* maria@hazelpittman.org

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **CHESTERFIELD**

Mr. Paul W. Napper, Executive Director  
The ALPHA Behavioral Health Center  
1218 East Boulevard  
P.O. Box 838  
Chesterfield, SC 29709  
*Phone:* (843) 623-7062  
*FAX:* (843) 623-7112  
*E-Mail:* pnapper@alphacentersc.com

### **CLARENDON**

Ms. A. Ann Kirven, Chief Executive Officer  
Clarendon Behavioral Health Services  
14 North Church Street  
P.O. Box 430  
Manning, SC 29102  
*Phone:* (803) 435-2121  
*FAX:* (803) 435-8856  
*E-Mail:* akirven@clarendonbhs.com

### **COLLETON**

Mr. Ronald Rickenbaker, Director  
Colleton County Commission on  
Alcohol and Drug Abuse  
1439 Thunderbolt Drive  
P.O. Box 1037  
Walterboro, SC 29488  
*Phone:* (843) 538-4343  
*FAX:* (843) 538-7613  
*E-Mail:* rickenbaker@lowcountrybhhsa.org

### **DARLINGTON**

Ms. Denise Cooper, Director  
Rubicon Family Counseling Services  
510 East Carolina Avenue (29550)  
P.O. Box 2076  
Hartsville, SC 29551  
*Phone:* (843) 332-4156  
*FAX:* (843) 332-4159  
*E-Mail:* d.cooper@rubiconsc.org

### **DILLON**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
204 Martin Luther King Jr. Blvd.  
Dillon, SC 29536  
*Phone:* (843) 774-6591  
*FAX:* (843) 774-1409  
*E-Mail:* dillon@trinitybehavioralcare.org

### **DORCHESTER**

Mr. Samuel J. Miller, Director  
Dorchester Alcohol and Drug Commission  
500 North Main Street, Suite 4  
Summerville, SC 29483  
*Phone:* (843) 871-4790  
*FAX:* (843) 871-8579  
*E-Mail:* tsmith@dadac.org

### **EDGEFIELD**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
603 Augusta Road  
P.O. Box 41  
Edgefield, SC 29824  
*Phone:* (803) 637-9336  
*FAX:* (803) 637-9339  
*E-Mail:* lfallow@cornerstonecares.org

### **FAIRFIELD**

Mr. Vernon Kennedy, Executive Director  
Fairfield Behavioral Health Services  
200 Calhoun Street  
P.O. Box 388  
Winnsboro, SC 29180  
*Phone:* (803) 635-2335  
*FAX:* (803) 635-9695  
*E-Mail:* vkennedy@fairfieldbhs.org

### **FLORENCE**

Mr. Randy Cole, Chief Executive Officer  
Circle Park Behavioral Health Services  
238 South Coit Street (29501)  
P.O. Box 6196  
Florence, SC 29502  
*Phone:* (843) 665-9349  
*FAX:* (843) 667-1615  
*E-Mail:* rcole@circlepark.com

### **GEORGETOWN**

Mr. Raphael M. Carr, Executive Director  
Georgetown County Alcohol and  
Drug Abuse Commission  
1423 Winyah Street (29440)  
P.O. Box 515  
Georgetown, SC 29442  
*Phone:* (843) 527-3125  
*FAX:* (843) 527-1697  
*E-Mail:* rcarr@gcadac.org

### **GREENVILLE**

Mr. Adam Brickner, Executive Director  
The Phoenix Center  
1400 Cleveland Street (29607)  
P.O. Box 1948  
Greenville, SC 29602  
*Phone:* (864) 467-3790  
*FAX:* (864) 467-2631  
*E-Mail:* abrickner@phoenixcenter.org

### **GREENWOOD**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
1612 Rivers Street  
P.O. Box 50209  
Greenwood, SC 29649  
*Phone:* (864) 227-1001  
*FAX:* (864) 227-3619  
*E-Mail:* lfallow@cornerstonecares.org

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **HAMPTON**

Ms. Estelle Rivers, Executive Director  
New Life Center  
102 Ginn Altman Avenue, Suite C  
Hampton, SC 29924  
*Phone:* (803) 943-2800  
*FAX:* (803) 943-2267  
*E-Mail:* [erivers@nlcbhsa.org](mailto:erivers@nlcbhsa.org)

### **HORRY**

Mr. John Coffin, Executive Director  
Shoreline Behavioral Health Services  
2404 Wise Road (29526)  
P.O. Box 136  
Conway, SC 29528  
*Phone:* (843) 365-8884  
*Admin. FAX:* (843) 365-6697  
*Clinical FAX:* (843) 365-6685  
*E-Mail:* [john.coffin@shorelinebhs.org](mailto:john.coffin@shorelinebhs.org)

### **JASPER**

Ms. Estelle Rivers, Executive Director  
New Life Center  
651 Grays Highway  
P.O. Box 1362  
Ridgeland, SC 29936  
*Phone:* (843) 726-5996  
*FAX:* (843) 726-4313  
*E-Mail:* [erivers@nlcbhsa.org](mailto:erivers@nlcbhsa.org)

### **KERSHAW**

Mr. Paul W. Napper, Executive Director  
The ALPHA Behavioral Health Center  
709 Mill Street  
Camden, SC 29020  
*Phone:* (803) 432-6902  
*FAX:* (803) 432-6890  
*E-Mail:* [pnapper@alphacentersc.com](mailto:pnapper@alphacentersc.com)

### **LANCASTER**

Mr. Walter J. Quinn, Director  
Counseling Services of Lancaster  
114 South Main Street (29720)  
P.O. Box 1627  
Lancaster, SC 29721  
*Phone:* (803) 285-6911  
*FAX:* (803) 286-6697  
*E-Mail:* [csi@comporium.net](mailto:csi@comporium.net)

### **LAURENS**

Mr. Charles D. Stinson, Executive Director  
GateWay Counseling Center  
219 Human Services Road  
Clinton, SC 29325  
*Phone:* (864) 833-6500  
*FAX:* (864) 833-6905  
*E-Mail:* [cstinson@gatewaycounseling.org](mailto:cstinson@gatewaycounseling.org)

### **LEE**

Mr. Paul W. Napper, Executive Director  
The Lee Center Family Counseling  
and Addiction Services  
108 East Church Street  
Bishopville, SC 29010  
*Phone:* (803) 484-6025  
*FAX:* (803) 484-6121  
*E-Mail:* [pnapper@alphacentersc.com](mailto:pnapper@alphacentersc.com)

### **LEXINGTON**

Ms. Gayle Aycok, President &  
Chief Executive Officer  
LRADAC  
1068 South Lake Drive  
Lexington, SC 29073  
*Phone:* (803) 726-9400  
*FAX:* (803) 726-9403  
*E-Mail:* [clewis@lradac.org](mailto:clewis@lradac.org)

### **MARION**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
103 Court Street  
P.O. Box 1011  
Marion, SC 29571  
*Phone:* (843) 423-8292  
*FAX:* (843) 423-8294  
*E-Mail:* [marion@trinitybehavioralcare.org](mailto:marion@trinitybehavioralcare.org)

### **MARLBORO**

Mr. Donny Brock, Director  
Trinity Behavioral Care  
211 North Marlboro Street, Second Floor  
P.O. Box 1053  
Bennettsville, SC 29512  
(Mail to Director should be sent to Marion address.)  
*Phone:* (843) 479-5683  
*FAX:* (843) 479-5685  
*E-Mail:* [mdcada@trinitybehavioralcare.org](mailto:mdcada@trinitybehavioralcare.org)

### **McCORMICK**

Ms. Laurie Fallaw, Executive Director  
Cornerstone  
504 North Mine Street  
P.O. Box 337  
McCormick, SC 29835  
*Phone:* (864) 852-3306  
*FAX:* (864) 852-3148  
*E-Mail:* [lfallaw@cornerstonecares.org](mailto:lfallaw@cornerstonecares.org)

### **NEWBERRY**

Mr. Hugh B. Gray, Executive Director  
Westview Behavioral Health Services  
800 Main Street  
P.O. Box 738  
Newberry, SC 29108  
*Phone:* (803) 276-5690  
*FAX:* (803) 321-2234  
*E-Mail:* [hgray@westviewbehavioral.org](mailto:hgray@westviewbehavioral.org)

## SOUTH CAROLINA ALCOHOL AND DRUG ABUSE AUTHORITIES

Mount/February 8, 2017

### **OCONEE**

Ms. Karen B. Beck, Director  
Anderson/Oconee Behavioral  
Health Services  
691 South Oak Street  
Seneca, SC 29678  
*Phone:* (864) 882-7563  
*FAX:* (864) 882-7388  
*E-Mail:* karenbeck@aobhs.org

### **ORANGEBURG**

Mr. Mike Dennis, Executive Director  
Tri-County Commission  
on Alcohol and Drug Abuse  
910 Cook Road (29118)  
P.O. Box 1166  
Orangeburg, SC 29116  
*Phone:* (803) 536-4900  
*FAX:* (803) 531-8419  
*E-Mail:* sbolton@tccada.state.sc.us

### **PICKENS**

Mr. Bob Hiott, Executive Director  
Behavioral Health Services  
of Pickens County  
309 East Main Street  
Pickens, SC 29671  
*Phone:* (864) 898-5800  
*FAX:* (864) 898-5804  
*E-Mail:* rehiott@bhspickens.com

### **RICHLAND**

Ms. Gayle Aycock, President &  
Chief Executive Officer  
LRADAC  
2711 Colonial Drive (29203)  
P.O. Box 50597  
Columbia, SC 29250  
*Phone:* (803) 726-9300  
*FAX:* (803)  
*E-Mail:* clewis@lradac.org

### **SALUDA**

Mr. Hugh B. Gray, Executive Director  
Westview Behavioral Health Services – Saluda Office  
204 Ramage Street  
Saluda, SC 29138  
*Phone:* (864) 445-2968  
(864) 445-3827  
*FAX:* (864) 445-9592  
*E-Mail:* hgray@westviewbehavioral.org

### **SPARTANBURG**

Ms. Susan O'Brien, Executive Director  
Forrester Center for Behavioral Health  
187 West Broad Street, Suite 200 (29306)  
P.O. Box 1252  
Spartanburg, SC 29304  
*Phone:* (864) 582-7588  
*FAX:* (864) 582-8119  
*E-Mail:* susan@sadac.org

### **SUMTER**

Mr. Glenn Peagler, Executive Director  
Sumter Behavioral Health Services  
115 North Harvin Street, 3rd Floor (29150)  
P.O. Box 39  
Sumter, SC 29151  
*Phone:* (803) 775-6815  
(803) 775-2727  
*FAX:* (803) 773-6232  
*E-Mail:* gpeagler@sumterbhs.org

### **UNION**

Ms. Nikki Pyles, Executive Director  
Union County Commission on  
Alcohol and Drug Abuse  
201 South Herndon Street  
P.O. Box 844  
Union, SC 29379  
*Phone:* (864) 429-1656  
*FAX:* (864) 429-1667  
*E-Mail:* uccada@uccada.org

### **WILLIAMSBURG**

Ms. Jackie Scott Graham, Director  
Williamsburg County Department on  
Alcohol and Drug Abuse  
115 Short Street  
P.O. Box 506  
Kingstree, SC 29556  
*Phone:* (843) 355-9113  
(843) 355-7123  
*FAX:* (843) 355-9389  
*E-Mail:* jgraham@wcdada.org

### **YORK**

Ms. Janet Martini, Executive Director  
Keystone Substance Abuse Services  
199 South Herlong Avenue  
P.O. Box 4437  
Rock Hill, SC 29732  
*Phone:* (803) 324-1800  
*FAX:* (803) 328-3831  
*E-Mail:* info@keystoneyork.org

## Department of Health and Human Services (DHHS) Office Locations

**Abbeville County**

Human Services Building, 903 West Greenwood Street Abbeville, South Carolina 29620-5678

**Aiken County**

County Commissioner's Building, 1410 Park Avenue, SE Aiken, South Carolina 29801-4776

**Allendale County**

521 Barnwell Road Allendale, SC 29810-1903

**Anderson County**

224 McGee Road Anderson, South Carolina 29625-2104

**Bamberg County**

374 Log Branch Road Bamberg, South Carolina 29003-0544

**Barnwell County**

10913 Ellenton Street Barnwell, South Carolina 29812-0648

**Beaufort County**

1905 Duke Street Beaufort, South Carolina 29902-4403

**Berkeley County**

2 Belt Drive Moncks Corner, South Carolina 29461-2801

**Calhoun County**

*Closed due to flood, working out of Orangeburg office.*

2831 Old Belleville Road St. Matthews, South Carolina 29135-9010

**Charleston County**

3366 Rivers Ave Charleston, South Carolina 29401-1124

**Cherokee County**

1231 N Limestone St, Unit C, Gaffney, SC 29340

**Chester County**

115 Reedy Street Chester, South Carolina 29706-1881

**Chesterfield County**

203 Commerce Ave Chesterfield, South Carolina 29709-1201

**Clarendon County**

3 South Church Street Manning, South Carolina 29102-3454

**Colleton County**

215 South Lemacks Street Walterboro, South Carolina 29488

**Darlington County**

300 Russell Street, Room 145 Darlington, South Carolina 29532-3340

**Darlington County**

404 South Fourth Street, Suite 300 Hartsville, South Carolina 29550-5718

**Dillon County**

1213 Highway 34 West Dillon, South Carolina 29536-8141

**Dorchester County**

216 Orangeburg Road Summerville, South Carolina 29483-8945

**Edgefield County**

120 W.A. Reel Drive Edgefield, South Carolina 29824-1607

**Fairfield County**

1136 Kincaid Bridge Rd Winnsboro, South Carolina 29180-7116

**Florence County**

2685 South Irby Street, Box I Florence, South Carolina 29505-3440

## Department of Health and Human Services (DHHS) Office Locations (Continued)

**Florence County**

345 South Ron McNair Blvd Lake City, South Carolina 29560-3434

**Georgetown County**

330 Dozier Street Georgetown, South Carolina 29440-3219

**Greenville County**

301 University Ridge, Suite 6700 Greenville, South Carolina 29601-3636

**Greenwood County**

1118 Phoenix Street Greenwood, South Carolina 29646-3918

**Hampton County**

102 Ginn Altman Avenue, Suite B Hampton, South Carolina 29924-3962

**Horry County**

Genesis Complex, 1201 Creel St. Conway SC 29527

**Jasper County**

10908 North Jacob Smart Boulevard Ridgeland, South Carolina 29936-2708

**Kershaw County**

110 East DeKalb Street Camden, South Carolina 29020-4432

**Lancaster County DHHS**

1599 Pageland Hwy Lancaster, South Carolina 29720-2409

**Laurens County**

93 Human Services Road Clinton, South Carolina 29325-7546

**Lee County**

820 Brown Street Bishopville, South Carolina 29010-4207

**Lexington County**

605 West Main Street Lexington, South Carolina 29072-2550

**McCormick County**

215 North Mine Street - Highway 28 N McCormick, South Carolina 29835-8363

**Marion County**

137 Airport Ct., Suite J Mullins, SC 29574

**Marlboro County**

713 S. Parsonage St. Ext. Bennettsville, SC 29512

**Newberry County**

County Human Services Center, 2107 Wilson Road Newberry, South Carolina 29108-1603

**Oconee County**

223 B Kenneth Street Walhalla, South Carolina 29691-2443

**Orangeburg County**

2570 Old St. Matthews Road NE Orangeburg, South Carolina 29118-1407

**Pickens County**

212 McDaniel Avenue Pickens, South Carolina 29671-2527

**Richland County**

3220 Two Notch Road Columbia, South Carolina 29204-2826

**Saluda County**

613 Newberry Hwy Saluda, South Carolina 29138-8903

**Spartanburg County**

1000 N. Pine Street, Suite 23, Pinewood Shopping Ctr. Spartanburg, South Carolina 29303

**Sumter County**

105 North Magnolia Street, 3rd Floor Sumter, South Carolina 29150-4941



Department of Health and Human Services (DHHS) Office Locations (Continued)

**Union County**

200 South Mountain Street Union, South Carolina 29379-2389

**Williamsburg County**

121 Hampton Avenue Kingstree, South Carolina 29556-2555

**York County**

454 S. Anderson Road, Suite 10 Rock Hill, SC 29730

## Department of Health and Environmental Control (DHEC) – WIC Program Office Locations

<b>DHEC - WIC Program Location and Address</b>
<p>Abbeville County Health Department 905 W. Greenwood Street Abbeville, SC 29620</p>
<p>Anderson County Health Department 220 McGee Road Anderson, SC 29625</p>
<p>Cherokee County Health Department 400 S. Logan Street Gaffney, SC 29341</p>
<p>Chesnee Health Department 210 Hampton Street Chesnee, SC 29323</p>
<p>Greenville Health Department 200 University Ridge Greenville, SC 29601</p>
<p>Greer Health Department 202 Victoria Street Greer, SC 29651</p>
<p>GHS-OB 701 Grove Road Greenville, SC 29605</p>
<p>Greenwood County Health Department 1736 South Main Street Greenwood, SC 29646</p>
<p>Inman Health Department 6 S. Howard Street Inman, SC 29349</p>
<p>McCormick County Health Department 204 Highway 28 McCormick, SC 29835</p>
<p>Pickens County Health Department 200 McDaniel Avenue Pickens, SC 29671</p>
<p>Simpsonville Center for Community Services 1102 Howard Drive Simpsonville, SC 29681</p>

Slater/Marietta Health Department Foothill Family Resources 3 Main Street Slater, SC 29683
Spartanburg County Health Department 151 E. Wood Street Spartanburg, SC 29303
Union County Health Department 115 Thomas Street Union, SC 29379
Seneca Health Department 609 North Townville Street Seneca, SC 29678
Woodruff Health Department 240 Gregory Street Woodruff, SC 29388
Laurens County Health Department 93 Human Services Road Clinton, SC 29325
Phillis Wheatley Community Center 335 Greenacre Road Greenville, SC 29607
Aiken County Health Department 222 Beaufort Street, NE Aiken, SC 29801
Margaret J. Weston Site 4645 Augusta Road Clearwater, SC 29822
Barnwell County Health Department 11015 Ellenton Street Barnwell , SC 29812
Batesburg-Leesville Clinic 229 West Church Street Batesburg, SC 29006
Chester County Health Department 129 Wylie Street Chester, SC 29706
Edgefield County Health Department 21 Star Road Edgefield, SC 29824

Fairfield County Health Department 1136 Kincaid Bridge Road Winnsboro, SC 29180
Fort Jackson Clinic 4500 Stuart Street FT. Jackson, SC 29207
Kershaw County Health Department 1116 Church Street Camden, SC 29020
Lancaster County Health Department 1833 Pageland Highway Lancaster, SC 29720
Lexington County Health Department 1070-B S Lake Drive Lexington, SC 29073
Newberry County Health Department 2111 Wilson Road Newberry, SC 29108
WIC Satellite Eastover 120 Clarkson Street Eastover, SC 29044
Richland County Health Department 2000 Hampton Street Columbia, SC 29204
Saluda County Health Department 613 Newberry Highway Saluda, SC 29138
York County Health Department 1070-B Heckle Boulevard #204 Rock Hill, SC 29732
York Health Center 116 North Congress Street York, SC 29745
Chesterfield County Health Department 203 N Page Street Chesterfield, SC 29709

Clarendon County Health Department 110 E Boyce Street Manning, SC 29102
Conway Public Health Department 1931 Industrial Park Road Conway, SC 29536
Darlington County Health Department 305 Russell Street Darlington, SC 29532
Dillon County Health Department 201 W Hampton Street Dillon, SC 29536
Florence County Health Department 145 E Cheves Street Florence, SC 29506
Georgetown County Health Department 531 Lafayette Street Georgetown, SC 29440
Hartsville Health Department 130 Camden Avenue Hartsville, SC 29550
Williamsburg County Health Department 520 Thurgood Marshall Highway, Suite A Kingstree, SC 29556
Lee County Health Department 810 Brown Street Bishopville, SC 29010
Marion County Health Department 206 Airport Court, Suite B Mullins, SC 29574
Marlboro County Health Department 711 South Parsonage Street Bennettsville, SC 29512
Sumter County Health Department 105 N Magnolia Street Sumter, SC 29150

Shaw AFB WIC Office 524 Stuart Avenue Shaw AFB, SC 29152
Lake City Health Department 137 N Acline Street Lake City, SC 29560
Myrtle Beach Health Department 700 21 <sup>st</sup> Avenue North Myrtle Beach, SC 29577
Stephen's Crossroad Public Health Department 107 Highway 57 North Little River, SC 29582
Allendale County Health Department 571 N. Memorial Avenue Allendale, SC 29810
Bamberg County Health Department 370 Log Branch Road Bamberg, SC 29003
Berkeley County Health Clinic 109 W Main Street Moncks Corner, SC 29461
Beaufort County Health Department 601 Wilmington Street Beaufort, SC 29902
Bluffton Health Center 4819 Bluffton Parkway #141 Bluffton, SC 29910
Calhoun County Health Department 2837 Bellville Road St. Matthews, SC 29135
Colleton County Health Department 219 S Lemacks Street Walterboro, SC 29488
Goose Creek Health Department 106 Westview Boulevard Goose Creek, SC 29445
Hampton Health Department 531 W Carolina Avenue Varnville, SC 29944
Jasper County Health Department 651 Grays Highway Ridgeland, SC 29936
Holly Hill Health Center

932 Holly Street Holly Hill, SC 29059
Mt. Pleasant Health Clinic 1189 Sweetgrass Basket Parkway Mt. Pleasant, SC 29464
Sea Island Medical Center 3627 Maybank Highway Johns Island, SC 29455
North Area Health Clinic 3963 Whipper Barony Lane Charleston Heights, SC 29405
Northwoods Health Clinic 2070 Northbrook Blvd. A-20 N. Charleston, SC 29406
Orangeburg County Health Department 1550 Carolina Avenue Orangeburg, SC 29116
Dorchester County Health Department 500 N Main Street Summerville, SC 29483



**MINIMUM REQUIREMENTS FOR STATE/FEDERAL OFFICES:**

<b>Office</b>	<b>Min. Age</b>	<b>State Resident</b>	<b>US Citizen</b>	<b>Registered Voter</b>	<b>Term of Office</b>	<b>Consecutive Terms</b>	<b>Special Qualifications/Notes</b>
US Senate	30	No time limit	9 years	Yes	6 years	Indefinite	
US House of Representatives	25	No time limit	7 years	Yes	2 years	Indefinite	
Governor	30	5 years	5 years	Yes	4 years	2	
Lieutenant Governor	30	5 years	5 years	Yes	4 years	2	
Secretary of State	18	No time limit	No time limit	Yes	4 years	Indefinite	
State Treasurer	18	No time limit	No time limit	Yes	4 years	Indefinite	
Attorney General	18	No time limit	No time limit	Yes	4 years	Indefinite	
Comptroller General	18	No time limit	No time limit	Yes	4 years	Indefinite	
State Superintendent of Education	18	No time limit	No time limit	Yes	4 years	Indefinite	
Adjutant General	18	No time limit	No time limit	Yes	4 years	Indefinite	
Agriculture Commissioner	18	No time limit	No time limit	Yes	4 years	Indefinite	
SC Senate	25	No time limit	No time limit	Yes	4 years	Indefinite	Must be a legal resident of the district at the time of filing
SC House of Representatives	21	No time limit	No time limit	Yes	2 years	Indefinite	Must be a legal resident of the district at the time of filing
Solicitors	18	No time limit	No time limit	Yes	4 years	Indefinite	Must be legal resident of circuit 30 days prior to the election. Must be licensed to practice law by the S.C. Bar at the time of his election and throughout his term.

**MINIMUM REQUIREMENTS FOR COUNTY OFFICES:**

<b>Office</b>	<b>Min. Age</b>	<b>Residency Requirement</b>	<b>Registered Voter</b>	<b>Term of Office</b>	<b>Consecutive Terms</b>	<b>Special Qualifications/Notes</b>
Council	18	Must be a resident of the county and/or district at the time of the election	Yes	4 or 2 years	Indefinite	Term is 2 years in Anderson, Edgefield, Orangeburg, & York Counties.
Treasurer	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	Treasurer is appointed in Greenwood & York Counties.
Auditor	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	Auditor is appointed in Greenwood & York Counties.
Clerk of Court	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	
Coroner	21	Must be a resident of the county for at least 1 year immediately preceding the date of the election. Must be a U.S. citizen	Yes	4 years	Indefinite	*See below for complete qualifications
Probate Judge	21	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	S.C. Code of Laws Section 14-23-1040 includes an education/experience requirement for Probate Judge. (Act 678 of 1990) However, the U.S. Department of Justice objected to the requirement, and the act was never precleared and is therefore unenforceable.
Sheriff	21	Must be a resident of the county for at least 1 year immediately preceding the date of the election. Must be a U.S. citizen.	Yes	4 years	Indefinite	**See below for complete qualifications

Office	Min. Age	Residency Requirement	Registered Voter	Term of Office	Consecutive Terms	Special Qualifications/Notes
Register of Deeds	18	Must be a resident of the county at the time of the election	Yes	4 years	Indefinite	
School Board	18	Must be a resident of the county and/or district at the time of the election	Yes	4, 3 or 2 years	Indefinite	Additional qualifications may exist for any particular school board or district. For specific lengths of terms and qualifications, contact the local school district or the S.C. School Board Association.
Soil & Water Conservation District Commissioner	18	Must be a resident of the county and/or district at the time of the election	Yes	4 years	Indefinite	

**\*Candidates for Coroner must meet the following qualifications (S.C. Code of Laws 17-5-130):**

- Must have a high school diploma or equivalent recognized by the State Department of Education.
- Must not have been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.
- Must have one of the following combinations of education and experience:
  - 3 years experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - 2 year associate degree and 2 years experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - 4 year baccalaureate degree and 1 year experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or
  - be a law enforcement officer, as defined by S.C. Code of Laws 23-23-10(E)(1), certified by the S.C. Law Enforcement Training Council with a minimum of 2 years of experience; or
  - be a licensed private investigator with a minimum of 2 years of experience; or
  - have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within 1 year of being elected to the office of coroner.
- Candidates must file a sworn affidavit with the county party chairman no later than the close of the filing period (petition candidates file the affidavit with the county election commission). A Coroner's Filing Affidavit is available for download from the [Filing Forms page](#). Affidavits must contain the following information:
  - date and place of person's birth
  - person's citizenship
  - county of residence and how long the person has been a resident of that county
  - whether the person is a registered voter
  - date person obtained high school diploma or its recognized equivalent

- whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.
- date person obtained an associate degree or baccalaureate degree, if applicable
- date person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable

**\*\*Candidates for Sheriff must meet the following qualifications (S.C. Code of Laws 23-11-110):**

- Must have one of the following combinations of education and experience:
  - High school diploma & 5 years experience as a certified law enforcement officer; or
  - 2 year associate degree & 3 years experience as a certified law enforcement officer; or
  - 4 year bachelor's degree & 1 year experience as a certified law enforcement officer; or
  - Served as a summary court judge for at least 10 years.
- Must not have pled guilty or been convicted of a felony in this state or in any other state or pled guilty or been convicted of driving under suspension of a license or driving under the influence of drugs or alcohol within the past 10 years.
- Candidates must be fingerprinted and have SLED make a search of local, state and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than 130 days prior to the General Election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the results with the county election commission in the county of his residence.
- Candidates must file a sworn affidavit with the county party chairman no later than the close of the filing period (petition candidates file the affidavit with the county election commission). A Sheriff's Filing Affidavit is available for download from the [Filing Forms page](#). Affidavits must contain the following information:
  - date and place of person's birth
  - date person graduated from high school or received equivalent of high school diploma
  - number of years experience person has as a certified law enforcement officer, when applicable
  - number of years experience person has as a summary court judge, when applicable
  - an affirmation the person meets all of the qualification requirements of 23-11-110(A)

<b>County</b>	<b>Current Board Members</b>	<b>Years Served on Board</b>
Abbeville (7)	Teresa Bannister Laura Baughman Betty Bowen Betty Henry Janet Miller Conway Shirley Brenda Tolbert	Unknown 6 3 10 Unknown 3 2
Aiken (9)	James Cosnahan Douglas Gantt Paul Hudak Ron Kolosek Amanda Kay McIver Andrew Marine Moses Myers Sarah Rutland Blanche S. Wimberly	3 1 3 Less than 1 Unknown 5 Unknown 5 2
Allendale (4)	Edwina Bing Robert Connelly, III Jacob Prince Georgia Williams	3 3 3 3
Anderson (7)	Linda Burdette Karen Claflin Jean Holloway Craig Isom Melissa Ledford William Orr Peggy Taylor	Unknown 5 5 Unknown Less than 1 Unknown 11
Bamberg (7)	Verline Baucham Patricia Blume Jimmy Brickle Jannie Johnson Dorothy Lee Eva Manigault Curtis Tyler, Jr.	Unknown Unknown 9 10 Unknown 3 2
Barnwell (7)	Ivan Cohen Bobby Hundley Harriett McKnight Gwendolyn Neal Caroline Nolte Myrtle Smoak Mary Kathleen Thomas	3 10 2 11 4 5 11
Beaufort (8)	William Bronson Tyrone Clifford Beverly Dore Dean Hewitt Bruce Massey James Rowe William Severns Henry Waddington	3 Unknown 7 11 3 8 5 Unknown

Berkeley (9)	Wade Arnette Leon Brown Orval Mills Judy Moody Zonda Powell Donald Rose Don Saturday Frances Taylor Darel Trout	1 Unknown Unknown 11 2 Unknown Unknown Unknown 2
Calhoun (8)	Johnnie Bates Vivian Bodrick Catherine Crosby Rebecca Keller Pamela Phillips Jeff Reid, Jr. Ashley Summers Judy Taylor	Unknown Unknown Unknown Unknown Unknown Unknown 11 Unknown
Charleston (9)	John Bourne Carolyn Lecque Dan Martin Robin Poliakoff Charles Shine June Smith Mary Ann Taylor Christine Varnado Troy Watson	Unknown Unknown Unknown 3 Unknown Unknown 4 Unknown Unknown
Cherokee (8)	Richard Baines Lamar Batchelor Jason Blanton Carlton Bridges Mike Byars James Elliott John Hoilo Meredith McKey	3 Unknown 5 3 1 1 1 1
Chester (6)	Anna Boulware Luke Cameron Andrew Johnson William (Bill) Marion Debbie Parsons Bobbie Starks	3 9 7 Unknown 9 9
Chesterfield (5)	Gerald Baker Martha Charles Roy Neal Phillip Powell Donald Sellers	11 4 Unknown Less than 1 Unknown

Clarendon (9)	Paula Bryant Jeremy Cannon Nancy Cave Gregory Holliday Mattie Johnson Sharon Ridgeway Maggie Robertson Beatrice Simon Betsy Watson	Unknown 1 5 Unknown 1 Unknown 9 Less than 1 2
Colleton (7)	Queenie Crawford Lynette Fryar Angela Gilliard Scott Harvin Dale Headden Celia Price Randall Ulmer, Sr.	7 Unknown 6 6 11 11 2
Darlington (4)	Ellen Causey Hannah Dixon Thomas Heatley Hamer Parnell	Unknown 12 9 6
Dillon (8)	Wilson Brown James Calhoun Amy Cardwell Dorothy Carmichael Mary Davis Michael Grice Ralph Herndon Melissa Thompson	Less than 1 Less than 1 3 3 3 Less than 1 Less than 1 1
Dorchester (5)	Queen Bowman Ronald Jaicks Rodney Profit Arthur Shields Cecil Toulon	Unknown 3 Unknown Unknown 3
Edgefield (6)	Vickie C. Butler Eddie Feagin Donna Lybrand Bob Ramsey David Satcher Beatrice Scott	Less than 1 Unknown Less than 1 Unknown 10 Unknown
Fairfield (7)	Thomas Chase Robert Drake John Glenn, Sr. Carolyn Prioleau Alice Rice Donna Royson Betty Trapp	6 5 9 10 5 3 Unknown



Florence (6)	Gary Cooper Helen Dimery Becky Docherty Rudy Hughes Quincy Kennedy Ashley Nance	1 3 3 Unknown 9 5
Georgetown (8)	Billy Altman Nancy Brown Tracy Gibson Mary Joyce Holmes Jan Lane Dean Smith Robert Wigglesworth Jimmy Young	Unknown Unknown Less than 1 5 4 6 Less than 1 Unknown
Greenville (8)	Jerry Barron Wayne Davis Joyce Hoffman Bill Lynch Bunny Phillips Glenn Phillips Bob Schaffner Markylena Tolbert-Wydman	Unknown Unknown 2 7 Unknown 2 Unknown 7
Greenwood (8)	Ann Broome Jack Chalock David Connor David Eddy Don Going Beth Rembert Derwin Sthare James Wilson	3 Unknown 4 9 3 7 6 Unknown
Hampton (5)	Mark Altman Linda Givens Elise McQuire Kakela Robinson Carlar Williams	3 Unknown 1 9 4
Horry (8)	Vickie Autry Charlie Bellamy, II James Michael Frazier Deborah Johnson Maurice Jones Lawrence Leagans Dorsey Strickland Wiley Taylor, III	Unknown 2 Unknown Unknown 7 Unknown 2 5

Jasper (9)	Joseph Arzillo Rodney Catterton Timothy Crosby Denise Davidson Carrie Fair John Kemp Regenia Scott Carl Tyler Pamela Williams	3 3 1 1 Less than 1 1 Less than 1 12 Unknown
Kershaw (7)	Marvin Best Julia Brock Sally Brown John Clinton Anna Isgett Morris Pate Thoyd Warren	7 Unknown 2 7 Unknown 1 Unknown
Lancaster (4)	Marshall Benson Rick Crimminger Elvira McIlwain-Faulkner Ronnie Wall	9 Unknown 9 8
Laurens (9)	William Adair Chip Brownlee Marilyn Easter Ralph Hardy John Henley Tim Howard Patrick Jackson Reynold Stoddard Cathy Williams	Unknown 3 Unknown 9 3 8 2 5 Unknown
Lee (5)	Herbert Brisbon, Jr. Mary LeGrant Sytricia Price George Wallace Carl Whetsel	2 5 2 1 2
Lexington (9)	Ben Barfield Freddie Black Frenche Brewer John Carrigg Constance Flemming Wilfred Laintz Frances Lindler Jerry McCormick Wyman Merchant	1 7 2 2 1 Less than 1 2 3 2
McCormick (6)	Larry Baker Martha Brown Suffie Jennings Laverne James Moss Peter Shumway Rita Smith	1 5 1 Unknown 1 5

Marion (8)	Curtis Campbell Norma Coote Lewis Evans Linda Godfrey Brenda Hatfield Wallace Hayes Jacqueline McGill David Stone	10 1 11 12 Unknown 10 Unknown 3
Marlboro (8)	James Abraham Keith Brewington Weldon Bruce Chavis Brenda Dixon Phyllis Hagan Ray Howe Marion Smith Sharon Thomas	1 12 2 Unknown Unknown Unknown 4 12
Newberry (6)	Brenda Fulmer John Glasgow Samuel Price, Jr. Doretha Simpson Henry Summer Martha Waller	3 Less than 1 Unknown 3 5 5
Oconee (5)	Robert Brock Edna Reid Flora Riley Webb Smathers, Jr. Bobbie Wilhite	2 15 20 3 7
Orangeburg (6)	Gayle Brown Rose Carson Broadus Jamerson, III Katherine John Jimmy Johnson, Jr. Cornelius Sumpter	5 3 2 Unknown Unknown 3
Pickens (7)	June Bowers Gretchen Campbell Sheree Chapman Kathleen Hane Geneva Robinson William Thompson, Jr. Mary Jane Weeks	12 12 2 3 3 Unknown 6
Richland (5)	Adell Adams Jane Emerson Sylvia Holley Peter Kennedy Shirley Mack	6 2 2 2 Less than 1
Saluda (4)	Jack W. Atkinson Johnny Bosket Ruby Jean Mobley Charles Rentz	6 6 6 5

Spartanburg (6)	Dorothy Broyles Rosemary Byerly Cynthia Church Ruth Littlejohn William Thompson, Jr. Don Watson	8 5 Unknown 3 3 Unknown
Sumter (6)	Leroy Blanding Goliath Brunson, Jr. Edgar Donnalld Glenn Harrell Charles Moore Selena Smith	Unknown Unknown Less than 1 4 Unknown 4
Union (8)	Harriette Belk Doug Gilliam Roger Gregory Pat Littlejohn Deborah O'Daniel Grover Allen Owens Dianne Spencer Keith Vanderford	Unknown Unknown 5 Unknown 4 1 5 Unknown
Williamsburg (7)	Robert Brown Ernest Jarrett Helen McFadden Richard Nelson Glannie Tisdale Sharon Washington Brenda Woods	Unknown 7 Unknown 2 5 Unknown Unknown
York (7)	Joseph Berger Sadie Culp Jonell Hagner Diane Linkous Kenneth Love James Mabrey Steven Rast	Unknown 3 3 Unknown Unknown Unknown Unknown



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

# House Legislative Oversight Committee

May 9, 2017

## Products and Services

- Opportunity to register to vote at certain agencies <sup>(3)</sup>
- Allowance of qualified service members and overseas citizens to register and vote using electronic communications <sup>(5,6)</sup>
- Training and certification program <sup>(7,16,52)</sup>
- Maintain master file of registered voters <sup>(10,11,12,15,21,23)</sup>



## Products and Services Con't.

- Conduct candidate filing (25)
- Electronic voter registration (20)
- Conduct primaries and elections (26,28,29,31)
- Furnish forms and supplies (19,27,43)
- Training program for poll managers (32)
- Prepare ballots (33,35,36,37,38,40,43,44)
- Approve voting systems (41,42)

## Products and Services Con't.

- Certify elections (46,47)
- Hear election protests and appeals (48)
- Provide jury lists (49)
- Disburse county board member stipends (50)

## Topics of Special Interest

- Proof of citizenship
- Special election calendar/absentee voting for military and overseas citizens
- Training and Certification Program

## Proof of Citizenship

- No state requires proof of citizenship for federal elections
- Arizona and Kansas require proof of citizenship for state elections
- Alabama and Georgia passed laws requiring proof of citizenship, but did not implement

## Legal Challenges

- Arizona - Supreme Court ruled law violated federal law because requirements are set by federal gov't.
- Kansas – Appeals Court ruled states must accept and use federal form for all federal elections. Kansas appealed.

# Voter Registration in SC

## **SOUTH CAROLINA VOTER REGISTRATION MAIL APPLICATION**

Are you a citizen of the United States of America? Yes ☐ No ☐

Will you be 18 years of age on or before election day? Yes ☐ No ☐

**If you checked 'NO' in response to either of these questions,  
DO NOT complete this form.**

# Voter Registration in SC

## **Voter Declaration** – (read and sign below)

I swear or affirm that:

- I am a citizen of the United States of America
- I will be 18 years of age on or before Election day
- I am a resident of South Carolina, this county and precinct
- I am not under a court declaring me mentally incompetent
- I am not confined in any public prison resulting from a conviction of a crime
- I have never been convicted of a felony or offense against the election laws OR  
if previously convicted, I have served my entire sentence, including probation  
or parole, or I have received a pardon for the conviction
- the address listed above is my only legal place of residence,  
and I claim no other place as my legal residence

**Signature**

**Date of Application**

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.



## Documents to Verify Citizenship

- County boards may request additional information if they believe an applicant is not a citizen
  - Birth certificate
  - Passport
  - Certificate of citizenship
  - Naturalization certificate
- Cannot be used to create a barrier to voter registration

## Systematic Alien Verification for Entitlements (SAVE)

- Database maintained by US Dept. of Homeland Security
- Does not include a comprehensive listing of US citizens
- Questions regarding accuracy and timeliness of information

## Special Election Calendar

- Federal and state law requires ballots be mailed to military and overseas citizens 45 days prior to any election
- Special election schedule modified to
  - Reduce filing period by 2 days to provide 45 days between close of filing and primary
  - Add two additional weeks between runoff and special election

# Training and Certification Program

- Board members
  - Must complete six classes to be certified
    - 2 core classes
      - Duties of Voter Registration and Elections
      - Election Administration
    - 2 election electives
    - 2 professional development electives
    - 1 continuing education class each calendar year

# Training and Certification Program

- **Directors**
  - Must complete 11 classes to be certified
    - 4 core classes
      - Duties of Voter Registration and Elections
      - Election Administration
      - Introduction to VREMS/Unity
      - Directors: Roles and Responsibilities
    - 3 management/leadership classes
    - 2 election electives
    - 2 professional development electives
    - 2 continuing education class each calendar year

# Training and Certification Program

- Staff
  - Must complete seven classes to be certified
    - 3 core classes
      - Duties of Voter Registration and Elections
      - Election Administration
      - Absentee
    - 2 election electives
    - 2 professional development electives
    - 1 continuing education class each calendar year

## Classes (Partial List)

- Absentee Voting
- Election Security
- Protest Hearings
- Training Poll Managers
- Accessibility
- Office Procedures
- Conflict Resolution
- Team Building
- Setting Goals
- Supervisory Skills
- Planning for Results
- Freedom of Information Act
- Redistricting
- Ballot Design
- Business Writing
- Employee Motivation
- Elements of Email Style
- Customer Service
- Duties of the Board
- Federal Election Law
- Leadership Skills
- Disaster Planning
- How Adults Learn
- Managing Multiple Projects



## Training and Certification Program

- Approximately 25 classes offered each year at various locations across the state
- In-person instruction and online through learning management system
  - Poll Manager Training
  - Conducting Municipal Elections
  - Municipal Protest Hearings
- 98% of board members are compliant with requirements (309 of 315)

## Number of Customers

- SC Population – 4,777,575
- Voting Age Population (VAP) – 3,695,745
- Citizen VAP – 3,566,510
- Active, Registered Voters – 3,213,913
- 2016 General Election Voters – 2,123,584
  - Absentee Voters – 508,137
    - In-person 370,072
    - By mail 138,065

## Number of Customers

- Board Members & Staff – Approx. 500
- Clerks & Poll Managers – Approx. 20,000
- Candidates
  - 2016 General Election – 1,604
  - 2014 General Election – 1,339
- Elected Officials

# Evaluation of Customer Service

- Formal
  - Training and Certification Program
  - Poll Manager Survey
- Informal feedback
  - Voters
  - County Boards and Staff
  - Candidates and Political Parties
  - Advocacy Groups

## Charges for Products/Services

- Training and certification program classes - \$25 per class
- Furnish lists to qualified electors (sale of list program)
- Candidate filing fees
  - Federal, statewide, State Senate, State House, Solicitor, county wide, county council, school board
  - 1% of salary X term of office

# Sale of List Program Fees

Type of List	Form	Cost	
Statewide	Electronic	\$2,500	
Congressional	Electronic	\$1,000	
State Senate	Electronic	\$ 300	
State House	Electronic	\$ 160	
District Offices (Council, school, etc.)	Electronic	\$ 160	
Multi-districts or demographics	Electronic	\$ 160	1 <sup>st</sup> 25,000 names \$75 for each add'l 25,000

# Filing Fees

- Filing Fees Collected
  - Presidential Preference Primaries
    - 2016 - \$360,000
    - 2012 - \$180,000
    - 2008 - \$380,000
  - Statewide Primaries/Runoffs
    - 2016 - \$1,210,926
    - 2014 - \$ 907,396



## Aid to County Stipend

- Appropriations - \$533,000
- \$1,500 per member
- \$12,500 cap per county
  - For boards with 9 members, stipend is reduced

## Cost Per Unit Product/Service

- Cost of conducting elections
  - Statewide General \$3M
  - Statewide Primaries \$3.5M
  - Presidential Preference Primaries \$2.6M

# Training Revenues/Expenses

## 2016 Calendar Year Summary

<b>Total Events</b>	<b>31</b>
Total Costs	\$25,894
Total Revenue	\$18,750
Net Loss	\$7,144

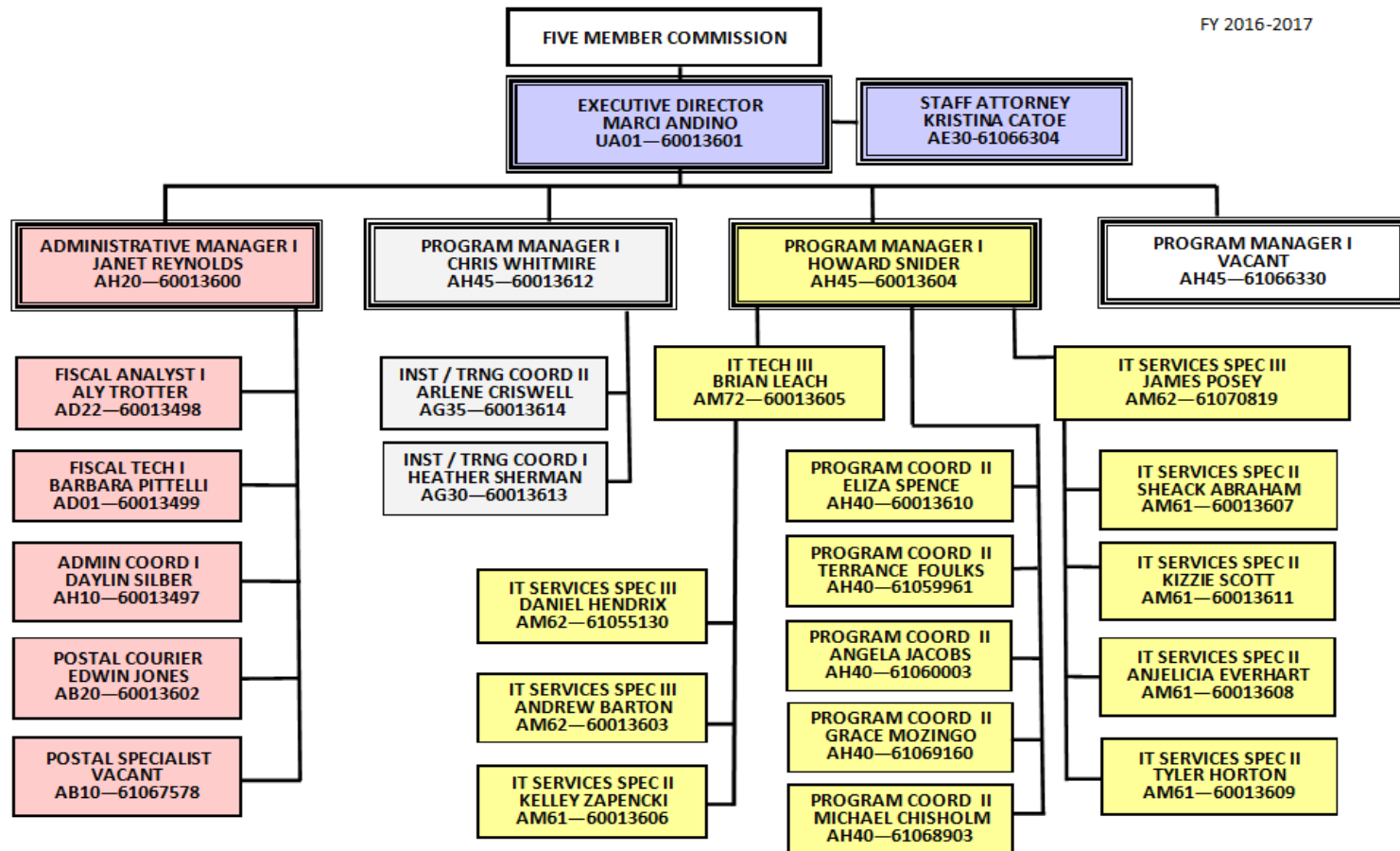
## Sale of List Revenues/Expenses

Fiscal Year	2012	2013	2014	2015	2016
Revenues	110,997	78,736	108,621	104,637	175,957
Expenses	106,562	94,483	99,263	77,811	97,357

## Other Agencies

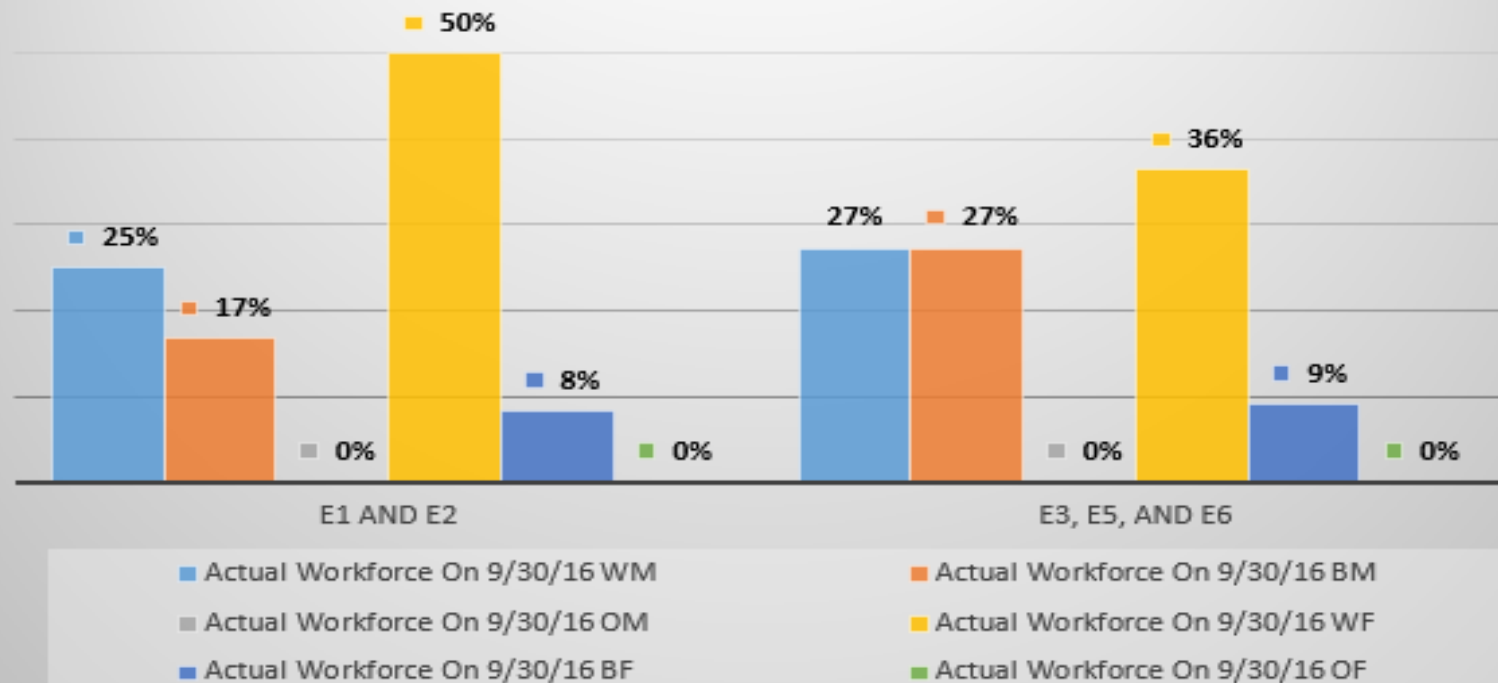
- Same or similar
  - ✗ Customers
  - ✗ Products
  - ✗ Services
- Products and services do not fit within the mission of any other agency.
- Other agencies assist SEC with voter registration services

# Organizational Chart



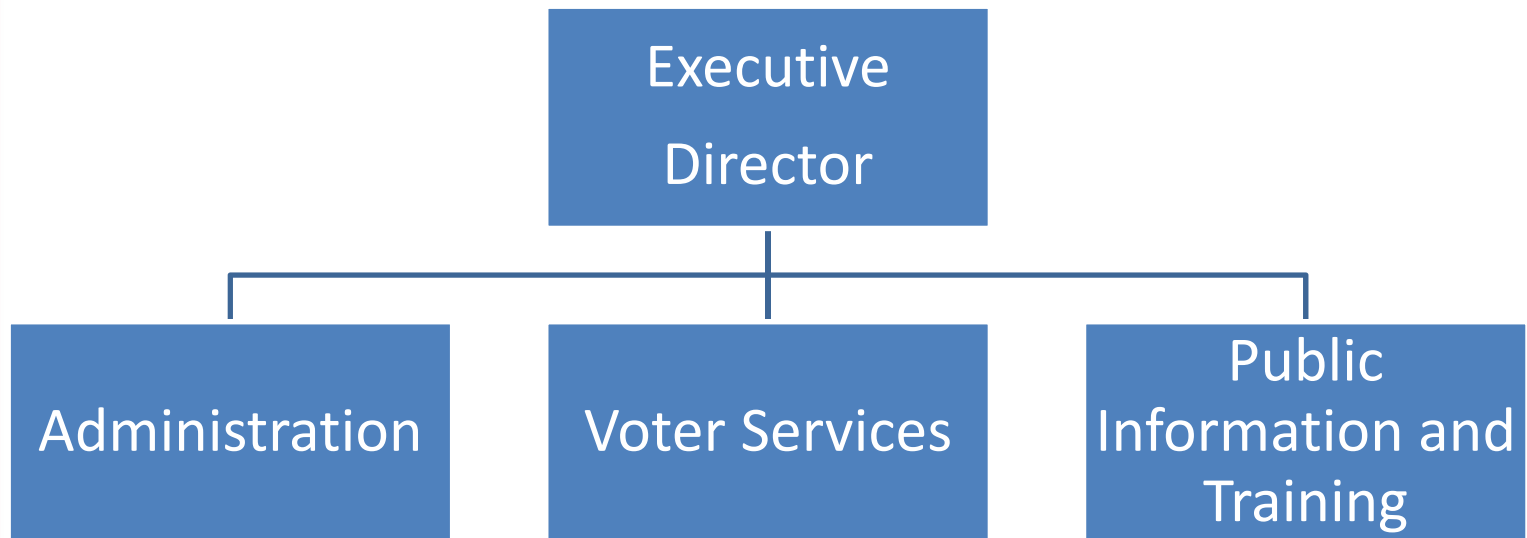
# Employee Demographics

Data as of 9/30/2016 from the SC State  
Human Affairs Commission Annual Report





# Organizational Unit Details



# Administration

- Provide leadership and direction for the agency, including administration, finance and support services.

## Administration

- Turnover rate
  - 2013-14            60%
  - 2014-15            0%
  - 2015-16            0%
- Employee satisfaction is evaluated
- Anonymous employee feedback is allowed
- One job requires certification

## Voter Services

- Provide and support the statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions, provide counties with election support services and technical assistance related to statewide voting system; provide election security oversight and guidance to counties.

## Voter Services

- Turnover rate
  - 2013-14            13%
  - 2014-15            10%
  - 2015-16            15%
- Employee satisfaction is evaluated
- Anonymous employee feedback is allowed
- No jobs require certification

## Public Information and Training

- Administer a mandatory statewide training and certification program for county and municipal election officials; provide ongoing training events and workshops; provide a poll manager training program and materials; educate the public on the voter registration and election process; provide information regarding elections and agency activities.

## Public Information and Training

- Turnover rate
  - 2013-14            0%
  - 2014-15            0%
  - 2015-16            0%
- Employee satisfaction is evaluated
- Anonymous employee feedback is allowed
- No jobs require certification



## Agency Mission

To ensure every eligible citizen in South Carolina has the opportunity to register to vote, to participate in fair and impartial elections, and have the assurance that their vote will count.

## Agency Vision

The State Election Commission will conduct secure, fair and impartial elections through the management of resources along with the use of innovative strategies and technologies to reflect the will of the electorate in South Carolina.

# Agency Goals

- **Goal 1** - Provide a system of voter registration that is free of barriers
  - **Intended Public Benefit/Outcome:** All citizens have the opportunity to register to vote
  - **Responsible Employee:** Howard Snider

## Agency Goals

- **Goal 2** - Certify and support a statewide voting system that meets state law, federal standards and is accessible for all voters
  - **Intended Public Benefit/Outcome:** All voters have the opportunity to vote in fair and impartial elections and have the assurance that their vote will count
  - **Responsible Employee:** Howard Snider

## Agency Goals

- **Goal 3** - Support counties in conducting voter registration and fair, open and impartial elections
  - **Intended Public Benefit/Outcome:** All voters have the opportunity to vote in fair and impartial elections and have the assurance that their vote will count
  - **Responsible Employee:** Chris Whitmire and Howard Snider

## Agency Goals

- **Goal 4** - Effectively oversee all agency programs and operations
  - **Intended Public Benefit/Outcome:** Agency operates in an efficient and prudent manner
  - **Responsible Employee:** Janet Reynolds

## Methodology for Allocation

- Agency expenditures assigned to objectives
- Each employee's job duties were compared to individual objectives based on percentage of time spent performing job duties related to the objective
- All agency expenditures and cost of employee salaries/benefits included in amount assigned to objective.



# Appropriations/Authorization

- General Fund Appropriations  
\$5,742,078
- Authorization of other funds
  - Sale of list (\$305,000)
  - Training (\$35,000)
  - Statewide Primaries Filing Fees (\$1,200,000)
  - Special Primaries (\$100,000)

## Carry Forward Funds – FY2016-17

- **General Fund – \$3,856,315**
  - Operating \$ 233,212
  - Aid to county 104,252
  - Elections 3,333,831
  - HAVA Match 185,020
- **Other Funds - \$1,193,537**
  - Sale of Lists 249,612
  - Candidate Filing 897,679
  - Training 37,246
- **Federal - \$399,929**

# Questions



*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



**South Carolina House of Representatives**

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Ralph W. Norman  
Robert L. Ridgeway III  
James E. Smith Jr.  
Edward R. Tallon Sr.  
Robert Q. Williams*

*Jennifer L. Dobson  
Research Director*

**Post Office Box 11867**

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**Room 228 Blatt Building**

*Charles L. Appleby IV  
Legal Counsel*

*Cathy A. Greer  
Administration Coordinator*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

May 11, 2017

### VIA EMAIL and U.S. MAIL

Director Marci Andino  
State Election Commission  
Post Office Box 5987  
Columbia, South Carolina 29250

Dear Director Andino:

The Executive Subcommittee appreciates the Election Commission's partnership in the oversight process. As a follow up to the subcommittee meeting on May 9, 2017, the subcommittee seeks additional information. Please provide the information by Wednesday, May 24, 2017 so the Subcommittee may review it in preparation for the next meeting.

### *Training*

1. Please provide the total cost of the training the agency conducted last year (i.e. the training for which the agency charges).
2. Please provide a list of videos from the agency that are currently available to the county boards and public via the web, including the website on which the videos can be accessed (e.g., polling manager video, etc.)

### *Printing of Ballots*

1. What are the requirements for a company to become certified to print ballots?

*Samples*

1. Please provide a sample document that illustrates all of the information provided about individual voters if a registered voter in South Carolina requested to purchase all of the information available.
2. Please provide a sample of the following forms: (a) voter registration by mail; (b) voter registration at county board office; and (c) voter registration at any of the agencies who are capable of registering individuals to vote.

*Filing Fees*

1. What do other states charge in filing fees for the following: (a) presidential preference primaries; and (b) statewide primaries/runoffs?
2. What do the political parties in South Carolina charge the candidates, over and above the filing fees required by the Election Commission?

*Voter Eligibility & Removal from Voter Lists*

1. What information would be required, and who would need to provide it, for the Election Commission to decide an individual is no longer a qualified voter within a particular county, because the individual does not live in the county?
2. Please outline the steps taken by the Election Commission prior to removing an individual from a voter list, including, but not limited to, how far in advance notice is provided, if notice is provided, before an upcoming election in which the individual would otherwise be able to vote.
3. Exhibit A lists the qualifications for eligible voters and the subcommittee's understanding, based on testimony and information provided by the agency, of which entity verifies the qualifications are met and the verification method. Please make any revisions necessary to ensure the document is complete and accurate.

In your responses to these questions, please provide the subcommittee with any relevant, necessary context information. If the agency has any concerns about the format yielding answers that do not provide an accurate reflection of the agency, please express those concerns prior to responding to the question, in a written letter with a copy to staff for the subcommittee. Please retain your working papers for these responses in the event the subcommittee would like to view those. As a reminder, responses to the questions above, as well as responses to any other requests, are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

Please utilize patterns, as opposed to different colors, as the fill for any graphs the agency provides in response to this letter, or future requests, so the differences are more easily distinguishable when the information is printed in black and white.

The subcommittee looks forward to working collaboratively with the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

Signature Redacted

Gary E. Clary  
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams

**Exhibit A: Verification of Voter Qualifications**

Note: State Election Commission = SEC

**LIVING**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote. <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul>
Remains eligible to vote	SEC	<b><i>Method 1:</i></b> DHEC's Bureau of vital statistics sends the Election Commission an electronic file of all those over 18 who are deceased (but this only records those who die in south Carolina, someone could be registered to vote here, but die in another state) <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul> <b><i>Method 2:</i></b> Receives ..... from the Social Security Administration <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>

**18 YEARS OF AGE**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote. <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul> <b><i>Additional Optional Method 2:</i></b> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>
Remains eligible to vote	SEC	<b><i>Method 1:</i></b> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>

**NOT ADJUDICATED BY A COURT TO BE MENTALLY INCOMPETENT**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote. <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul> <b><i>Additional Optional Method 2:</i></b> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>
Remains eligible to vote	SEC	<b><i>Method 1:</i></b> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>

**NOT IN JAIL OR PRISON**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote. <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul> <b><i>Additional Optional Method 2:</i></b> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>
Remains eligible to vote	SEC	<b><i>Method 1:</i></b> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>



**NOT BE CONVICTED OF A FELONY OR OFFENSE AGAINST THE ELECTIONS LAWS, unless the disqualification has been removed by service of the sentence, including probation and parole time (unless sooner pardoned)**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<p><b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote.</p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul> <p><b><i>Additional Optional Method 2:</i></b></p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>
Remains eligible to vote	SEC	<p><b><i>Method 1:</i></b></p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>

**RESIDENT OF COUNTY AND PRECINCT IN WHICH YOU ARE REGISTERING TO VOTE**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<p><b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote.</p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul> <p><b><i>Additional Optional Method 2:</i></b></p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>
Remains eligible to vote	SEC	<p><b><i>Method 1:</i></b></p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>

**U.S. CITIZEN**

<u>Time Period</u>	<u>Who Verifies</u>	<u>Method and Frequency of Verification</u>
Initially eligible to register to vote	County Board	<p><b><i>Required Method 1:</i></b> Voter Declaration, which individual reads and signs, affirming the individual meets all of the qualifications to vote.<sup>1</sup></p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u> Once</li> </ul> <p><b><i>Additional Optional Method 2:</i></b> County Boards may request additional information from an individual at the voter registration stage if the board has reason to believe the individual is not a U.S. Citizen. Acceptable documents to prove citizenship include: (1) Birth certificate (issued by a U.S. State or U.S. Department of State); (2) U.S. Passport (issued by U.S. Department of State); (3) Certificate of Citizenship; and (4) Naturalization Certificate.</p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u> As needed</li> <li>• <u>Further Explanation:</u> County board members, directors, and staff are trained to use caution in requiring additional documentation to prove citizenship. Additional documentation should only be required if there is a real question, based on individual circumstances, about whether the person is a U.S. citizen. Additional documentation must not be requested based on race, color, ethnicity, national origin, or language as doing so would be discriminatory. Counties are cautioned that appearing to create a barrier to voter registration would be a violation of Federal and State laws.</li> </ul>
Remains eligible to vote	SEC	<p><b><i>Method 1:</i></b></p> <ul style="list-style-type: none"> <li>• <u>Frequency:</u></li> </ul>

<sup>1</sup> All applicants must complete a voter registration application. The applicant must attest to citizenship on the voter registration application and by signing the application takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense. In most cases, this attestation should be sufficient to satisfy the board that the applicant is a U.S. citizen.

May 24, 2017

SEC Response to May 11, 2017 Executive Subcommittee Request for Additional Information

### ***Training***

- 1. Please provide the total cost of the training the agency conducted last year (i.e. the training for which the agency charges).**

Total Cost of 2016 Training Events:	\$25,894
Cost of 2016 Training Events (excluding SEC salaries):	\$10,669

- 2. Please provide a list of videos from the agency that are currently available to the county boards and public via the web, including the website on which the videos can be accessed (e.g., polling manager video, etc.)**

While the SEC does not provide training videos to county boards via the web, the SEC does provide boards with two poll manager training videos in an electronic file format and provides three online training classes through the agency Learning Management System (LMS).

The poll manager training videos are intended for use by county boards in training poll managers and cover the following topics:

- Opening and Closing the iVotronic Voting Machine
- Polling Place Accessibility

The LMS is intended for use by county boards, poll managers, and municipal election officials. Users are assigned a username and password for access. Each county has a dedicated URL within the system. For example, the web address for Abbeville County is <https://abbeville.sctraining.us/>. The system features three classes:

- Poll Manager Training
- Duties of the Municipal Election Commission
- Municipal Protests

### ***Printing of Ballots***

- 1. What are the requirements for a company to become certified to print ballots?**

See SEC Attachment #1

### ***Samples***

- 1. Please provide a sample document that illustrates all of the information provided about individual voters if a registered voter in South Carolina requested to purchase all of the information available.**

See SEC Attachment #2. Note: See page 2 of attachment for information included with all saleable data provided through the Sale of List program.

- 2. Please provide a sample of the following forms: (a) voter registration by mail; (b) voter registration at county board office; and (c) voter registration at any of the agencies who are capable of registering individuals to vote.**

See SEC Attachment #3. Note: Page 1 of attachment is the Mail Application, Page 2 is the in-office application, and Page 3 is “Motor Voter” agency application.

### ***Filing Fees***

**1. What do other states charge in filing fees for the following: (a) presidential preference primaries; and (b) statewide primaries/runoffs?**

See SEC Attachment #4

**2. What do the political parties in South Carolina charge the candidates, over and above the filing fees required by the Election Commission?**

For Presidential Preference Primaries, state law allows the State Election Commission to set a filing fee not to exceed \$20,000. In 2007, the State Election Commission set the filing fee at \$20,000 and remains unchanged. State law also allows parties to charge a certification fee. For the 2016 election cycle, the S.C. Republican Party charged a certification fee of \$20,000 per candidate. The rules of the S.C. Democratic Party do not allow the party to charge a certification fee.

### ***Voter Eligibility & Removal from Voter Lists***

**1. What information would be required, and who would need to provide it, for the Election Commission to decide an individual is no longer a qualified voter within a particular county, because the individual does not live in the county?**

South Carolina Code § 7-3-20(C)(4) charges the Executive Director of the SEC with the deletion of any elector who is no longer qualified to vote in the precinct where currently registered, who is otherwise no longer qualified to vote as may be provided by law or who has requested in writing that his name be removed. The SEC receives notification from various sources regarding individuals who are no longer qualified voters within a particular county. With the exception of information provided by the South Carolina Department of Motor Vehicles (DMV), the information is not required to be provided to the SEC in a set format; only in a manner that allows the SEC to identify the voter in question.

- The SEC receives notifications from other states and jurisdictions when a voter registers in that state or jurisdiction, and the voter indicates that they were registered in S.C.
- Returned mail sent by county boards to voters that has been returned as undeliverable
- State law allows for the SEC to enter into agreements to share information or data with other states or groups of states. The SEC participates in the Interstate Crosscheck program. The program provides the SEC with information about voters who match as potential registrants in other states. The SEC mails notification to the voter that information indicates the voter has registered in another state. The voter's status is updated based on the voter's response to the mailing. If the mail is returned undeliverable, the voter is made inactive. If no response is received, the voter remains registered.
- State and federal laws allow the SEC to send Confirmation Cards to voters who have not voted in the past two General Elections or any other election occurring during that time. If a confirmation card is returned as undeliverable, the voter is made inactive. If the card is not returned, the voter is made inactive and is eventually removed from voter

registration lists if the voter fails to vote in two future consecutive general elections or any intervening election. This serves as notification to the SEC that the voter is no longer residing in a county. S.C. Code Ann. § 7-5-330 and 52 U.S.C. § 20501, et seq. (1993).

- The SEC also receives information from clerks of courts throughout the state when a jury notification is returned or when the potential juror notifies the clerks' office that they no longer reside in the county.
- The DMV is required by S.C. Code of Laws §7-3-70(a) to submit monthly reports to the SEC of all persons eighteen years of age or older who have surrendered their driver's license or identification card and obtained a driver's license or identification card in another state. The report must include the name, social security number, date of birth, county where previously a resident, and the state where the license or identification card was surrendered. This process is currently in the implementation phase.

Section 7-5-230 of the South Carolina Code of Laws establishes the provisions for voter registration challenges to a county board of voter registration and elections in the county of registration. This Section also provides for an appeal process to any court of common pleas of the county or subsequently to the South Carolina Supreme Court. The results of any voter registration challenge adjudicated by a county board of voter registration and elections or any court is provided to the SEC.

**2. Please outline the steps taken by the Election Commission prior to removing an individual from a voter list, including, but not limited to, how far in advance notice is provided, if notice is provided, before an upcoming election in which the individual would otherwise be able to vote.**

South Carolina Code § 7-5-160 states, in part, that voter registration in SC is permanent unless the voter is removed from the registration list for cause. A voter is removed from the active list of registered voters by changing statuses from active to inactive or archived. All voter records remain in the voter registration database permanently.

- Batch voter registration removals must be completed no later than ninety days before the date of a statewide primary, general, or federal election
- Individual voter-specific removals can occur at any time

South Carolina Code § 7-3-20(C)(4) charges the Executive Director of the SEC with the deletion of any elector who is no longer qualified to vote in the precinct where currently registered, who is otherwise no longer qualified to vote as may be provided by law or who has requested in writing that his name be removed. The SEC receives notification from various sources regarding individuals who are no longer qualified voters within a particular county.

South Carolina Code § 7-3-20(C)(9) charges the Executive Director of the SEC to secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes.

South Carolina Code § 7-3-30(a)(b) charges the Executive Director of the SEC, in part, to notify electors whose name has been deleted for reasons of conviction or a change in the residence of a qualified voter. Notification is mailed to the address last filed in the voter registration and

elections office and the elector has twenty days from the date the notice is mailed to appeal to the county board of voter registration and elections.

South Carolina Code § 7-5-330(F) provides that the SEC may not remove a voter from the active list unless a confirmation card, mailed by the SEC, is returned as undeliverable and the voter fails to vote in two consecutive general elections. This must be completed no later than ninety days before the date of a statewide primary, general, or federal election.

See SEC Attachment #5

- 3. Exhibit A lists the qualifications for eligible voters and the subcommittee's understanding, based on testimony and information provided by the agency, of which entity verifies the qualifications are met and the verification method. Please make any revisions necessary to ensure the document is complete and accurate.**

See SEC Attachment #5

## Ballot Printer Qualification Program

### Program Objective

This program is designed to allow a printer to demonstrate their ability to meet the minimum requirements for successful production of ballots, both precinct and vote by mail, in accordance with the Election Systems & Software Ballot Production guidelines.

### Program Overview

- This program will test all aspects of ballot production, including printing, finishing and packaging.
- Submitted ballots will be analyzed to ensure they meet ES&S specifications for the following metrics:
  - Length
  - Width
  - Ink/Toner Density
  - Oval Thickness
  - Ballot Stock Quality
- For ballot finishing the following will be analyzed on the ballots submitted:
  - Numbering
  - Perforating
  - Color Requirements
  - Scoring and Folding
- The printer will submit a list of all production equipment to be utilized in ballot production.
- Ballots must be printed by each printing device or potential printing device the printer plans to utilize in ballot production. Ballots should be labeled accordingly to document the specific equipment it was produced on.
- Ballots produced by each piece of finishing equipment, such as cutters, perforating machines, and numbering machines, shall be submitted and labeled accordingly.
- Submitted test ballots must be entirely produced at the printer's designated location, no outsourcing of any part of the ballot production will be considered.
- ES&S will furnish ballot files in PDF format, in most common sizes and stub configurations.
- Ballots produced for use in jurisdictions using ES&S Unity Election System should be corner cut as specified in the ES&S Ballot Production Handbook.
- The printer is responsible for all costs associated with the production of these Test ballots, up to and including onsite inspection by ES&S Ballot Management Services staff.
- ES&S will only inspect, test and approve ballots printed on ES&S recommended ballot stock, ES&S CountRight.
- Printers who intend to print on sheet fed digital devices are encouraged to utilize ES&S Generic Ballot stock.

## Ballot Printing and Finishing Assessment

1. The printer will print 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 11 inch, one and two sided, with perforated stub
- 14 inch, one and two sided, with no stub
- 14 inch, one and two sided, with one perforated stub
- 17 inch, one and two sided, with no stub
- 17 inch, one and two sided, with one perforated stub
- 19 inch, one and two sided, with no stub
- 19 inch, one and two sided, with one perforated stub

For this assessment, the printer should sequentially number the ballots that have a stub, beginning with 01 for the 11 inch, 001 for the 14 inch, 0001 for the 17 inch and 00001

for the 19 inch. This numbering will be consecutive (01, 02, 03, 04, etc. for each size) and should be placed on the lower right corner of the stub. If possible, numbering in red should be submitted. All ballots shipped flat should be shrink wrapped.

2. The printer will print and score for folding 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 14 inch, one and two sided, with no stub
- 17 inch, one and two sided, with no stub
- 19 inch, one and two sided, with no stub

For this assessment, ballots are not to be folded, only scored (in 1/3rds) and shipped flat. All ballots shipped flat should be shrink wrapped.

3. The printer will print and fold 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 14 inch, one and two sided, with no stub
- 17 inch, one and two sided, with no stub
- 19 inch, one and two sided, with no stub

For this assessment, ballots are to be folded to fit inside a standard size envelope, 6 x 9 or larger. All ballots should be banded and boxed.



4. Upon completion of all printing and finishing, the printer should forward all ballots to ES&S at the address below.

Election Systems & Software  
Ballot Print Qualification Materials  
11208 John Galt Blvd  
Omaha, NE 68137

In addition to the printed ballots, the printer should include the following:

- A complete list of all production equipment, including printing and finishing equipment.
- Verification that the ballots submitted are printed on CountRight paper.
- Documentation of any previous experience in the production of optical scan election ballots, or any election related materials.

**SEC Attachment #2****Sale of List Information**

Any registered voter in South Carolina may purchase a list of voters. Lists are available in the following formats: CD, mailing labels, printed report, USB, and downloadable file. Lists can be created to include voters based on any combination of the following characteristics: age, sex, race, household, participation in a particular election, absentee participation, date of registration, county, election district (congressional, senate, house, county council, city council, school district, municipality, or a combination thereof.) Each list contains the following information about each voter:

- County code
- Registration number
- First, middle, last name
- Suffix
- Residence address
- Mailing address
- Gender
- Race
- Registration date
- Date of birth
- Date last voted
- General election participation (last 2)
- Dem. primary participation (last 2)
- Rep. primary participation (last 2)
- Watershed district
- Precinct code and name
- House district
- Senate district
- County council district
- School district
- City council district
- Congressional district
- Voter status
- Municipal code and name

Pursuant to Section 7-15-330 of the South Carolina Code of Laws, beginning at 9:00 a.m. on the day prior to any election, the following information regarding all voters who participated in the absentee process is made available to the public:

- County code and name
- Application number
- Registration number
- Name
- Address
- Precinct code number
- Ballot style
- Party voted in primary
- Absentee address
- Who requested the ballot
- Application request method
- Application request date
- Application issue date
- Application return date
- Ballot issue date
- Ballot delivery method
- Ballot returned date
- Ballot returned method
- Ballot returned by (name)
- UOCAVA reason
- Runoff ballot requested

**\*NOTICE TO ALL REQUESTORS OF RECORDS**

State law requires every public body to provide the following notice to all requestors of records:

Obtaining or using public records for commercial solicitation directed to any person in this State is prohibited under [South Carolina Code Section 30-2-50](#) .

In addition, a person or private entity shall not knowingly obtain or use any "personal information" obtained from a public body for commercial solicitation directed to any person in the State. [Section 30-2-50\(A\)](#) . "Personal information" is defined as follows: Information that identifies or describes an individual including, but not limited to, an individual's photograph or digitized image, social security number, date of birth, driver's identification number, name, home address, home telephone number, medical or disability information, education level, financial status, bank account(s) number(s), account or identification number issued by and/or used by any federal or state governmental agency or private financial institution, employment history, height, weight, race, other physical details, signature, biometric identifiers, and any credit records or reports. [Section 30-2-30\(1\)](#).

PENALTY: A person knowingly violating the provisions of 30-2-50(A) is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed five hundred dollars or imprisoned for a term not to exceed one year, or both. [Section 30-2-50\(D\)](#) .

<div>Are you a citizen of the United States of America? Yes <input type="checkbox"/> No <input type="checkbox"/></div> <div>Will you be 18 years of age on or before election day? Yes <input type="checkbox"/> No <input type="checkbox"/></div> <div>If you checked 'NO' in response to either of these questions, DO NOT complete this form.</div>					<div>Check One:</div> <div><input type="checkbox"/> New Registration (Check above if moving from one county to another)</div> <div><input type="checkbox"/> Address or name change within the same county</div>												
NAME		Last			First			MI		Suffix							
SEX		Male <input type="checkbox"/>		RACE		Black/African American		Asian		Hispanic American		Native American		Other Specify		SOCIAL SECURITY NUMBER **	
		Female <input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		- -	
ADDRESS WHERE YOU LIVE (Physical Address)		Street						Apt Number						Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>			
		City						State		Zip Code		Would you like to be a poll worker? Yes <input type="checkbox"/> No <input type="checkbox"/>					
MAILING ADDRESS (if different from above)		Street or Post Office Box															
		City						State		Zip Code							
BIRTHDATE		Month		Day		Year		PHONE #		Home ( )		Work ( )					
PREVIOUS REGISTRATION/NAME		Precinct				County				State		Previous Name					

**Voter Declaration** – (read and sign below)

I swear or affirm that:

- I am a citizen of the United States of America
- I will be 18 years of age on or before Election Day
- I am a resident of South Carolina, this county and precinct
- I am not under a court order declaring me mentally incompetent
- I am not confined in any public prison resulting from a conviction of a crime
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction
- the address listed above is my only legal place of residence, and I claim no other place as my legal residence

If you do not have a street name or number, draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Attach ID Here

Signature

Date of Application

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

**ID Required:** If you are registering for the first time in this county, you **must** attach a copy of a current valid photo ID **or** a copy of a current utility bill, bank statement, paycheck or other government document that shows your name and address in this county. If you do not provide this identification now, you will be required to provide this information when you vote. Voters who are age 65 and over, voters with disabilities, members of the U.S. Uniformed Services or Merchant Marines and their families, and U.S. Citizens residing outside the U.S. are exempt from this requirement.

☐ Check here if you are exempt.

\*\* Social Security Number is required by the S.C. Code of Laws 7-5-170. This number is used for internal purposes only and eliminates multiple registrations by a single individual. Your Social Security Number is not released to any unauthorized individual.

For Voter Registration Board Use Only

scVOTES.org

☐ Approved ☐ Disapproved by \_\_\_\_\_ (Member, Voter Registration Board) Date \_\_\_\_\_

--

NAME	Last				First				MI	Suffix
SEX	Male <input type="checkbox"/>	RACE	Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic <input type="checkbox"/> Other Specify <input type="checkbox"/> _____					SOCIAL SECURITY NUMBER		
	Female <input type="checkbox"/>		White <input type="checkbox"/>						-	-
ADDRESS WHERE YOU LIVE	Street				Apt Number		Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>			
	City				State		Zip Code			
MAILING ADDRESS (if different from above)	Street or Post Office Box									
	City				State		Zip Code			
BIRTHDATE	Month	Day	Year	PHONE #	Home			Work		
PREVIOUS REGISTRATION	Precinct			County			State			

☐ I am not under a court order declaring me mentally incompetent or confined in any public prison.

☐ I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.

I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of the State of South Carolina, this county and of my precinct. I further swear (or affirm) that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.

Signature of Applicant

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Member, Deputy Member or  
Clerk of Registration Board

## For Registration Board Use Only

[illegible]

920

STATE OF SOUTH CAROLINA  
Application for Voter Registration

Social Security Number is required by the S.C. Code of Laws and is used for internal purposes only. Social Security Number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized individual.

<b>CHECK ONE</b>		<input type="checkbox"/> New registration in county		<input type="checkbox"/> Change in current registration		
<b>NAME</b>	Last	First		MI	Suffix	
<b>SEX</b>	Male <input type="checkbox"/> Female <input type="checkbox"/>	<b>RACE</b>	White <input type="checkbox"/>	Black/African American <input type="checkbox"/>	Asian <input type="checkbox"/>	
			Hispanic <input type="checkbox"/>	Other (Specify) _____	<b>SOCIAL SECURITY NO.</b>	
<b>ADDRESS WHERE YOU LIVE</b>		Street		Apt Number	<b>INSIDE CITY LIMITS</b>	
					Yes <input type="checkbox"/> No <input type="checkbox"/>	
		City		State	Zip Code	
<b>MAILING ADDRESS (if different from above)</b>		Street or Post Office Box			Apt Number	
		City		State	Zip Code	
<b>BIRTHDATE</b>		Month	Day	Year	<b>PHONE</b>	
					Home	Work
<b>PREVIOUS REGISTRATION</b>		Precinct		County		State

**Voter Declaration - Read and Sign Below**

I swear or affirm that:

- I am a United States citizen.
- I will be at least 18 years old on or before the next election.
- I am a resident of South Carolina, this county and precinct.
- I am not under a court order declaring me mentally incompetent.
- I am not confined in any public prison resulting from a conviction of a crime.
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.
- The address listed above is my only legal place of residence and I claim no other place as my legal residence.

Draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Signature \_\_\_\_\_

Date of Application \_\_\_\_\_

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

If you decline to register to vote, that decision will remain confidential and be used only for voter registration purposes.

If you register to vote, information regarding the office in which the application was submitted will remain confidential, again, to be used only for voter registration purposes.

**For Registration Board Use Only**

City	Mail City	Mail Co.	Township	Precinct	House	Senate	Co. Council	School	City Council	Cong.	Watershed	Reg Loc	Misc
												920	

☐ Rejected☐ Approved By \_\_\_\_\_  
Member, Board of Voter Registration

Date \_\_\_\_\_

## SEC Attachment #4

**Candidate Filing Fees By State (Survey Responses from States)**

<b>State</b>	<b>Filing Fee for President (Presidential Preference Primary only)</b>	<b>Filing Fee/Other Candidates</b>
Arizona	None	None
California	None	US Senate \$3,480, Congress \$1,740, State Senate and House \$1,001
Delaware	None	1% of salary X term
Georgia	None	% of Salary for most State Senate and House \$400
Indiana	None	None
Louisiana	\$1,125	Governor \$1125, Statewide Offices \$900, Congress \$900
Maine	\$2,500	None
Maryland	None	US Senate, Governor, Lt. Gov. \$290, Congress \$100, State Senate and House \$100
Minnesota	None	US Senate \$400, US Rep, Governor, Statewide Offices \$300, State Senate and House \$100
Mississippi	\$2,500	varies
Nevada	\$250	US Senate \$500, Congress \$300, Governor \$300, Statewide Offices \$200, State Senate and House \$100
New Mexico	None	\$50
Ohio	None	US Rep \$85, Statewide Offices \$150, State Senate and House \$85
South Carolina	\$20,000	1% of salary X term
South Dakota	None	None
Texas	None	Varies
Utah	\$500	\$50 plus 1% of salary X term
Vermont	\$2,000	None
Washington	Non	1% of salary
West Virginia	\$2,500	1% of salary



## SEC Attachment #5

**Verification of Voter Qualifications**

SEC = State Election Commission

County Board = County Board of Voter Registration and Elections

**Initial Registration – All Qualifications Verified by County Board at Time of Registration**

All applicants must complete a voter registration application. The applicant must attest to all qualifications on the voter registration application and by signing the application, takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

Qualification	Verification Method
Identity	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (in person and by mail):</b> Individual provides a copy of any current, valid photo ID or a copy of a utility bill, bank statement, paycheck or any government document showing the individual's name and address in the county.</p> <p><b>Required Method 3 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 4 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's identity through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual submitting the application is not the person he/she claims to be.</p>
U.S. Citizen	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (by mail):</b> Individual must check box indicating they are a U.S. Citizen.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not a U.S. Citizen. Acceptable documents to prove citizenship include: (1) Birth certificate (issued by a U.S. State or U.S. Department of State); (2) U.S. Passport (issued by U.S. Department of State); (3) Certificate of Citizenship; and (4) Naturalization Certificate.</p>
18 Years of Age (or will be 18 years of age by the date of an upcoming election if the voter is applying within 150 days of the voter registration deadline for that election or an associated primary)	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 3 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's age through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not (or will not be) 18 years of age.</p>
Resident of County and Precinct	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

## SEC Attachment #5

Qualification	Verification Method
	<p><b>Required Method 2 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 3 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's address through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not a resident of the county and precinct in which the individual is registering.</p>
Not in Jail or Prison Serving Sentence for Conviction of a Crime	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is in jail or prison serving a sentence for conviction of a crime.</p>
Not Convicted of a Felony or Offense Against the Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual has been convicted of a disqualifying offense and has not served the sentence or been pardoned.</p>
Not Adjudicated by Court to be Mentally Incompetent	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

**Removal from List of Active, Registered Voters** – Voters are removed at various times by SEC. Removal means the voter's status is changed from "Active" to "Inactive." Voter records remain in the statewide voter registration system permanently.

Reason for Removal	Source of Information	Frequency
Death	DHEC's Bureau of Vital Statistics sends the SEC an electronic file of all those over 18 who are deceased (file includes records of only those who die in South Carolina, someone could be registered to vote here, but die in another state).	Monthly
	Social Security Administration Death File	Program under development and testing
	Correspondence from family	As received
U.S. Citizen	Voter request, information from courts	Varies
Resident of County and Precinct	Confirmation card mailing	Approximately every 4 years
	Returned mail sent by county boards to voters that has been returned as undeliverable.	As received
	Voter request received by the SEC	As received
	Information from other states/jurisdictions received by the SEC	As received

## SEC Attachment #5

Reason for Removal	Source of Information	Frequency
	Information received from the Interstate Crosscheck Program with other states. Upon receipt of information showing a voter has a later registration date in another state, the SEC sends voter a postcard to confirm their status.	Biennially in odd-numbered years
	DMV notifies the SEC of SC Driver's Licenses surrendered in other states at which time the SEC sends voter a postcard to confirm their status.	Program under development and testing
	Information received from the courts including undeliverable jury summons, returned jury summons indicated voter has moved, and court rulings.	As received
Voter Convicted of a Felony or Offense Against Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	Information received from Court Administration or the US Attorney	Monthly
Adjudicated by Court to be Mentally Incompetent	Court documents received by the SEC	As received

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Bill Taylor*



**South Carolina House of Representatives**

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Robert L. Ridgeway III  
James E. Smith Jr.  
Edward R. Tallon Sr.  
Robert Q. Williams*

*Jennifer L. Dobson  
Research Director*

**Post Office Box 11867**

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Legal Counsel*

*Cathy A. Greer  
Administration Coordinator*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

June 12, 2017

### VIA EMAIL and U.S. MAIL

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Julie Hussey, President  
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[Copresident.lwvsc@gmail.com](mailto:Copresident.lwvsc@gmail.com)

Municipal Association of South Carolina  
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South Carolina Association of Counties  
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South Carolina Association of Registration and Election Officials, Inc.  
David K. Alford, President, Executive Committee  
219 Third Loop Road  
Florence, SC 29505  
[dalford@florenceco.org](mailto:dalford@florenceco.org)

Dear Interested Parties:

The House Legislative Oversight Committee's Executive Subcommittee is currently performing an oversight study of the State Election Commission. The purpose of legislative oversight is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether or not they should be continued, curtailed, or even eliminated. Any House Member may file legislation to implement the Committee's recommendations.

As public input is a cornerstone of the House legislative oversight process, the purpose of this letter is to seek input from your respective organizations about the State Election Commission. During the study of the agency, it has been suggested to the Subcommittee that potential revisions to statutes may help clarify situations relating to county boundaries, an issue which directly impacts both elections and other matters for local governments and citizens.

There are a variety of ways for the public to contribute to the Committee's oversight of this agency, including: contacting Committee staff; submitting information by mail or via the public input link on the Committee website; and providing sworn testimony during a meeting. Representatives from your respective organizations are welcome to testify at the Executive Subcommittee's next meeting on Tuesday, June 27, 2017, at 10:00 a.m. in Room 110 of the Blatt Building.

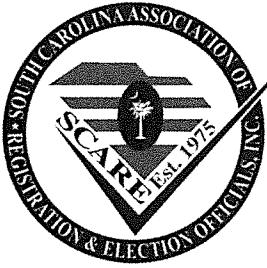
On behalf of the entire Executive Subcommittee, we look forward to working collaboratively with your respective organizations and the State Election Commission during the oversight process.

Sincerely,

Signature Redacted

Gary E. Clary  
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams  
Executive Director Marci Andino, State Election Commission  
Executive Director Frank Rainwater, Revenue and Fiscal Affairs Office



## South Carolina Association of Registration and Election Officials, Inc.

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**DAVID K. ALFORD**  
PRESIDENT  
EXECUTIVE COMMITTEE

June 22, 2017

The Honorable Gary E. Clary, Chairperson  
Executive Subcommittee  
Legislative Oversight Committee  
South Carolina House of Representatives  
PO Box 11867  
Columbia SC 29211

Dear Representative Clary:

In review of some of the submissions and testimony relating to the Legislative Oversight Committee's assessment of the State Election Commission, I would like to submit information on behalf of the South Carolina Association of Registration and Election Officials, Inc. (SCARE). Our professional organization is comprised of local election officials from across the state and part of our purpose is to represent the interests of counties with regard to legislative matters.

Several topics have been mentioned or touched on during the committee's review process of the State Election Commission either through document submission or by way of testimony. I would like to take this time to provide some additional information from an organizational and county perspective, and I thank you for accepting my submission and the kind consideration of its content.

In previous testimony, Marci Andino touched on the matter of funding with regard to the voting system refresh. As she stated, the State Election Commission requested \$7.5 million in funding to refresh the state's aging voting system. Unfortunately, that funding request did not survive the budget process.

Collectively as counties, we cannot emphasize enough the importance of maintaining a dependable and reliable voting system in order to uphold the confidence of the elections process in South Carolina.

In recent months, the Department of Homeland Security designated election systems as part of our nation's critical infrastructure, and the interest in the integrity of our voting system is prominent.

Therefore, we are respectfully requesting continued dialogue with the State Election Commission with regard to proper funding to extend the life of the existing voting system and/or eventual replacement.

In addition to the above topic, we noted that the State Election Commission provided a copy of their Election Date Standardization Plan. SCARE is strongly in support of election standardization for a variety of reasons. By creating limited and standardized dates, the logistics of conducting elections would be better streamlined, and it would create a measure of cost savings to both the state and counties. It would also assist in reducing voter confusion and fatigue and decreasing the strain on facilities and poll workers.

---

**DAVID K. ALFORD**  
PRESIDENT

**KATY SMITH**  
FIRST  
VICE PRESIDENT

**MARIE G. SMALLS**  
SECOND  
VICE PRESIDENT

**ADAM HAMMONS**  
TREASURER

**JOSEPH DEBNEY**  
SECRETARY

**DEBRA BRYANT**  
HISTORIAN

**WANDA W. HEMPHILL**  
IMMEDIATE  
PAST PRESIDENT

---



## South Carolina Association of Registration and Election Officials, Inc.

---

DAVID K. ALFORD  
PRESIDENT  
EXECUTIVE COMMITTEE

Within the vein of election standardization, we noted the significant measure of questions and discussion regarding Presidential Preference Primaries, filing fees collected, and the offset of costs. We would strongly recommend requiring the political parties to collaborate and choose a uniform date. With all said, we would request your careful consideration of the standardization plan submitted by the State Election Commission and encourage conversation and potential legislative action in this area.

In conclusion, should you desire a representative(s) to appear and provide testimony on these topics, please do not hesitate to ask. Furthermore, should you wish for us to testify on other election related matters or our role as county election officials, please let us know. Counties are the linchpin of elections in South Carolina; however, we could not subsist without the partnership and support of the State Election Commission. We are all committed to working collectively together to better serve the voters of South Carolina.

---

DAVID K. ALFORD  
PRESIDENT

KATY SMITH  
FIRST  
VICE PRESIDENT

MARIE G. SMALLS  
SECOND  
VICE PRESIDENT

ADAM HAMMONS  
TREASURER

JOSEPH DEBNEY  
SECRETARY

DEBRA BRYANT  
HISTORIAN

WANDA W. HEMPHILL  
IMMEDIATE  
PAST PRESIDENT

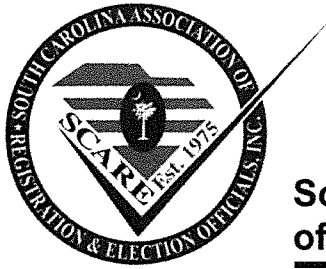
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With Kindest Regards,

Signature Redacted

David K. Alford  
President





## **South Carolina Association of Registration and Election Officials, Inc.**

### **Proposed 2017-2018 Legislative Priorities**

#### **Improve Voter Experience**

##### **Reduce Lines**

- Allow early voting and/or no excuse absentee voting.
- Reduce length of ballot by allowing the listing of only ballot question short titles with "Yes" "No" selections for ballot questions. Text, content, summary and/or explanation would be published prior to Election Day and at polls through educational materials.

##### **Recruit Adequate Number of Poll Workers**

- Allow SC registered voter to serve as a poll worker anywhere in South Carolina.
- Increase poll worker pay.

#### **Improve Absentee Voting Process**

- Delete witness signature on mail-in absentee ballots.
- Allow permanent absentee status for some reasons. (e.g. over 65, physically disabled).
- Allow for the processing of mail-in absentee ballot envelopes the day prior to the election not to include the tabulation and reporting prior to 7 p.m. Election Day.

#### **Funding**

- Fully fund refurbishment of current voting system and establish fund for the replacement of the voting system
- Conduct Presidential Preference Primaries on same day.

#### **Election Law Review**

- Require municipal general elections to be held in November of odd years and establish uniform and standardized election dates for other election types.

#### **State of Emergency**

- Authorize and/or clarify authority to postpone elections in the event of an emergency.

## *Appendix L. June 13, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - May 9, 2017 - Meeting minutes
  - Study timeline
  - Agency snapshot
  - History
  - Legal directives
    - Creation of the agency
    - Governing body
    - Intent of the General Assembly
  - Products, services, and customers
  - Other agencies that serve the same or similar customers/products/services
  - Organizational chart
  - Organizational unit details
  - Mission and vision
  - Resources available
    - Funding
    - Funding not utilized: Carryforward
    - Employees
    - Employee demographics
    - Relationships with other entities
  - Goal details including resource allocation and performance measures
    - Methodology utilized to allocate resources
    - Goal 1 and associated performance measures
    - Goal 2 and associated performance measures
    - Goal 3 and associated performance measures
    - Goal 4 and associated performance measures
    - Unrelated Purposes and amount remaining
  - Agency's response to Subcommittee's May 11, 2017 letter
    - Videos currently available to county boards and public
    - Amounts charged to candidates by political parties
    - Removal from voter list b/c not resident of county
    - Removal from voter list - Notification provided to citizen
    - Attachment 1 - Ballot printer qualification program
    - Attachment 2 - Voter information available for sale
    - Attachment 3 - Voter registration application samples
    - Attachment 4 - Candidate filing fees in other states
    - Attachment 5 - How voter qualifications are verified
  - Committee contact information
- Documents provided by agency during meeting
  - PowerPoint - Presentation by State Election Commission - Resources and resource allocation to strategic plan (June 13, 2017 Subcommittee meeting)

***Executive Subcommittee***

Tuesday, June 13, 2017

**Table of Contents**

\*Items in bold are focus of meeting discussion

	Page Number
• Agenda.....	1
• May 9, 2017 - Meeting Minutes.....	2
• Study Timeline.....	5
• Agency Snapshot.....	7
• History.....	8
• Legal Directives	
o Creation of the Agency.....	10
o Governing Body.....	10
o Intent of the General Assembly.....	11
• Products, Services and Customers.....	13
• Other agencies that serve the same or similar customers/products/services.....	19
• Organizational Chart.....	20
• Organizational Unit Details.....	21
• Mission and Vision.....	22
• <b>Resources Available</b>	
o Funding.....	24
o Funding Not Utilized: Carryforward.....	25
o Employees.....	26
o Employee Demographics.....	27
o Relationships with Other Entities.....	29
• <b>Goal Details including Resource Allocation and Performance Measures</b>	
o Methodology Utilized to Allocate Resources.....	30
o Goal 1 and Associated Performance Measures.....	32
o Goal 2 and Associated Performance Measures.....	34
o Goal 3 and Associated Performance Measures.....	35
o Goal 4 and Associated Performance Measures.....	37
o Unrelated Purposes and Amount Remaining.....	38
• <b>Agency's Response to Subcommittee's May 11, 2017 letter</b>	
o Videos currently available to county boards and public.....	49
o Amounts charged to candidates by Political Parties.....	50
o Removal from Voter List b/c not resident of county.....	50
o Removal from Voter List - Notification provided to citizen.....	51
o Attachment 1 - Ballot Printer Qualification Program.....	53
o Attachment 2 - Voter Information Available for Sale.....	56
o Attachment 3 - Voter Registration Application Samples.....	58
o Attachment 4 - Candidate Filing Fees in Other States.....	61
o Attachment 5 - How Voter Qualifications are Verified.....	62
• Committee Contact Information.....	65

**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Tuesday, June 13, 2017***

***10:00 am***

***Room 110, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Subcommittee Meeting Minutes**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**



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**Executive Subcommittee of the Legislative Oversight Committee  
Tuesday, May 9, 2017 10:00 am  
Blatt Room 321**

### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

### **Attendance**

- I. Subcommittee Chairman Gary E. Clary calls the Executive Subcommittee meeting to order on the morning of Tuesday, May 9, 2017, in Room 321 of the Blatt Building. The following members of the Subcommittee are present during all or part of the meeting: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Williams moves to approve the minutes from the May 3, 2017 Subcommittee meeting:

Rep. William's motion to approve the minutes from May 3, 2017:	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

## Discussion of the State Election Commission

- I. Chairman Clary provides an update on the status of the study of the State Election Commission.
- II. State Election Commission Director Andino presents information on the agency's services and products, organizational units, overall agency goals, resources, and methodology of using the resources. Members ask questions on the topics below, which Director Andino answers.
  - a. Ballot Printing
  - b. Citizenship and voter registration
- III. Mr. Chris Whitmire, Director of the Public Information and Training Division of the State Election Commission, presents information on the training and certification program. Members ask questions on the topics below, which Mr. Whitmire answers.
  - a. Training schedule
  - b. Number of required classes
  - c. Possible board member orientation/primer
- IV. Ms. Janet Reynolds, Director of Administration for the State Election Commission, presents information on the organizational chart and a report on employee demographics. Members ask questions on the topics below, which Ms. Reynolds answers.
  - a. Missing program manager
  - b. Employee demographics

## Motions

V. Members make various motions during the meeting which are listed below:

Rep. Funderburk moves that the Subcommittee study include a finding that until such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as laid out in statute, different entities may have different interpretations of the county boundary. These difference may create situations when one constituent is being taxed in one county and voting in another. Further, these potential situations may arise until the South Carolina Geodetic Survey Office completes its work, and the counties recognize these boundaries for all purposes including voting. Therefore, these discrepancies may exist until the South Carolina Geodetic Survey Office completes the project in 2030.	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

Rep. Funderburk moves that the Subcommittee study include a recommendation that the Revenue and Fiscal Affairs Office has the official map of county boundaries, and that provisions be added in law which state South Carolina's official county boundary map that corresponds with current statutory descriptions and any annexations is held by the Revenue and Fiscal Affairs Office or its successor entity. This map will include boundaries necessary to determine election districts and other determinations set out by statute.	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

VI. The meeting is adjourned.



- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study**. Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency submits its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- April 18, 2017 - Subcommittee meets with agency (**Meeting #4**) to discuss the agency's (a) mission, (b) responsibilities, (c) successes, (d) challenges and issues, (e) emerging Issues in the next five years, (f) history of the agency, and (g) agency's governing body.
- May 3, 2017 - Subcommittee meets with agency (**Meeting #5**) to hear testimony from a constituent and begin discussion of deliverables (i.e. products and services), organizational units, and goals.
- May 9, 2017 - Subcommittee meets with agency (**Meeting #6**) to continue discussion of deliverables, organizational units, and goals.
- May 31, 2017 - Subcommittee meeting cancelled due to fire in Election Commission building.
- June 13, 2017 - (TODAY) Subcommittee meets with agency (Meeting #7) to discuss resources available, methodology utilized to allocate resources to accomplish its strategic plan, and details about each of its goals, including, but not limited to, resources allocated and performance measures.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

Study Step: Step #1, Agency Legal Directives, Plan, and Resources  
Purpose: Determine if the intent of the General Assembly is being implemented (i.e., to put into effect according to or by means of a definite plan or procedure) in the agency's mission, vision and strategic plan.

Agency will present:

- History
- Products/services/customers the law instructs the agency to serve/provide and potential negative impacts if the service/product is not provided;
- Other agencies that serve the same or similar products/services/customers and why the manner in which the law instructs the agency to serve/provide is different than the other agencies;
- **Mission and Vision; and**
- Agency goals and how those goals align with the agency's daily operations.

Study Step: Step #2, Agency Daily Operations and Performance  
Purpose: Determine if the intent of the General Assembly is being carried out (i.e., to effect or accomplish; complete) by the agency through its performance. (SC Code 2-2-20(B)(2)).

Agency will present:

- **Resources available, including funding and employees;**
- **Relationships with other entities the agency utilizes to leverage its resources;**
- **Methodology the agency utilized to allocate resources to accomplish its strategic plan; and**
- **For each of the agency's goals:**
  - strategies and objectives for achieving the goal;
  - agency personnel who have primary responsibility and accountability for the strategies and objectives (i.e. "Responsible Employees");
  - additional information the agency reviews when prioritizing how to allocate its resources to each strategy and objective;
  - actual amount of resources allocated; and
  - key outcome and efficiency performance measures

Note: Agency is encouraged to have the members of its staff who are listed as responsible for each objective present during the meetings.

# State Election Commission

## History

Independent agency created in 1968.  
SC was the first state in the country to have a statewide voter registration system.

## Voter Services

(1) Statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions; (2) Election support services and technical assistance related to statewide voting system to Counties; (3) Election security oversight and guidance to counties

## Public Information/Training

(1) Administer a mandatory statewide training and certification program for county and municipal election officials; (2) Ongoing training events and workshops; (3) Poll manager training program and materials; (4) Educate the public on the voter registration and election process; (5) Provide information regarding elections and agency activities

## Administration

Leadership and direction for the agency, including administration, finance and support services

## SUCCESSES

- Conduct Statewide Elections and Security
- Statewide Voting System Audits, County Compliance Audits, and Supervision of Counties
- Implementation of Candidate Filing and Photo ID

## ISSUES

- Voting System Refresh
- Election Security
- Meeting Demands of Voters
- Voting System Replacement
- Cyber Security

## History

The State Election Commission (SEC) is created as an independent agency in 1968. At this time, South Carolina creates the first statewide voter registration system in the country. Mr. James B. Ellisor is named executive director, a position he serves until 1992.

In 1984 the SEC implemented the federal Voting Accessibility for the Elderly and Handicapped Act. Also in that year, the **first two counties in the state were given online access to the statewide voter registration system.**

The SEC launched a statewide project to replace paper ballots in 1986. The agency also implemented voter registration by mail, implemented the federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and successfully **transitioned five counties in the state to use of electronic voting machines.**

In 1992, South Carolina began running statewide primaries; and implemented reapportionment following the 1990 census. Prior to 1992, statewide primaries were run by political parties.<sup>1</sup> Lynn McCants was named executive director of the SEC.

As of 1993, **all county election boards have online access to the statewide voter registration system.** James F. Hendrix becomes executive director of the SEC in 1994 and serves in the position through 2002.

The SEC begins a training and certification program for county boards and launches a website to provide information to voters in 1995. The SEC also implements the National Voter Registration Act (Motor Voter) and participates in a technology exhibit for the U.S. Department of Commerce showcasing electronic voting machines used in the state.

In 2000, the SEC participates in the Voting over the Internet Project, which is sponsored by the U.S. Department of Defense, Federal Voting Assistance Program. Following the 2000 census, the SEC implements reapportionment in 2002.

Ms. Marci Andino becomes executive director of the agency in 2003, a position in which she continues to serve at the present. During that year the agency implements the Help America Vote Act.

In 2004 the SEC **begins implementing a statewide electronic voting system** in fifteen counties and moves the agency website to a new platform located at scVOTES.org. It also combines its Voter Services and Election Services Divisions to create the Public Information and Training Division. The statewide electronic voting system is completed in 2005. This is the first time South Carolina has a single voting system.<sup>2</sup> Prior to 2004, there were five to six different types of voting systems, including punch cards, utilized by different counties.<sup>3</sup>

For military and overseas voters, the SEC implements instant runoff voting (rank choice) in runoffs in 2006. This solves the problem of being able to obtain votes, in a timely manner, from overseas voters for runoff, since runoffs are two weeks after a primary.<sup>4</sup> The agency develops and **begins using electronic voter registration lists at polling places** and launches an intranet site to provide election related information to, as well as communicate with, county election officials.

In 2007 the agency budget is reduced 24%.

The agency conducts the Presidential Preference Primaries for the first time in 2008. In total, it conducts five statewide elections that year (2 Presidential Preference Primaries, Statewide Primary and Runoff, and General Election).

In 2010, the agency implements the federal Military and Overseas Voter Empowerment Act (MOVE). It also **develops and implements an electronic ballot delivery system for military and overseas citizens.**

The statewide **Voter Registration and Election Management System (VREMS) is implemented in 2011.** The agency also develops a voting system audit program to validate vote totals, all while its budget is reduced 24%.

In 2012, the agency **implements an Online Voter Registration System (OVR)**, conducts the Republican Presidential Preference Primary, and undergoes an audit by the Legislative Audit Council.

Following the 2012 census, the agency implements reapportionment and during fiscal year 2012-13, the General Assembly passes recurring funding for the agency to conduct Primaries and General Elections.

In 2013, the agency implements photo identification. Also that year, the U.S. Supreme Court strikes down Section 4 of Voting Rights Act (no longer required to have election changes pre-cleared by the U.S. Department of Justice).

In 2014, the agency is given **supervisory responsibility over county boards of voter registration and elections; responsibility for conducting county compliance audits** and other postelection analysis; and responsibility for conducting candidate filing, which was previously conducted by political parties. That same year the agency creates an *Information Security position*.

The agency conducts the first county compliance audits in 2015. It also creates the *first Area Representative position* and holds a voting system fair to become familiar with current voting systems available around the country at that time.

In 2016, the agency creates a *Staff Attorney position*, *four additional Area Representative positions*, and conducts five statewide elections (2 Presidential Preference Primaries, Statewide Primary and Runoff, and General Election).

## Legal Directives

### Creation of the Agency

State statute created the State Election Commission (SEC). The information below relates to the laws as they exist at the start of 2017.

### Governing Body (i.e. director, commissioners, trustees, etc.)

Pursuant to state statute, the State Election Commission is composed of five Commissioners, with at least one from the majority political party and at least one from the largest minority political party in the General Assembly.<sup>5</sup> Each Commissioner is appointed by the Governor for a four year term, but continues to serve until a successor is appointed.<sup>6</sup>

The Chairman of the Commission is also appointed by the Governor.<sup>7</sup> The Chairman serves a two year term, but continues until a successor is appointed.<sup>8</sup>

Below is a list of the current Commissioners and the date they were appointed.

Date Appointed	Commissioner's Name	# of Years on Commission
Sept. 2012	Billy Way, Jr., Chair	4.5 years
Sept. 2010	Mark A. Benson	6.5 years
Sept. 2011	Marilyn Bowers	5.5 years
Nov. 2011	Nicole Spain White	5.5 years
Sept. 2012	E. Allen Dawson	4.5 years

The Commission elects an Executive Director of the agency who is directly responsible to the commission, serves at the pleasure of the commission, and is the chief administrative officer for the State Election Commission.<sup>9</sup>

Date Elected	Executive Director's Name	# of Years as ED
2003 - Present	Marci Andino	14 years
1994-2002	James F. Hendrix	8 years
1992-1994	Lynn McCants	2 years
1968-1992	James B. Ellisor	35 years

### Meetings

The commission meets in Columbia, South Carolina at least once each month or at such times as considered necessary by the commission.<sup>10</sup> The commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.<sup>11</sup>

### Prohibitions

Commissioners are prohibited from (1) participating in political management or in a political campaign during the member's term of office, (2) making a contribution to a candidate, and (3) knowingly attending a fundraiser held for the benefit of a candidate.<sup>12</sup> Those who violate these rules are subject to removal by the Governor.<sup>13</sup>

## Intent of the General Assembly

The **intent of the General Assembly** in creating the SEC is not specifically stated in one statute, like other agencies, such as the Law Enforcement Training Council<sup>14</sup>.

Instead, state statute outlines numerous tasks for which the Executive Director of the SEC is responsible, including<sup>15</sup>,

- **Supervise the conduct of county board of elections and voter registration**, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process<sup>16</sup>;
- **Conduct reviews, audits, or other postelection analysis of county board of elections and voter registration**, as established pursuant to Article 1, Chapter 5, **to ensure those boards' compliance** with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process<sup>17</sup>;
- **Maintain a complete master file of all qualified electors by county and by precincts**;
  - a. Enter names on the master file **as they are reported by the county boards** of voter registration and elections<sup>18</sup>;
  - b. Delete the name of any elector who is: (1) deceased<sup>19</sup>; (2) no longer qualified to vote in the precinct where currently registered; (3) has been convicted of a disqualifying crime; (4) otherwise no longer qualified to vote as may be provided by law; or (5) requests in writing that his name be removed<sup>20</sup>;
    - i. Secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes<sup>21</sup>;
    - ii. Obtain information from any other source which may assist in carrying out purposes of this section<sup>22</sup>;
  - c. Retain all information furnished relating to the inclusion or deletion of names from the master file for four years<sup>23</sup>
- **Furnish**
  - a. Qualified Elector any **precinct lists requested, at a reasonable price**<sup>24</sup>;
  - b. 10 days prior to each election, to each county board of voter registration and elections
    - i. **master list of all registered voters in the county**,<sup>25</sup> together with
    - ii. copy of **all registered voters in each precinct of the county**<sup>26</sup>;
    - iii. The precinct copies shall be used as official list of voters<sup>27</sup>;
- **Statewide voter registration database** - Establish, maintain, administer, and make it,
  - a. Make it continuously available to
    - i. each county board of voter registration and elections<sup>28</sup>;
    - ii. other agencies as authorized by law<sup>29</sup>;
  - b. Database contains information on all registered voters in the state<sup>30</sup>
  - c. Database is used to produce voter registration lists and jury rolls
- Serve as the chief state election official responsible for implementing and coordinating the state's responsibilities under the
  - a. National Voter Registration Act of 1993<sup>31</sup>;
  - b. Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq.<sup>32</sup>;



- 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<sup>33</sup>; and
- Perform such other duties relating to elections as may be assigned by State Election Commission<sup>34</sup>.

## Products, Services, and Customers

The agency was asked to provide a list of all its deliverables (i.e. products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts, about each deliverable. A list of the agency's 53 deliverables are included at the end of this section. Below is a summary of the information related to the deliverables.

- Does the law require, allow, or not address the deliverable?

51 of the 53 deliverables are required by law. The two which are allowed in law, but not required are below.

<u>Item #</u>	<u>Allowed pursuant to law, but not required</u>
27	Furnish petition forms to county election officials and interested persons
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings

- Does the agency know the number of potential customers and customers served?

The agency knows the annual number of potential customers for 22 of its 53 deliverables.

The agency knows the annual number of customers served for 29 of its 53 deliverables.

- Does the agency evaluate customer service?

The agency does not evaluate customer service for 50 of its 53 deliverables. There are three deliverables for which the agency does evaluate customer service are below.

<u>Item #</u>	<u>Customer Service Evaluated by agency</u>
7	Conduct a training and certification program for municipal officials
16	Training and certification program for County officials
52	Training courses with common curriculum available in various locations of the state

The agency also testified it continually receives informal feedback from voters.<sup>35</sup> When the agency receives complaints, it attempts to address the complaints directly at the source.<sup>36</sup> If the complaint relates to issues in how an election was run, the agency, via its area representatives, will communicate the concerns directly to the County Board and work with the Board to try and resolve the current issue as well as prevent any similar issues in the future.<sup>37</sup>

- **Can the agency charge others for the product or service?**

The law does not permit the agency to charge for 49 of its 53 deliverables. The four deliverables for which the law allows the agency to charge are below.

<u>Item #</u>	<u>Law Allows Agency to Charge for Deliverable</u>
7	Conduct a training and certification program for municipal officials <ul style="list-style-type: none"> <li>• Agency charges \$25/person to cover cost of materials and outside instructors</li> </ul>
8	Furnish precinct lists to a qualified elector
16	Training and certification program for County officials <ul style="list-style-type: none"> <li>• Agency charges \$25/person to cover cost of materials and outside instructors</li> </ul>
52	Training courses with common curriculum available in various locations of the state <ul style="list-style-type: none"> <li>• Agency charges \$25/person to cover cost of materials and outside instructors</li> </ul>

<u>Source of Revenue</u>	<u>Recurring or one-time?</u>	<u>2014-15 Revenue</u>	<u>2015-16 Revenue</u>	<u>2016-17 Revenue Estimate</u>
General Appropriations	Recurring	\$0	\$0	\$0
General Revenue	Recurring	\$539	\$2,012	\$0
Candidate Filing Fees	Recurring	\$78,287	\$1,215,574	\$10,000
Training Program	Recurring	\$15,165	\$18,500	\$15,000
Sale of List Program	Recurring	\$104,637	\$175,957	\$100,000
PPPs	One-time	\$0	\$360,000	\$0
HAVA Grant	One-time	\$5,476	\$4,755	\$4,000
FVAP/EVAT Grant	One-time	\$0	\$8,652	\$0
Totals	n/a	\$204,104	\$1,785,450	\$129,000

- Does the agency know the **cost per unit** for the product or service?

The agency does not know the cost per unit for 37 of its 53 deliverables. The sixteen deliverables for which the agency does know the cost per unit are below.

<u>Item #</u>	<u>Cost per Unit known by Agency</u>
8	Furnish precinct lists to a qualified elector
12	Furnish County Boards of Voter Registration and Elections with master list of all registered voters in county
16	Training and certification program for County officials
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections
26	Conduct presidential preference primaries for certified political parties receiving at least five percent of the popular vote
27	Furnish petition forms to county election officials and interested persons
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts
29	Conduct party primaries
30	Establish regular hours and publish notice of candidate filing
31	Conduct second or other primaries
43	Form application for absentee ballot
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election
49	Jury List
50	Disbursement of aid to counties for county voter registration and elections board members
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings
52	Training courses with common curriculum available in various locations of the state

### Agency's Products and Services

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
1	Registration offices and polling places that are accessible to voters with disabilities and voters sixty-five and older	7-11-80
2	Take appropriate steps to ensure that communication with applicants, participants and members of the public with disabilities are effective as communications with other individuals	Proviso 101.3, 2016-2017, Appropriations Act Part 1B
3	Opportunity to register to vote at certain agencies	5-15-90
4	Programs and procedures regarding provisional voting, voting information, updating and upgrading voting equipment, establishing statewide voter registration databases, voter identification and administrative complaints.	42 U.S.C. §§ 1973ee-ee6. (1984)
5	Allowance of qualified service members and overseas citizens to register to vote and vote absentee	42 U.S.C. § 12101, et seq. (1990)
6	Electronic communication for sending material and absentee ballots to UOCAVA voters at least forty-five days prior to the election	52 U.S.C. § 20501, et seq. (1993)
7	Conduct a training and certification program for municipal officials <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the service</i></li> </ul>	52 U.S.C. §§ 20901-21145 (2002)
8	Furnish precinct lists to a qualified elector <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the product</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	52 U.S.C. §§ 20301-20311, (1986)
9	Audits of the County Board of Voter Registration and Elections <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	42 U.S.C. § 1973ff-1 (2009)
10	Master file of all qualified electors by county and precinct	7-3-20
11	Deletion of names of electors for certain statutory reasons	7-3-20
12	Furnish County Boards of Voter Registration and Elections with a master list of all registered voters in the county. <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the product is known</i></li> </ul>	7-3-20
13	Corrective Action plan for non-compliant county Board of Voter Registration and Election members <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-3-20

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
14	Notification to the Governor of any county board of voter registration and election official that fails to meet training and certification requirements <ul style="list-style-type: none"> <li>• # of Potential Customers is known</li> <li>• # of Customers served is known</li> </ul>	7-3-20
15	Notification to any elector whose name has been deleted for reason of conviction or change of address <ul style="list-style-type: none"> <li>• # of Customers served is known</li> </ul>	7-3-25
16	Training and certification program for County officials <ul style="list-style-type: none"> <li>• # of Potential Customers is known</li> <li>• # of Customers served is known</li> <li>• Customer service is evaluated</li> <li>• Allowed to charge for the product</li> <li>• Cost per unit for the service is known</li> </ul>	7-3-25
17	Provide supplement to county boards to defray expenses of the voter registration office <ul style="list-style-type: none"> <li>• # of Potential Customers is known</li> <li>• # of Customers served is known</li> </ul>	7-3-30
18	Written notification to any person who registers to vote and is found qualified to vote <ul style="list-style-type: none"> <li>• # of Customers served is known</li> </ul>	7-5-10
19	Furnishing of Voter Registration Forms to County Boards of Voter Registration and Elections <ul style="list-style-type: none"> <li>• # of Customers served is known</li> <li>• Cost per unit for the product is known</li> </ul>	7-5-40
20	Electronic voter registration application on the SEC website <ul style="list-style-type: none"> <li>• # of Customers served is known</li> </ul>	7-5-125
21	Statewide Voter Registration Database <ul style="list-style-type: none"> <li>• # of Potential Customers is known</li> <li>• # of Customers served is known</li> </ul>	7-5-155.
22	Method of complaint regarding interference with voter registration or privacy of decision to register <ul style="list-style-type: none"> <li>• # of Customers served is known</li> </ul>	7-5-185
23	Removing of elector from official list	7-5-186
24	Preparation of duplicate registration books for each ward or precinct for every county <ul style="list-style-type: none"> <li>• # of Potential Customers is known</li> <li>• # of Customers served is known</li> </ul>	7-5-310
25	Conduct candidate filing <ul style="list-style-type: none"> <li>• # of Customers served is known</li> </ul>	7-5-340
26	Conduct presidential preference primary for certified political parties receiving at least five percent of the popular vote <ul style="list-style-type: none"> <li>• # of Potential Customers is known</li> <li>• # of Customers served is known</li> <li>• Cost per unit for the service is known</li> </ul>	7-5-660
27	Furnish petition forms to county election officials and interested persons <ul style="list-style-type: none"> <li>• Law allows the service, but does not require it (7-11-80. Form of nominating petition.)</li> <li>• Cost per unit for the product is known</li> </ul>	7-11-15

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

Item #	Deliverable	Applicable Laws
28	Conduct primaries for federal, state and offices included in more than one county, countywide and less than countywide offices, specialist purpose districts <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-11-20
29	Conduct party primaries <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-15
30	Establish regular hours and publish notice of candidate filing <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-40
31	Conduct second or other primaries <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-45
32	Training and certification program for poll managers <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> </ul>	7-13-50
33	Direct size and the color of the ballot	7-13-72
34	Placement of petition nominee on appropriate ballot	7-13-320
35	Print and deliver ballots for presidential electors, state officers, US Senators and members of Congress <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> </ul>	7-13-351
36	Ballots that have proposed constitutional amendments.	7-13-340
37	Prepare separate ballots for each political party holding a primary <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> </ul>	7-13-410
38	Ballot labels	7-13-610
39	Form of a sign to be displayed at polling places using optical scan devise	7-13-1360
40	Ballot forms	7-13-1371
41	Approval of Voting System	7-13-1380
42	Approval of One Voting System	7-13-1620
43	Form application for absentee ballot <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-13-1655
44	Ballots sent to qualified electors under UOCAVA at least forty-five days prior to any election <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-15-340
45	Standards and guidelines for voting systems to count absentee ballots	7-15-406
46	Certified statement of all votes cast <ul style="list-style-type: none"> <li>• <i># of Customers served is known</i></li> </ul>	7-15-470

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.



Item #	Deliverable	Applicable Laws
47	Documentation of declaration of elected officials	7-17-240
48	Decision of cases held by State Board of Canvassers	7-17-250
49	Jury List <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	7-17-260
50	Disbursement of aid to counties for county voter registration and elections board members <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	14-7-130
51	Disbursement of additional funds to State Board of Canvassers for Protests and Hearings <ul style="list-style-type: none"> <li>• <i>Law allows the service, but does not require it</i> (Proviso 101.3 (Board of State Canvassers Compensation), 2016-2017, Appropriations Act Part 1B)</li> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	Proviso 101.1, 2016-2017, Appropriations Act Part 1B
52	Training courses with common curriculum available in various locations of the state <ul style="list-style-type: none"> <li>• <i># of Potential Customers is known</i></li> <li>• <i># of Customers served is known</i></li> <li>• <i>Customer service is evaluated</i></li> <li>• <i>Allowed to charge for the service</i></li> <li>• <i>Cost per unit for the service is known</i></li> </ul>	Proviso 101.7, 2016-2017, Appropriations Act Part 1B
53	Information Technology and Security Plan	Proviso 117.114, 2016, 2017, Appropriations Act Part 1B

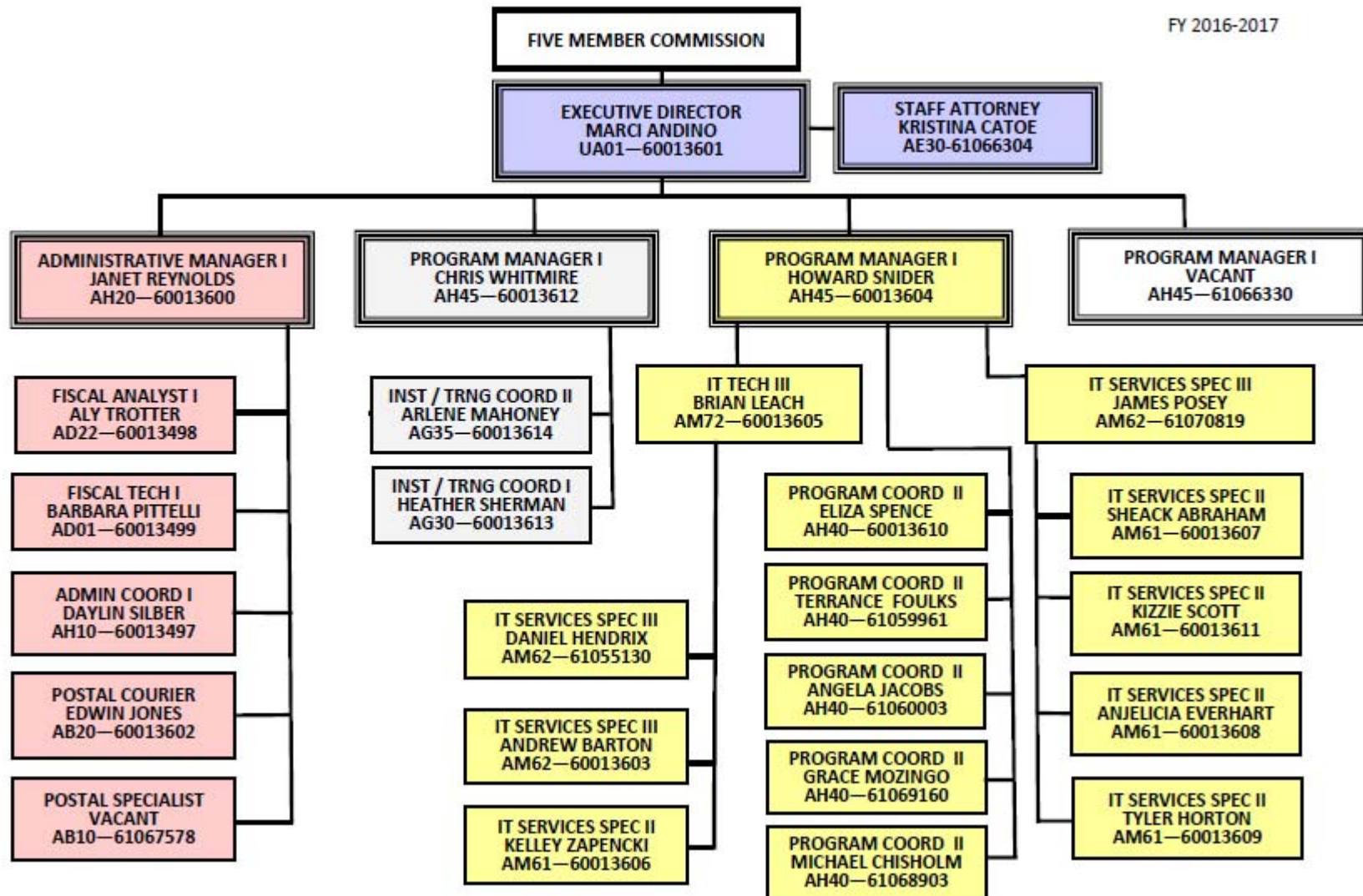
### Other Agencies that serve the same or similar customers/products/services

The State Election Commission does not believe the products and services it provides would fit within the mission of any other state agency.

Unless otherwise noted the following is applicable to all the deliverables listed, (a) law requires agency provide it, (b) the agency does not know the number of potential customers, number of customers served, or the cost per unit to provide the deliverable, (c) customer service is not evaluated by the agency, and the (c) law does not allow the agency to charge for the deliverable.

## Agency's Organizational Chart

Agency's organizational chart as of May 4, 2017.



## Organizational Unit Details

Unit: **ADMINISTRATION**

Purpose: Leadership and direction for the agency, including administration, finance and support services.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	60%	0%	0%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	Yes
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	Yes

Unit: **VOTER SERVICES**

Purpose: Provide and support the statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions, provide counties with election support services and technical assistance related to statewide voting system; provide election security oversight and guidance to counties.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	13%	10%	15%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

Unit: **PUBLIC INFORMATION/TRAINING**

Purpose: Administer a mandatory statewide training and certification program for county and municipal election officials; provide ongoing training events and workshops; provide a poll manager training program and materials; educate the public on the voter registration and election process; provide information regarding elections and agency activities.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
• Turnover Rate	0%	0%	0%
• Employee Satisfaction Evaluated?	Yes	Yes	Yes
• Anonymous Employee Feedback allowed?	Yes	Yes	Yes
• Any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
• Did agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	No	No	No

## Mission, Vision and Goals

### *Mission*

"The mission of the State Election Commission is to ensure every eligible citizen in South Carolina has the opportunity to register to vote, participate in fair and impartial elections, and have the assurance that their vote will count."<sup>38</sup>

### *Vision*

"The State Election Commission will conduct secure, fair and impartial elections through the management of resources along with the use of innovative strategies and technologies to reflect the will of the electorate in South Carolina."<sup>39</sup>

### *Goals*

**Goal 1** - Provide for a system of voter registration that is free of barriers

- Intended Public Benefit/Outcome: All citizens have the opportunity to register to vote
- Responsible Employee: Howard Snider (Responsible more than 4 years)

**Goal 2** - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters

- Intended Public Benefit/Outcome: All voters have the opportunity vote in fair and impartial elections and have the assurance that their vote will count
- Responsible Employee: Howard Snider (Responsible more than 4 years)

**Goal 3** - Support counties in conducting voter registration and fair, open and impartial elections

- Intended Public Benefit/Outcome: All voters have the opportunity vote in fair and impartial elections and have the assurance that their vote will count
- Responsible Employee:
  - o Chris Whitmire (Responsible more than 5 years)
  - o Howard Snider (Responsible more than 4 years)

**Goal 4** - Effectively oversee all agency programs and operations

- Intended Public Benefit/Outcome: Agency operates in an efficient and prudent manner
- Responsible Employee:
  - o Janet Reynolds (Responsible less than 17 years)

## Resources: General Availability & Utilization

### Available: Financial Capital

*A background on the budget process is included in Exhibit A at the end of the report.* Information about the funds available to the agency last year and this year are provided in Table 1 and 2 on the next page. In regards to the groupings for the source of funds, the agency was instructed to group the funding sources however was best for the agency to provide information regarding how much money from each source was utilized toward accomplishment of specific objectives. The agency was not restricted in the number of groupings of funds. The agency was only told that however it chose to group its funding sources, it should be clear how much the agency had available to spend and where the agency spent the funds. The information below only relates to how much the agency had available to spend.

Table 1. Funds Available in 2015-16 as of April 12, 2017<sup>40</sup> (AA = Appropriated and Authorized)

SCEIS fund	Totals (6/30/15)	General Fund (6/30/15)	General Revenue (6/30/15)	Operating Revenue (6/30/15)		Election List Sales (6/30/15)	Capital Reserve Fund (6/30/15)	HAVA (6/30/15)	Electronic ABS System (FVAP) (6/30/15)
Cash balance	\$780,520	\$0	\$2,413	\$160,734		\$171,880	\$0	\$445,494	\$0
Source of Funding	Totals (7/1/15)	General Appropriations (6/30/16)	General Revenue (6/30/16)	Candidate Filing Fees (6/30/16)	Training Program (6/30/16)	Sale of List Program (6/30/16)	PPPs* (6/30/16)	HAVA Grant (6/30/16)	FVAP/EVAT Grant (6/30/16)
Recurring or one-time?		Recurring	Recurring	Recurring	Recurring	Recurring	One-time	One-time	One-time
AA at end of 2014-15 that agency can use in 2015-16	\$2,205,139	\$1,759,645	\$0	\$0	\$0	\$0	\$0	\$445,494	\$0
AA to the agency for 2015-16	\$9,358,548	\$5,504,441	\$0	\$1,300,000	\$35,000	\$305,700	\$2,200,000	\$4,755	\$8,652
<b>Total allowed to spend 2015-16</b>	<b>\$11,563,687</b>	<b>\$7,264,086</b>	<b>\$0</b>	<b>\$1,300,000</b>	<b>\$35,000</b>	<b>\$305,700</b>	<b>\$2,200,000</b>	<b>\$450,249</b>	<b>\$8,652</b>

\*PPP = Presidential Preference Primaries

Table 2. Funds Available in 2016-17 as of April 12, 2017<sup>41</sup> (AA = Appropriated and Authorized)

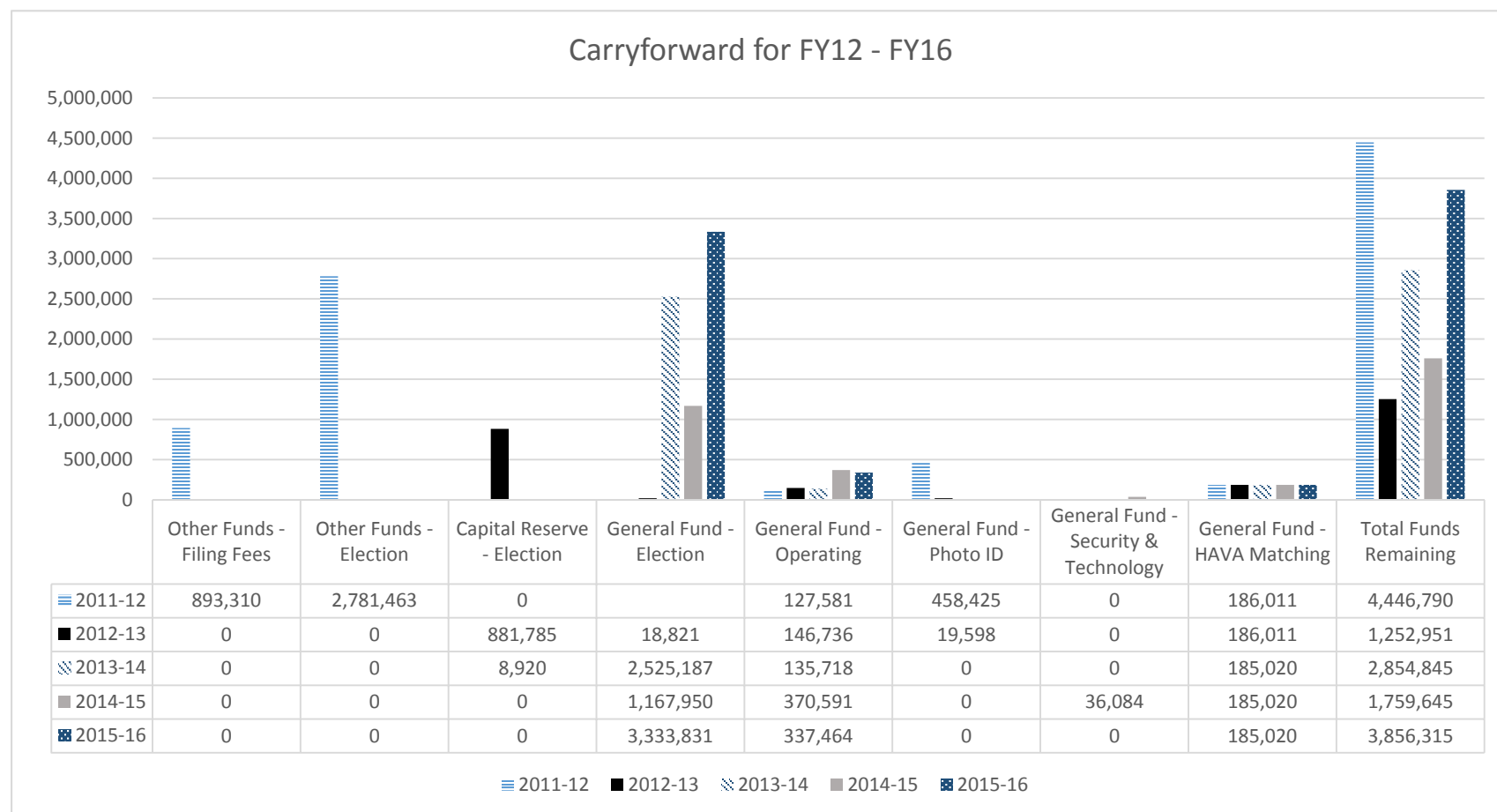
SCEIS fund	Totals (6/30/16)	General Fund (6/30/16)	General Revenue (6/30/16)	Operating Revenue (6/30/16)		Election List Sales (6/30/16)		HAVA (6/30/16)	
Cash balance as of June 30, 2016 (end of FY 2015-16)	\$1,587,318	\$0	\$2,852	\$934,925		\$249,612		\$399,929	
Source of Funding	Totals (7/1/16)	General Appropriations (7/1/16)	General Revenue (7/1/16)	Candidate Filing Fees (7/1/16)	Training Program (7/1/16)	Sale of List Program (7/1/16)		HAVA Grant (7/1/16)	
Recurring or one-time?		Recurring	Recurring	Recurring	Recurring	Recurring		One-time	
AA at end of 2015-16 that agency can use in 2016-17	\$4,256,244	\$3,856,315	\$0	\$0	\$0	\$0		\$399,929	
AA to the agency for 2016-17 (estimated)	\$7,411,172	\$5,766,472	\$0	\$1,300,000	\$35,000	\$305,700		\$4,000	
<b>Total allowed to spend 2016-17</b>	<b>\$11,667,416</b>	<b>\$9,622,787</b>	<b>\$0</b>	<b>\$1,300,000</b>	<b>\$35,000</b>	<b>\$305,700</b>		<b>\$403,929</b>	

## Not Utilized: Financial Capital

### *How much does the agency believe is necessary to have in carry forward and why?*

The agency stated the amount of necessary carryforward funds varies from year to year. The agency asserts that each year it must have funds on hand to conduct special primaries, runoffs and elections that may occur. In even years, statewide primaries and runoffs occur late in the fiscal year, therefore, the agency believes it must have funds to pay statewide primary expenses across two fiscal years.

Figure 7. Agency carry forward for the past five years<sup>42</sup>



Source: Agency Program Evaluation Report

## Employees

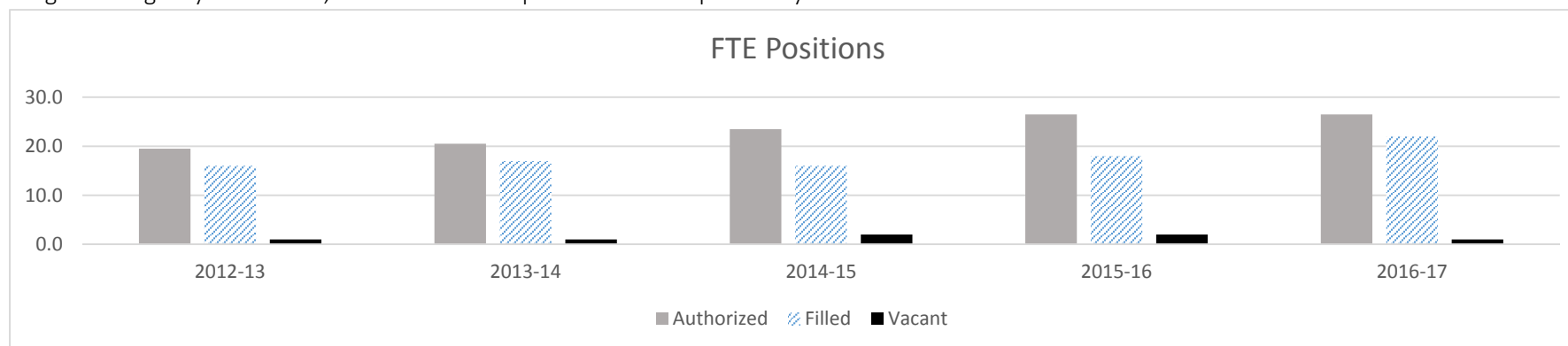
There is information which explains the types of state employees in Exhibit B at the end of this report. Historical information about the agency's available and filled employee positions over the past five years is provided in Table 3.

Table 3. Agency authorized FTEs for the past five fiscal years as of July 1 each year.<sup>43</sup>

Authorized						Filled					
	2012-13	2013-14	2014-15	2015-16	2016-17		2012-13	2013-14	2014-15	2015-16	2016-17
Total	19.5	20.5	23.5	26.5	26.5	Total	16.0	17.0	16.0	18.0	22.0
State	17.0	18.0	21.0	24.0	24.0	State	14.0	15.0	14.0	17.0	20.0
Federal	0.0	0.0	0.0	0.0	0.0	Federal	0.0	0.0	0.0	0.0	0.0
Other	2.5	2.5	2.5	2.5	2.5	Other	2.0	2.0	2.0	1.0	2.0
Actual						Vacant					
	2012-13	2013-14	2014-15	2015-16	2016-17		2012-13	2013-14	2014-15	2015-16	2016-17
Total	17.0	18.0	18.0	20.0	23.0	Total	1.0	1.0	2.0	2.0	1.0
State	15.0	16.0	16.0	18.0	21.0	State	1.0	1.0	2.0	1.0	1.0
Federal	0.0	0.0	0.0	0.0	0.0	Federal	0.0	0.0	0.0	0.0	0.0
Other	2.0	2.0	2.0	2.0	2.0	Other	0.0	0.0	0.0	1.0	0.0

Notes: 1) The **Authorized** is as of July 1 of the fiscal year, as stated in the Appropriations Act. 2) **Actual** is the sum of Filled FTE and Vacant FTE. It is based on what the agency has entered in SCEIS and is as of June 30. 3) If Actual is more than Authorized, it may be because during the course of the year, the Executive Budget Office can authorize interim FTE positions, which the agency typically requests authorization for in the next budget. 4) If Actual is less than Authorized, it is because the agency has not setup all of the Authorized positions in SCEIS yet. 5) **Filled** are positions the agency has setup in SCEIS in which someone is actually working. 6) **Vacant** are positions the agency has setup in SCEIS in which no one is actually working. The agency may or may not have these positions posted so that individuals can apply for them.

Figure 8. Agency authorized, filled and unfilled positions for the past five years





### *Demographics*

The information below, and included in Table 4 on the next page, is about the agency's demographics from the SC State Human Affairs Commission 2016 and 2017 Annual Report.

#### EEO Category Column

E1 = Executives  
E2 = Professionals  
E3 = Technicians  
E5 = Paraprofessionals  
E6 = Secretary/Clerical  
E7 = Skilled Craft  
E8 = Service/Maintenance

#### Adjusted Availability % Column

Percentage of people available in the labor market with the qualifications to perform the duties and responsibilities of the positions assigned to the EEO category

#### Underutilization Column

The figures are a comparison of the Adjusted Availability percentages (Column 3), and the actual workforce percentages (Column 2). If the current workforce is less than the Adjusted Availability, then underutilization exists. The underutilization is expressed as a percentage. If there is no underutilization a "No" appears in the block. In any job group where the percent of underutilization is so small that it would compute to less than one whole person, an asterisk will appear in the appropriate block indicating that no goals are required.

#### % of Goals Met Column

When an agency has achieved the Adjusted Availability displayed on the form for a race/sex group, a YES is indicated in the appropriate block. If not, the percentage achieved is displayed. The overall percentage of the goals achieved is noted at the bottom of each agency's chart.

For further details regarding the columns in Table 4, see Exhibit C.

Table 4. Employee Demographics from SC State Human Affairs Commission Annual Report

2015 Statistics

EEO CATEGORY	ACTUAL WORKFORCE ON 09/30/2015							Adjusted Availability% (Qualified Labor Pool)	UNDERUTILIZATION			HIRES AND PROMOTIONS - 10/01/2014 - 09/30/2015							% OF Goals Met Based on Adjusted Availability		
	WM	BM	OM	WF	BF	OF	TOTAL		BM	WF	BF	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF
E1 and E2	# 2	1		4			7								1			1			
	% 28.6	14.3		57.1			100.0	5.7	32.8	10.4	NO	NO			100.0			100.0	YES	YES	0.0%
E3, E5, and E6	# 3	3		2	1	1	10								1			1			
	% 30.0	30.0		20.0	10.0	10.0	100.0	10.1	22.8	14.0	NO	2.8			100.0			100.0	YES	87.7%	71.4%

Level of Goal Attainment for 2013: 97.1 percent  
Level of Goal Attainment for 2014: 84.5 percent  
Level of Goal Attainment for 2015: 91.8 percent

2016 Statistics

EEO CATEGORY	ACTUAL WORKFORCE ON 09/30/2016							Adjusted Availability% (Qualified Labor Pool)	UNDERUTILIZATION			HIRES AND PROMOTIONS - 10/01/2015 - 09/30/2016							% OF Goals Met Based on Adjusted Availability		
	WM	BM	OM	WF	BF	OF	TOTAL		BM	WF	BF	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF
E1 and E2	# 3	2		6	1		12					1	1		2	1		5			
	% 25.0	16.7		50.0	8.3		100.0	5.9	29.4	9.3	NO	NO			40.0	20.0		100.0	YES	YES	89.2%
E3, E5 and E6	# 3	3		4	1		11							1	2			3			
	% 27.3	27.3		36.4	9.1		100.0	8.6	25.1	14.2	NO	NO			66.7			100.0	YES	YES	64.1%

Level of Goal Attainment for 2014: 84.5 percent  
Level of Goal Attainment for 2015: 91.8 percent  
Level of Goal Attainment for 2016: 92.2 percent

**LEGEND:** WM = White Male    BM = Black Male    OM = Other Male    T = Total    % = Percentage  
WF = White Female    BF = Black Female    OF = Other Female    # = Number

*If an agency is not employing any race/sex group at a rate equal to the Adjusted Availability percentage, the underutilization is noted in Column # 4.*

\*No goal established because the underutilization is less than one whole person.

## Relationships with Other Entities Utilized to Leverage Resources

### Partnerships

Below is information the agency provided about the entities, by segment, the agency worked with in 2015-16, or plans to work with during 2016-17, that help the agency leverage its resources to accomplish its strategic plan.

#### To assist with...

- **Goal #1** - Provide for a system of voter registration that is free of barriers
  - DSIT
  - SLED
  - S.C. National Guard
  - U.S. Department of Homeland Security
  - Federal Bureau of Investigation
  - County Boards of Voter Registration and Elections
  - DMV and other agencies designated as voter registration sites under the National Voter Registration Act and state law, County Boards of Voter Registration and Elections
- **Goal #2** - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters
  - County Boards of Voter Registration and Elections
- **Goal #3** - Support counties in conducting voter registration and fair, open and impartial elections
  - DSIT
  - County Boards of Voter Registration and Elections
- **Goal #4** - Effectively oversee all agency programs and operations
  - Department of Administration
  - Comptroller General's Office
  - State Treasurer's Office

## Methodology the Agency Utilized to Allocate Resources to Accomplish its Strategic Plan

### Overview

The agency was not instructed to utilize a specific methodology when calculating how much money it utilized toward accomplishment of its objectives. The agency was only told that it should be able to provide a logical explanation of its methodology, it should be clear how much the agency spent toward each objective, and the Committee understood the numbers would be approximations and not exact.

Below is an overview of the agency's methodology for determining how much it was spending last fiscal year, and how much of its resources will be used this fiscal year, to accomplish each of its objectives, which allows the General Assembly and public to see approximately how much the agency is spending to accomplish what the General Assembly instructs the agency to do in law. The next section provides more detailed information on what the agency reviews when prioritizing how much of its resources will be used toward different aspects of its strategic plan.

### Agency's Method - Operational and Employee Costs Related to Each Objective<sup>44</sup>

The agency assigns expenditures to objectives.<sup>45</sup> The agency compares each employee's job duties to individual objectives based on percentage of time spent performing job duties related to the objective.<sup>46</sup> All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.<sup>47</sup>

## Goal Details and Resource Allocation

On the following pages are more specific information on each agency goal including:

- strategies and objectives for achieving the goal;
- agency personnel who have primary responsibility and accountability for the strategies and objectives (i.e. “Responsible Employees”);
- additional information the agency reviews when prioritizing allocation of resources to each strategy and objective;
- actual amount of resources allocated; and
- key performance measures. (see explanation of the types of performance measures in Exhibit D)

As background, the Responsible Employee(s) has different teams of employees beneath him/her to help accomplish the goal, strategy or objective. The Responsible Employee(s) is the person who, in conjunction with his/her team(s) and approval from higher level superiors, leads the efforts by determining the strategy and objectives needed to accomplish a goal, the activities needed to accomplish objectives, and the performance measure targets to ensure the goals and objectives are accomplished efficiently and effectively.

## GOAL #1 Provide for a system of voter registration that is free of barriers

Responsible Employee(s): Howard Snider (responsible for more than 4 years)

<u>Strategies and Objectives:</u>	2015-16		2016-17	
	# of FTEs authorized <sup>48</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 1.1 - Maintain a statewide voter registration system that is convenient, accessible and meets the needs of counties <ul style="list-style-type: none"> <li>Objective 1.1.1 - Provide a system that is available and take all reasonable measures to ensure cyber security of the voter registration system</li> <li>Objective 1.1.2 - Support county users in use of system to maintain accurate voter records</li> </ul> </li> <li>Strategy 1.2 - Ensure citizens have accessible methods to register to vote <ul style="list-style-type: none"> <li>Objective 1.2.1 - Provide registration by mail, online voter registration, and in person registration at county offices and other designated voter registration agencies</li> </ul> </li> </ul>	26.5 (1.2)	\$412,385 (6.47%)	26.5 (1.3)	\$500,000 (5.46%)
	26.5 (1.8)	\$531,561 (8.33%)	26.5 (2.1)	\$500,000 (5.46%)
	26.5 (0.5)	\$73,750 (1.16%)	26.5 (0.5)	\$75,000 (0.82%)

### Associated Performance Measures:

- All performance measures are agency selected, except the % of registrations submitted at DMV and % submitted at other public service agencies, which are required by the federal government
- Agency does not know what entity performs the best in the country on any of the measures
- See measures and results on next page

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Total Active Registered Voters	Input/Activity	Actual: 2,911,101 Target: Did not exist (DNE)	Actual: 2,843,744 Target: DNE	Actual: 2,889,904 Target: DNE	Actual: 3,081,855 Target: DNE	Target: DNE
Voters Registered in Current Fiscal Year	Input/Activity	Actual: 218,989 Target: DNE	Actual: 139,903 Target: DNE	Actual: 158,213 Target: DNE	Actual: 244,741 Target: DNE	Target: DNE
Voters Made Inactive	Input/Activity	Actual: 68,280 Target: DNE	Actual: 180,441 Target: DNE	Actual: 82,610 Target: DNE	Actual: 60,025 Target: DNE	Target: DNE
Percentage of County Election Officials Using ElectionNET	Input/Activity	Data Not Available	Actual: 45% Target: 100%	Actual: 49% Target: 100%	Actual: 60% Target: 100%	Target: 100%
<b>Percentage of Registrations...</b>						
Submitted Online	Outcome	Actual: 9.6% Target: DNE	Actual: 3.5% Target: DNE	Actual: 7.2% Target: DNE	Actual: 22.1% Target: DNE	Target: DNE
Received By Mail	Input/Activity	Actual: 31.3% Target: DNE	Actual: 16.2% Target: DNE	Actual: 15.4% Target: DNE	Actual: 11.3% Target: DNE	Target: DNE
In Office	Input/Activity	Actual: 12% Target: DNE	Actual: 5.9% Target: DNE	Actual: 6.5% Target: DNE	Actual: 5.6% Target: DNE	Target: DNE
at DMV	Input/Activity	Actual: 46.1% Target: DNE	Actual: 73% Target: DNE	Actual: 68.1% Target: DNE	Actual: 58.5% Target: DNE	Target: DNE
at Other Public Service Agencies	Input/Activity	Actual: 0.9% Target: DNE	Actual: 1.4% Target: DNE	Actual: 2.8% Target: DNE	Actual: 1.9% Target: DNE	Target: DNE
<b>Training &amp; Certification Program ...</b>						
Number of Participants	Input/Activity	Actual: 507 Target: DNE	Actual: 493 Target: DNE	Actual: 517 Target: DNE	Actual: 505 Target: DNE	Target: DNE
Percentage of Participants Not in Compliance with Requirements	Outcome	Actual: 7.1% Target: 0%	Actual: 4.9% Target: 0%	Actual: 3.9% Target: 0%	Actual: 4.5% Target: 0%	Target: 0%
Classes Offered	Output	Actual: 18 Target: DNE	Actual: 28 Target: DNE	Actual: 26 Target: 25	Actual: 28 Target: 25	Target: 25
Total Class Attendees	Input/Activity	Actual: 504 Target: DNE	Actual: 663 Target: DNE	Actual: 657 Target: 625	Actual: 642 Target: 625	Target: 625
Total Other Training Events	Output	Actual: 17 Target: DNE	Actual: 26 Target: DNE	Actual: 21 Target: DNE	Actual: 22 Target: DNE	Target: DNE

## GOAL #2

Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters

Responsible Employee(s): Howard Snider (responsible for more than 4 years)

<u>Strategies and Objectives:</u>	<u>2015-16</u>		<u>2016-17</u>	
	# of FTEs authorized <sup>49</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 2.1 - Support the statewide voting system ensuring it is easy to use, accurate and secure               <ul style="list-style-type: none"> <li>Objective 2.1.1 - Produce election-specific databases and ballots according to state law and ballot standards</li> <li>Objective 2.1.2 - Support users in set-up, testing, usage, maintenance and secure storage of voting system</li> <li>Objective 2.1.3 - Audit vote totals prior to certification of election results</li> </ul> </li> </ul>	26.5 (3)	\$217,272 (3.41%)	26.5 (3.3)	\$200,000 (2.18%)
	26.5 (1)	\$266,843 (4.18%)	26.5 (1.3)	\$250,000 (2.73%)
	26.5 (0.8)	\$89,733 (1.41%)	26.5 (1.1)	\$100,000 (1.09%)

### Performance Measures Associated:

- All performance measures are agency selected and not required by state or federal government
- Agency does not know what entity performs the best in the country on any of the measures

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Number of Elections Held in State	Input/Activity	Actual: 185 Target: Did not exist (DNE)	Actual: 313 Target: DNE	Actual: 166 Target: 166	Actual: 336 Target: DNE	Target: DNE
Number of Counties Served by SEC Database Coders	Input/Activity	Actual: 39 Target: 39	Actual: 39 Target: 39	Actual: 39 Target: 39	Actual: 39 Target: 39	Target: 39
Number of Audits Conducted on County Election Results	Input/Activity	Actual: 114 Target: DNE	Actual: 301 Target: DNE	Actual: 312 Target: DNE	Actual: 626 Target: DNE	Target: DNE
Number of Final Audits Failed on County Election Results	Outcome	Actual: 3 Target: 0	Actual: 2 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Target: 0



### GOAL #3 Support counties in conducting voter registration and fair, open and impartial elections

Responsible Employee(s): Chris Whitmire (Responsible for more than 5 years) & Howard Snider (Responsible for more than 3 years)

<u>Strategies and Objectives Associated:</u>	<u>2015-16</u>		<u>2016-17</u>	
	# of FTEs authorized <sup>50</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 3.1 - Provide supervision, training, guidance and resources to counties to aid in voter registration and elections               <ul style="list-style-type: none"> <li>Objective 3.1.1 - Provide guidance and training for county and municipal election officials and poll managers</li> <li>Objective 3.2.1 - Provide candidate filing system, absentee tracking and ballot delivery tools, photo ID production, paper and electronic voter registration lists and capturing voter history</li> </ul> </li> <li>Strategy 3.2 - Ensure compliance with state and federal laws and agency policies and procedures               <ul style="list-style-type: none"> <li>Objective 3.2.1 - Conduct county compliance audits and assessments</li> </ul> </li> <li>Strategy 3.3 - Provide public education and information               <ul style="list-style-type: none"> <li>Objective 3.3.1 - Provide voters with online access to their voter record, polling place, absentee ballot request and tracking, sample ballot, and status of provisional ballot</li> <li>Objective 3.3.2 - Increase public knowledge of voting rights, responsibilities, and procedures</li> <li>Objective 3.3.3 - Provide information, statistics and election results</li> </ul> </li> </ul>	26.5 (2.8)	\$388,679 (6.09%)	26.5 (3.1)	\$410,000 (4.47%)
	26.5 (1.4)	\$98,291 (1.54%)	26.5 (1.4)	\$150,000 (1.64%)
	26.5 (1.4)	\$140,228 (2.20%)	26.5 (3.0)	\$200,000 (2.18%)
	26.5 (0.3)	\$44,428 (0.70%)	26.5 (0.3)	\$100,000 (1.09%)
	26.5 (0.8)	\$280,023 (4.39%)	26.5 (0.9)	\$220,000 (2.40%)
	26.5 (1.1)	\$119,973 (\$1.88%)	26.5 (1.2)	\$150,000 (1.64%)

Performance Measures Associated: (that are not associated with another goal)

- Tracking filling fees collected for statewide primaries; special primaries; and presidential preference primaries are required by state government; all others are agency selected performance measures
- Agency does not know what entity performs the best in the country on any of the measures
- See measures and results on next page

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Number of SEC Voter Educations Events	Output	Actual: 66 Target: Did not exist (DNE)	Actual: 32 Target: DNE	Actual: 25 Target: DNE	Actual: 41 Target: DNE	Target: DNE
Twitter Followers	Input/Activity	Data Not Available	Actual: 968 Target: DNE	Actual: 1,084 Target: DNE	Actual: 1,341 Target: DNE	Target: DNE
Facebook Likes	Input/Activity	Data Not Available	Actual: 3,080 Target: DNE	Actual: 3,091 Target: DNE	Actual: 3,509 Target: DNE	Target: DNE
Number of Candidates Filed for Federal, State and County Level offices in most recent general election	Input/Activity	Data Not Available	Actual: 1,339 (2014 GE) Target: DNE	Actual: 1,339 (2014 GE) Target: DNE	Actual: 1,604 (2016 GE) Target: DNE	Target: DNE
<b>Filing Fees collected for...</b>						
Statewide Primaries	Input/Activity	Actual: \$5,936 Target: DNE	Actual: \$907,396 Target: DNE	Actual: N/A	Actual: \$1,210,926 Target: DNE	Target: DNE
Special Primaries	Input/Activity	Actual: \$69,424 Target: DNE	Actual: \$14,651 Target: DNE	Actual: \$78,287 Target: DNE	Actual: \$4,648 Target: DNE	Target: DNE
Presidential Preference Primaries	Input/Activity	N/A	N/A	N/A	Actual: \$360,000 Target: DNE	Target: DNE
<b>scVotes.org...</b>						
Total Visits	Input/Activity	Actual: 370,524 Target: DNE	Actual: 176,420 Target: DNE	Actual: 169,247 Target: DNE	Actual: 237,217 Target: DNE	Target: DNE
% Returning Visits	Input/Activity	Actual: 19.1% Target: DNE	Actual: 35% Target: DNE	Actual: 27% Target: DNE	Actual: 26% Target: DNE	Target: DNE
% New Visits	Input/Activity	Actual: 80.9% Target: DNE	Actual: 65% Target: DNE	Actual: 73% Target: DNE	Actual: 74% Target: DNE	Target: DNE

## GOAL #4 Effectively oversee all agency programs and operations

Responsible Employee(s): Janet Reynolds (Responsible for less than 17 years)

<u>Strategies and Objectives Associated:</u>	<u>2015-16</u>		<u>2016-17</u>	
	# of FTEs authorized <sup>51</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 4.1 - Manage administrative and business activities of the agency               <ul style="list-style-type: none"> <li>Objective 4.1.1 - Prepare annual budget and fiscal impact statements, and process payroll, accounts payable, accounts receivable, county election reimbursements, and county board member stipends</li> <li>Objective 4.2.1 - Provide support services to include human resources, legal, procurement, records management, fleet management, election supplies and shipping</li> </ul> </li> </ul>	26.5 (1.7)	\$3,446,895 (54.05%)	26.5 (1.7)	\$6,010,000 (65.58%)
	26.5 (2.2)	\$267,591 (4.20%)	26.5 (2.8)	\$300,000 (3.27%)

Performance Measures Associated: (that are not associated with another goal)

- Number of Poll Managers used, Protests Heard, and Appeals Heard are agency selected. All others are required by state government
- Agency does not know what entity performs the best in the country on any of the measures

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Training & Certification Program Fees	Input/Activity	Actual: \$7,700 Target: DNE	Actual: \$16,725 Target: DNE	Actual: \$15,165 Target: DNE	Actual: \$18,500 Target: DNE	Target: DNE
Sale of Voter Registration Lists	Input/Activity	Actual: \$78,736 Target: DNE	Actual: \$108,621 Target: DNE	Actual: \$104,637 Target: DNE	Actual: \$175,957 Target: DNE	Target: DNE
Sale of Publications	Input/Activity	Actual: \$55 Target: DNE	Actual: \$12 Target: DNE	Actual: \$39 Target: DNE	Actual: \$12 Target: DNE	Target: DNE
Voting System Update/Certification Fees	Input/Activity	Actual: \$0 Target: DNE	Actual: \$1,000 Target: DNE	Actual: \$500 Target: DNE	Actual: \$2,000 Target: DNE	Target: DNE
Number of Poll Managers Used (General Election or Primary/Runoff)	Input/Activity	Actual: 14,306 (General) Target: DNE	Actual: 18,782 (Primary/Runoff) Target: DNE	Actual: 13,168 (General Election) Target: DNE	Actual: 12,274 (Primary/Runoff) Target: DNE	Target: DNE
Protests Heard	Outcome	Actual: 3 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Target: 0
Appeals Heard	Outcome	Actual: 5 Target: 0	Actual: 0 Target: 0	Actual: 3 Target: 0	Actual: 1 Target: 0	Target: 0

**Unrelated Purposes** The agency was asked to list items on which it spent funds that were not directly related to the agency's strategic plan. The agency did not list any items.

**Amount Remaining** The agency was asked to provide the amount remaining at the end of the year by fund source and restrictions on how the funds could be utilized.

<u>Source of funds</u>	State, other or federal funding?	Recurring or one-time?	External restrictions (from state or federal government, grant issuer, etc.) on use of funds:	<u>2015-16</u>		<u>2016-17</u>	
				Total available to spend this fiscal year:	Cash Balance Remaining (% of total available from source)	Total est. to have available to spend this fiscal year:	Cash Balance Not Budgeted to Spend (% of total available from source)
• General Appropriations	State	Recurring	None	\$7,264,086	\$4,116,468 56.67%	\$9,622,787	\$272,787 2.83%
• General Revenue	Other	Recurring	No authority to spend funds	\$0	\$0 0%	\$0	\$0 0%
• Candidate Filing Fees	Other	Recurring	SC Code of Law 7-11-15	\$1,300,000	\$500,927 38.53%	\$1,300,000	\$1,290,000 99.23%
• Training Program	Other	Recurring	Proviso 101.70	\$35,000	\$26,136 74.67%	\$35,000	\$5,000 14.29%
• Sale of List Program	Other	Recurring	SC Code of Law 7-3-20(C)(10); Proviso 101.4	\$305,700	\$206,960 67.70%	\$305,700	\$155,700 50.93%
• HAVA Grant	Federal	One-Time	Help America Vote Act / State Plan Proviso 101.10	\$450,249	\$404,684 89.88%	\$408,684	\$308,684 75.53%
• Presidential Preference Primaries	State	One-Time	SC Code of Law 7-11-20(B)(2)(a)	\$2,200,000	\$0 0%	\$0	\$0 0%
• FVAP/EVAT Grant	Federal	One-Time	Federal Voting Assistance Program	\$8,652	\$0 0%	\$0	\$0 0%
<b>Totals</b>				\$11,563,687	\$5,250,418 45.40%	\$11,672,171	\$2,032,171 17.41%

## Exhibit A: Background on the Budget Process

Below is a background on the state's budget process. The **total budget**, which is found each year in the Appropriations Act, is **made up of 3 funds: Federal, General and Other**. The General Assembly does not spend federal and other funds in the annual appropriations act. The act authorizes a maximum amount that agencies may spend for the fiscal year. The General Assembly controls the agencies' authorizations and can adjust them via the appropriations act. The state's general fund, on the other hand, is South Carolina's bank account; those are the taxes and fees that are available to appropriate every year as the General Assembly sees fit.

<b>Federal Funds</b> (Fund Code 5000 )	<ul style="list-style-type: none"> <li>• Authorization</li> <li>• Examples: Medicaid; Education; Higher Education – Research and financial aid grants; Federal gas tax</li> </ul>
<b>Other Funds</b> (State Earmarked = Fund Code 3000) (State Restricted = Fund Code 4000)	<ul style="list-style-type: none"> <li>• Authorization</li> <li>• State Earmarked (a.k.a. Fund Code 3000 or Other Funds) - Special revenues which are to be used for a specific use; typically the revenue is from the agency providing some type of service for which it earns fees and the earmarked funds are those portion of fees that are kept by the agency (i.e. tuition and fees for universities; DNR license fees; etc.)</li> <li>• State Restricted (a.k.a. Fund Code 4000 or Other Funds) - Special deposits, primarily debt service and trust funds; these funds earn interest and the interest goes back into the account (i.e. bonds, trusts, etc.)</li> </ul>
<b>General Funds</b> (Fund Code 1000)	<ul style="list-style-type: none"> <li>• Appropriated</li> <li>• South Carolina's Bank Account</li> </ul>

When the funds are authorized or appropriated, it can be **recurring or non-recurring**. Non-recurring dollars are money available to spend on a one-time expense. Examples of funds that are authorized or appropriated on a non-recurring basis include (a) excess money (e.g. projected year end surplus not included in recurring estimate; cash in the bank that exceeded previous year's estimate; vetoed items sustained by the General Assembly); (b) money from lawsuits where the State is a plaintiff; and (c) capital reserve funds.

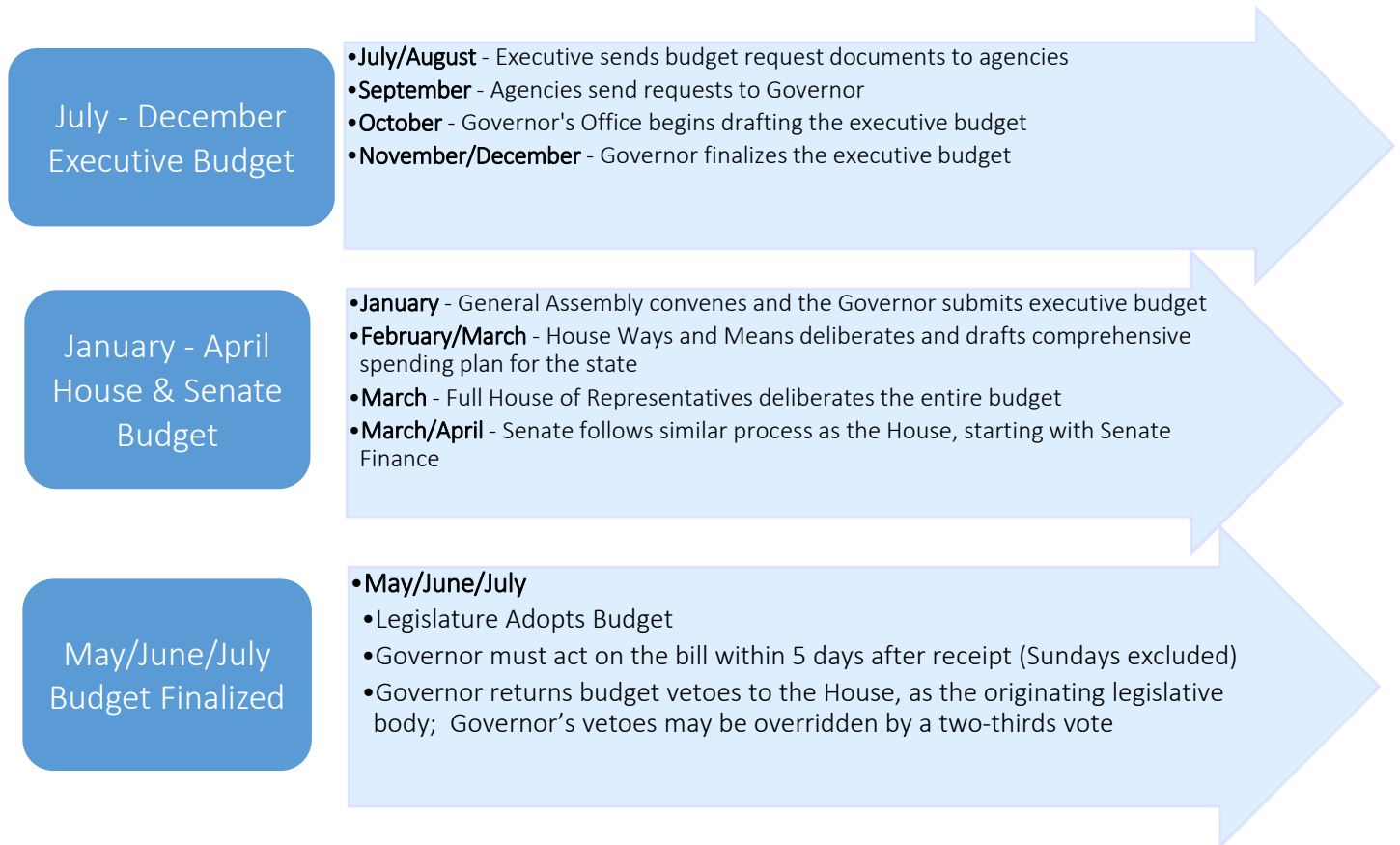
The **Appropriations Act** contains three main parts. These parts are as follows:

Part 1A	Part 1B	Part II
<ul style="list-style-type: none"> <li>• Often referred to as the "Dollars" section of the Act</li> <li>• Establishes funding levels for state agencies</li> <li>• This is the Part of the Act that actually looks like a "budget."</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary laws effective just for the fiscal year referred to in the Act – also known as "provisos."</li> <li>• Regulate the expenditure of funds appropriated to agencies in Part 1A and often make provisions for the operation of state government</li> </ul>	<ul style="list-style-type: none"> <li>• Part II provisions are permanent provisions of law</li> <li>• There have been no Part II's in the final annual appropriation bill since fiscal year 2000-2001.</li> </ul>

In previous years, there have also been Part III and even Part IV to the Appropriations Act. Part III was utilized for bond bills. Part IV was utilized for Medicaid and the federal match.

The budget process has three main phases in its **timeline**. These phases are illustrated in Figure 9.

Figure 9. Three phases of the budget process.



## Exhibit B: Types of State Employees

The main entity who keeps track of employees is the Division of State Human Resources within the Department of Administration. Their website is <http://admin.sc.gov/humanresources>.

There are four main types of state employees which are as follows<sup>52</sup>:

(1) **Temporary** - These positions are full-time or part-time positions created for a period of time not to exceed one year.

(2) **Time-Limited** - These positions are positions established to perform work directly associated with a time-limited project. The main difference between a temporary employee and a time-limited employee is the time-limited employee is employed to work on a particular project, and is employed only until the goals are met or the funding ends for that project.

(3) **Temporary Grant** - These positions are positions established to perform work directly associated with federal grants, public charity grants, private foundation grants, or research grants.

(4) **Full-time Equivalent (FTE)** - Within the full time type of employment (FTE), there are two main groupings, classified and unclassified. Agencies are granted a specific number of classified and unclassified FTE positions as part of the budget process, which must be kept in balance throughout the fiscal year.

(a) **Classified FTE** - In the classified system, each position is assigned to a class. A class is a group of positions sufficiently similar in the duties performed; degree of supervision exercised or received; minimum requirements of education or experience; and the knowledge, skills, and abilities required that the Division of State Human Resources applies the same State class title and the same State salary range to each position in the group. The State class titles are grouped into the following categories: Administrative, Information Services, Education, Health Services, Human Services, Technical Services, Law Enforcement and Regulatory Services, Trade Services, and Agricultural and Natural Resources. Each State class title is assigned to one of 10 State salary ranges, or pay bands. The classified system is governed by sections 19-702 and 19-705 of the State Human Resources Regulations, Classification Plan and Classified Employee Pay Plan.

(b) **Unclassified FTE** - In the unclassified system, each position is assigned to an unclassified State title. Unlike the classified system, however, unclassified titles do not have class specifications, which outline examples of the duties performed; degree of supervision exercised or received; minimum requirements of education or experience; the knowledge, skills, and abilities required; and a State salary range for the position. Therefore, State agencies are afforded greater flexibility with unclassified positions than with classified positions. The unclassified system is governed by applicable portions of section 19-706 of the State Human Resources Regulations, Establishment of Unclassified Positions and Unclassified Employee Pay Plan. There are four distinct groups of unclassified positions:

(1) ***Agency heads covered by the Agency Head Salary Commission,***

The compensation of agency heads covered by the Agency Head Salary Commission is governed by the Commission.

(2) ***Executive compensation system,***

In the Executive Compensation System, each position is evaluated by the State Division of Human Resources based on the Hay Method of Job Evaluation. Through this evaluation

process, each position is assigned a given number of points based on the three attributes of Know-How, Problem-Solving, and Accountability. The sum of these points is then used to calculate a salary range for the specific position. The position is assigned an unclassified title; however, the salary range is tied to the evaluation of the specific position, not the title assigned to the position. Therefore, different positions with the same title may have different Hay evaluations and salary ranges. The Executive Compensation System is primarily utilized for deputy directors or other high level management positions within State agencies.

(3) *Academic personnel*, and

(4) *Unclassified other*, which includes teachers, agency heads not covered by the Agency Head Salary Commission, and other positions exempted from the State Classification and Compensations Plan by the General Assembly.

The compensation of academic personnel and unclassified other positions are governed by the agencies within the provisions the State Human Resources Regulations and other applicable state laws.



## Exhibit C: Human Affairs Charts

The information below is obtained from the Human Affairs 2016 and 2017 Annual Reports. The wording is provided verbatim from various sections of the Reports. For more information about the Human Affairs Commission of their Annual Reports, please visit the agency's website, <http://www.schac.sc.gov>.

In accordance with Section 1-13-110 of the South Carolina Code of Laws of 1976, as amended, the Human Affairs Commission "shall submit a report on the status of State Agencies' Affirmative Action Plans and Programs to the General Assembly by February 1st each year. This report shall contain the total number of persons employed in each job group, by race and sex, at the end of the preceding reporting period, a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of whether affirmative action goals were achieved."

Many people perceive affirmative action programs to be synonymous with quotas and preference programs for minorities and women. It is important to understand that in South Carolina State Government, affirmative action programs are used to eliminate preferences, not to create them. The plans and programs are used as benchmarks or indicators of how successful agencies are in achieving equal employment opportunity

### **Column One: Equal Employment Opportunity (EEO) Category Codes**

This section has codes for groups of employees that perform jobs having similar work content, pay rates and promotional opportunities. State agencies use codes E1 through E8. Four-year colleges and universities use codes E1 through E8 and C1 through C9. Technical education colleges use codes E1 through E8 and T1 through T5. When the number of employees assigned to a category is so small as to prohibit establishing goals, more than one EEO category may be combined to create a larger group of employees. Likewise, when an EEO category is extremely large, it can be subdivided into two or more categories. A general description of the kinds of jobs assigned to each EEO code follows:

#### **E1) Executives:**

Includes all employees whose assignments require meeting with the agency head or a designee to set agency policies that affect both internal and external statewide operations. Incumbents are expected to exercise discretion and independent judgment when assessing policy needs and ensuring that policies created are in line with state and federal laws, rules and regulations. Includes all employees whose assignments require the performance of work directly related to management policies and the general business operations of the agency or institution. Employees must perform the above functions and should report directly to the agency director or deputy director. Includes directors, deputy directors, department heads, division directors, regional directors, district directors and unclassified administrative managerial positions.

NOTE: Supervisory personnel of the professional, technical, clerical, skilled craft and service/maintenance workforce will be reported within the specific categories of the personnel they supervise unless they set broad policies described above.

#### **E2) Professionals:**

Includes all employees required to possess specialized and theoretical knowledge that is usually acquired through college training or work experience and other training that provides comparable knowledge. Includes personnel specialists, social workers, doctors, registered nurses, systems analysts, accountants, counselors, teachers, police captains and lieutenants, classified professional non-faculty employees and kindred workers.

#### **E3) Technicians:**

Includes employees required to possess a combination of basic scientific or technical knowledge and manual skill that can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes computer programmers and operators, draftspersons, surveyors, licensed practical nurses, photographers, radio operators, technical illustrators, technicians (medical, dental, electronic, physical sciences), assessors, inspectors, police and fire sergeants and kindred workers.

E4) Protective Services:

Includes employees entrusted with public safety, security and protection of the public from destructive forces. Includes police, patrol officers, fire fighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers and kindred workers.

E5) Paraprofessionals:

Includes employees who perform some of the duties of a professional or technician in a supportive role and who usually require less formal training and/or experience than normally required for professional or technical positions. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Includes library assistants, administrative assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemaker's aides, home health aides, and kindred workers.

E6) Secretary/Clerical:

Includes employees responsible for internal and external communication, recording and retrieval of data and/or information and other paper work required in an office. Includes bookkeepers, messengers, office machines operators, clerk-typists, stenographers, court transcribers, secretaries, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, and kindred workers.

E7) Skilled Craft:

Includes employees performing jobs that require special manual skill and thorough and comprehensive knowledge of the processes involved in the work, which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machinists, carpenters, compositors and typesetters and kindred workers.

E8) Service/Maintenance:

Includes workers performing duties related to the upkeep and care of buildings, facilities, or grounds. Workers in this group may operate machinery. Includes chauffeurs, laundry and dry cleaning operators, truck drivers, bus drivers and garage laborers, custodial personnel, gardeners and grounds keepers, refuse collectors, construction laborers and kindred workers.

**Column Two: Workforce Totals**

The information provided in Column Two shows the race/sex totals by number (#) and percentage (%) of persons employed in each EEO category as of September 30, 2015. For purposes of the report, the following race/sex categories are used:

The information showing in the number (#) blocks of section 2 and 5 was provided by each agency, college or university or technical school and was reviewed for accuracy by agency representatives prior to the writing of this report. The percentage (%) of each race/sex group was computed by dividing the number (#) of each race/sex group by the total number (#) of persons in the EEO category.

### **Column Three: Adjusted Availability**

Column Three displays the percentage of people available in the labor market with the qualifications to perform the duties and responsibilities of the positions assigned to the EEO category. The percentages are taken from each agency's Affirmative Action Plan.

Availability is an estimate of the percentage of the workforce you reasonably could expect to be employed based on the employer's analysis of the qualified labor pool. Availability estimates are reported for three groups: black males, white females and black females. Availability is established for any minority group exceeding two percent of the relevant labor market. The availability is then adjusted to a rate that is within 90.0 percent of what would be expected (a fluctuation of 10 percent). The availability adjustment is to allow for the possibility that the current workforce disparities may not be statistically significant. If you add the availability percentages and subtract from 100, you will have the availability for white males and all other racial groups not depicted on this form. Historically, there has not been a pattern of underutilization of white males in employer workforces. No other race or ethnic group was over the 2 percent threshold.

### **Column Four: Underutilization**

These figures are a comparison of the Adjusted Availability (Column Three) percentages, and the actual workforce (Column Two) percentages. If the current workforce is less than the Adjusted Availability, then underutilization exists. The underutilization is expressed as a percentage. If there is no underutilization a "No" appears in the block.

In any job group where the percent of underutilization is so small that it would compute to less than one whole person, an asterisk will appear in the appropriate block indicating that no goals are required.

*This process is based on statistical fact, not its cause.* However, the SCHAC recognizes that the mathematical comparison between availability and the current workforce should not be the sole consideration in determining underutilization. Other reasons can be discussed with SCHAC.

### **Column Five: New Hires and Promotions**

This section displays by race and sex the number (#) and percentage (%) of persons who were hired or promoted during the stated time frame. The information was obtained and calculated in the same manner as the information in Column Two. Transactions counted in Column Five include positions filled by means of new hires, internal promotions that include a change in pay and job duties, promotions involving moving from one state agency to a higher job grade in another state agency, reinstatements and transfers from one state agency to another.

The reclassification of an already filled position is not counted in Column Five.

### **Column Six: Goals Met**

When an agency has achieved the Adjusted Availability displayed on the form for a race/sex group, a YES is indicated in the appropriate block. If not, the percentage (%) achieved is displayed. The overall percentage of the goals achieved is noted at the bottom of each agency's chart.

*The percentage of goals achieved is calculated by dividing the percent employed (in Column Two) by the percent available (in Column Three).*

*In race/sex groups where underutilization is less than one whole person, an asterisk will appear in the appropriate blocks.*

## Exhibit D: Types of Performance Measures

### Types of Measures Utilized

*There are four types of performance measures, which are explained below. The subcommittee indicated it is looking for efficiency and outcome measures*

- **Inputs** are human or material resources used, such as number of staff hours or classroom space used to conduct welfare-to-work programs.
- **Outputs** are the amount of service, effort, or activity produced or delivered, such as number of clients receiving job training or number of students in AP courses.
- **Efficiency** measures are the amount of output or outcome achieved in terms of input, such as cost per participant in welfare-to-work programs, or cost per student.
- **Outcomes** are results or the effectiveness of a service or effort, such as the number of clients employed for at least half time within six months of job training or the percentage of students who graduate from high school.

Note: While the agency may assert a performance measure is a certain type (e.g., efficiency, outcome, etc.), the Subcommittee may or may not agree.

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- <sup>1</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.
- <sup>2</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.
- <sup>3</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.
- <sup>4</sup> Testimony of Director Andino during April 18, 2017 Subcommittee meeting.
- <sup>5</sup> SC Code 7-3-10(a)
- <sup>6</sup> SC Code 7-3-10(a)
- <sup>7</sup> SC Code 7-3-10(b)
- <sup>8</sup> SC Code 7-3-10(b)
- <sup>9</sup> SC Code 7-3-20(A)
- <sup>10</sup> SC Code 7-3-10(c)
- <sup>11</sup> SC Code 7-3-10(c)
- <sup>12</sup> SC Code 7-3-10(e)
- <sup>13</sup> SC Code 7-3-10(e)
- <sup>14</sup> SC Code 23-23-10(C)
- <sup>15</sup> SC Code 7-3-20(C)
- <sup>16</sup> SC Code 7-3-20(C)
- <sup>17</sup> SC Code 7-3-20(C)
- <sup>18</sup> SC Code 7-3-20(C)
- <sup>19</sup> During the April 18, 2017 Subcommittee meeting Director Andino testified that to determine those who are deceased the Election Commission (1) receives an electronic file of all those over 18 who are deceased from DHEC's Bureau of vital statistics (but this only records those who die in south Carolina, someone could be registered to vote here, but die in another state); and (2) checks with the Social Security Administration.
- <sup>20</sup> SC Code 7-3-20(C)
- <sup>21</sup> SC Code 7-3-20(C)
- <sup>22</sup> SC Code 7-3-20(C)
- <sup>23</sup> SC Code 7-3-20(C)
- <sup>24</sup> SC Code 7-3-20(C)
- <sup>25</sup> SC Code 7-3-20(C)
- <sup>26</sup> SC Code 7-3-20(C)
- <sup>27</sup> SC Code 7-3-20(C)
- <sup>28</sup> SC Code 7-3-20(C)
- <sup>29</sup> SC Code 7-3-20(C)
- <sup>30</sup> SEC Overview PowerPoint during April 18, 2017 meeting.
- <sup>31</sup> SC Code 7-3-20(C)
- <sup>32</sup> SC Code 7-3-20(C)
- <sup>33</sup> SC Code 7-3-20(C)
- <sup>34</sup> SC Code 7-3-20(C)
- <sup>35</sup> Testimony from Director Andino during May 3, 2017 Subcommittee Meeting.
- <sup>36</sup> Testimony from Director Andino during May 3, 2017 Subcommittee Meeting.
- <sup>37</sup> Testimony from Director Andino during May 3, 2017 Subcommittee Meeting.
- <sup>38</sup> State Election Commission's Program Evaluation Report
- <sup>39</sup> State Election Commission's Program Evaluation Report
- <sup>40</sup> SC House of Representatives, House Legislative Oversight Committee, "Agency PER - Amended (August 12, 2016) (updated April 12, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Law Enforcement Training Council and Criminal Justice Academy," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20\(August%2012,%202016\)%20-%20Updated%20April%2012,%202017.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20(August%2012,%202016)%20-%20Updated%20April%2012,%202017.pdf) (last accessed April 12, 2017)
- <sup>41</sup> SC House of Representatives, House Legislative Oversight Committee, "Agency PER - Amended (August 12, 2016) (updated April 12, 2017)," under "House Legislative Oversight Committee," under "Agency and Other Studies," and under "Law Enforcement Training Council and Criminal Justice Academy,"

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[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20\(August%2012,%202016\)%20-%20Updated%20April%2012,%202017.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20(August%2012,%202016)%20-%20Updated%20April%2012,%202017.pdf) (last accessed April 12, 2017)

<sup>42</sup> SC House of Representatives, House Legislative Oversight Committee, "Agency PER - Amended (August 12, 2016) (updated April 12, 2017)," under "Agency and Other Studies," and under "Law Enforcement Training Council and Criminal Justice Academy,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20\(August%2012,%202016\)%20-%20Updated%20April%2012,%202017.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/LawEnforcementTrainingCouncilandCriminalJusticeAcademy/Agency%20PER%20-%20Amended%20(August%2012,%202016)%20-%20Updated%20April%2012,%202017.pdf) (last accessed April 12, 2017)

<sup>43</sup> Table information is compiled from the following sources: Authorized - Review of General Appropriations Acts from fiscal year 2011-12 through fiscal year 2015-2016 which are available on the General Assembly's website under "Legislation," and under "Budget Bills," <http://www.scstatehouse.gov/budget.php> (accessed September 26, 2015); Filled - Charts produced through the South Carolina Enterprise Information System by the South Carolina Department of Administration's Division of State Human Resources.

<sup>44</sup> Email from agency CFO Tom McQueen to Committee Staff, April 13, 2017.

<sup>45</sup> State Election Commission PowerPoint for May 9, 2017 Subcommittee Meeting.

<sup>46</sup> State Election Commission PowerPoint for May 9, 2017 Subcommittee Meeting.

<sup>47</sup> State Election Commission PowerPoint for May 9, 2017 Subcommittee Meeting.

<sup>48</sup> Provided by the Division of State Human Resources, SC Department of Administration on May 5, 2017.

<sup>49</sup> Provided by the Division of State Human Resources, SC Department of Administration on May 5, 2017.

<sup>50</sup> Provided by the Division of State Human Resources, SC Department of Administration on May 5, 2017.

<sup>51</sup> Provided by the Division of State Human Resources, SC Department of Administration on May 5, 2017.

<sup>52</sup> Information was provided to the Committee during the June 30, 2015 Economic Development, Transportation, Natural Resources and Regulatory Subcommittee meeting by Ms. Kim Adyette, State Director of the Division of Human Resources for the SC Department of Administration.

May 24, 2017

SEC Response to May 11, 2017 Executive Subcommittee Request for Additional Information

### ***Training***

- 1. Please provide the total cost of the training the agency conducted last year (i.e. the training for which the agency charges).**

Total Cost of 2016 Training Events:	\$25,894
Cost of 2016 Training Events (excluding SEC salaries):	\$10,669

- 2. Please provide a list of videos from the agency that are currently available to the county boards and public via the web, including the website on which the videos can be accessed (e.g., polling manager video, etc.)**

While the SEC does not provide training videos to county boards via the web, the SEC does provide boards with two poll manager training videos in an electronic file format and provides three online training classes through the agency Learning Management System (LMS).

The poll manager training videos are intended for use by county boards in training poll managers and cover the following topics:

- Opening and Closing the iVotronic Voting Machine
- Polling Place Accessibility

The LMS is intended for use by county boards, poll managers, and municipal election officials. Users are assigned a username and password for access. Each county has a dedicated URL within the system. For example, the web address for Abbeville County is <https://abbeville.sctraining.us/>. The system features three classes:

- Poll Manager Training
- Duties of the Municipal Election Commission
- Municipal Protests

### ***Printing of Ballots***

- 1. What are the requirements for a company to become certified to print ballots?**

See SEC Attachment #1

### ***Samples***

- 1. Please provide a sample document that illustrates all of the information provided about individual voters if a registered voter in South Carolina requested to purchase all of the information available.**

See SEC Attachment #2. Note: See page 2 of attachment for information included with all saleable data provided through the Sale of List program.

- 2. Please provide a sample of the following forms: (a) voter registration by mail; (b) voter registration at county board office; and (c) voter registration at any of the agencies who are capable of registering individuals to vote.**

See SEC Attachment #3. Note: Page 1 of attachment is the Mail Application, Page 2 is the in-office application, and Page 3 is “Motor Voter” agency application.

### ***Filing Fees***

**1. What do other states charge in filing fees for the following: (a) presidential preference primaries; and (b) statewide primaries/runoffs?**

See SEC Attachment #4

**2. What do the political parties in South Carolina charge the candidates, over and above the filing fees required by the Election Commission?**

For Presidential Preference Primaries, state law allows the State Election Commission to set a filing fee not to exceed \$20,000. In 2007, the State Election Commission set the filing fee at \$20,000 and remains unchanged. State law also allows parties to charge a certification fee. For the 2016 election cycle, the S.C. Republican Party charged a certification fee of \$20,000 per candidate. The rules of the S.C. Democratic Party do not allow the party to charge a certification fee.

### ***Voter Eligibility & Removal from Voter Lists***

**1. What information would be required, and who would need to provide it, for the Election Commission to decide an individual is no longer a qualified voter within a particular county, because the individual does not live in the county?**

South Carolina Code § 7-3-20(C)(4) charges the Executive Director of the SEC with the deletion of any elector who is no longer qualified to vote in the precinct where currently registered, who is otherwise no longer qualified to vote as may be provided by law or who has requested in writing that his name be removed. The SEC receives notification from various sources regarding individuals who are no longer qualified voters within a particular county. With the exception of information provided by the South Carolina Department of Motor Vehicles (DMV), the information is not required to be provided to the SEC in a set format; only in a manner that allows the SEC to identify the voter in question.

- The SEC receives notifications from other states and jurisdictions when a voter registers in that state or jurisdiction, and the voter indicates that they were registered in S.C.
- Returned mail sent by county boards to voters that has been returned as undeliverable
- State law allows for the SEC to enter into agreements to share information or data with other states or groups of states. The SEC participates in the Interstate Crosscheck program. The program provides the SEC with information about voters who match as potential registrants in other states. The SEC mails notification to the voter that information indicates the voter has registered in another state. The voter's status is updated based on the voter's response to the mailing. If the mail is returned undeliverable, the voter is made inactive. If no response is received, the voter remains registered.
- State and federal laws allow the SEC to send Confirmation Cards to voters who have not voted in the past two General Elections or any other election occurring during that time. If a confirmation card is returned as undeliverable, the voter is made inactive. If the card is not returned, the voter is made inactive and is eventually removed from voter



registration lists if the voter fails to vote in two future consecutive general elections or any intervening election. This serves as notification to the SEC that the voter is no longer residing in a county. S.C. Code Ann. § 7-5-330 and 52 U.S.C. § 20501, et seq. (1993).

- The SEC also receives information from clerks of courts throughout the state when a jury notification is returned or when the potential juror notifies the clerks' office that they no longer reside in the county.
- The DMV is required by S.C. Code of Laws §7-3-70(a) to submit monthly reports to the SEC of all persons eighteen years of age or older who have surrendered their driver's license or identification card and obtained a driver's license or identification card in another state. The report must include the name, social security number, date of birth, county where previously a resident, and the state where the license or identification card was surrendered. This process is currently in the implementation phase.

Section 7-5-230 of the South Carolina Code of Laws establishes the provisions for voter registration challenges to a county board of voter registration and elections in the county of registration. This Section also provides for an appeal process to any court of common pleas of the county or subsequently to the South Carolina Supreme Court. The results of any voter registration challenge adjudicated by a county board of voter registration and elections or any court is provided to the SEC.

**2. Please outline the steps taken by the Election Commission prior to removing an individual from a voter list, including, but not limited to, how far in advance notice is provided, if notice is provided, before an upcoming election in which the individual would otherwise be able to vote.**

South Carolina Code § 7-5-160 states, in part, that voter registration in SC is permanent unless the voter is removed from the registration list for cause. A voter is removed from the active list of registered voters by changing statuses from active to inactive or archived. All voter records remain in the voter registration database permanently.

- Batch voter registration removals must be completed no later than ninety days before the date of a statewide primary, general, or federal election
- Individual voter-specific removals can occur at any time

South Carolina Code § 7-3-20(C)(4) charges the Executive Director of the SEC with the deletion of any elector who is no longer qualified to vote in the precinct where currently registered, who is otherwise no longer qualified to vote as may be provided by law or who has requested in writing that his name be removed. The SEC receives notification from various sources regarding individuals who are no longer qualified voters within a particular county.

South Carolina Code § 7-3-20(C)(9) charges the Executive Director of the SEC to secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes.

South Carolina Code § 7-3-30(a)(b) charges the Executive Director of the SEC, in part, to notify electors whose name has been deleted for reasons of conviction or a change in the residence of a qualified voter. Notification is mailed to the address last filed in the voter registration and

elections office and the elector has twenty days from the date the notice is mailed to appeal to the county board of voter registration and elections.

South Carolina Code § 7-5-330(F) provides that the SEC may not remove a voter from the active list unless a confirmation card, mailed by the SEC, is returned as undeliverable and the voter fails to vote in two consecutive general elections. This must be completed no later than ninety days before the date of a statewide primary, general, or federal election.

See SEC Attachment #5

- 3. Exhibit A lists the qualifications for eligible voters and the subcommittee's understanding, based on testimony and information provided by the agency, of which entity verifies the qualifications are met and the verification method. Please make any revisions necessary to ensure the document is complete and accurate.**

See SEC Attachment #5

## Ballot Printer Qualification Program

### Program Objective

This program is designed to allow a printer to demonstrate their ability to meet the minimum requirements for successful production of ballots, both precinct and vote by mail, in accordance with the Election Systems & Software Ballot Production guidelines.

### Program Overview

- This program will test all aspects of ballot production, including printing, finishing and packaging.
- Submitted ballots will be analyzed to ensure they meet ES&S specifications for the following metrics:
  - Length
  - Width
  - Ink/Toner Density
  - Oval Thickness
  - Ballot Stock Quality
- For ballot finishing the following will be analyzed on the ballots submitted:
  - Numbering
  - Perforating
  - Color Requirements
  - Scoring and Folding
- The printer will submit a list of all production equipment to be utilized in ballot production.
- Ballots must be printed by each printing device or potential printing device the printer plans to utilize in ballot production. Ballots should be labeled accordingly to document the specific equipment it was produced on.
- Ballots produced by each piece of finishing equipment, such as cutters, perforating machines, and numbering machines, shall be submitted and labeled accordingly.
- Submitted test ballots must be entirely produced at the printer's designated location, no outsourcing of any part of the ballot production will be considered.
- ES&S will furnish ballot files in PDF format, in most common sizes and stub configurations.
- Ballots produced for use in jurisdictions using ES&S Unity Election System should be corner cut as specified in the ES&S Ballot Production Handbook.
- The printer is responsible for all costs associated with the production of these Test ballots, up to and including onsite inspection by ES&S Ballot Management Services staff.
- ES&S will only inspect, test and approve ballots printed on ES&S recommended ballot stock, ES&S CountRight.
- Printers who intend to print on sheet fed digital devices are encouraged to utilize ES&S Generic Ballot stock.

## Ballot Printing and Finishing Assessment

1. The printer will print 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 11 inch, one and two sided, with perforated stub
- 14 inch, one and two sided, with no stub
- 14 inch, one and two sided, with one perforated stub
- 17 inch, one and two sided, with no stub
- 17 inch, one and two sided, with one perforated stub
- 19 inch, one and two sided, with no stub
- 19 inch, one and two sided, with one perforated stub

For this assessment, the printer should sequentially number the ballots that have a stub, beginning with 01 for the 11 inch, 001 for the 14 inch, 0001 for the 17 inch and 00001

for the 19 inch. This numbering will be consecutive (01, 02, 03, 04, etc. for each size) and should be placed on the lower right corner of the stub. If possible, numbering in red should be submitted. All ballots shipped flat should be shrink wrapped.

2. The printer will print and score for folding 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 14 inch, one and two sided, with no stub
- 17 inch, one and two sided, with no stub
- 19 inch, one and two sided, with no stub

For this assessment, ballots are not to be folded, only scored (in 1/3rds) and shipped flat. All ballots shipped flat should be shrink wrapped.

3. The printer will print and fold 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 14 inch, one and two sided, with no stub
- 17 inch, one and two sided, with no stub
- 19 inch, one and two sided, with no stub

For this assessment, ballots are to be folded to fit inside a standard size envelope, 6 x 9 or larger. All ballots should be banded and boxed.

4. Upon completion of all printing and finishing, the printer should forward all ballots to ES&S at the address below.

Election Systems & Software  
Ballot Print Qualification Materials  
11208 John Galt Blvd  
Omaha, NE 68137

In addition to the printed ballots, the printer should include the following:

- A complete list of all production equipment, including printing and finishing equipment.
- Verification that the ballots submitted are printed on CountRight paper.
- Documentation of any previous experience in the production of optical scan election ballots, or any election related materials.

**SEC Attachment #2****Sale of List Information**

Any registered voter in South Carolina may purchase a list of voters. Lists are available in the following formats: CD, mailing labels, printed report, USB, and downloadable file. Lists can be created to include voters based on any combination of the following characteristics: age, sex, race, household, participation in a particular election, absentee participation, date of registration, county, election district (congressional, senate, house, county council, city council, school district, municipality, or a combination thereof.) Each list contains the following information about each voter:

- County code
- Registration number
- First, middle, last name
- Suffix
- Residence address
- Mailing address
- Gender
- Race
- Registration date
- Date of birth
- Date last voted
- General election participation (last 2)
- Dem. primary participation (last 2)
- Rep. primary participation (last 2)
- Watershed district
- Precinct code and name
- House district
- Senate district
- County council district
- School district
- City council district
- Congressional district
- Voter status
- Municipal code and name

Pursuant to Section 7-15-330 of the South Carolina Code of Laws, beginning at 9:00 a.m. on the day prior to any election, the following information regarding all voters who participated in the absentee process is made available to the public:

- County code and name
- Application number
- Registration number
- Name
- Address
- Precinct code number
- Ballot style
- Party voted in primary
- Absentee address
- Who requested the ballot
- Application request method
- Application request date
- Application issue date
- Application return date
- Ballot issue date
- Ballot delivery method
- Ballot returned date
- Ballot returned method
- Ballot returned by (name)
- UOCAVA reason
- Runoff ballot requested

**\*NOTICE TO ALL REQUESTORS OF RECORDS**

State law requires every public body to provide the following notice to all requestors of records:

Obtaining or using public records for commercial solicitation directed to any person in this State is prohibited under [South Carolina Code Section 30-2-50](#) .

In addition, a person or private entity shall not knowingly obtain or use any "personal information" obtained from a public body for commercial solicitation directed to any person in the State. [Section 30-2-50\(A\)](#) . "Personal information" is defined as follows: Information that identifies or describes an individual including, but not limited to, an individual's photograph or digitized image, social security number, date of birth, driver's identification number, name, home address, home telephone number, medical or disability information, education level, financial status, bank account(s) number(s), account or identification number issued by and/or used by any federal or state governmental agency or private financial institution, employment history, height, weight, race, other physical details, signature, biometric identifiers, and any credit records or reports. [Section 30-2-30\(1\)](#).

PENALTY: A person knowingly violating the provisions of 30-2-50(A) is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed five hundred dollars or imprisoned for a term not to exceed one year, or both. [Section 30-2-50\(D\)](#) .

<div>Are you a citizen of the United States of America?    Yes <input type="checkbox"/> No <input type="checkbox"/></div> <div>Will you be 18 years of age on or before election day? Yes <input type="checkbox"/> No <input type="checkbox"/></div> <div>If you checked 'NO' in response to either of these questions, DO NOT complete this form.</div>					<div>Check One:</div> <div><input type="checkbox"/> New Registration (Check above if moving from one county to another)</div> <div><input type="checkbox"/> Address or name change within the same county</div>							
NAME		Last			First			MI		Suffix		
SEX		Male <input type="checkbox"/>		RACE		Black/African American    Asian    Hispanic    Native American    Other Specify			SOCIAL SECURITY NUMBER **			
		Female <input type="checkbox"/>				White <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> _____			-    -			
ADDRESS WHERE YOU LIVE (Physical Address)		Street				Apt Number		Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>				
		City				State		Zip Code		Would you like to be a poll worker? Yes <input type="checkbox"/> No <input type="checkbox"/>		
MAILING ADDRESS (if different from above)		Street or Post Office Box										
		City				State		Zip Code				
BIRTHDATE		Month		Day		Year		PHONE #		Home (    )    Work (    )		
PREVIOUS REGISTRATION/NAME		Precinct			County			State		Previous Name		

**Voter Declaration** – (read and sign below)

I swear or affirm that:

- I am a citizen of the United States of America
- I will be 18 years of age on or before Election Day
- I am a resident of South Carolina, this county and precinct
- I am not under a court order declaring me mentally incompetent
- I am not confined in any public prison resulting from a conviction of a crime
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction
- the address listed above is my only legal place of residence, and I claim no other place as my legal residence

If you do not have a street name or number, draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Attach ID Here

Signature

Date of Application

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

**ID Required:** If you are registering for the first time in this county, you **must** attach a copy of a current valid photo ID **or** a copy of a current utility bill, bank statement, paycheck or other government document that shows your name and address in this county. If you do not provide this identification now, you will be required to provide this information when you vote. Voters who are age 65 and over, voters with disabilities, members of the U.S. Uniformed Services or Merchant Marines and their families, and U.S. Citizens residing outside the U.S. are exempt from this requirement.

☐ Check here if you are exempt.

\*\* Social Security Number is required by the S.C. Code of Laws 7-5-170. This number is used for internal purposes only and eliminates multiple registrations by a single individual. Your Social Security Number is not released to any unauthorized individual.

For Voter Registration Board Use Only

scVOTES.org

☐ Approved    ☐ Disapproved by \_\_\_\_\_ (Member, Voter Registration Board)    Date \_\_\_\_\_



--

NAME	Last				First				MI	Suffix
SEX	Male <input type="checkbox"/>	RACE	Black/African American    Asian    Hispanic    Other Specify <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> _____					SOCIAL SECURITY NUMBER		
	Female <input type="checkbox"/>							-    -		
ADDRESS WHERE YOU LIVE	Street				Apt Number		Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>			
	City				State		Zip Code			
MAILING ADDRESS (if different from above)	Street or Post Office Box									
	City				State		Zip Code			
BIRTHDATE	Month	Day	Year	PHONE #	Home		Work			
PREVIOUS REGISTRATION	Precinct			County			State			

☐ I am not under a court order declaring me mentally incompetent or confined in any public prison.

☐ I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.

I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of the State of South Carolina, this county and of my precinct. I further swear (or affirm) that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.

Signature of Applicant

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Member, Deputy Member or  
Clerk of Registration Board

## For Registration Board Use Only

[illegible]

**920**

# STATE OF SOUTH CAROLINA

## Application for Voter Registration

Social Security Number is required by the S.C. Code of Laws and is used for internal purposes only. Social Security Number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized individual.

<b>CHECK ONE</b>		<input type="checkbox"/> New registration in county		<input type="checkbox"/> Change in current registration	
<b>NAME</b>	Last		First		MI
<b>SEX</b>	Male <input type="checkbox"/>	<b>RACE</b>	White <input type="checkbox"/>	Black/African American <input type="checkbox"/>	Asian <input type="checkbox"/>
	Female <input type="checkbox"/>		Hispanic <input type="checkbox"/>	Other (Specify) _____	
					<b>SOCIAL SECURITY NO.</b>
					- -
<b>ADDRESS WHERE YOU LIVE</b>	Street		Apt Number		<b>INSIDE CITY LIMITS</b>
					Yes <input type="checkbox"/> No <input type="checkbox"/>
	City		State		Zip Code
<b>MAILING ADDRESS (if different from above)</b>	Street or Post Office Box				Apt Number
	City		State		Zip Code
<b>BIRTHDATE</b>	Month	Day	Year	<b>PHONE</b>	Home
					Work
<b>PREVIOUS REGISTRATION</b>	Precinct		County		State

**Voter Declaration - Read and Sign Below**

I swear or affirm that:

- I am a United States citizen.
- I will be at least 18 years old on or before the next election.
- I am a resident of South Carolina, this county and precinct.
- I am not under a court order declaring me mentally incompetent.
- I am not confined in any public prison resulting from a conviction of a crime.
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.
- The address listed above is my only legal place of residence and I claim no other place as my legal residence.

Draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Signature

Date of Application

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

If you decline to register to vote, that decision will remain confidential and be used only for voter registration purposes.

If you register to vote, information regarding the office in which the application was submitted will remain confidential, again, to be used only for voter registration purposes.

**For Registration Board Use Only**

City	Mail City	Mail Co.	Township	Precinct	House	Senate	Co. Council	School	City Council	Cong.	Watershed	Reg Loc	Misc
												920	

☐ Rejected
☐ Approved By \_\_\_\_\_  
 Member, Board of Voter Registration

Date

## SEC Attachment #4

**Candidate Filing Fees By State (Survey Responses from States)**

<b>State</b>	<b>Filing Fee for President (Presidential Preference Primary only)</b>	<b>Filing Fee/Other Candidates</b>
Arizona	None	None
California	None	US Senate \$3,480, Congress \$1,740, State Senate and House \$1,001
Delaware	None	1% of salary X term
Georgia	None	% of Salary for most State Senate and House \$400
Indiana	None	None
Louisiana	\$1,125	Governor \$1125, Statewide Offices \$900, Congress \$900
Maine	\$2,500	None
Maryland	None	US Senate, Governor, Lt. Gov. \$290, Congress \$100, State Senate and House \$100
Minnesota	None	US Senate \$400, US Rep, Governor, Statewide Offices \$300, State Senate and House \$100
Mississippi	\$2,500	varies
Nevada	\$250	US Senate \$500, Congress \$300, Governor \$300, Statewide Offices \$200, State Senate and House \$100
New Mexico	None	\$50
Ohio	None	US Rep \$85, Statewide Offices \$150, State Senate and House \$85
South Carolina	\$20,000	1% of salary X term
South Dakota	None	None
Texas	None	Varies
Utah	\$500	\$50 plus 1% of salary X term
Vermont	\$2,000	None
Washington	Non	1% of salary
West Virginia	\$2,500	1% of salary

## SEC Attachment #5

**Verification of Voter Qualifications**

SEC = State Election Commission

County Board = County Board of Voter Registration and Elections

**Initial Registration – All Qualifications Verified by County Board at Time of Registration**

All applicants must complete a voter registration application. The applicant must attest to all qualifications on the voter registration application and by signing the application, takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

Qualification	Verification Method
Identity	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (in person and by mail):</b> Individual provides a copy of any current, valid photo ID or a copy of a utility bill, bank statement, paycheck or any government document showing the individual's name and address in the county.</p> <p><b>Required Method 3 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 4 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's identity through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual submitting the application is not the person he/she claims to be.</p>
U.S. Citizen	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (by mail):</b> Individual must check box indicating they are a U.S. Citizen.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not a U.S. Citizen. Acceptable documents to prove citizenship include: (1) Birth certificate (issued by a U.S. State or U.S. Department of State); (2) U.S. Passport (issued by U.S. Department of State); (3) Certificate of Citizenship; and (4) Naturalization Certificate.</p>
18 Years of Age (or will be 18 years of age by the date of an upcoming election if the voter is applying within 150 days of the voter registration deadline for that election or an associated primary)	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 3 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's age through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not (or will not be) 18 years of age.</p>
Resident of County and Precinct	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

## SEC Attachment #5

Qualification	Verification Method
	<p><b>Required Method 2 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 3 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's address through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not a resident of the county and precinct in which the individual is registering.</p>
Not in Jail or Prison Serving Sentence for Conviction of a Crime	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is in jail or prison serving a sentence for conviction of a crime.</p>
Not Convicted of a Felony or Offense Against the Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual has been convicted of a disqualifying offense and has not served the sentence or been pardoned.</p>
Not Adjudicated by Court to be Mentally Incompetent	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

Removal from List of Active, Registered Voters – Voters are removed at various times by SEC. Removal means the voter's status is changed from "Active" to "Inactive." Voter records remain in the statewide voter registration system permanently.		
Reason for Removal	Source of Information	Frequency
Death	DHEC's Bureau of Vital Statistics sends the SEC an electronic file of all those over 18 who are deceased (file includes records of only those who die in South Carolina, someone could be registered to vote here, but die in another state).	Monthly
	Social Security Administration Death File	Program under development and testing
	Correspondence from family	As received
U.S. Citizen	Voter request, information from courts	Varies
Resident of County and Precinct	Confirmation card mailing	Approximately every 4 years
	Returned mail sent by county boards to voters that has been returned as undeliverable.	As received
	Voter request received by the SEC	As received
	Information from other states/jurisdictions received by the SEC	As received

## SEC Attachment #5

Reason for Removal	Source of Information	Frequency
	Information received from the Interstate Crosscheck Program with other states. Upon receipt of information showing a voter has a later registration date in another state, the SEC sends voter a postcard to confirm their status.	Biennially in odd-numbered years
	DMV notifies the SEC of SC Driver's Licenses surrendered in other states at which time the SEC sends voter a postcard to confirm their status.	Program under development and testing
	Information received from the courts including undeliverable jury summons, returned jury summons indicated voter has moved, and court rulings.	As received
Voter Convicted of a Felony or Offense Against Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	Information received from Court Administration or the US Attorney	Monthly
Adjudicated by Court to be Mentally Incompetent	Court documents received by the SEC	As received



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

# House Legislative Oversight Committee

June 13, 2017



# Critical Issues Impacting Budget

- Cybersecurity
  - Statewide voter registration system
  - Statewide voting system
- Voting system
  - Refresh of voting machines
  - Replacement of scanners
- Special elections to fill vacancies

## Cost of Special Elections

- SEC reimburses counties for some/all costs associated with primaries, runoffs and elections
  - Poll managers
  - Ballots
  - Public notices
- Cost of elections (estimates)
  - Congressional - \$500,000
  - State Senate - \$86,000
  - State House - \$35,000

## Current Special Elections

- In addition to local special primaries, runoffs and elections, the following have been held or are scheduled:
  - Congressional District 5
  - State Senate District 3
  - State House Districts 31, 48, 70, 84, and 113

# Appropriations/Authorization

- General Fund Appropriations  
\$5,742,078
- Authorization of other funds
  - Sale of list (\$305,000)
  - Training (\$35,000)
  - Statewide Primaries Filing Fees (\$1,200,000)
  - Special Primaries (\$100,000)

# Carry Forward Funds – FY2016-17

- **General Fund – \$3,856,315**
  - Operating \$ 233,212
  - Aid to county 104,252
  - Elections 3,333,831
  - HAVA Match 185,020
- **Other Funds - \$1,193,537**
  - Sale of Lists 249,612
  - Candidate Filing 897,679
  - Training 37,246
- **Federal - \$399,929**

# Revenue Generated

Source of Revenue	FY2014/15	FY2015/16
General Revenue	539	2,012
Candidate Filing Fees	78,287	1,215,574
Training Program	15,165	18,500
Sale of List Program	104,637	175,957
HAVA Grant	5,476	4,755
FVAP Grant	0	8,652
Presidential Preference Primaries	0	360,000
<b>TOTALS</b>	<b>204,104</b>	<b>1,785,450</b>

# Cash Balances

Source of Revenue	FY2014/15	FY2015/16
General Revenue	2,413	2,852
Candidate Filing Fees	133,124	897,679
Training Program	27,610	37,246
Sale of List Program	171,880	249,612
HAVA Grant	445,494	399,929
FVAP Grant	0	0
Presidential Preference Primaries	0	0
<b>TOTALS</b>	<b>780,521</b>	<b>1,587,318</b>

## Other Agencies

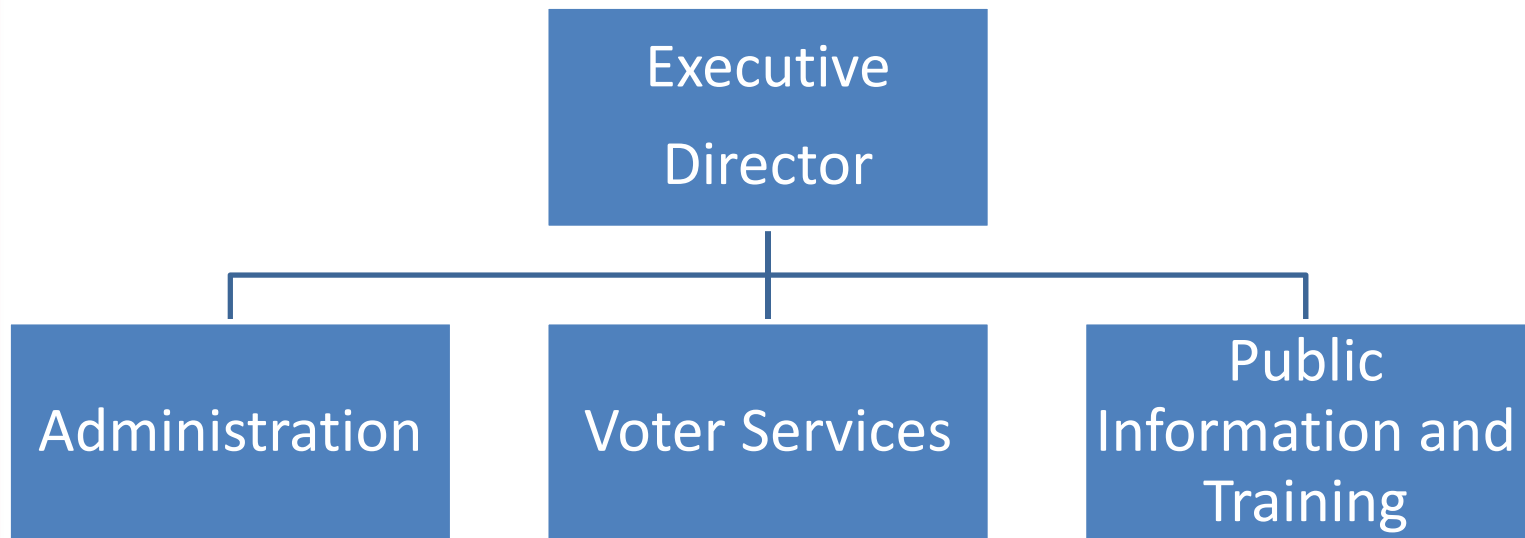
- Same or similar
  - ✗ Customers
  - ✗ Products
  - ✗ Services
- Products and services do not fit within the mission of any other agency.
- Other agencies assist SEC with voter registration services



## Methodology for Allocation

- Agency expenditures assigned to objectives
- Each employee's job duties were compared to individual objectives based on percentage of time spent performing job duties related to the objective
- All agency expenditures and cost of employee salaries/benefits included in amount assigned to objective.

# Organizational Unit Details



## Agency Goals

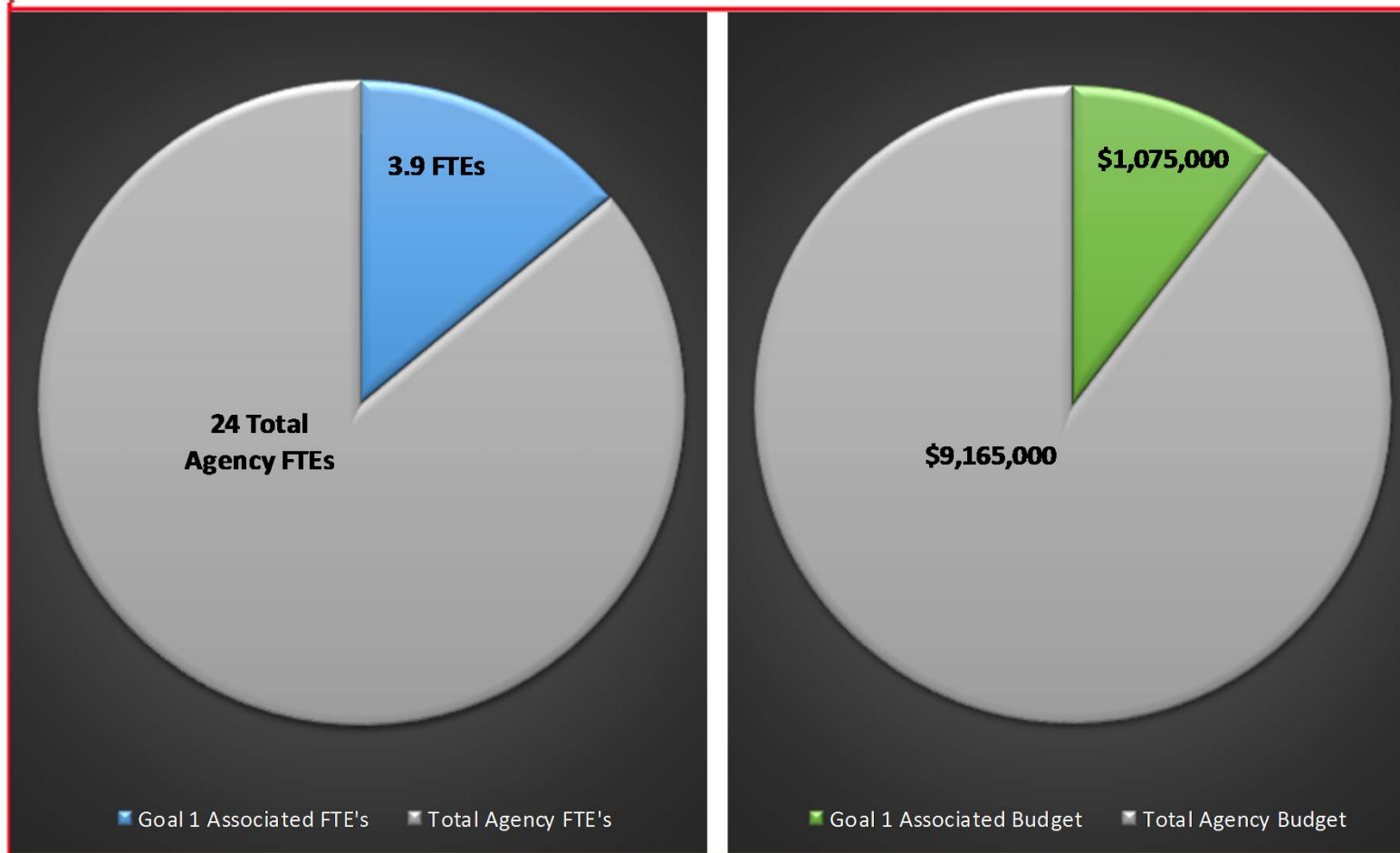
1. Provide for a system of voter registration that is free of barriers
2. Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters
3. Support counties in conducting voter registration and fair and impartial elections
4. Effectively oversee all agency programs and operations

# Goal 1 - System of Voter Registration

## Objectives

1. Provide a system that is available and secure
2. Support county users to maintain accurate records
3. Provide various methods of voter registration

# Goal 1 – Analysis

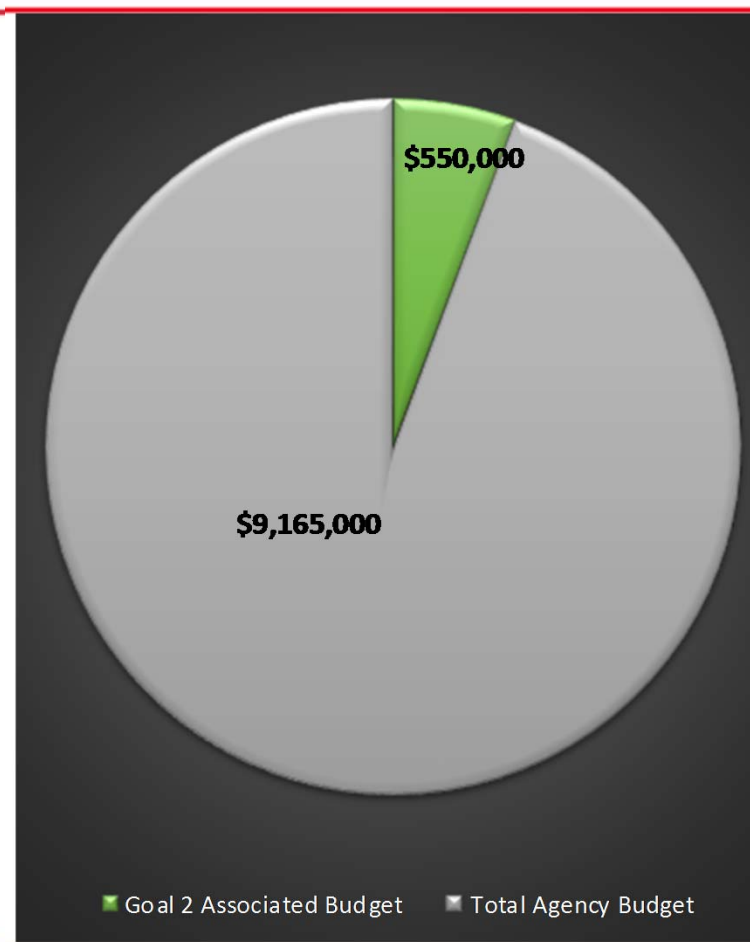
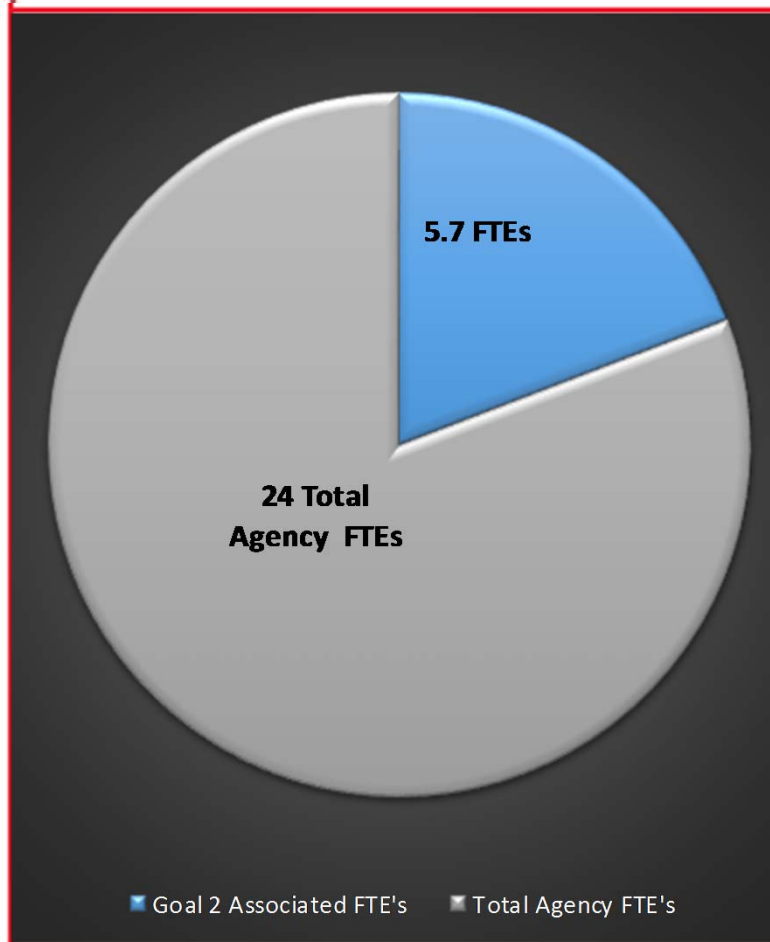


## Goal 2 - Statewide Voting System

### Objectives

1. Produce election specific databases
2. Support county users
3. Audit vote totals prior to certification of election results

## Goal 2 – Analysis



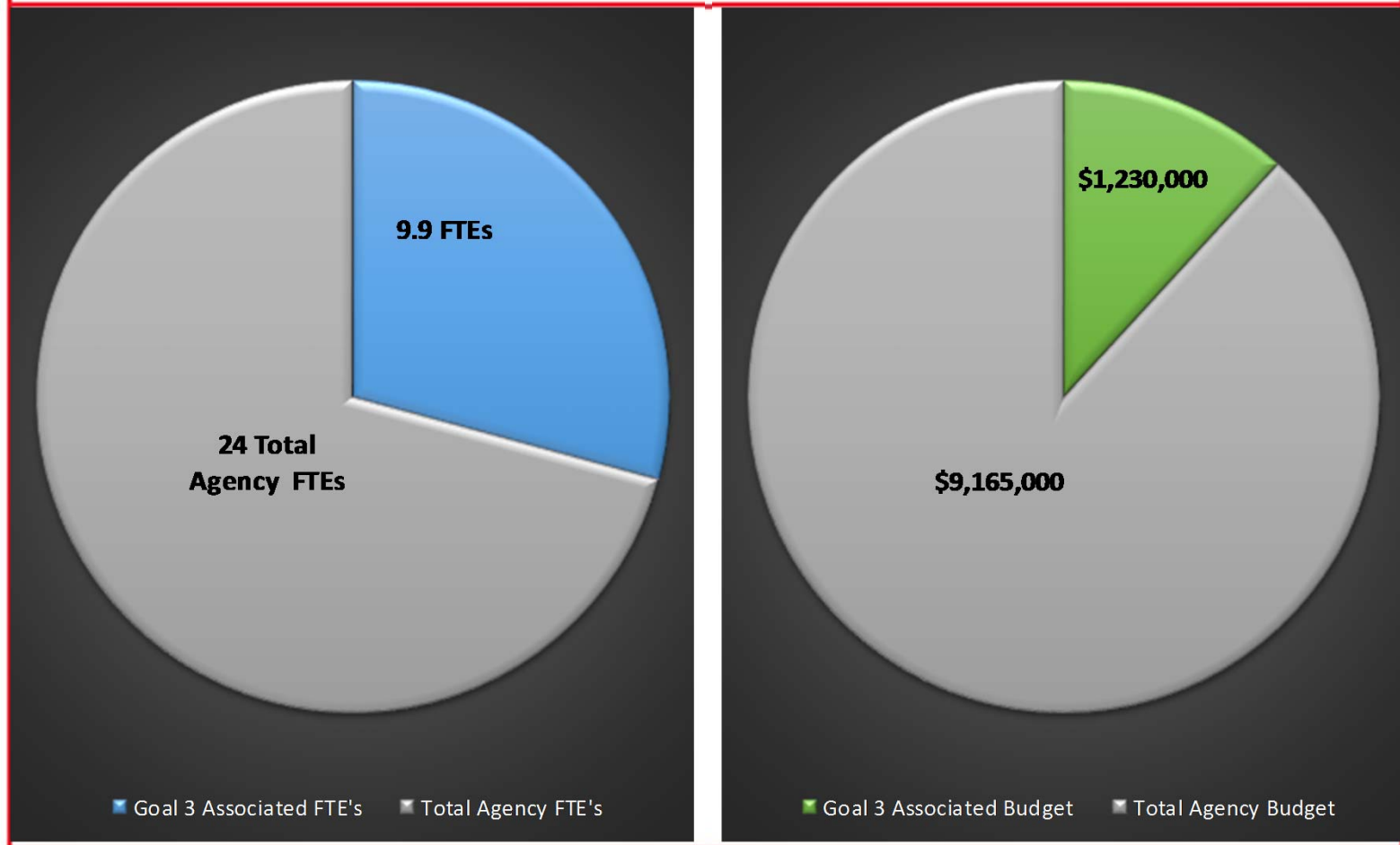
## Goal 3 – Support Counties in Conducting Voter Registration and Elections

### Objectives

1. Provide guidance and training
2. Provide various tools to facilitate tasks
3. Conduct county compliance audits and assessments
4. Provide voters with access to voting information
5. Increase public information



## Goal 3 – Analysis

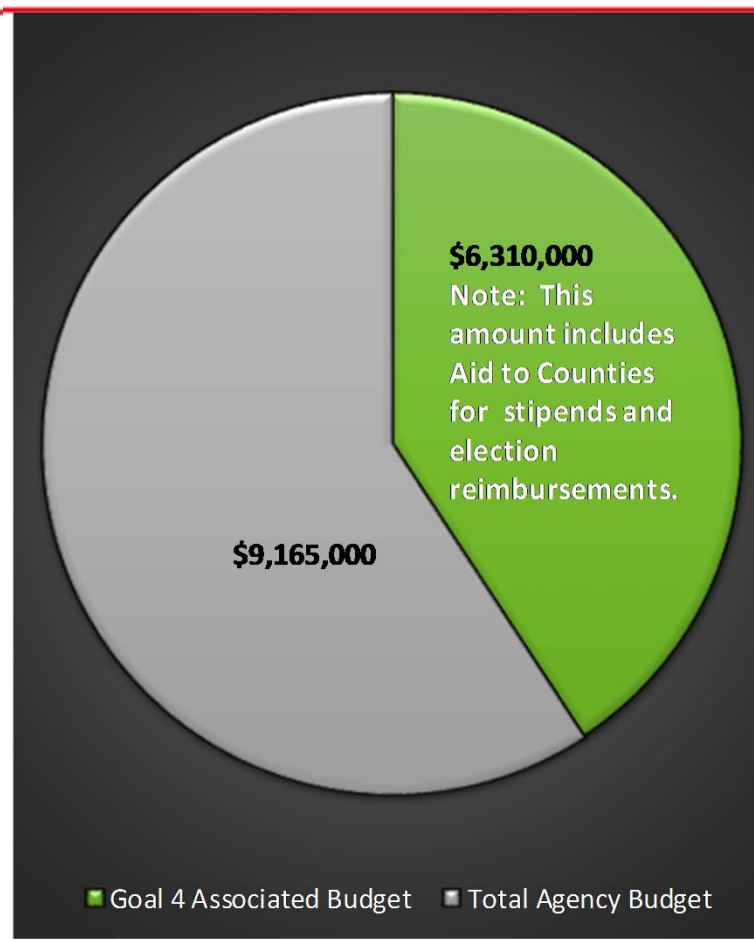
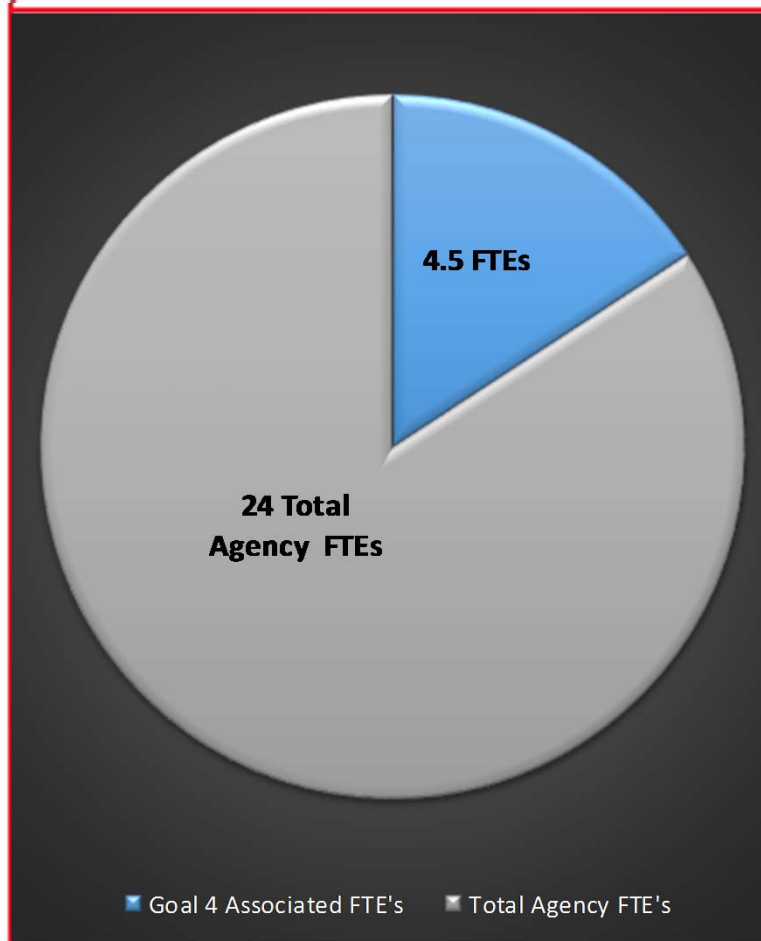


## Goal 4 – Oversee Agency Programs

### Objectives

1. Prepare annual budget and other financial information
2. Support services to agency employees

## Goal 4 – Analysis



## Unrelated Purposes and Amount Remaining

- No unrelated purposes
- No amount remaining

# Agency Response to Subcommittee's May 11, 2017 Letter

## SC Political Party Fees

- Presidential Preference Primaries
  - Republican Party
    - \$20,000
  - Democratic Party
    - \$0

## Candidate Filing – Other States

- 19 states responded
- Filing fees vary
  - No fee in 12 states for President
  - No fee in 5 states for other offices
- Several states charge 1% of salary X term of office

## Voter Qualifications Verified

- Counties verify qualifications for voter registration
  - Identity
  - U.S. Citizen
  - Age
  - County Residency



# Removal From Voter Registration List

- Voters who are no longer qualified to vote are removed from active status
  - Deceased
  - Convicted of a felony/offense against election laws
  - No longer reside at address where registered
  - Mentally incompetent
  - At the voter's request

## Notification to Voters

- Notifications are sent to voters who:
  - Convicted of felony or offenses against election laws
  - Moved
  - Cross state match
  - Failure to vote

# Voter Information for Sale

- Any registered voter in SC can purchase:
  - CD/USB
  - Printed list/labels
  - Download file
- List can be created based on:
  - Election districts, county or statewide
  - Age, sex, race or household
  - Participation in an election
  - Date of registration

## Each List Contains

- County code
- Registration number
- First, middle initial and last name
- Residence address
- Mailing address
- Gender
- Race
- Date of birth
- Registration date
- Date last voted
  - Last 2 GE's
  - Last 2 Primaries
- Precinct
- Election districts
- Voter status

## Ballot Printer Qualifications

- Voting system vendor
  - System for professional printers to demonstrate their ability to produce ballots
- Ballots analyzed
  - Size, Paper thickness, Ink density, Oval thickness
- Ensures ballots will scan properly on election night

# Questions



## *Appendix M. June 27, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - June 13, 2017 - Meeting minutes
  - Study timeline
  - Agency snapshot
  - Organizational chart
  - Goal details including resource allocation and performance measures
  - Agency's recommendations
    - Internal changes - No recommendations
    - Law change #1 - #6
    - Letter from SC Association of Registration and Election Officials, Inc. (June 22, 2017)
    - Attorney General opinion re: Boundaries and SC Code 27-2-105 (March 1, 2016)
    - Voter registration application samples
    - Candidate filing fees by state
  - Agency's response to Subcommittee's May 11, 2017 letter
  - Committee contact information
- Documents provided by agency during meeting
  - PowerPoint - Presentation by State Election Commission - Agency recommendations (June 27, 2017 Subcommittee meeting)
- Letter from Oversight Subcommittee to State Election Commission (June 29, 2017)
  - The Executive Subcommittee sent this letter as a follow up to the June 27, 2017 Subcommittee meeting. This letter requests additional information about agency recommendations.
- Letter from Municipal Association of South Carolina (MASC) to Oversight Subcommittee (June 28, 2017)
  - The MASC provides additional information related to the testimony of its representative during the June 27, 2017 Oversight Subcommittee meeting.
- Correspondence related to the Presidential Advisory Commission on Election Integrity (PACEI) request for SC voter information (June - July 2017)
  - The correspondences include the June 28, 2017 letter from PACEI to the SC Secretary of State; July 6, 2017 letter from the State Election Commission (SEC) to PACEI; June 30, 2017 letter from the Congressional Black Caucus to the National Association of State Election Directors; and July 1, 2017 letter from The League of Women Voters of South Carolina to the SEC Chair.
- Letter from U.S. Department of Justice to the State Election Commission (June 28, 2017)
  - The U.S. Department of Justice requests information regarding SC's procedures for compliance with the statewide voter registration list maintenance provisions of the National Voter Registration Act (NVRA) and Help America Vote Act (HAVA). NOTE: This request was sent to each state covered by the NVRA.
- Letter from Election Commission to Oversight Subcommittee (July 7, 2017)
  - The Election Commission provides information in response to the Subcommittee's June 29, 2017 letter.

*Executive Subcommittee*

Tuesday, June 27, 2017

**Table of Contents**

\*Items in bold are focus of meeting discussion

	Page Number
• Agenda.....	1
• June 13, 2017 - Meeting Minutes.....	2
• Study Timeline.....	5
• Agency Snapshot.....	6
• Organizational Chart.....	7
• Goal Details including Resource Allocation and Performance Measures	
○ Goal 1 and Associated Performance Measures.....	9
○ Goal 2 and Associated Performance Measures.....	11
○ Goal 3 and Associated Performance Measures.....	12
○ Goal 4 and Associated Performance Measures.....	14
• <b>Agency's Recommendations</b>	
○ Internal Changes - No Recommendations.....	15
○ Law Changes	
▪ <b>Law Change #1</b> .....	15
▪ <b>Law Change #2</b> .....	17
▪ <b>Law Change #3</b> .....	20
▪ <b>Law Change #4</b> .....	23
▪ <b>Law Change #5</b> .....	24
▪ <b>Law Change #6</b> .....	25
○ Letter from SC Association of Registration and Election Officials, Inc. (June 22, 2017).....	29
• <b>Additional Potential Recommendations</b>	
○ Attorney General Opinion re: Boundaries and SC Code Section 27-2- 105 (March 1, 2016).....	32
• Agency's Response to Subcommittee's May 11, 2017 letter	
○ Videos currently available to county boards and public.....	36
○ Amounts charged to candidates by Political Parties.....	37
○ Removal from Voter List b/c not resident of county.....	37
○ Removal from Voter List - Notification provided to citizen.....	38
○ Attachment 1 - Ballot Printer Qualification Program.....	40
○ Attachment 2 - Voter Information Available for Sale.....	43
○ Attachment 3 - Voter Registration Application Samples.....	45
○ Attachment 4 - Candidate Filing Fees in Other States.....	48
○ Attachment 5 - How Voter Qualifications are Verified.....	49
• Committee Contact Information.....	52



**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Tuesday, June 27, 2017***

***10:00 am***

***Room 110, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Subcommittee Meeting Minutes**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**



*Katherine E. "Katie"  
Arrington  
Gary E. Clary  
MaryGail K. Douglas  
Phyllis J. Henderson  
Joseph H. Jefferson Jr.  
Mandy Powers Norrell  
J. Todd Rutherford  
Tommy M. Stringer  
Robert Q. Williams*

*William K. (Bill) Bowers  
Neal Collins  
Raye Felder  
William M. "Bill" Hixon  
Robert L. Ridgeway III  
James E. Smith Jr.  
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*Charles L. Appleby IV  
Legal Counsel*

*Carmen J. McCutcheon Simon  
Research Analyst/Auditor*

**Executive Subcommittee of the Legislative Oversight Committee  
Tuesday, June 13, 2017 10:00 am  
Blatt Room 110**

### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

### **Attendance**

- I. Subcommittee Chairman Gary E. Clary calls the Executive Subcommittee meeting to order on the morning of Tuesday, June 13, 2017, in Room 110 of the Blatt Building. The following members of the Subcommittee are present during all or part of the meeting: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Newton moves to approve the minutes from the May 9, 2017 Subcommittee meeting:

Rep. Newton's motion to approve the minutes from May 9, 2017:	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

- III. Representative Newton moves to approve the revised meeting minutes from February 15, April 5, and May 3, 2017 meetings to remove Representative Norman's name from the letter head:

Rep. Newton's motion to approve the revised meeting minutes from February 15, April 5, and May 3, 2017 meeting to remove Representative Norman's name from the letter head:	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

## Discussion of the State Election Commission

- I. Chairman Clary explains the Subcommittee is going to take a tour of the State Election Commission office and after completion of the tour, the Subcommittee will re-convene in this same room to continue discussion of the Election Commission.
- II. Subcommittee recesses to tour the State Election Commission Office.
- III. Subcommittee reconvenes and Chairman Clary reminds agency personnel who were sworn in during prior meetings that they remain under oath anytime they are with the Subcommittee or Committee.

- IV. Chairman Clary explains the purpose of today's meeting is for the State Election Commission to present information regarding resources available, including funding and employees; relationships with other entities the agency utilizes to leverage its resources; methodology the agency utilized to allocate resources to accomplish its strategic plan; and for each of the agency's goals: (a) strategies and objectives for achieving the goal; (b) agency personnel who have primary responsibility and accountability for the strategies and objectives; (c) additional information the agency reviews when prioritizing how to allocate its resources to each strategy and objective; (d) actual amount of resources allocated; and (e) key outcome and efficiency performance measures.
- V. State Election Commission Director Andino presents information on critical issues that are impacting the agency's budget: cybersecurity, voting system, and special elections to fill vacancies. Members ask questions, which Director Andino answers.
- VI. Ms. Janet Reynolds, Director of Administration for the State Election Commission, presents information on appropriations/authorization of funds; carry forward funds; revenue generated; cash balances; other similar agencies; and methodology for allocation. Members ask questions, which Ms. Reynolds answers.
- VII. Mr. Howard Snider, Director of Voter Services of the State Election Commission, presents information regarding the organizational units and the agency goals:
  - a. Goal 1- System Voter Registration; and
  - b. Goal 2- Statewide Voting System.
- VIII. Mr. Chris Whitmire, Director of the Public Information and Training Division of the State Election Commission, presents information on Goal 3- Support Counties in Conducting Voter Registration and Elections.  
  
 Further Mr. Whitmire presents answers to the question asked in a letter sent by the Subcommittee on May 11, 2017:
  - a. SC Political Party Fees;
  - b. Candidate Filing Fees—Other States; and
  - c. Removal from Voter Registration List.
 Members ask questions, which Mr. Whitmire answers.
- IX. Ms. Janet Reynolds presents information on the final goal, Goal 4- Oversee Agency Programs. Members ask various question, which appropriate agency representatives' answer.
- X. With no further business, the meeting is adjourned.

- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study**. Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency submits its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- April 18, 2017 - Subcommittee meets with agency (**Meeting #4**) to discuss the agency's (a) mission, (b) responsibilities, (c) successes, (d) challenges and issues, (e) emerging Issues in the next five years, (f) history of the agency, and (g) agency's governing body.
- May 3, 2017 - Subcommittee meets with agency (**Meeting #5**) to hear testimony from a constituent and begin discussion of deliverables (i.e. products and services), organizational units, and goals.
- May 9, 2017 - Subcommittee meets with agency (**Meeting #6**) to continue discussion of deliverables, organizational units, and goals.
- May 31, 2017 - Subcommittee meeting cancelled due to fire in Election Commission building.
- June 13, 2017 - Subcommittee meets with agency (**Meeting #7**) to take a tour of the agency, then discuss resources available, methodology utilized to allocate resources to accomplish its strategic plan, and details about each of its goals, including, but not limited to, resources allocated and performance measures.
- June 27, 2017 - (TODAY) Subcommittee meets with agency (Meeting #8) to discuss recommendations.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

# State Election Commission

## History

Independent agency created in 1968.  
SC was the first state in the country to have a statewide voter registration system.

## Voter Services

(1) Statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions; (2) Election support services and technical assistance related to statewide voting system to Counties; (3) Election security oversight and guidance to counties

## Public Information/Training

(1) Administer a mandatory statewide training and certification program for county and municipal election officials; (2) Ongoing training events and workshops; (3) Poll manager training program and materials; (4) Educate the public on the voter registration and election process; (5) Provide information regarding elections and agency activities

## Administration

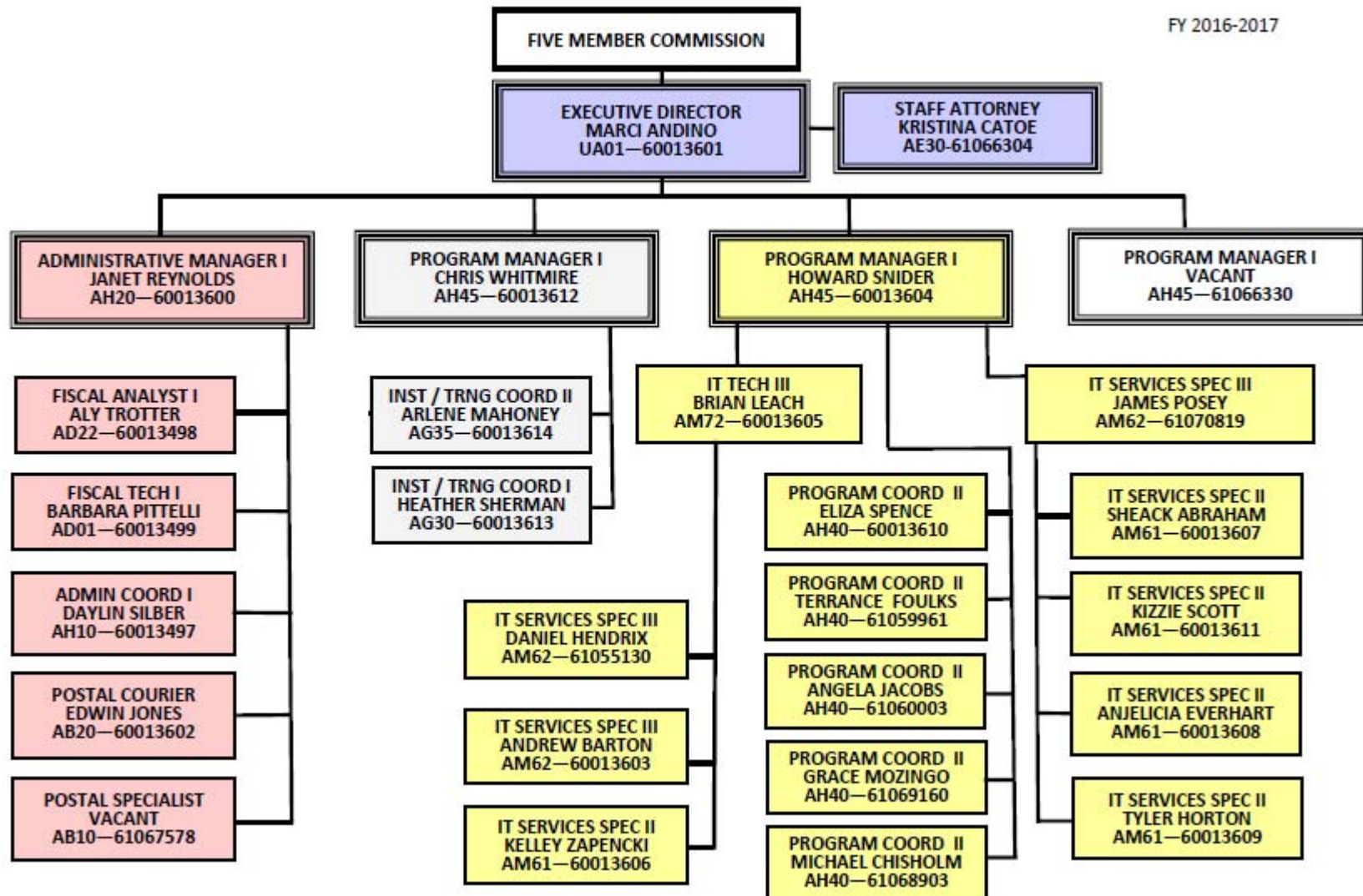
Leadership and direction for the agency, including administration, finance and support services

## SUCCESSES

- Conduct Statewide Elections and Security
- Statewide Voting System Audits, County Compliance Audits, and Supervision of Counties
- Implementation of Candidate Filing and Photo ID

## ISSUES

- Voting System Refresh
- Election Security
- Meeting Demands of Voters
- Voting System Replacement
- Cyber Security



## Goal Details and Resource Allocation

On the following pages are more specific information on each agency goal including:

- strategies and objectives for achieving the goal;
- agency personnel who have primary responsibility and accountability for the strategies and objectives (i.e. “Responsible Employees”);
- additional information the agency reviews when prioritizing allocation of resources to each strategy and objective;
- actual amount of resources allocated; and
- key performance measures. (see explanation of the types of performance measures in Exhibit D)

As background, the Responsible Employee(s) has different teams of employees beneath him/her to help accomplish the goal, strategy or objective. The Responsible Employee(s) is the person who, in conjunction with his/her team(s) and approval from higher level superiors, leads the efforts by determining the strategy and objectives needed to accomplish a goal, the activities needed to accomplish objectives, and the performance measure targets to ensure the goals and objectives are accomplished efficiently and effectively.



## GOAL #1 Provide for a system of voter registration that is free of barriers

Responsible Employee(s): Howard Snider (responsible for more than 4 years)

<u>Strategies and Objectives:</u>	2015-16		2016-17	
	# of FTEs authorized <sup>48</sup> (# of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 1.1 - Maintain a statewide voter registration system that is convenient, accessible and meets the needs of counties <ul style="list-style-type: none"> <li>Objective 1.1.1 - Provide a system that is available and take all reasonable measures to ensure cyber security of the voter registration system</li> <li>Objective 1.1.2 - Support county users in use of system to maintain accurate voter records</li> </ul> </li> <li>Strategy 1.2 - Ensure citizens have accessible methods to register to vote <ul style="list-style-type: none"> <li>Objective 1.2.1 - Provide registration by mail, online voter registration, and in person registration at county offices and other designated voter registration agencies</li> </ul> </li> </ul>	26.5 (1.2)	\$412,385 (6.47%)	26.5 (1.3)	\$500,000 (5.46%)
	26.5 (1.8)	\$531,561 (8.33%)	26.5 (2.1)	\$500,000 (5.46%)
	26.5 (0.5)	\$73,750 (1.16%)	26.5 (0.5)	\$75,000 (0.82%)

### Associated Performance Measures:

- All performance measures are agency selected, except the % of registrations submitted at DMV and % submitted at other public service agencies, which are required by the federal government
- Agency does not know what entity performs the best in the country on any of the measures
- See measures and results on next page

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Total Active Registered Voters	Input/Activity	Actual: 2,911,101 Target: Did not exist (DNE)	Actual: 2,843,744 Target: DNE	Actual: 2,889,904 Target: DNE	Actual: 3,081,855 Target: DNE	Target: DNE
Voters Registered in Current Fiscal Year	Input/Activity	Actual: 218,989 Target: DNE	Actual: 139,903 Target: DNE	Actual: 158,213 Target: DNE	Actual: 244,741 Target: DNE	Target: DNE
Voters Made Inactive	Input/Activity	Actual: 68,280 Target: DNE	Actual: 180,441 Target: DNE	Actual: 82,610 Target: DNE	Actual: 60,025 Target: DNE	Target: DNE
Percentage of County Election Officials Using ElectionNET	Input/Activity	Data Not Available	Actual: 45% Target: 100%	Actual: 49% Target: 100%	Actual: 60% Target: 100%	Target: 100%
<b>Percentage of Registrations...</b>						
Submitted Online	Outcome	Actual: 9.6% Target: DNE	Actual: 3.5% Target: DNE	Actual: 7.2% Target: DNE	Actual: 22.1% Target: DNE	Target: DNE
Received By Mail	Input/Activity	Actual: 31.3% Target: DNE	Actual: 16.2% Target: DNE	Actual: 15.4% Target: DNE	Actual: 11.3% Target: DNE	Target: DNE
In Office	Input/Activity	Actual: 12% Target: DNE	Actual: 5.9% Target: DNE	Actual: 6.5% Target: DNE	Actual: 5.6% Target: DNE	Target: DNE
at DMV	Input/Activity	Actual: 46.1% Target: DNE	Actual: 73% Target: DNE	Actual: 68.1% Target: DNE	Actual: 58.5% Target: DNE	Target: DNE
at Other Public Service Agencies	Input/Activity	Actual: 0.9% Target: DNE	Actual: 1.4% Target: DNE	Actual: 2.8% Target: DNE	Actual: 1.9% Target: DNE	Target: DNE
<b>Training &amp; Certification Program ...</b>						
Number of Participants	Input/Activity	Actual: 507 Target: DNE	Actual: 493 Target: DNE	Actual: 517 Target: DNE	Actual: 505 Target: DNE	Target: DNE
Percentage of Participants Not in Compliance with Requirements	Outcome	Actual: 7.1% Target: 0%	Actual: 4.9% Target: 0%	Actual: 3.9% Target: 0%	Actual: 4.5% Target: 0%	Target: 0%
Classes Offered	Output	Actual: 18 Target: DNE	Actual: 28 Target: DNE	Actual: 26 Target: 25	Actual: 28 Target: 25	Target: 25
Total Class Attendees	Input/Activity	Actual: 504 Target: DNE	Actual: 663 Target: DNE	Actual: 657 Target: 625	Actual: 642 Target: 625	Target: 625
Total Other Training Events	Output	Actual: 17 Target: DNE	Actual: 26 Target: DNE	Actual: 21 Target: DNE	Actual: 22 Target: DNE	Target: DNE

## GOAL #2

Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters

Responsible Employee(s): Howard Snider (responsible for more than 4 years)

<u>Strategies and Objectives:</u>	<u>2015-16</u>		<u>2016-17</u>	
	# of FTEs authorized <sup>49</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 2.1 - Support the statewide voting system ensuring it is easy to use, accurate and secure               <ul style="list-style-type: none"> <li>Objective 2.1.1 - Produce election-specific databases and ballots according to state law and ballot standards</li> <li>Objective 2.1.2 - Support users in set-up, testing, usage, maintenance and secure storage of voting system</li> <li>Objective 2.1.3 - Audit vote totals prior to certification of election results</li> </ul> </li> </ul>	26.5 (3)	\$217,272 (3.41%)	26.5 (3.3)	\$200,000 (2.18%)
	26.5 (1)	\$266,843 (4.18%)	26.5 (1.3)	\$250,000 (2.73%)
	26.5 (0.8)	\$89,733 (1.41%)	26.5 (1.1)	\$100,000 (1.09%)

### Performance Measures Associated:

- All performance measures are agency selected and not required by state or federal government
- Agency does not know what entity performs the best in the country on any of the measures

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Number of Elections Held in State	Input/Activity	Actual: 185 Target: Did not exist (DNE)	Actual: 313 Target: DNE	Actual: 166 Target: 166	Actual: 336 Target: DNE	Target: DNE
Number of Counties Served by SEC Database Coders	Input/Activity	Actual: 39 Target: 39	Actual: 39 Target: 39	Actual: 39 Target: 39	Actual: 39 Target: 39	Target: 39
Number of Audits Conducted on County Election Results	Input/Activity	Actual: 114 Target: DNE	Actual: 301 Target: DNE	Actual: 312 Target: DNE	Actual: 626 Target: DNE	Target: DNE
Number of Final Audits Failed on County Election Results	Outcome	Actual: 3 Target: 0	Actual: 2 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Target: 0

### GOAL #3 Support counties in conducting voter registration and fair, open and impartial elections

Responsible Employee(s): Chris Whitmire (Responsible for more than 5 years) & Howard Snider (Responsible for more than 3 years)

<u>Strategies and Objectives Associated:</u>	<u>2015-16</u>		<u>2016-17</u>	
	# of FTEs authorized <sup>50</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 3.1 - Provide supervision, training, guidance and resources to counties to aid in voter registration and elections <ul style="list-style-type: none"> <li>Objective 3.1.1 - Provide guidance and training for county and municipal election officials and poll managers</li> <li>Objective 3.2.1 - Provide candidate filing system, absentee tracking and ballot delivery tools, photo ID production, paper and electronic voter registration lists and capturing voter history</li> </ul> </li> <li>Strategy 3.2 - Ensure compliance with state and federal laws and agency policies and procedures <ul style="list-style-type: none"> <li>Objective 3.2.1 - Conduct county compliance audits and assessments</li> </ul> </li> <li>Strategy 3.3 - Provide public education and information <ul style="list-style-type: none"> <li>Objective 3.3.1 - Provide voters with online access to their voter record, polling place, absentee ballot request and tracking, sample ballot, and status of provisional ballot</li> <li>Objective 3.3.2 - Increase public knowledge of voting rights, responsibilities, and procedures</li> <li>Objective 3.3.3 - Provide information, statistics and election results</li> </ul> </li> </ul>	26.5 (2.8)	\$388,679 (6.09%)	26.5 (3.1)	\$410,000 (4.47%)
	26.5 (1.4)	\$98,291 (1.54%)	26.5 (1.4)	\$150,000 (1.64%)
	26.5 (1.4)	\$140,228 (2.20%)	26.5 (3.0)	\$200,000 (2.18%)
	26.5 (0.3)	\$44,428 (0.70%)	26.5 (0.3)	\$100,000 (1.09%)
	26.5 (0.8)	\$280,023 (4.39%)	26.5 (0.9)	\$220,000 (2.40%)
	26.5 (1.1)	\$119,973 (\$1.88%)	26.5 (1.2)	\$150,000 (1.64%)

Performance Measures Associated: (that are not associated with another goal)

- Tracking filling fees collected for statewide primaries; special primaries; and presidential preference primaries are required by state government; all others are agency selected performance measures
- Agency does not know what entity performs the best in the country on any of the measures
- See measures and results on next page

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Number of SEC Voter Educations Events	Output	Actual: 66 Target: Did not exist (DNE)	Actual: 32 Target: DNE	Actual: 25 Target: DNE	Actual: 41 Target: DNE	Target: DNE
Twitter Followers	Input/Activity	Data Not Available	Actual: 968 Target: DNE	Actual: 1,084 Target: DNE	Actual: 1,341 Target: DNE	Target: DNE
Facebook Likes	Input/Activity	Data Not Available	Actual: 3,080 Target: DNE	Actual: 3,091 Target: DNE	Actual: 3,509 Target: DNE	Target: DNE
Number of Candidates Filed for Federal, State and County Level offices in most recent general election	Input/Activity	Data Not Available	Actual: 1,339 (2014 GE) Target: DNE	Actual: 1,339 (2014 GE) Target: DNE	Actual: 1,604 (2016 GE) Target: DNE	Target: DNE
<b>Filing Fees collected for...</b>						
Statewide Primaries	Input/Activity	Actual: \$5,936 Target: DNE	Actual: \$907,396 Target: DNE	Actual: N/A	Actual: \$1,210,926 Target: DNE	Target: DNE
Special Primaries	Input/Activity	Actual: \$69,424 Target: DNE	Actual: \$14,651 Target: DNE	Actual: \$78,287 Target: DNE	Actual: \$4,648 Target: DNE	Target: DNE
Presidential Preference Primaries	Input/Activity	N/A	N/A	N/A	Actual: \$360,000 Target: DNE	Target: DNE
<b>scVotes.org...</b>						
Total Visits	Input/Activity	Actual: 370,524 Target: DNE	Actual: 176,420 Target: DNE	Actual: 169,247 Target: DNE	Actual: 237,217 Target: DNE	Target: DNE
% Returning Visits	Input/Activity	Actual: 19.1% Target: DNE	Actual: 35% Target: DNE	Actual: 27% Target: DNE	Actual: 26% Target: DNE	Target: DNE
% New Visits	Input/Activity	Actual: 80.9% Target: DNE	Actual: 65% Target: DNE	Actual: 73% Target: DNE	Actual: 74% Target: DNE	Target: DNE

## GOAL #4 Effectively oversee all agency programs and operations

Responsible Employee(s): Janet Reynolds (Responsible for less than 17 years)

<u>Strategies and Objectives Associated:</u>	<u>2015-16</u>		<u>2016-17</u>	
	# of FTEs authorized <sup>51</sup> ( # of equivalents)	Total spent (% of total funds available)	# of FTEs authorized (# of equivalents)	Total budgeted (% of total funds available)
<ul style="list-style-type: none"> <li>Strategy 4.1 - Manage administrative and business activities of the agency               <ul style="list-style-type: none"> <li>Objective 4.1.1 - Prepare annual budget and fiscal impact statements, and process payroll, accounts payable, accounts receivable, county election reimbursements, and county board member stipends</li> <li>Objective 4.2.1 - Provide support services to include human resources, legal, procurement, records management, fleet management, election supplies and shipping</li> </ul> </li> </ul>	26.5 (1.7)	\$3,446,895 (54.05%)	26.5 (1.7)	\$6,010,000 (65.58%)
	26.5 (2.2)	\$267,591 (4.20%)	26.5 (2.8)	\$300,000 (3.27%)

Performance Measures Associated: (that are not associated with another goal)

- Number of Poll Managers used, Protests Heard, and Appeals Heard are agency selected. All others are required by state government
- Agency does not know what entity performs the best in the country on any of the measures

Performance Measure	Type of Measure	2012-13	2013-14	2014-15	2015-16	2016-17
Training & Certification Program Fees	Input/Activity	Actual: \$7,700 Target: DNE	Actual: \$16,725 Target: DNE	Actual: \$15,165 Target: DNE	Actual: \$18,500 Target: DNE	Target: DNE
Sale of Voter Registration Lists	Input/Activity	Actual: \$78,736 Target: DNE	Actual: \$108,621 Target: DNE	Actual: \$104,637 Target: DNE	Actual: \$175,957 Target: DNE	Target: DNE
Sale of Publications	Input/Activity	Actual: \$55 Target: DNE	Actual: \$12 Target: DNE	Actual: \$39 Target: DNE	Actual: \$12 Target: DNE	Target: DNE
Voting System Update/Certification Fees	Input/Activity	Actual: \$0 Target: DNE	Actual: \$1,000 Target: DNE	Actual: \$500 Target: DNE	Actual: \$2,000 Target: DNE	Target: DNE
Number of Poll Managers Used (General Election or Primary/Runoff)	Input/Activity	Actual: 14,306 (General) Target: DNE	Actual: 18,782 (Primary/Runoff) Target: DNE	Actual: 13,168 (General Election) Target: DNE	Actual: 12,274 (Primary/Runoff) Target: DNE	Target: DNE
Protests Heard	Outcome	Actual: 3 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Actual: 0 Target: 0	Target: 0
Appeals Heard	Outcome	Actual: 5 Target: 0	Actual: 0 Target: 0	Actual: 3 Target: 0	Actual: 1 Target: 0	Target: 0

## Agency Recommendations to Improve Efficiency and Outcomes

### Internal Changes

The agency has no current plans to make internal changes to agency structure but continues to look for ways to enhance operations.

### Law Changes

**Law Change #1:** SC Code Ann. § 7-13-190. Special Elections to fill vacancies in office.

- **Summary of current statutory requirement and/or authority granted:** Whenever a vacancy occurs in office by reason of death, resignation, or removal and the vacancy in office is one which is filled by a special election to complete the terms of office, the primaries and special election must be held at certain time intervals.
- **Recommendation and Rationale for recommendation:** State and federal law requires absentee ballots to be mailed to military and overseas citizens not later than 45 days prior to any election. The current special election timeline does not provide 45 days between the close of candidate filing and the primaries, and between any primary runoff and the special election. The SEC recommends lengthening the special election calendar to meet this requirement.
- **Other agencies that would be impacted by revising or eliminating the law:** There are no other state agencies that would be impacted by revising this law.
- **Wording of the Law:**

SECTION 7-13-190. Special elections to fill vacancies in office.

(A) Except as otherwise provided in this code as to specific offices, whenever a vacancy occurs in office by reason of death, resignation, or removal and the vacancy in office is one which is filled by a special election to complete the term of office, this section applies.

(B) In partisan elections, whether seeking nomination by political party primary or political party convention, filing by these candidates shall open for the office at twelve o'clock noon on the third Friday after the vacancy occurs for a period to close ten days later at twelve o'clock noon. If seeking nomination by petition, the petitions must be submitted not later than twelve o'clock noon, sixty days prior to the election. Verification of these petitions must be made not later than twelve o'clock noon forty-five days prior to the election. If seeking nomination by political party primary or political party convention, filing with the appropriate official is the same as provided in § 7-11-15 and if seeking nomination by petition, filing with the appropriate official is the same as provided in § 7-11-70.

A primary must be held on the eleventh Tuesday after the vacancy occurs. A runoff primary must be held on the thirteenth Tuesday after the vacancy occurs. The special election must be on the eighteenth Tuesday after the vacancy occurs. If the eighteenth Tuesday after the vacancy occurs is no more than sixty days prior to the general election, the special election shall be held on the same day as the general election. If the filing period

closes on a state holiday, then filing must be held open through the succeeding weekday. If the date for an election falls on a state holiday, it must be set for the next succeeding Tuesday. For purposes of this section, state holiday does not mean the general election day.

(C) If the office is not one for which there are partisan elections, then the filing must be opened at noon on the third Friday after the vacancy occurs for a period to close ten days later at noon. The filing must be made to the same entity to which the nonpartisan officeholders would normally file for office in a general election year. The election must be set for the thirteenth Tuesday after the vacancy occurs. Both the filing date and the election date are subject to the provisions in subsection (B) of this section regarding holidays.

(D) Provided, however, if a vacancy occurs in more than one office in the same county requiring separate special elections to be held within a period of twenty-eight days under the provisions of this section, the county board of voter registration and elections or other authority responsible for the conduct of the elections shall conduct all of the elections on the same date. The special elections must be held on the latest date required for an election during the twenty-eight-day period.

(E)(1) A special election to fill a vacancy in an office is not required to be conducted if fourteen calendar days have elapsed since the filing period for that office has closed and:

(a) only one person has filed for the office; and

(b) no person has filed a declaration to be a write-in candidate with the authority charged by law with conducting the election.

(2) In such an event, the candidate who filed for the office is deemed elected and shall take office on the Monday following certification.

(3) The provisions of this subsection also apply to municipal general elections.

When no person has filed a declaration to be a write-in candidate pursuant to this section, the candidate who filed for the office must be declared the winner by the authority charged by law with conducting the election, and the votes for the election must not be counted or otherwise tabulated. Nothing in this section requires a ballot containing the name of a person who has been declared the winner pursuant to this section to be reprinted to delete the winning candidate's name or candidates' names from the ballot.



**Law Change #2:** SC Code Ann. § 7-13-350. Certification of candidates; verification of qualifications.

Act No. 505 (1996). An Act to amend Act 205 of 1993, relating to the members of the District Board of Education of the Chesterfield County School District, so as to revise the manner in which certain vacancies on the Board shall be filled.

Act No. 185 (1997). An Act to amend Act 472 of 1976, relating to the Board of Trustees of School District No. 4 of McCormick County, so as to require all candidates for election to the Board of Trustees to file a statement of candidacy with the Board of election and registration not later than twelve o'clock noon on September 1st of the year in which the general election is held, and to further refine the procedures for appointment of Trustees in the event that no candidates offer in the general election for any full-term vacancies on the board.

- **Summary of current statutory requirement and/or authority granted:** All nominees in a party primary or party convention must be submitted to the party charged with preparing the ballot no later than noon on August 15 for a general election; Presidential and Vice-Presidential candidates must be certified by noon on the first Tuesday following the first Monday in September. S.C. Code Ann. § 7-13-350. (2000).
  - Act No. 505 (1996): All persons desiring to be a candidate for District Board of Education in Chesterfield County must filed notice of candidacy during the filing period beginning on the first Tuesday in September at noon and running for two weeks. Act No. 505 (1996).
  - Act No. 185 (1997): All candidates for the McCormick County Board of Trustees must filed not later than noon September 1 of a general election year. Act 185 (1997).
- **Recommendation and Rationale for recommendation:** The Commission recommends that the August 15<sup>th</sup> requirement apply to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates. The rationale for the change is to allow time for the SEC and counties that prepare databases for the ballots to be used in the general election to be built and tested and to ensure that overseas citizens and members of the military voting absentee are mailed ballots at least forty-five days prior to an election as required by law.
- **Other agencies that would be impacted by revising or eliminating the law:** There are no other state agencies that would be impacted by revising the laws.
- **Wording of the Law:**

S.C. Code Ann. § 7-13-350

(A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for the general election held under § 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on a Saturday or Sunday, not later than twelve o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior to the date of holding

the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice-President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

### **Act No. 505**

**Section 1.** Notwithstanding any other provision of law, the District Board of Education of the Chesterfield County School District consists of nine members who must be elected in nonpartisan elections to be held at the same time as the general election in even-numbered years beginning in 1994 and also at a special election to be held on March 30, 1993, in the manner hereinafter provided. One member of the board must be a resident of and elected from each of the nine defined single-member election districts established in Section 2 of this act. Members of the board must be elected as follows:

(a) In 1993, a member of the board from District 1 must be elected for a one-year term and members of the board from Districts 2 and 9 must be elected for five-year terms.

(b) In 1994, members of the board from Districts 1 and 3 must be elected for four-year terms.

(c) In 1996, members of the board from Districts 4, 5, 6, 7, and 8 must be elected for four-year terms.

(d) In 1998, members of the board from Districts 1, 2, 3, and 9 must be elected for four-year terms.

(e) After 1998, members of the board must be elected in nonpartisan elections held every two or four years thereafter as appropriate for four-year terms. All members shall serve until their successors are elected and qualify.

(f) The present members of the district board of education shall continue to serve until successors from the election districts in which the present members reside are elected in the manner provided by this act at which time the terms of office of these present members shall expire.

In the event of a vacancy on the board occurring for any reason other than expiration of a term, the board shall fill the vacancy by appointment by majority vote of its members until the next regular trustee election at which time the vacancy must be filled by election for the remainder of the unexpired term or for a full term as appropriate.

Each member of the board must be elected by the qualified electors of the respective district from which the candidate seeks election. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission, or with the clerk of court on forms furnished by the commission which forms must be transmitted to the commission by the clerk of court. This notice of candidacy must be a sworn statement and must include the candidate's name, age, residence address, voting precinct, period of residence in the election district from which election is sought, and other

information as the county election commission requires. The filing period opens on the first Tuesday in September at noon to run for two weeks, except that for the 1993 election, the filing period opens on the first Tuesday in February at noon to run for two weeks.

The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the time, polling places, and purpose of the election in a newspaper of general circulation within the district once a week for at least two successive weeks before the election. The results of the elections must be determined by the nonpartisan election and runoff method as contained in Section 5-15-62 of the 1976 Code.

The members of the board elected in these nonpartisan elections shall take office one week following certification of their election as provided in Section 59-19-315 of the 1976 Code."

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

#### **Act No. 185**

#### **Statement of candidacy**

**SECTION 1.** Section 1 of Act 472 of 1976 (codified as Section 21-3550 of the 1962 Code) is amended to read:

The County Board of Education of McCormick County is hereby constituted as the Board of Trustees of School District No. 4 of McCormick County, with all powers and duties prescribed by law for such board of trustees. The board shall consist of seven members to be elected in the general election commencing with the general election of 1976 for terms of four years and until their successors are elected and qualify, except that of those first elected three shall serve for terms of two years only. The four members receiving the greatest number of votes shall serve for four years and those receiving the least number of votes shall serve for two years. If the members receive the same number of votes, the length of terms shall be determined by lot.

All candidates shall be qualified electors of McCormick County and shall file and qualify as candidates, to be voted on at the time of the general election, by filing and/or registering a statement of candidacy with the Board of Election and Registration of McCormick County not later than twelve o'clock noon on September 1st or, if September 1st falls on Sunday, not later than twelve o'clock noon on the following Monday of the year in which the general election is to be held.

In the event that candidates do not offer in the general election for any full-term vacancies on the board as specified above, the Governor shall appoint the trustee or trustees to fill any such vacancies upon the recommendation of the McCormick County Council. Any vacancies shall be filled for the unexpired portion of a term by appointment by the Governor upon recommendation of the McCormick County Council. In making recommendations for appointments to fill full-term or unexpired- term vacancies, the McCormick County Council may request and receive recommendations from the Board of Trustees.

The board shall elect a chairman who shall serve for one year.

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

**Law Change #3:** SC Code Ann. § 7-5-150. Closing registration books; registration of persons coming of age while books closed; SC Code Ann. § 7-5-155. Registration of electors by mail.; SC Code Ann. § 7-5-185. Electronic applications for voter registration.

- **Summary of current statutory requirement and/or authority granted:**
  - § 7-5-150 (1996) - Registration books shall be closed thirty days before each election and shall remain closed until the election has taken place.
  - § 7-5-155 (1996) - Any qualified citizen may register to vote by submitting a state or national registration by mail application no later than thirty days before any election. The postmarked date is considered the date of mailing unless the postmark is missing or illegible, then the application is considered timely if received by mail no later than five days after the closing of the books.
  - § 7-5-185 (2012) - A person who is qualified to register to vote and has a valid South Carolina Driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the website of the State Election Commission. Any application is effective upon receipt of the application by the State Election Commission if the application is received thirty days before an election.
- **Recommendation and Rationale for recommendation:** The State Election Commission recommends that the closing of the books and the voter registration deadlines be uniform and twenty-eight days prior to an election. The rationale for the change is to have a voter registration deadline on a week day instead of a weekend, to give greater opportunity for individuals to register to vote, and resolve public confusion.
- **Other agencies that would be impacted by revising or eliminating the law:** There are no other state agencies that would be impacted by revising the laws.
- **Wording of the Law:**

**S.C. Code Ann. § 7-5-150**

The registration books shall be closed thirty days before each election, but only as to that election or any second race of runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided that the registration books shall be closed thirty days before the June primary and shall remain closed until after the second primary and shall likewise be closed thirty days before the November general election. They shall thereafter be opened from time to time in accordance with the provisions of this article. Any person eligible to register who has been discharged or separated from his service in the Armed Forces of the United States, and returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the next ensuing election after the discharge of separation from service, up to 5:00 p.m. on the day of the election. This application for registration must be made at the office of the board of voter registration and elections in the county in which the person wishes to register, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during this period of thirty days shall be entitled to register before the closing of the books if otherwise qualified.

**S.C. Code Ann. § 7-5-155**

- (a) Notwithstanding any other provision of law, the following procedures may be used in the registration of elections in addition to the procedure otherwise provided by law.
  - (1) Subject to the provision of § 7-5-150, any qualified citizen may register to vote by mailing or having delivered a complete state registration by mail application form or a completed national

registration by mail application form prescribed by the Federal Election Commission not later than thirty days before any election to his county board of voter registration and elections. The postmark date of a mailed application is considered the day of mailing. If the postmark date is missing or illegible, the county board of voter registration and elections must accept the application if it is received by mail no later than five days after the close of registration books before any election.

(2) If the county board of voter registration and election determines that the applicant is qualified and his application is legible and complete, the board shall mail the voter written notification of approval on a form to be prescribed and provided by the State Election Commission pursuant to § 7-5-180. When the county board of voter registration and elections mails the written notification of approval, it must do so without requiring the elector to sign anything in the presence of a member of the board, a deputy member, or a registration clerk and the attestation of the elector's signature is not required so long as the conditions set forth above are met.

(3) Any application must be rejected for any of the following reasons:

- (i) any portion of the application is not complete;
- (ii) any portion of the application is illegible in the opinion of a member and the clerk of the board;
- (iii) the board is unable to determine, from the address stated on the application, the precinct in which the voter should be assigned or the election districts in which he is entitled to vote.

(4) Any person whose application is rejected must be notified of the rejection together with the reason for rejection. The applicant must further be informed that he still has a right to register by appearing in person before the county board of voter registration and elections or by submitting the information by mail necessary to correct his rejected application. The form for notifying applicants of rejection must be prescribed and provided by the State Election Commission pursuant to § 7-5-180.

- (b) Every application for registration by mail shall contain spaces for home and work telephone numbers of the applicant and the applicant shall enter the numbers on the application where applicable.
- (c) The State Election Commission shall furnish a sufficient number of application forms to the county boards of voter registration and elections and voter registration agencies specified in § 7-5-310(B) so that distribution of the application forms may be made to various locations throughout the counties and mailed to persons requesting them.

County boards of voter registration and elections shall distribute application forms to various locations in their respective counties, including city halls and public libraries, where they must be readily available to the public.

- (d) The original application must remain on file in the office of the county board of voter registration and elections.
- (e) The State Election Commission may promulgate regulations to implement the provisions of this section.

**S.C. Code Ann. § 7-5-185**

- (A) A person who is qualified to register to vote and who has a valid South Carolina driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the Internet website of the State Election Commission.

(B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received thirty days before an election to be held in the precinct of the person submitting the application.

(2) The applicant shall attest to the truth of the information provided in the application.

(3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver's license or state identification card issued by the Department of Motor Vehicles.

(4) For each electronic application, the State Election Commission shall obtain an electronic copy of the applicant's signature from his driver's license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.

(5) An application submitted pursuant to this section must contain the applicant's name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: "I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence." An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(C) Upon submission of an application pursuant to this section, the electronic voter registration system shall provide immediate verification that the:

(1) applicant has a South Carolina driver's license or state identification card issued by the Department of Motor Vehicles and that the number for that driver's license or identification card provided by the applicant matches the number for that person's driver's license or state identification card that is on file with the Department of Motor Vehicles;

(2) date of birth provided by the applicant matches the date of birth for that person, which is on file with the Department of Motor Vehicles;

(3) name provided by the applicant matches the name for the person which is on file with the Department of Motor Vehicles; and

(4) State Election Commission employs security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this section.

(D) Should there be a failure to match any of the information required in this section with the Department of Motor Vehicles, the State Election Commission immediately shall notify the applicant of the failure to match information and inform the applicant that his application for registration was not accepted.

(E) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.

**Law Change #4:** SC Code Ann. § 7-11-50. Substitution where party nominee dies, becomes disqualified or resigns for legitimate nonpolitical reasons.

- **Summary of current statutory requirement and/or authority granted:** If a party nominee was nominated by a method other than a party primary election dies, becomes disqualified after nomination or resigns for a legitimate non-political reason and sufficient time does not remain to hold a convention to fill the vacancy or to nominate for a special election, the state or county party executive committee may nominate a nominee. Legitimate nonpolitical reasons is limited to: reasons of health which in the written opinion of a physician would be harmful to the health of the candidate, family crises including circumstances which would substantially alter the duties and responsibilities of the candidate to the family or family business, and substantial business conflict which would result in ineligibility of the candidate or impair ability to carry out the functions properly of the office. S.C. Code Ann. § 7-11-50 (2007).
- **Recommendation and Rationale for recommendation:** The Commission recommends that a limit be placed on the time prior to an election when a candidate may resign for legitimate nonpolitical reasons and a time frame for when a substitute candidate may be nominated. The rationale for these changes ensures that overseas citizens and members of the military who are required to be mailed a ballot at least forty-five days prior to an election are able to vote for the replacement candidate in an election.
- **Other agencies that would be impacted by revising or eliminating the law:** There are no other state agencies that would be impacted by revising the law.
- **Wording of the Law:**

**S.C. Code Ann. § 7-11-50.**

If a party nominee who was nominated by a method other than party primary election dies, becomes disqualified after his nomination, or resigns his candidacy for a legitimate nonpolitical reason as defined in this section and sufficient time does not remain to hold a convention to fill the vacancy or to nominate a nominee to enter a special election, the respective state or county party executive committee may nominate a nominee for the office, who must be duly certified by the respective county or state chairman.

"Legitimate nonpolitical reason" as used in this section is limited to:

(a) reasons of health, which include any health condition which, in the written opinion of a medical doctor, would be harmful to the health of the candidate if he continued;

(b) family crises, which include circumstances which would substantially alter the duties and responsibilities of the candidate to the family or to a family business;

(c) substantial business conflict, which includes the policy of an employer prohibiting employees being candidates for public offices and an employment change which would result in the ineligibility of the candidate or which would impair his capability to carry out properly the functions of the office being sought.

A candidate who withdraws based upon a legitimate nonpolitical reason which is not covered by the inclusions in (a), (b) or (c) has the strict burden of proof for his reason. A candidate who wishes to withdraw for a legitimate nonpolitical reason shall submit his reason by sworn affidavit.

This affidavit must be filed with the state party chairman of the nominee's party and also with the board of voter registration and elections of the county if the office concerned is countywide or less and with the State Election Commission if the office is statewide, multi-county, or for a member of the General Assembly. A substitution of candidates is not authorized, except for death or disqualification, unless the election commission to which the affidavit is submitted approves the affidavit as constituting a legitimate nonpolitical reason for the candidate's resignation within ten days of the date the affidavit is submitted to the commission. However, where this party nominee is unopposed, each political party registered with the State Election Commission has the privilege of nominating a candidate for the office involved. If the nomination is certified two weeks or more before the date of the general election, that office is to be filled at the general election. If the nomination is certified less than two weeks before the date of the general election, that office must not be filled at the general election but must be filled in a special election to be held on the second Tuesday in the month following the election, provided that the date of the special election to be conducted after the general election may be combined with other necessary elections scheduled to occur within a twenty-eight day period in the manner authorized by Section 7-13-190(D).

**Law Change #5:** S.C. Code Ann. § 5-15-50. Establishment of municipal ward lines and time for general and special elections; public notice of elections.

- **Summary of current statutory requirement and/or authority granted:** Each municipality governing body may by ordinance establish ward lines and time for general and special elections within the municipality.
- **Recommendation and Rationale for recommendation:** The Commission recommends that the time for general elections within the municipality be required to be held in November during odd calendar years. The rationale for this change is to avoid any conflict with statewide general elections that are held in during even calendar years, simplify the conduct of elections and provide cost savings for counties and municipalities, improve voter education on the dates of municipal elections, and encourage more participation in municipal elections.
- **Other agencies that would be impacted by revising or eliminating the law:** There are no other state agencies that would be impacted by revising the law.
- **Wording of the Law:**

**S.C. Code Ann. § 5-15-50.**

Each municipal governing body may by ordinance establish municipal ward lines and the time for general and special elections within the municipality. Public notice of the elections shall be given at least sixty days prior to such elections.



**Law Change #6:** Act No. 930 (1970). An Act to provide for the School Trustees for Kershaw County; to provide for their powers and duties; to provide for advisory trustees and to repeal section 21-3151 through 21-3157, Code of Laws of South Carolina, 1962, relating to the school system of Kershaw County.

- **Summary of current statutory requirement and/or authority granted:** The Kershaw County public education system shall be a board of trustees composed of nine members, be elected for terms of four years. All candidates for the office of the board of trustees shall run in a non-partisan primary to be conducted at the same time of the other county primary elections are held.
- **Recommendation and Rationale for recommendation:** The Commission recommends that the election of trustees not require a primary which is the majority method of the election of trustees for a Board of Education in South Carolina. Most elections of School District Trustees include a non-partisan filing period with candidate placement on the general election ballot. If a primary is still to be conducted, the Commission recommends that the non-partisan primary be held during odd calendar years. The rationale for the change is to provide uniformity in the election of the trustees and to avoid voter confusion on primary day for the general election as all other ballots issued to voters are based upon party preference expressed by the voter at the polls.
- **Other agencies that would be impacted by revising or eliminating the law:** There are no other state agencies that would be impacted by revising the law.
- **Wording of the Law:**

#### Act No. 930

**Section 1. School trustees for Kershaw County.**-The central authority of Kershaw County's public educational system shall be a board of trustees composed of nine members, to be elected for terms of four years from the county at large, but who shall be residents of the respective townships and have their offices numbered as follow: one member from Flat Rock, Seat No. 1; two members from Buffalo, Seats Nos. 2 and 3; two members from West Wateree, Seats Nos. 4 and 5; and four members from DeKalb, Seats Nos. 6, 7, 8 and 9. Full terms shall commence on the first Tuesday in January following the election. Each candidate shall run for a specified numbered office and shall be a resident of the township to which such number is assigned. All candidates for the office of the board of trustees shall run in a non-partisan primary to be conducted by the county election commission at the same time as other county primary elections are held. The expenses of such election shall be borne by the county. Each candidate in the primary shall be required to pay a filing fee to the election commission in such sum as it may determine, but not to exceed one hundred dollars. All of such fees shall be deposited to the general fund of the county. The two candidates receiving the most votes for each seat who did not withdraw shall have their names placed on the general election ballot and the person receiving the highest number of votes for each seat in that election shall be declared elected. *Provided*, that in the event a candidate receives a majority of the votes cast in the primary, only his name shall be placed on the general election ballot. There shall be no petition candidate for any of these offices in the general election, and no person shall be a candidate for more than one such office at any one election; but nothing herein shall be construed to prohibit a qualified individual from running as a "write-in" candidate in the general election.

In the event the person receiving the most votes in the primary ceases to be a candidate for any reason, another primary shall be ordered if as much as forty-five days remain between such cessation and the general election. In the event such time does not exist, no election for such office shall be held at the time of the general election. Another election for such office shall be held on the first Tuesday of the month following the general election. Any person wishing to be a candidate for such office may qualify with the

county election commission not later than April fifteenth. In the event no candidate in this election receives a majority of the votes cast, and additional election shall be conducted two weeks thereafter between the two candidates receiving the most votes who do not withdraw.

All members of the board of trustees shall be commissioned by the Governor.

All vacancies on the board of trustees shall be filled by a majority vote of the county council for the unexpired portion of their terms. If a seat is unfilled as a result of no one offering for such seat it shall be filled by a majority vote of the county council.

**Section 2. Advisory board.**-An advisory board shall be appointed by the Kershaw County Board of Trustees. The advisory board shall be composed of five members from each school in the county, except the Kershaw County Vocational School, who shall serve for terms of two years; the Camden Elementary, the Camden Junior High and the Camden High Schools each having five advisory members. *Provided*, that the provisions of this act shall not apply to the two Kershaw County residents serving as trustees of the Andrew Jackson High School of Lancaster County.

The advisory board shall organize as soon after the appointment of its members as practicable by electing a chairman and such other officers as it may deem necessary.

The advisory board shall meet as often as it may deem necessary, but not less than twice each year, and shall advise from time to time the board of trustees on matters relating to the public schools in the county.

**Section 3. Continuation of present members.**-Notwithstanding the provision of Section 1, the current members of the Board of Trustees of Kershaw County shall continue to serve through the first Monday in January 1971.

**Section 4. Terms of initial members.**-Notwithstanding the provisions of Section 1, the initial terms of those members elected to the even-numbered seats shall be for a terms of two years and for a terms of four years thereafter.

**Section 5. Meetings-compensation.**-The Kershaw County Board of Trustees shall meet on the first Tuesday of January, 1971, at 10:00 A.M. and on such date of each year thereafter and elect one of its members chairman for a term of one year, and another as vice chairman for a like period.

The board shall hold regular meetings at least once each month, and any special meeting it may deem necessary; all meetings shall be open to the public unless the board by a majority vote thereof deems it necessary to meet in executive session for such meeting or any part thereof. Six members shall constitute a quorum at all meetings.

Members of the board shall receive twenty-five dollars for their attendance at each meeting plus mileage as provided by law for members of boards, commission and committees, et cetera, for travel expenses incurred; such funds to be paid from the general Kershaw County school funds.

**Section 6. Administrator.**-The Kershaw County Board of School Trustees shall employ an administrator for the operations of schools of the county, who shall be knowledgeable in the operations of schools.

The term of office for the administrator shall be determined by the board in making a contract with him, but he shall not be hired for terms to exceed four years. The salary and expenses of the administrator shall

be fixed in his contract. The administrator shall be the secretary and executive officer of the board. It shall be his duty to effectuate the policies of the board and to recommend to the board from time to time such changes in procedure and policy as he feels will improve, effectuate and carry out the policies of the board; constantly keeping in mind the financial economy of the individual taxpayer of the county and of the school district.

- (a) The administrator shall nominate all staff members and other personnel necessary to carry out the policies of the Kershaw County School Board of Trustees.
- (b) Assign all personnel employed.
- (c) All supplies necessary or incidental to the operation of the schools of the county shall be obtained by the board from the State purchasing agency unless such supplies can be obtained elsewhere at a lower cost by bid, except that all contracts for services and reports shall be obtained from whatever source that is approved by a majority of the board of trustees.
- (d) Prepare an annual budget for the approval of the board with as much detail as possible therein being published some thirty days prior to the presentation of such to the board for its approval.

**Section 7. Powers and duties.**-The Board of Trustees for Kershaw County shall have the following duties and powers relative to the public school in the county.

- 1. Upon nomination by the administrator to employ all personnel necessary for the efficient operation of the schools except as otherwise provided in this act.
- 2. To adopt administrative policies.
- 3. After the fiscal year 1970-1971 to fix all local supplements for teachers and incentive salary schedule for the teachers of Kershaw County; *provided*, however in no way can the local supplement to teacher's salaries or the incentive salary schedule for teachers in the county be reduced below the monetary compensation received by such teachers for the fiscal year 1970-1971.
- 4. To plan and construct new buildings.
- 5. To issue from time to time general obligation bonds of the district to construct and repair buildings and pledge capital outlays from State, Federal and local tax sources for their repayment.
- 6. To operate a building, maintenance and repair program.
- 7. To issue, with the approval of a majority of the county council, short term notes in anticipation of taxes and state aid funds which note or notes shall mature not later than one year from the date thereof.
- 8. To excuse the right of eminent domain in securing necessary property, and in the exercise of such rights the board shall follow as near as practical the procedure prescribed for condemnation by municipal corporations.
- 9. To determine and evaluate the education program.
- 10. To assume all duties and authority delegated to county boards of education under the general provisions of law.
- 11. To contract for services, equipment and supplies in the operation of Kershaw County School system as heretofore set out under the duties of the administrator of schools for the county.
- 12. To have prepared and published in a local newspaper, not more than ninety days from the end of each fiscal year, an audit prepared by a C.P.A. as to the operation of the public schools of Kershaw County.

13. To keep an accurate record of all board proceedings; which shall be at all times open to the public.
14. To direct a continuing school census.
15. To fix the length of the school term.
16. To conduct from time to time surveys and studies as to the curriculum of the Kershaw County Schools, their supervisory programs, auxiliary services, always keeping in mind the application of the surveys, studies, or reports which may be for the best educational interest of the students, Kershaw County, and the financial interest of its taxpayers.
17. To arrange with adjoining counties for the interchange of pupils or educational services.

**Section 8. Tax levy.**-The Kershaw County Board of School Trustees shall each fiscal year after 1970-1971 set a tax levy to be applied uniformly to all property in Kershaw County, which in its opinion will guarantee an adequate program of public school education to all children in the county. The levy so imposed by the board shall be entered by the county auditor and collected by the county treasurer in the same manner as other taxes on property. Proceeds of this levy shall be credited by the county treasurer to the board and the county treasurer shall pay out all of such funds only on special vouchers prepared for this purpose and carrying the signature of the chairman of the Kershaw County School Board of Trustees or the vice chairman of the board, together with the signature of the administrator of schools for Kershaw County each of whom shall be bonded in the amount of five thousand dollars; *provided*, however, the board shall not increase ad valorem taxes for the operation of the Kershaw County school system without the approval of a majority of the county council.

This does not include millage necessary for the retirement of bonds for capital improvement, notes or obligations, previously voted on and approved by the voters of Kershaw County.

**Section 9. Repeal.**-Sections 21-3151 through 21-3157 of the 1962 Code are repealed.

**Section 10. Time effective.**-This act shall take effect upon approval by the Governor.

Approved the 13<sup>th</sup> day of March, 1970.



## South Carolina Association of Registration and Election Officials, Inc.

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DAVID K. ALFORD  
PRESIDENT  
EXECUTIVE COMMITTEE

June 22, 2017

The Honorable Gary E. Clary, Chairperson  
Executive Subcommittee  
Legislative Oversight Committee  
South Carolina House of Representatives  
PO Box 11867  
Columbia SC 29211

Dear Representative Clary:

In review of some of the submissions and testimony relating to the Legislative Oversight Committee's assessment of the State Election Commission, I would like to submit information on behalf of the South Carolina Association of Registration and Election Officials, Inc. (SCARE). Our professional organization is comprised of local election officials from across the state and part of our purpose is to represent the interests of counties with regard to legislative matters.

Several topics have been mentioned or touched on during the committee's review process of the State Election Commission either through document submission or by way of testimony. I would like to take this time to provide some additional information from an organizational and county perspective, and I thank you for accepting my submission and the kind consideration of its content.

In previous testimony, Marci Andino touched on the matter of funding with regard to the voting system refresh. As she stated, the State Election Commission requested \$7.5 million in funding to refresh the state's aging voting system. Unfortunately, that funding request did not survive the budget process.

Collectively as counties, we cannot emphasize enough the importance of maintaining a dependable and reliable voting system in order to uphold the confidence of the elections process in South Carolina.

In recent months, the Department of Homeland Security designated election systems as part of our nation's critical infrastructure, and the interest in the integrity of our voting system is prominent.

Therefore, we are respectfully requesting continued dialogue with the State Election Commission with regard to proper funding to extend the life of the existing voting system and/or eventual replacement.

In addition to the above topic, we noted that the State Election Commission provided a copy of their Election Date Standardization Plan. SCARE is strongly in support of election standardization for a variety of reasons. By creating limited and standardized dates, the logistics of conducting elections would be better streamlined, and it would create a measure of cost savings to both the state and counties. It would also assist in reducing voter confusion and fatigue and decreasing the strain on facilities and poll workers.

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DAVID K. ALFORD  
PRESIDENT

KATY SMITH  
FIRST  
VICE PRESIDENT

MARIE G. SMALLS  
SECOND  
VICE PRESIDENT

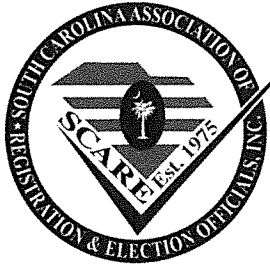
ADAM HAMMONS  
TREASURER

JOSEPH DEBNEY  
SECRETARY

DEBRA BRYANT  
HISTORIAN

WANDA W. HEMPHILL  
IMMEDIATE  
PAST PRESIDENT

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## South Carolina Association of Registration and Election Officials, Inc.

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DAVID K. ALFORD  
PRESIDENT  
EXECUTIVE COMMITTEE

Within the vein of election standardization, we noted the significant measure of questions and discussion regarding Presidential Preference Primaries, filing fees collected, and the offset of costs. We would strongly recommend requiring the political parties to collaborate and choose a uniform date. With all said, we would request your careful consideration of the standardization plan submitted by the State Election Commission and encourage conversation and potential legislative action in this area.

In conclusion, should you desire a representative(s) to appear and provide testimony on these topics, please do not hesitate to ask. Furthermore, should you wish for us to testify on other election related matters or our role as county election officials, please let us know. Counties are the linchpin of elections in South Carolina; however, we could not subsist without the partnership and support of the State Election Commission. We are all committed to working collectively together to better serve the voters of South Carolina.

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DAVID K. ALFORD  
PRESIDENT

KATY SMITH  
FIRST  
VICE PRESIDENT

MARIE G. SMALLS  
SECOND  
VICE PRESIDENT

ADAM HAMMONS  
TREASURER

JOSEPH DEBNEY  
SECRETARY

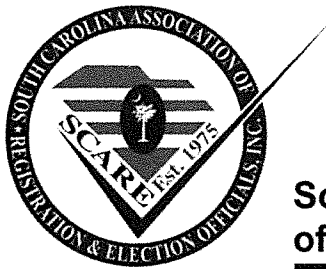
DEBRA BRYANT  
HISTORIAN

WANDA W. HEMPHILL  
IMMEDIATE  
PAST PRESIDENT

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With Kindest Regards,

David K. Alford  
President



## **South Carolina Association of Registration and Election Officials, Inc.**

### **Proposed 2017-2018 Legislative Priorities**

#### **Improve Voter Experience**

##### **Reduce Lines**

- Allow early voting and/or no excuse absentee voting.
- Reduce length of ballot by allowing the listing of only ballot question short titles with "Yes" "No" selections for ballot questions. Text, content, summary and/or explanation would be published prior to Election Day and at polls through educational materials.

##### **Recruit Adequate Number of Poll Workers**

- Allow SC registered voter to serve as a poll worker anywhere in South Carolina.
- Increase poll worker pay.

#### **Improve Absentee Voting Process**

- Delete witness signature on mail-in absentee ballots.
- Allow permanent absentee status for some reasons. (e.g. over 65, physically disabled).
- Allow for the processing of mail-in absentee ballot envelopes the day prior to the election not to include the tabulation and reporting prior to 7 p.m. Election Day.

#### **Funding**

- Fully fund refurbishment of current voting system and establish fund for the replacement of the voting system
- Conduct Presidential Preference Primaries on same day.

#### **Election Law Review**

- Require municipal general elections to be held in November of odd years and establish uniform and standardized election dates for other election types.

#### **State of Emergency**

- Authorize and/or clarify authority to postpone elections in the event of an emergency.



ALAN WILSON  
ATTORNEY GENERAL

March 1, 2016

Mr. Bradley T. Farrar, Esquire  
Chief Deputy Richland County Attorney  
P.O. Box 192  
Columbia, SC 29202

Dear Mr. Farrar:

Attorney General Alan Wilson has referred your letter dated November 25, 2015 to the Opinions section for a response. The following is this Office's understanding of your question and our opinion based on that understanding.

**Issue** (as quoted from your letter):

*S.C. Const. Art. VII, Section 7 provides in part:*

*The General Assembly shall have the power to alter County lines at any time; Provided, That before any existing County line is altered the question shall be first submitted to the qualified electors of the territory proposed to be taken from one County and given to another, and shall have received two-thirds of the votes cast...*

*S.C. Code Ann. Section 27-2-105 makes no reference to the above Constitutional provision nor does it seem to take in into account in the "clarification" (which could entail "alteration" or perceived alteration) of county boundaries. Therefore, the question respectfully submitted for your opinion is as follows:*

*Does S.C. Code Ann. Section 27-2-105 violate the South Carolina Constitution by not providing for the two-thirds vote of "the qualified electors of the territory proposed to be taken from one County and given to another" requirement of Article VII, Section 7, thereof?*

*In framing this issue, the concern is not with regard to clarifying a boundary by making that boundary easier to see or locate, but rather demarking a boundary in a way that gives anyone with a stake in that boundary concern that the County line may have been changed as a result of the activities undertaken pursuant to 27-2-105 is consistent with S.C.Const. Art. VII, Section 7 and its requirement for two-thirds approval of qualified electors before a County line may be altered, in the event "clarification" becomes "alteration" in the opinion of anyone alleged to have been aggrieved by the clarification.*

**Law/Analysis:**

By way of background and as you are aware, the General Assembly established Richland County's boundaries by statute as:

Richland County is bounded on the north by Fairfield County, from which it is separated by new boundary lines set forth and specifically described in the location



Mr. Bradley T. Farrar, Esquire  
 Page 2  
 March 1, 2016

and boundary of Fairfield County; on the east by Kershaw County and Sumter County from which it is separated by the Wateree River; on the south by Calhoun County; on the west by Lexington County, from which it is separated by a line beginning on the Congaree River where the counties of Lexington and Richland meet on the southern division thereof, and running thence with the Congaree River to where the confluence of the Broad and Saluda Rivers unite to form the Congaree, and following the thread of Saluda River about two and one-half miles to a concrete boundary marker; thence in a northwesterly direction upon the circumference of a circle having Lexington courthouse as its center, with a radius of not less than eight miles and a deflection of  $1^{\circ} 21'$  for every one thousand feet, to a concrete boundary marker on the eastern boundary line of the town of Irmo; thence along the boundary line of the town of Irmo to the northeast corner of the town; thence west along the northern boundary of the town of Irmo 2,260 feet to a stake located thereon; thence along the circumference of the circle first described 11,360 feet to a stake; then N.  $42^{\circ} 30'$  W. 878 feet; thence west 5,000 feet to a stake; thence S.  $85^{\circ}$  W. 5,000 feet to a stake; thence S.  $80^{\circ}$  W. 5,541 feet to a stake; thence N.  $37^{\circ} 28'$  W. 10,618 feet to a stake; thence S.  $85^{\circ}$  W. 750 feet to a pine; thence N.  $34^{\circ} 45'$  W. 10,491 feet to a stake; thence N.  $22^{\circ}$  E. 914 feet to a stake; thence N.  $37^{\circ} 5'$  W. 1,313 feet to a stake; thence N.  $13^{\circ} 45'$  E. 2,597 feet to a stake; thence N.  $56^{\circ} 35'$  E. 3,920 feet to a point on Rocky Ford on Wateree Creek; thence north, northeast and east along the Wateree Creek to where it empties into Broad River. To the above-described area of Richland County is to be added all that territory transferred from Lexington County by act approved March 11 1922, to wit: all that certain piece of land containing 8,900 acres, or 14 square miles, situate in the northeastern part of Lexington County on the Broad River, and being bounded and delineated as follows, to wit: beginning at a point on the Broad River, and running S.  $41^{\circ}$  W. 82.51 chains to a stake; thence turning and running S.  $32.5^{\circ}$  W. 160.65 chains to a stake; thence running along a creek which empties into Wateree Creek 42.24 chains to a stake; thence running to the point where said creek joins Wateree Creek 71.51 chains; thence running along Wateree Creek 94 chains; thence turning and running S.  $23^{\circ}$  E. 142.50 chains to a point in Slice Creek known as Rocky Ford; thence turning and running northerly along Slice Creek 164 chains; thence turning and running easterly along Wateree Creek 305.00 chains to the point of entrance of Wateree Creek and Broad River; thence turning and running in a northwesterly direction along Broad River 410 chains, said piece of land being bounded on the west by Newberry County, on the south and southwest by Lexington County, on the south by Richland County, and on the east and north by the Broad River, being more particularly known as the plat of said property, completed on November 25 1921, by W.A. Counts and J.C. Wessinger, surveyors, said plat being filed in the office of the Secretary of State.

S.C. Code § 4-3-460 (1976 Code, as amended). Thus, the General Assembly has clearly defined Richland County's boundaries by this legal description. *Id.* As you mention in your question, South Carolina Code § 27-2-105 authorizes the South Carolina Geodetic Survey to "assist counties in defining and monumenting the locations of county boundaries and positioning the monuments using geodetic surveys" where the boundaries are "ill-defined, unmarked, or poorly marked." S.C. Code § 27-2-105 (1976 Code, as amended) (emphasis added). Moreover, the General Assembly authorized the S.C. Geodetic Survey to

Mr. Bradley T. Farrar, Esquire  
 Page 3  
 March 1, 2016

serve as mediator between any boundary dispute among two or more counties. Id. The statute also authorizes appeals from a boundary determination by the S.C. Geodetic Survey to the S.C. Administrative Law Court. S.C. Code § 27-2-105(B) (1976 Code, as amended).

Regarding your question, this Office has issued previous opinions where two statutes appear to be in conflict. In one opinion, we stated:

The language of a statute must be read in a sense which harmonizes with its subject matter and accords with its general purpose. Multi-Cinema, Ltd. v. S.C. Tax Commission, 292 S.C. 411, 357 S.E.2d 6 (1987). And where two statutes are in apparent conflict, they should be construed, if reasonably possible, to give force and effect to each. Stone & Clamp, General Contractors v. Holmes, 217 S.C. 203, 60 S.E.2d 231 (1950). This rule applies with peculiar force to statutes passed during the same legislative session, and as to such statutes, they must not be construed as inconsistent if they can reasonably be construed otherwise. State ex rel. S.C. Tax Commission v. Brown, 154 S.C. 55, 151 S.E. 218 (1930).

Op. S.C. Atty. Gen., 1988 WL 485345 (December 1, 1988). Based on a plain reading of the statutes, we believe a court would reconcile S.C. Code § 27-2-105 with S.C. Code § 4-3-460 by interpreting S.C. Code § 27-2-105 as assisting counties in defining the county boundaries within the legal description already given in S.C. Code § 4-3-460. Furthermore, we believe a court would use this same reasoning to reconcile the statutes with the Constitutional provision restricting the alteration of county lines to two-thirds of the vote cast after submission to the qualified electors. Thus, construing S.C. Code §§ 27-2-105, 4-3-460 and S.C. Const. Art. VII, Section 7, Section 4-3-460 (Richland County's legal description) could not be changed without a successful election where two-thirds of the voters casting ballots vote to enact the change.<sup>1</sup> Moreover, S.C. Code § 27-2-105 serves as a tool for the county to clarify boundaries and markers within the legal description given in S.C. Code § 4-3-460.

However, a county's boundary line is statutory defined and should not be viewed as equivalent under the law to a dispute between adjoining landowners over a property line. Concerning boundary line disputes we have previously indicated that they can be litigated as an action at law, and the determination of a boundary line is a question of fact for a jury. Op. S.C. Atty Gen., 2013 WL 1695520 (March 14, 2013) (citing Coker v. Cummings, 381 S.C. 45, 671 S.E.2d 383 (2008); Bodiford v. Spanish Oak Farms, Inc., 317 S.E. 359, 544 S.E.2d 194 (1995)). We further stated:

Additionally, "[i]f adjoining landowners occupy their respective premises up to a certain line, which they mutually recognize and acquiesce in for a long period of time, they are precluded from claiming the boundary line thus recognized and acquiesced in is not the true one." Id. (citing Gardner v. Mozingo, 293 S.C. 23, 26, 358 S.E.2d 390, 392 (1987)). "In other words, such recognition of, and acquiescence in, a line as the true boundary line, if continued for a sufficient length of time, will afford a conclusive presumption that the line thus acquiesced in is the true boundary line." Id. (citing Knox v. Bogan, 322 S.C. 64, 72, 472 S.E.2d 43, 48 (1996)). Acquiescence regarding a boundary line has been cited by this Office in regards to a municipality with a boundary in place forty-seven years without

<sup>1</sup> Please note other sections restrict the alteration of county boundaries. See, e.g., S.C. Const. Art. VII, § 12 and Art. VIII, §2

Mr. Bradley T. Farrar, Esquire  
Page 4  
March 1, 2016

dispute. Op. S.C. Atty. Gen., 1984 WL 249864 (April 23, 1984). Additionally, estoppel may be a defense to any such change in the county the property is located in.

Op. S.C. Att'y Gen., 2013 WL 1695520 (S.C.A.G. Mar. 14, 2013) (emphasis added). Hence, a boundary dispute between adjoining landowners where the boundary is not defined by statute or able to be determined by its statutory definition ultimately may be determined by a jury.

**Conclusion:**

Thus, it is the opinion of this Office that a court will determine that South Carolina Code § 27-2-105 cannot be used to change Richland County's statutory boundaries as defined by legal description in § 4-3-460. Moreover, any such "clarification" by § 27-2-105 would be limited to the terms within the statute, i.e. as a mediator for a boundary dispute between counties or to assist a county where boundaries are "ill-defined, unmarked, or poorly marked." S.C. Code § 27-2-105. Furthermore, we do not see how one could change the statutory legal description of Richland County as contained in South Carolina Code § 4-3-460 without compliance with South Carolina Constitution Article VII, Section 7, which includes an election by the qualified voters. Therefore, we believe a court will determine that South Carolina Code § 27-2-105 does not violate South Carolina Constitution Article VII, Section 7 where it does not change the statutory boundaries but only assists a county in clarification within the boundaries set by statute. However, this Office is only issuing a legal opinion based on the current law at this time and the information as provided to us. Until a court or the General Assembly specifically addresses the issues presented in your letter, this is only an opinion on how this Office believes a court would interpret the law in the matter. Additionally, you may also petition the court for a declaratory judgment, as only a court of law can interpret statutes and make such determinations. See S.C. Code § 15-53-20. If it is later determined otherwise, or if you have any additional questions or issues, please let us know.

Sincerely,



Anita S. Fair  
Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook  
Solicitor General

May 24, 2017

SEC Response to May 11, 2017 Executive Subcommittee Request for Additional Information

### ***Training***

- 1. Please provide the total cost of the training the agency conducted last year (i.e. the training for which the agency charges).**

Total Cost of 2016 Training Events:	\$25,894
Cost of 2016 Training Events (excluding SEC salaries):	\$10,669

- 2. Please provide a list of videos from the agency that are currently available to the county boards and public via the web, including the website on which the videos can be accessed (e.g., polling manager video, etc.)**

While the SEC does not provide training videos to county boards via the web, the SEC does provide boards with two poll manager training videos in an electronic file format and provides three online training classes through the agency Learning Management System (LMS).

The poll manager training videos are intended for use by county boards in training poll managers and cover the following topics:

- Opening and Closing the iVotronic Voting Machine
- Polling Place Accessibility

The LMS is intended for use by county boards, poll managers, and municipal election officials. Users are assigned a username and password for access. Each county has a dedicated URL within the system. For example, the web address for Abbeville County is <https://abbeville.sctraining.us/>. The system features three classes:

- Poll Manager Training
- Duties of the Municipal Election Commission
- Municipal Protests

### ***Printing of Ballots***

- 1. What are the requirements for a company to become certified to print ballots?**

See SEC Attachment #1

### ***Samples***

- 1. Please provide a sample document that illustrates all of the information provided about individual voters if a registered voter in South Carolina requested to purchase all of the information available.**

See SEC Attachment #2. Note: See page 2 of attachment for information included with all saleable data provided through the Sale of List program.

- 2. Please provide a sample of the following forms: (a) voter registration by mail; (b) voter registration at county board office; and (c) voter registration at any of the agencies who are capable of registering individuals to vote.**

See SEC Attachment #3. Note: Page 1 of attachment is the Mail Application, Page 2 is the in-office application, and Page 3 is “Motor Voter” agency application.

### ***Filing Fees***

**1. What do other states charge in filing fees for the following: (a) presidential preference primaries; and (b) statewide primaries/runoffs?**

See SEC Attachment #4

**2. What do the political parties in South Carolina charge the candidates, over and above the filing fees required by the Election Commission?**

For Presidential Preference Primaries, state law allows the State Election Commission to set a filing fee not to exceed \$20,000. In 2007, the State Election Commission set the filing fee at \$20,000 and remains unchanged. State law also allows parties to charge a certification fee. For the 2016 election cycle, the S.C. Republican Party charged a certification fee of \$20,000 per candidate. The rules of the S.C. Democratic Party do not allow the party to charge a certification fee.

### ***Voter Eligibility & Removal from Voter Lists***

**1. What information would be required, and who would need to provide it, for the Election Commission to decide an individual is no longer a qualified voter within a particular county, because the individual does not live in the county?**

South Carolina Code § 7-3-20(C)(4) charges the Executive Director of the SEC with the deletion of any elector who is no longer qualified to vote in the precinct where currently registered, who is otherwise no longer qualified to vote as may be provided by law or who has requested in writing that his name be removed. The SEC receives notification from various sources regarding individuals who are no longer qualified voters within a particular county. With the exception of information provided by the South Carolina Department of Motor Vehicles (DMV), the information is not required to be provided to the SEC in a set format; only in a manner that allows the SEC to identify the voter in question.

- The SEC receives notifications from other states and jurisdictions when a voter registers in that state or jurisdiction, and the voter indicates that they were registered in S.C.
- Returned mail sent by county boards to voters that has been returned as undeliverable
- State law allows for the SEC to enter into agreements to share information or data with other states or groups of states. The SEC participates in the Interstate Crosscheck program. The program provides the SEC with information about voters who match as potential registrants in other states. The SEC mails notification to the voter that information indicates the voter has registered in another state. The voter's status is updated based on the voter's response to the mailing. If the mail is returned undeliverable, the voter is made inactive. If no response is received, the voter remains registered.
- State and federal laws allow the SEC to send Confirmation Cards to voters who have not voted in the past two General Elections or any other election occurring during that time. If a confirmation card is returned as undeliverable, the voter is made inactive. If the card is not returned, the voter is made inactive and is eventually removed from voter

registration lists if the voter fails to vote in two future consecutive general elections or any intervening election. This serves as notification to the SEC that the voter is no longer residing in a county. S.C. Code Ann. § 7-5-330 and 52 U.S.C. § 20501, et seq. (1993).

- The SEC also receives information from clerks of courts throughout the state when a jury notification is returned or when the potential juror notifies the clerks' office that they no longer reside in the county.
- The DMV is required by S.C. Code of Laws §7-3-70(a) to submit monthly reports to the SEC of all persons eighteen years of age or older who have surrendered their driver's license or identification card and obtained a driver's license or identification card in another state. The report must include the name, social security number, date of birth, county where previously a resident, and the state where the license or identification card was surrendered. This process is currently in the implementation phase.

Section 7-5-230 of the South Carolina Code of Laws establishes the provisions for voter registration challenges to a county board of voter registration and elections in the county of registration. This Section also provides for an appeal process to any court of common pleas of the county or subsequently to the South Carolina Supreme Court. The results of any voter registration challenge adjudicated by a county board of voter registration and elections or any court is provided to the SEC.

**2. Please outline the steps taken by the Election Commission prior to removing an individual from a voter list, including, but not limited to, how far in advance notice is provided, if notice is provided, before an upcoming election in which the individual would otherwise be able to vote.**

South Carolina Code § 7-5-160 states, in part, that voter registration in SC is permanent unless the voter is removed from the registration list for cause. A voter is removed from the active list of registered voters by changing statuses from active to inactive or archived. All voter records remain in the voter registration database permanently.

- Batch voter registration removals must be completed no later than ninety days before the date of a statewide primary, general, or federal election
- Individual voter-specific removals can occur at any time

South Carolina Code § 7-3-20(C)(4) charges the Executive Director of the SEC with the deletion of any elector who is no longer qualified to vote in the precinct where currently registered, who is otherwise no longer qualified to vote as may be provided by law or who has requested in writing that his name be removed. The SEC receives notification from various sources regarding individuals who are no longer qualified voters within a particular county.

South Carolina Code § 7-3-20(C)(9) charges the Executive Director of the SEC to secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes.

South Carolina Code § 7-3-30(a)(b) charges the Executive Director of the SEC, in part, to notify electors whose name has been deleted for reasons of conviction or a change in the residence of a qualified voter. Notification is mailed to the address last filed in the voter registration and

elections office and the elector has twenty days from the date the notice is mailed to appeal to the county board of voter registration and elections.

South Carolina Code § 7-5-330(F) provides that the SEC may not remove a voter from the active list unless a confirmation card, mailed by the SEC, is returned as undeliverable and the voter fails to vote in two consecutive general elections. This must be completed no later than ninety days before the date of a statewide primary, general, or federal election.

See SEC Attachment #5

- 3. Exhibit A lists the qualifications for eligible voters and the subcommittee's understanding, based on testimony and information provided by the agency, of which entity verifies the qualifications are met and the verification method. Please make any revisions necessary to ensure the document is complete and accurate.**

See SEC Attachment #5

## Ballot Printer Qualification Program

### Program Objective

This program is designed to allow a printer to demonstrate their ability to meet the minimum requirements for successful production of ballots, both precinct and vote by mail, in accordance with the Election Systems & Software Ballot Production guidelines.

### Program Overview

- This program will test all aspects of ballot production, including printing, finishing and packaging.
- Submitted ballots will be analyzed to ensure they meet ES&S specifications for the following metrics:
  - Length
  - Width
  - Ink/Toner Density
  - Oval Thickness
  - Ballot Stock Quality
- For ballot finishing the following will be analyzed on the ballots submitted:
  - Numbering
  - Perforating
  - Color Requirements
  - Scoring and Folding
- The printer will submit a list of all production equipment to be utilized in ballot production.
- Ballots must be printed by each printing device or potential printing device the printer plans to utilize in ballot production. Ballots should be labeled accordingly to document the specific equipment it was produced on.
- Ballots produced by each piece of finishing equipment, such as cutters, perforating machines, and numbering machines, shall be submitted and labeled accordingly.
- Submitted test ballots must be entirely produced at the printer's designated location, no outsourcing of any part of the ballot production will be considered.
- ES&S will furnish ballot files in PDF format, in most common sizes and stub configurations.
- Ballots produced for use in jurisdictions using ES&S Unity Election System should be corner cut as specified in the ES&S Ballot Production Handbook.
- The printer is responsible for all costs associated with the production of these Test ballots, up to and including onsite inspection by ES&S Ballot Management Services staff.
- ES&S will only inspect, test and approve ballots printed on ES&S recommended ballot stock, ES&S CountRight.
- Printers who intend to print on sheet fed digital devices are encouraged to utilize ES&S Generic Ballot stock.



## Ballot Printing and Finishing Assessment

1. The printer will print 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 11 inch, one and two sided, with perforated stub
- 14 inch, one and two sided, with no stub
- 14 inch, one and two sided, with one perforated stub
- 17 inch, one and two sided, with no stub
- 17 inch, one and two sided, with one perforated stub
- 19 inch, one and two sided, with no stub
- 19 inch, one and two sided, with one perforated stub

For this assessment, the printer should sequentially number the ballots that have a stub, beginning with 01 for the 11 inch, 001 for the 14 inch, 0001 for the 17 inch and 00001

for the 19 inch. This numbering will be consecutive (01, 02, 03, 04, etc. for each size) and should be placed on the lower right corner of the stub. If possible, numbering in red should be submitted. All ballots shipped flat should be shrink wrapped.

2. The printer will print and score for folding 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 14 inch, one and two sided, with no stub
- 17 inch, one and two sided, with no stub
- 19 inch, one and two sided, with no stub

For this assessment, ballots are not to be folded, only scored (in 1/3rds) and shipped flat. All ballots shipped flat should be shrink wrapped.

3. The printer will print and fold 200 ballots from each of the following ballot files:

- 11 inch, one and two sided, with no stub
- 14 inch, one and two sided, with no stub
- 17 inch, one and two sided, with no stub
- 19 inch, one and two sided, with no stub

For this assessment, ballots are to be folded to fit inside a standard size envelope, 6 x 9 or larger. All ballots should be banded and boxed.

4. Upon completion of all printing and finishing, the printer should forward all ballots to ES&S at the address below.

Election Systems & Software  
Ballot Print Qualification Materials  
11208 John Galt Blvd  
Omaha, NE 68137

In addition to the printed ballots, the printer should include the following:

- A complete list of all production equipment, including printing and finishing equipment.
- Verification that the ballots submitted are printed on CountRight paper.
- Documentation of any previous experience in the production of optical scan election ballots, or any election related materials.

**SEC Attachment #2****Sale of List Information**

Any registered voter in South Carolina may purchase a list of voters. Lists are available in the following formats: CD, mailing labels, printed report, USB, and downloadable file. Lists can be created to include voters based on any combination of the following characteristics: age, sex, race, household, participation in a particular election, absentee participation, date of registration, county, election district (congressional, senate, house, county council, city council, school district, municipality, or a combination thereof.) Each list contains the following information about each voter:

- County code
- Registration number
- First, middle, last name
- Suffix
- Residence address
- Mailing address
- Gender
- Race
- Registration date
- Date of birth
- Date last voted
- General election participation (last 2)
- Dem. primary participation (last 2)
- Rep. primary participation (last 2)
- Watershed district
- Precinct code and name
- House district
- Senate district
- County council district
- School district
- City council district
- Congressional district
- Voter status
- Municipal code and name

Pursuant to Section 7-15-330 of the South Carolina Code of Laws, beginning at 9:00 a.m. on the day prior to any election, the following information regarding all voters who participated in the absentee process is made available to the public:

- County code and name
- Application number
- Registration number
- Name
- Address
- Precinct code number
- Ballot style
- Party voted in primary
- Absentee address
- Who requested the ballot
- Application request method
- Application request date
- Application issue date
- Application return date
- Ballot issue date
- Ballot delivery method
- Ballot returned date
- Ballot returned method
- Ballot returned by (name)
- UOCAVA reason
- Runoff ballot requested

**\*NOTICE TO ALL REQUESTORS OF RECORDS**

State law requires every public body to provide the following notice to all requestors of records:

Obtaining or using public records for commercial solicitation directed to any person in this State is prohibited under [South Carolina Code Section 30-2-50](#).

In addition, a person or private entity shall not knowingly obtain or use any "personal information" obtained from a public body for commercial solicitation directed to any person in the State. [Section 30-2-50\(A\)](#). "Personal information" is defined as follows: Information that identifies or describes an individual including, but not limited to, an individual's photograph or digitized image, social security number, date of birth, driver's identification number, name, home address, home telephone number, medical or disability information, education level, financial status, bank account(s) number(s), account or identification number issued by and/or used by any federal or state governmental agency or private financial institution, employment history, height, weight, race, other physical details, signature, biometric identifiers, and any credit records or reports. [Section 30-2-30\(1\)](#).

PENALTY: A person knowingly violating the provisions of 30-2-50(A) is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed five hundred dollars or imprisoned for a term not to exceed one year, or both. [Section 30-2-50\(D\)](#).

Are you a citizen of the United States of America? Yes <input type="checkbox"/> No <input type="checkbox"/> Will you be 18 years of age on or before election day? Yes <input type="checkbox"/> No <input type="checkbox"/> <b>If you checked 'NO' in response to either of these questions, DO NOT complete this form.</b>					Check One: <input type="checkbox"/> New Registration (Check above if moving from one county to another) <input type="checkbox"/> Address or name change within the same county							
NAME		Last			First			MI		Suffix		
SEX		Male <input type="checkbox"/> Female <input type="checkbox"/>		RACE		White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Other Specify <input type="checkbox"/> _____			SOCIAL SECURITY NUMBER ** - -			
ADDRESS WHERE YOU LIVE (Physical Address)		Street				Apt Number		Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>				
		City				State		Zip Code		Would you like to be a poll worker? Yes <input type="checkbox"/> No <input type="checkbox"/>		
MAILING ADDRESS (if different from above)		Street or Post Office Box										
		City				State		Zip Code				
BIRTHDATE		Month		Day		Year		PHONE #		Home ( ) Work ( )		
PREVIOUS REGISTRATION/NAME		Precinct			County			State		Previous Name		

**Voter Declaration** – (read and sign below)  
I swear or affirm that:

- I am a citizen of the United States of America
- I will be 18 years of age on or before Election Day
- I am a resident of South Carolina, this county and precinct
- I am not under a court order declaring me mentally incompetent
- I am not confined in any public prison resulting from a conviction of a crime
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction
- the address listed above is my only legal place of residence, and I claim no other place as my legal residence

If you do not have a street name or number, draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Attach ID Here

Signature

Date of Application

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

**ID Required:** If you are registering for the first time in this county, you **must** attach a copy of a current valid photo ID **or** a copy of a current utility bill, bank statement, paycheck or other government document that shows your name and address in this county. If you do not provide this identification now, you will be required to provide this information when you vote. Voters who are age 65 and over, voters with disabilities, members of the U.S. Uniformed Services or Merchant Marines and their families, and U.S. Citizens residing outside the U.S. are exempt from this requirement.

☐ Check here if you are exempt.

**\*\* Social Security Number is required by the S.C. Code of Laws 7-5-170. This number is used for internal purposes only and eliminates multiple registrations by a single individual. Your Social Security Number is not released to any unauthorized individual.**

For Voter Registration Board Use Only

scVOTES.org

☐ Approved

☐ Disapproved by \_\_\_\_\_ (Member, Voter Registration Board) Date \_\_\_\_\_

--

NAME		Last				First				MI		Suffix					
SEX		Male <input type="checkbox"/>		RACE		White		Black/African American		Asian		Hispanic		Other Specify		SOCIAL SECURITY NUMBER	
		Female <input type="checkbox"/>				<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		- -	
ADDRESS WHERE YOU LIVE		Street						Apt Number				Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>					
		City						State				Zip Code					
MAILING ADDRESS (if different from above)		Street or Post Office Box															
		City						State				Zip Code					
BIRTHDATE		Month		Day		Year		PHONE #		Home				Work			
PREVIOUS REGISTRATION		Precinct						County						State			

☐ I am not under a court order declaring me mentally incompetent or confined in any public prison.

☐ I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.

I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of the State of South Carolina, this county and of my precinct. I further swear (or affirm) that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.

Signature of Applicant

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Member, Deputy Member or  
Clerk of Registration Board

## For Registration Board Use Only

[illegible]

920

STATE OF SOUTH CAROLINA  
Application for Voter Registration

Social Security Number is required by the S.C. Code of Laws and is used for internal purposes only. Social Security Number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized individual.

<b>CHECK ONE</b>		<input type="checkbox"/> New registration in county		<input type="checkbox"/> Change in current registration					
<b>NAME</b>	Last			First		MI	Suffix		
	<b>SEX</b>			<b>RACE</b>			<b>SOCIAL SECURITY NO.</b>		
Male <input type="checkbox"/>			White <input type="checkbox"/>			- -			
Female <input type="checkbox"/>			Black/African American <input type="checkbox"/>						
			Asian <input type="checkbox"/>						
			Hispanic <input type="checkbox"/>						
			Other (Specify) _____						
<b>ADDRESS WHERE YOU LIVE</b>		Street				Apt Number	<b>INSIDE CITY LIMITS</b>		
							Yes <input type="checkbox"/> No <input type="checkbox"/>		
		City				State	Zip Code		
<b>MAILING ADDRESS (if different from above)</b>		Street or Post Office Box					Apt Number		
		City					State Zip Code		
<b>BIRTHDATE</b>		Month	Day	Year	<b>PHONE</b>		Home	Work	
<b>PREVIOUS REGISTRATION</b>		Precinct				County			State

**Voter Declaration - Read and Sign Below**

I swear or affirm that:

- I am a United States citizen.
- I will be at least 18 years old on or before the next election.
- I am a resident of South Carolina, this county and precinct.
- I am not under a court order declaring me mentally incompetent.
- I am not confined in any public prison resulting from a conviction of a crime.
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.
- The address listed above is my only legal place of residence and I claim no other place as my legal residence.

Draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Signature

Date of Application

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

If you decline to register to vote, that decision will remain confidential and be used only for voter registration purposes.

If you register to vote, information regarding the office in which the application was submitted will remain confidential, again, to be used only for voter registration purposes.

**For Registration Board Use Only**

City	Mail City	Mail Co.	Township	Precinct	House	Senate	Co. Council	School	City Council	Cong.	Watershed	Reg Loc	Misc
												920	

☐ Rejected☐ Approved By \_\_\_\_\_  
Member, Board of Voter Registration

Date

## SEC Attachment #4

**Candidate Filing Fees By State (Survey Responses from States)**

<b>State</b>	<b>Filing Fee for President (Presidential Preference Primary only)</b>	<b>Filing Fee/Other Candidates</b>
Arizona	None	None
California	None	US Senate \$3,480, Congress \$1,740, State Senate and House \$1,001
Delaware	None	1% of salary X term
Georgia	None	% of Salary for most State Senate and House \$400
Indiana	None	None
Louisiana	\$1,125	Governor \$1125, Statewide Offices \$900, Congress \$900
Maine	\$2,500	None
Maryland	None	US Senate, Governor, Lt. Gov. \$290, Congress \$100, State Senate and House \$100
Minnesota	None	US Senate \$400, US Rep, Governor, Statewide Offices \$300, State Senate and House \$100
Mississippi	\$2,500	varies
Nevada	\$250	US Senate \$500, Congress \$300, Governor \$300, Statewide Offices \$200, State Senate and House \$100
New Mexico	None	\$50
Ohio	None	US Rep \$85, Statewide Offices \$150, State Senate and House \$85
South Carolina	\$20,000	1% of salary X term
South Dakota	None	None
Texas	None	Varies
Utah	\$500	\$50 plus 1% of salary X term
Vermont	\$2,000	None
Washington	Non	1% of salary
West Virginia	\$2,500	1% of salary



## SEC Attachment #5

**Verification of Voter Qualifications**

SEC = State Election Commission

County Board = County Board of Voter Registration and Elections

**Initial Registration – All Qualifications Verified by County Board at Time of Registration**

All applicants must complete a voter registration application. The applicant must attest to all qualifications on the voter registration application and by signing the application, takes an oath to that effect. Any applicant guilty of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

Qualification	Verification Method
Identity	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (in person and by mail):</b> Individual provides a copy of any current, valid photo ID or a copy of a utility bill, bank statement, paycheck or any government document showing the individual's name and address in the county.</p> <p><b>Required Method 3 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 4 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's identity through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual submitting the application is not the person he/she claims to be.</p>
U.S. Citizen	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (by mail):</b> Individual must check box indicating they are a U.S. Citizen.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not a U.S. Citizen. Acceptable documents to prove citizenship include: (1) Birth certificate (issued by a U.S. State or U.S. Department of State); (2) U.S. Passport (issued by U.S. Department of State); (3) Certificate of Citizenship; and (4) Naturalization Certificate.</p>
18 Years of Age (or will be 18 years of age by the date of an upcoming election if the voter is applying within 150 days of the voter registration deadline for that election or an associated primary)	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Required Method 2 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 3 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's age through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not (or will not be) 18 years of age.</p>
Resident of County and Precinct	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

## SEC Attachment #5

Qualification	Verification Method
	<p><b>Required Method 2 (online):</b> Individual provides S.C. Driver's License or Identification Card number and other identifying information which is verified with the S.C. Department of Motor Vehicles.</p> <p><b>Required Method 3 (National Voter Registration Act Agencies):</b> Voter registration agencies confirm an individual's address through their client identification process during registration for services.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is not a resident of the county and precinct in which the individual is registering.</p>
Not in Jail or Prison Serving Sentence for Conviction of a Crime	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual is in jail or prison serving a sentence for conviction of a crime.</p>
Not Convicted of a Felony or Offense Against the Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p> <p><b>Optional Method 1:</b> County Boards may request additional information from an individual if the board has reason to believe the individual has been convicted of a disqualifying offense and has not served the sentence or been pardoned.</p>
Not Adjudicated by Court to be Mentally Incompetent	<p><b>Required Method 1:</b> Individual reads and signs Voter Declaration affirming the individual meets all of the qualifications to vote.</p>

**Removal from List of Active, Registered Voters** – Voters are removed at various times by SEC. Removal means the voter's status is changed from "Active" to "Inactive." Voter records remain in the statewide voter registration system permanently.

Reason for Removal	Source of Information	Frequency
Death	DHEC's Bureau of Vital Statistics sends the SEC an electronic file of all those over 18 who are deceased (file includes records of only those who die in South Carolina, someone could be registered to vote here, but die in another state).	Monthly
	Social Security Administration Death File	Program under development and testing
	Correspondence from family	As received
U.S. Citizen	Voter request, information from courts	Varies
Resident of County and Precinct	Confirmation card mailing	Approximately every 4 years
	Returned mail sent by county boards to voters that has been returned as undeliverable.	As received
	Voter request received by the SEC	As received
	Information from other states/jurisdictions received by the SEC	As received

## SEC Attachment #5

Reason for Removal	Source of Information	Frequency
	Information received from the Interstate Crosscheck Program with other states. Upon receipt of information showing a voter has a later registration date in another state, the SEC sends voter a postcard to confirm their status.	Biennially in odd-numbered years
	DMV notifies the SEC of SC Driver's Licenses surrendered in other states at which time the SEC sends voter a postcard to confirm their status.	Program under development and testing
	Information received from the courts including undeliverable jury summons, returned jury summons indicated voter has moved, and court rulings.	As received
Voter Convicted of a Felony or Offense Against Election Laws (unless disqualification has been removed by service of sentence, including probation and parole time, or by pardon)	Information received from Court Administration or the US Attorney	Monthly
Adjudicated by Court to be Mentally Incompetent	Court documents received by the SEC	As received



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228

# House Legislative Oversight Committee

June 27, 2017

# Appropriations/Revenue

## Presidential Preference Primaries

	2008	2012	2016
Appropriations	2,183,560	0	2,200,000
Candidate Filing Fees	380,000	180,000	360,000
Total	2,563,560	180,000	2,560,000

## Candidate Filing Fees

- Presidential Preference Primaries
  - Florida - None
  - New Hampshire - \$1,000
  - North Carolina - None
  - Tennessee - None

## Internal Changes at Agency

- Agency recently added six new positions
- No other changes are planned at this time



## Legislative Changes

1. Special elections to fill vacancies
2. Certification of candidates; verification of qualifications
3. Closing registration books
4. Substitution of party nominee
5. Municipal elections
6. Don't hold partisan and non-partisan primaries on same day

# 1. Special elections

- §7-13-190
- State and federal law requires absentee ballots to be mailed not later than 45 days prior to any election
- Adequate time did not exist for special elections
- **Bill passed in 2017**

## 2. Certification of Candidates

- For a statewide general election, political parties must certify candidates by noon on August 15<sup>th</sup>
- Several school districts and municipalities don't comply because candidate filing opens/closes after certification date
- SEC recommends that all candidates be certified by August 15th

### 3. Closing Registration Books

- Deadline to register to vote varies depending on how a person is registering
- In person – books must be closed for thirty days
- By mail – no later than thirty days
- Online VR – if application is received thirty days
- Recommend no later than 28 days/closed for 27 days

## 4. Substitution of Party Nominee

- No time limit is specified for candidate withdrawals
  - Potential exists for a candidate to withdraw and push statewide election to December or beyond
- SEC recommends that a time limit be placed on the time prior to an election when a candidate may resign for a legitimate nonpolitical reason

## 5. Municipal Elections

- Municipalities hold elections throughout the year
- SEC recommends holding municipal election in November of ODD calendar years

## 6. Partisan and Non-partisan Primaries

- School trustees for Kershaw County
- Non-partisan primary held on same day as partisan primaries (June)
- SEC recommends not holding a non-primary or moving non-partisan primary to another date

## Potential Recommendations

- #9 – Notification from Court regarding Mental Incompetence
- #10 – Add yes/no box on voter registration application
- #11 – Orientation for county board of registration and election members



# Questions



**Chairman Wm. Weston J. Newton**

*First Vice-Chair:*  
*Laurie Slade Funderburk*

## **Legislative Oversight Committee**

*Katherine E. "Katie" Arrington*  
*Gary E. Clary*  
*MaryGail K. Douglas*  
*Phyllis J. Henderson*  
*Joseph H. Jefferson Jr.*  
*Mandy Powers Norrell*  
*J. Todd Rutherford*  
*Tommy M. Stringer*  
*Bill Taylor*



*William K. (Bill) Bowers*  
*Neal Collins*  
*Raye Felder*  
*William M. "Bill" Hixon*  
*Robert L. Ridgeway III*  
*James E. Smith Jr.*  
*Edward R. Tallon Sr.*  
*Robert Q. Williams*

**South Carolina House of Representatives**

*Jennifer L. Dobson*  
*Research Director*

**Post Office Box 11867**

**Columbia, South Carolina 29211**

**Telephone: (803) 212-6810 • Fax: (803) 212-6811**

**Room 228 Blatt Building**

*Charles L. Appleby IV*  
*Legal Counsel*

*Cathy A. Greer*  
*Administration Coordinator*

*Carmen J. McCutcheon Simon*  
*Research Analyst/Auditor*

June 29, 2017

### VIA EMAIL and U.S. MAIL

Director Marci Andino  
State Election Commission  
Post Office Box 5987  
Columbia, South Carolina 29250

Dear Director Andino:

The Executive Subcommittee appreciates the State Election Commission's (SEC) partnership in the oversight process. As a follow up to the Subcommittee meeting on June 27, 2017, the Subcommittee seeks additional information. Please provide the information by Tuesday, July 11, 2017 so the Subcommittee may have ample time to review it in preparation for the July 31, 2017 meeting.

### *Agency Recommended Law Changes*

1. In regards to Law Change #3 (Closing Registration Books), does the agency recommend 28 days or 25 days?
2. To assist in analysis of Law Change #5 (Municipal Elections), please provide the following:
  - a. Excel chart which includes a list of all election types (e.g., governor, county, municipality, special purpose district, school district, referendum, etc.), and for each, when it is typically held, the entities involved in coordinating it (e.g., SEC, county registration and election board, municipality, school district, etc.), and average cost, to the extent known, to each entity.
3. To assist in analysis of Law Change #6 (Partisan and Non-Partisan Primaries), please provide any additional information available to the agency regarding the number of school districts that (1) do not hold a non-partisan primary, and (2) hold a non-partisan primary on another date.

*Agency Recommended Law Changes (cont.)*

4. To assist in analysis of the potential recommendation regarding the court providing notice to the SEC of individuals deemed mentally incompetent, please provide any additional information available regarding which entities are provided notice when an individual is deemed mentally incompetent and if the SEC could obtain notice from the court or one of the other entities notified.

Please utilize patterns, as opposed to different colors, as the fill for any graphs the agency provides in response to this letter, or future requests, so the differences are more easily distinguishable when the information is printed in black and white.

In your responses to these questions, please provide the Subcommittee with any relevant, necessary context information. If the agency has any concerns about the format yielding answers that do not provide an accurate reflection of the agency, please express those concerns prior to responding to the question, in a written letter with a copy to staff for the Subcommittee. Please retain your working papers for these responses in the event the Subcommittee would like to view those. As a reminder, responses to the questions above, as well as responses to any other requests, are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

The Subcommittee looks forward to working collaboratively with the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

Signature Redacted

Gary E. Clary  
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk  
The Honorable Wm. Weston J. Newton  
The Honorable Robert Q. Williams

June 28, 2017

Hon. Gary Clary  
Chair  
Executive Subcommittee  
House Legislative Oversight Committee  
PO Box 11867  
Columbia, SC 29211

VIA EMAIL

Dear Rep. Clary:

As we discussed during the Executive Subcommittee meeting held on June 27, 2017, the Municipal Association of South Carolina supports the concept of establishing several annual dates on which municipalities may hold their general elections.

Currently, cities and towns across the state hold their general elections throughout the year. While those dates were chosen for a variety of reasons, the Municipal Association recognizes the confusion those varying dates may cause for residents. The Association agrees that standardization of general election dates would be helpful, but cities and towns should be allowed to choose from several dates rather than be forced to use a single date.

The Association has previously proposed that general elections could be held once per calendar quarter in an even or odd year. This would provide cities and towns the option to choose a date closest to their current election dates. The Association is certainly willing to discuss other potential options and reach agreement on dates that would satisfy as many stakeholders as possible.

Keep in mind that changes to election dates will have several effects that should be considered by any potential legislation. First, the terms of many elected council members across the state will have to be shortened or lengthened. Currently, councils choose whether or not to shorten or lengthen their terms when they change their election dates. That council prerogative should be retained. Additionally, changes in election dates will require councils to modify their existing election ordinances to accommodate a new date. Therefore, any new legislation's effective date must be set to allow councils time to modify their election ordinances.

On behalf of the state's 270 cities and towns, the Municipal Association stands ready to assist you and the subcommittee with your work on this important issue. Please do not hesitate to contact us going forward.

Sincerely,

Signature Redacted

Scott Slatton  
Legislative and Public Policy Advocate

## Presidential Advisory Commission on Election Integrity



June 28, 2017

The Honorable Mark Hammond  
Secretary of State  
1205 Pendleton Street, Suite 525  
Columbia, SC 29201

Dear Secretary Hammond,

I serve as the Vice Chair for the Presidential Advisory Commission on Election Integrity ("Commission"), which was formed pursuant to Executive Order 13799 of May 11, 2017. The Commission is charged with studying the registration and voting processes used in federal elections and submitting a report to the President of the United States that identifies laws, rules, policies, activities, strategies, and practices that enhance or undermine the American people's confidence in the integrity of federal elections processes.

As the Commission begins its work, I invite you to contribute your views and recommendations throughout this process. In particular:

1. What changes, if any, to federal election laws would you recommend to enhance the integrity of federal elections?
2. How can the Commission support state and local election administrators with regard to information technology security and vulnerabilities?
3. What laws, policies, or other issues hinder your ability to ensure the integrity of elections you administer?
4. What evidence or information do you have regarding instances of voter fraud or registration fraud in your state?
5. What convictions for election-related crimes have occurred in your state since the November 2000 federal election?
6. What recommendations do you have for preventing voter intimidation or disenfranchisement?
7. What other issues do you believe the Commission should consider?

In addition, in order for the Commission to fully analyze vulnerabilities and issues related to voter registration and voting, I am requesting that you provide to the Commission the publicly-available voter roll data for South Carolina, including, if publicly available under the laws of your state, the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social

security number if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information.

You may submit your responses electronically to [ElectionIntegrityStaff@ovp.eop.gov](mailto:ElectionIntegrityStaff@ovp.eop.gov) or by utilizing the Safe Access File Exchange ("SAFE"), which is a secure FTP site the federal government uses for transferring large data files. You can access the SAFE site at <https://safe.amrdec.army.mil/safe/Welcome.aspx>. We would appreciate a response by July 14, 2017. Please be aware that any documents that are submitted to the full Commission will also be made available to the public. If you have any questions, please contact Commission staff at the same email address.

On behalf of my fellow commissioners, I also want to acknowledge your important leadership role in administering the elections within your state and the importance of state-level authority in our federalist system. It is crucial for the Commission to consider your input as it collects data and identifies areas of opportunity to increase the integrity of our election systems.

I look forward to hearing from you and working with you in the months ahead.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kris Kobach", written in a cursive style.

Kris W. Kobach  
Vice Chair  
Presidential Advisory Commission on Election Integrity



July 6, 2017

The Honorable Kris W. Kobach  
 Vice Chairman  
 Presidential Advisory Commission on Election Integrity  
[ElectionIntegrityStaff@ovp.eop.gov](mailto:ElectionIntegrityStaff@ovp.eop.gov)

Dear Vice Chairman Kobach:

As the chief state election official for the State of South Carolina, I am responding to your letter requesting recommendations and publicly-available voter roll data. The State Election Commission (SEC) is an independent agency with responsibility for the statewide voter registration system, statewide voting system, a training and certification program for county election officials, conduct of elections and supervisory responsibility over county boards of voter registration and elections.

The SEC supports efforts to improve the voter registration and election processes to ensure that every eligible citizen has the opportunity to register to vote, participate in fair and impartial elections and have the assurance that their vote will count.

The SEC has the following recommendations:

Federal laws that would enhance the integrity of federal elections:

- The National Voter Registration Act of 1993 has provided many citizens with the opportunity to register to vote; however, the Act is in need of modernization. First, many state agencies providing public assistance are no longer meeting with clients face-to-face. Allowances should be made for online transactions. Second, the Act relies heavily on the United States Postal Service (USPS) for mailing notifications to voters. The Act should be reviewed for compatibility with current USPS mailing requirements and should allow for the use of electronic communications with voters.

**COMMISSIONERS**

BILLY WAY, JR.  
 Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO  
 Executive Director

1122 Lady Street  
 Suite 500  
 Columbia, SC 29201

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 Columbia, SC 29250

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 Fax: 803.734.9366  
[www.scvotes.org](http://www.scvotes.org)

Page 2

Vice Chairman Kobach

Support state and local election administrators with regard to information technology security and vulnerabilities:

- Provide for improved communications between federal intelligence and law enforcement agencies and states.
- Provide federal funding for enhancements to critical election infrastructure including security of voter registration databases and replacement of voting systems.

The Commission has also requested publicly-available voter roll data for South Carolina. After careful consideration of your request and applicable state laws, we have concluded the SEC does not have the authority to provide publicly-available voter roll data to the Commission. South Carolina Code of Laws Section 7-3-20(12) allows the SEC to "furnish at reasonable price any precinct lists to a qualified elector requesting them."

Thank you for the opportunity to provide recommendations to improve voter registration and elections.

Sincerely,



Marci Andino

/mba



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Hon. Cory Booker, NJ - '13  
Hon. Alma Adams, NC - '14  
Hon. Brenda Lawrence, MI - '15  
Hon. Mia Love, UT - '15  
Hon. Stacey Plaskett, VI - '15  
Hon. Bonnie Watson Coleman, NJ - '15  
Hon. Dwight Evans, PA - '16  
Hon. Kamala D. Harris, CA - '17  
Hon. Lisa Blunt Rochester, DE - '17  
Hon. Anthony Brown, MD - '17  
Hon. Val Demings, FL - '17  
Hon. Al Lawson, FL - '17  
Hon. A. Donald McEachin, VA - '17



June 30, 2017

National Association of  
State Election Directors  
21946 Royal Montreal Drive  
Suite 100  
Katy, TX 77450

Dear Members of the National Association of State Election Directors:

We write to you to express our most urgent concern that letters just issued by the Trump Administration will pave the way for nationwide voter suppression and purging, and violate the privacy of hundreds of millions of American citizens. The letters were issued by both the Justice Department and the partisan Pence-Kobach voting commission to the Secretaries of State and election officials in all 50 states.

We have little doubt that if complied with, these letters – issued unilaterally without any vote or public discussion – would lead to an unprecedented, nationwide voter suppression effort. The letter from the DOJ appears to signal the initiation of a federal effort to prevent lawful voters from being able to vote, either by bullying states into removing such voters from their rolls, or by suing the states outright. We have previously seen such purging efforts conducted at the state level, littered with errors and inaccuracies, and inevitably performed in a manner which discriminates against minority voters.

The fact that the Pence-Kobach commission is being led by individuals with a known and notorious history of voter suppression severely compounds our concerns. Commission Vice-Chair Kris Kobach has been sued four times by the ACLU and was sanctioned by a federal court last week for “deceptive conduct and lack of candor.”<sup>1</sup> We learned just yesterday that Hans von Spakovsky was appointed to the Pence-Kobach commission. Von Spokavsky has been publicly rebuked in a letter signed by six former professionals in the DOJ voting section as being “the point person for undermining the Civil Rights Division mandate to protect voting rights” under the George W. Bush Administration.

<sup>1</sup> *Fish v. Kobach*, No. 16-2105, 2017 (Fed. D. Ct. KS, Jun. 23, 2017).

We also have grave concerns that compliance with Mr. Kobach's letter would result in unprecedented violations of American's privacy rights and potentially violate federal law. The breadth of the information requested, including name, address, birth dates, political party affiliation, voting history, Social Security numbers, and military status, among other personal information is not only overwhelming, but chilling from a civil rights and liberties perspective. In addition to being used to conduct further discriminatory voter purges, one shudders to think of the many ways this information could be misused. Kobach's request could potentially violate the federal Privacy Act<sup>2</sup> (a point emphasized by Loyola Law School Professor Justin Levitt today), including provisions which specifically limit use of data, such as voting history and party affiliation; and set forth specific procedural limits relating to public notification, transparency, security, and congressional approvals.

It is for these and other reasons that Secretaries of State and other officials from both political parties have expressed concerns with the Trump Administration's actions, including at the time of this writing, officials in California, Connecticut, Kentucky, Virginia, New York, Oklahoma, and Massachusetts.

We believe it is imperative that you place the interests of your own voters and the United States Constitution above any ill-thought partisan effort to disenfranchise American voters and justify President Trump's grossly inaccurate misstatement that "3-5 million" unauthorized immigrants had robbed him of a popular vote majority.

Sincerely,



Cedric Richmond  
Chairman

Congressional Black Caucus



John Conyers, Jr.  
Co-Chair

Civil and Voting Rights Task Force



Terri A. Sewell  
Co-Chair

Civil and Voting Rights Task Force

<sup>2</sup> Privacy Act of 1974, 5 U.S.C. § 552a





THE LEAGUE OF WOMEN VOTERS OF SOUTH CAROLINA

PO BOX 8453, COLUMBIA, SC, 29202, (803) 251-2726, WWW.LWVSC.ORG

July 1, 2017

Billy Way, Jr., Chair  
State Election Commission  
1122 Lady Street, Suite 500  
Columbia, SC 29201

Dear Mr. Way:

As you know, the newly formed Presidential Election Integrity Commission (PEIC) has demanded that states turn over extensive information about citizens on their voting rolls (including, to the extent permitted by state law, the first, middle and last name, address, birthdates, party identification, voting history from 2006 onward, military status, criminal record, overseas status and last 4 digits of social security number) to the White House. How this information will be used, why it being requested and how the privacy of individuals will be protected from identity theft or other misuse is not known. Further, the PEIC Director has conceded that there is no legal basis for their demanding this information.

We are confident that our State Elections Commission (SEC) effectively controls the accuracy of our voter registration rolls, removing voters who have died or moved out of state and adding new voters as they register. The accuracy of South Carolina voting rolls was verified in 2012, when numerous state officials testified under oath in the federal case associated with our Photo ID law.

South Carolina has experience with the kind of review proposed by the PEIC. Only five years ago, review of voter records by the Department of Motor Vehicles led to claims that as many as 900 dead voters, quickly labeled "zombie voters," had voted in our 2012 election. This claim was made in support of demands for stricter voting laws. However, reviews by both SLED and the SEC showed that the claims were nonsense. Instead of voter fraud they found only a handful of clerical errors. The PEIC risks repeating the mistakes that were made here on a national scale.

The League of Women Voters strongly urges you to reject this demand. South Carolina must value the protection of its citizen's birthdates, social security numbers, and other personal data. Sensitive data collected by our state and counties should not be released without an assurance of a proven need and demonstration of secure protections against misuse or release. Other state leaders have stood up for their voters and the local integrity of their State and County Election Commissions. South Carolina should do the same and refuse the requests from federal EIC.

Sincerely yours,

A handwritten signature in blue ink that reads "Holley H. Ulbrich". The signature is written in a cursive style with a large, stylized 'H'.

Holley H. Ulbrich, Co-President

A handwritten signature in blue ink that reads "Julie C. Hussey". The signature is written in a cursive style with a large, stylized 'J'.

Julie Hussey, Co-President, Co-President

Cc: Ms. Marci Andino, Executive Director, SC State Election Commission

The Honorable Henry McMaster, Governor



Voting Section - NWB  
950 Pennsylvania Ave, NW  
Washington, DC 20530

**JUN 28 2017**

The Honorable Billy Way, Jr.  
State Election Commission Chair  
P.O. Box 5987  
Columbia, SC 29250-5987

Dear Chairman Way:

We write to you as the chief election official for the State of South Carolina to request information regarding the State's procedures for compliance with the statewide voter registration list maintenance provisions of the National Voter Registration Act ("NVRA"), 52 U.S.C. § 20501 et seq. and the Help America Vote Act ("HAVA"), 52 U.S.C. § 20901 et seq. As part of our nationwide enforcement efforts, we are reviewing voter registration list maintenance procedures in each state covered by the NVRA.

The NVRA imposes several requirements on covered states that promote the maintenance of accurate statewide voter lists. Among other things, states must:

- "conduct a general program that makes a reasonable effort to remove the names of ineligible voters" from the statewide voter registration list due to the registrant's death or change of residence (Section 8(a)(4), 52 U.S.C. § 20507(a)(4));
- ensure that the state's general program complies with the requirements and protections imposed by Sections 8(b), (c), and (d) (52 U.S.C. § 20507(b)-(d));
- ensure that any change-of-address form submitted by a voter to a state's motor vehicle authority for driver's licensing purposes serves as a change of address for voter registration purposes, unless the voter states a contrary intention on the form (Section 5(d), 52 U.S.C. § 20504(d));
- ensure that when a registrar receives information that a registered voter has moved to a new address within the registrar's jurisdiction, the voter list is updated to reflect the new address (Section 8(f), 52 U.S.C. § 20507(f)); and
- maintain and make available for public inspection for at least two years "all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters" (Section 8(i), 52 U.S.C. § 20507(i)).

The NVRA imposes these requirements on the state itself. Thus, where a state tasks local election officials with implementing aspects of its list maintenance procedures, the state's chief

elections official must “actively oversee the general program” and ensure that it is “reasonably conducted.” *United States v. Missouri*, 535 F.3d 844, 850 (8th Cir. 2008).

HAVA also imposes certain list maintenance obligations on states as part of the uniform statewide database requirements of Section 303(a)(2) of HAVA, 52 U.S.C. § 21083(a)(2), including coordinating the state voter registration list with state agency records on felony status and death.

As well as reviewing states’ procedures, our efforts to assess compliance with these provisions will also include an analysis of voter registration data reported by each state to the U.S. Election Assistance Commission (“EAC”) as part of its biennial Election Administration and Voting Survey (“EAVS”). Data regarding confirmation notices, removals from the voter registration list, and active and inactive registered voters are of particular relevance and are among the categories of data for which reporting is required by EAC regulations. *See* 11 C.F.R. § 9428.7. However, such data for some states were not included in the 2014 EAVS report,<sup>1</sup> the most recent survey results published by the EAC. Thus, some states are receiving a request for any missing data as part of the information requested below. Similarly, we will review the forthcoming 2016 EAVS data when they are available.

To assist our efforts, we respectfully request that you provide us with the following information related to the above requirements:

- All statutes, regulations, written guidance, internal policies, or database user manuals that set out the procedures South Carolina has put in place relating to:
  - (A) the general program required by Section 8(a)(4) to remove voters from the voter registration list who have become ineligible due to death or change of residence;
  - (B) the requirement of Section 5(d) that motor vehicle changes of address generally serve as updates to voter registration records;
  - (C) any other process that election officials are authorized or required to follow to remove voters by reason of death or change in residence, such as challenge procedures or other list maintenance activities not part of the “general program”; and
  - (D) the processes that the state follows for coordinating state databases under HAVA for list maintenance purposes, and any other database coordination or comparison that the state undertakes for list maintenance purposes.

If your state has relevant procedures in place that are not covered by these written materials, please provide a description of them.

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<sup>1</sup> U.S. Election Assistance Commission, “The EAC 2014 Election Administration and Voting Survey Comprehensive Report: A Report to the 114th Congress,” June 30, 2015, *available at* [https://www.eac.gov/assets/1/1/2014\\_EAC\\_EAVS\\_Comprehensive\\_Report\\_508\\_Compliant.pdf](https://www.eac.gov/assets/1/1/2014_EAC_EAVS_Comprehensive_Report_508_Compliant.pdf).

- An explanation of which election officials are responsible for implementing South Carolina's general program of voter registration list maintenance, and for those responsible officials not employed by your office (such as a local election official), a description of the steps that you have taken to ensure that the State's list maintenance program has been properly carried out in full compliance with the NVRA.

Please provide this information within 30 days of the date of this letter. The materials may be sent by email to [voting.section@usdoj.gov](mailto:voting.section@usdoj.gov) or by FedEx or UPS to Voting Section, Civil Rights Division, Room 7254, U.S. Department of Justice, 1800 G Street NW, Washington, DC 20006. If you have any questions regarding this request, please contact David Cooper at 202-305-4733 or Samuel Olikier-Friedland at 202-353-6196. We very much appreciate your cooperation in our nationwide efforts to monitor NVRA compliance.

Sincerely,

Signature Redacted

T. Christian Herren, Jr.  
Chief, Voting Section

cc: Ms. Marci Andino, Executive Director, State Election Commission

July 7, 2017

SEC Response to June 29, 2017 Executive Subcommittee Request for Additional Information

1. In regards to Law Change #3 (Closing Registration Books), does the agency recommend 28 days or 25 days?

After further study, the SEC recommends a 25-day deadline which would make the voter registration deadline fall on a weekday for elections held on both Tuesdays and Saturdays. See attachment titled "Recommended Change to Law #3".

2. To assist in analysis of Law Change #5 (Municipal Elections), please provide the following:
  - a. Excel chart which includes a list of all election types (e.g., governor, county, municipality, special purpose district, school district, referendum, etc.), and for each, when it is typically held, the entities involved in coordinating it (e.g., SEC, county registration and election board, municipality, school district, etc.) and average cost, to the extent known, to each entity.

See attachment titled "Election Types".

Also see Additional Information below.

3. To assist in analysis of Law Change #6 (Partisan and Non-Partisan Primaries), please provide any additional information available to the agency regarding the number of school districts that (1) do not hold a non-partisan primary, and (2) hold a non-partisan primary on another date.

The SEC is aware of only one school district that holds a non-partisan primary. Kershaw holds their non-partisan primary on the same day as the statewide primaries (the second Tuesday in June of even-numbered years).

4. To assist in analysis of the potential recommendation regarding the court providing notice to the SEC of individuals deemed mentally incompetent, please provide any additional information available regarding which entities are provided notice when an individual is deemed mentally incompetent and if the SEC could obtain notice from the court or one of the other entities notified.

The SEC is working with Court Administration and SLED to determine what entity, if any, has a comprehensive list of individuals deemed mentally incompetent by the courts. As of this response, the responsible party has not been identified.



## **Additional Information**

### **Current Municipal Election Dates (updated 6/30/2017)**

<b>Election Date</b>	<b>Number of Municipalities</b>
November Odd Year	128 (47%)
November Even Year	34 (13%)
Other Date	109 (40%)

### **Municipal Voter Participation Comparison**

<b>Election Date</b>	<b>Small (Pop. Approx. 1.3K)</b>	<b>Medium (Pop. Approx. 8K)</b>	<b>Large (Pop. Approx. 23K)</b>
November Odd Year	28.6% (Due West, 11/3/15)	7.4% (Monck's Corner, 11/3/15)	8.4% (Easley, 11/3/15)
November Even Year	43.1% (Johnsonville, 11/4/14)	23.7% (Lancaster, 11/4/14)	15.6% (Greenwood, 11/8/16)
Other Date	5.1% (Elgin, 2/7/17)	14.5% (Seneca, 3/11/14)	8.4% (Anderson, 4/8/14)

### **School Boards and Public Service Districts on Dates Other Than November of Even Year**

<b>School Boards</b>	14	<u>Affected Counties</u> : Abbeville, Bamberg, Barnwell, Cherokee, Clarendon, Florence, Greenwood, Laurens, Orangeburg, Marion, and Spartanburg
<b>Public Service Districts</b>	20	<u>Affected Counties</u> : Greenville and Spartanburg

### **Filing Fees for Presidential Preference Primaries**

South Carolina charges a filing fee of \$20,000 to candidates who file to run in the state's Presidential Preference Primaries. Parties may also charge candidates a certification fee which is retained by the party.

Democratic Party – Total fees paid by candidates in Democratic Presidential Primaries may not exceed \$2,500 by Democratic National Committee rules.

Republican Party – The Republican National Committee allows states to set filing fees for the party's Presidential Primaries candidates. The table below shows total candidate filing fees for Republican Presidential Primaries by state.

State	Fee	State	Fee
Alabama	\$10,000	Montana	\$0
Alaska	\$2,500	Nebraska	\$0
Arizona	\$0	Nevada	\$12,500
Arkansas	\$25,000	New Hampshire	\$1,000
California	\$0	New Jersey	\$0
Colorado	\$0	New Mexico	\$0
Connecticut	\$0	New York	\$0
Delaware	\$0	North Carolina	\$0
Florida	\$0	North Dakota	\$0
Georgia	\$0	Ohio	\$0
Hawaii	\$5,000	Oklahoma	\$2,500
Idaho	\$1,000	Oregon	\$0
Illinois	\$0	Pennsylvania	\$200
Indiana	\$0	Rhode Island	\$0
Iowa	\$0	South Carolina	\$40,000
Kansas	\$15,000	South Dakota	\$0
Kentucky	\$15,000	Tennessee	\$0
Louisiana	\$1,125	Texas	\$5,000
Maine	\$10,000	Utah	\$5,000 - \$10,000
Maryland	\$0	Vermont	\$2,000
Massachusetts	\$0	Virginia	\$0
Michigan	\$0	Washington	\$0
Minnesota	\$0	West Virginia	\$2,500
Mississippi	\$0	Wisconsin	\$0
Missouri	\$1,000	Wyoming	\$0

## Election Types

Election Type	Election Date	Coordinating Entities	Average Cost
<b>General Election</b> (President, Governor, US Senate, US House, State Senate, State House, Solicitors, countywide and less-than-countywide offices)	First Tuesday after the First Monday in November in each even-numbered year	State Election Commission, County Boards of Voter Registration and Elections	\$3M
<b>Statewide Primaries/Runoffs</b>	Statewide primaries are held on the second Tuesday in June in each even-numbered year. Runoffs are held two weeks following the primaries.	State Election Commission, County Boards of Voter Registration and Elections	\$3.5M
<b>Presidential Preference Primaries</b>	Date set by the political parties	State Election Commission, County Boards of Voter Registration and Elections	\$2.6M
<b>Municipal Elections</b>	Determined by the governing body of the municipality by ordinance (see stats under Additional Information in July 6 response to Committee questions on when most municipal election are held).	Municipal Election Commission or County Board of Voter Registration and Elections (if authority has been transferred under S.C. Code of Laws Section 5-15-145)	Unknown
<b>Public Service Districts</b>	Determined by enabling legislation. Most PSDs are held with the General Election. Some PSDs in Greenville and Spartanburg are held on a different date.	County Boards of Voter Registration and Elections	Unknown
<b>School Districts</b>	Determined by enabling legislation. Most school district elections are held with the General Election. Fourteen school districts hold elections on a date other than the General Election (see stats under Additional Information in July 6 response to Committee questions).	County Boards of Voter Registration and Elections. (Except for one school district in Florence County that conducts its own election in conjunction with an annual public meeting.)	Unknown
<b>Referendums</b>	There are various referendum types. Some are required to be held at the time of the General Election, others can be set at other times according to rules set by law.	County Boards of Voter Registration and Elections, Municipal Election Commissions	Unknown

**Recommended Change to Law # 3****SECTION 7-5-150.** Closing registration books; registration of persons coming of age while books closed.

The registration books shall be closed ~~thirty~~ twenty four days before each election, but only as to that election or any second race or runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided, that the registration books shall be closed ~~thirty~~ twenty four days before the June primary and shall remain closed until after the second primary and shall likewise be closed ~~thirty~~ twenty four days before the November general election. They shall thereafter be opened from time to time in accordance with the provisions of this article. Any person eligible to register who has been discharged or separated from his service in the Armed Forces of the United States, and returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the next ensuing election after the discharge or separation from service, up to 5:00 p.m. on the day of the election. This application for registration must be made at the office of the board of voter registration and elections in the county in which the person wishes to register, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during this period of ~~thirty~~ twenty four days shall be entitled to register before the closing of the books if otherwise qualified.

**SECTION 7-5-155.** Registration of electors by mail.

(a) Notwithstanding any other provision of law, the following procedures may be used in the registration of electors in addition to the procedure otherwise provided by law.

(1) Subject to the provision of Section 7-5-150, any qualified citizen may register to vote by mailing or having delivered a completed state registration by mail application form or a completed national registration by mail application form prescribed by the Federal Election Commission not later than ~~thirty~~ twenty five days before any election to his county board of voter registration and elections. The postmark date of a mailed application is considered the date of mailing. If the postmark date is missing or illegible, the county board of voter registration and elections must accept the application if it is received by mail no later than five days after the close of the registration books before any election.

(2) If the county board of voter registration and elections determines that the applicant is qualified and his application is legible and complete, the board shall mail the voter written notification of approval on a form to be prescribed and provided by the State Election Commission pursuant to Section 7-5-180. When the county board of voter registration and elections mails the written notification of approval, it must do so without requiring the elector to sign anything in the presence of a member of the board, a deputy member, or a registration clerk, and the attestation of the elector's signature is not required so long as the conditions set forth above are met.

(3) Any application must be rejected for any of the following reasons:

(i) any portion of the application is not complete;

### Recommended Change to Law # 3

- (ii) any portion of the application is illegible in the opinion of a member and the clerk of the board;
  - (iii) the board is unable to determine, from the address stated on the application, the precinct in which the voter should be assigned or the election districts in which he is entitled to vote.
- (4) Any person whose application is rejected must be notified of the rejection together with the reason for rejection. The applicant must further be informed that he still has a right to register by appearing in person before the county board of voter registration and elections or by submitting the information by mail necessary to correct his rejected application. The form for notifying applicants of rejection must be prescribed and provided by the State Election Commission pursuant to Section 7-5-180.
- (b) Every application for registration by mail shall contain spaces for the home and work telephone numbers of the applicant and the applicant shall enter the numbers on the application where applicable.
- (c) The State Election Commission shall furnish a sufficient number of application forms to the county boards of voter registration and elections and voter registration agencies specified in Section 7-5-310(B) so that distribution of the application forms may be made to various locations throughout the counties and mailed to persons requesting them.

County boards of voter registration and elections shall distribute application forms to various locations in their respective counties, including city halls and public libraries, where they must be readily available to the public.

(d) The original applications must remain on file in the office of the county board of voter registration and elections.

(e) The State Election Commission may promulgate regulations to implement the provisions of this section.

#### **SECTION 7-5-185.** Electronic applications for voter registration.

- (A) A person who is qualified to register to vote and who has a valid South Carolina driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the Internet website of the State Election Commission.
- (B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received ~~thirty~~ twenty five days before an election to be held in the precinct of the person submitting the application.
- (2) The applicant shall attest to the truth of the information provided in the application.
- (3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver's license or state identification card issued by the Department of Motor Vehicles.
- (4) For each electronic application, the State Election Commission shall obtain an electronic copy of the

**Recommended Change to Law # 3**

applicant's signature from his driver's license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.

(5) An application submitted pursuant to this section must contain the applicant's name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: "I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence." An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(C) Upon submission of an application pursuant to this section, the electronic voter registration system shall provide immediate verification that the:

(1) applicant has a South Carolina driver's license or state identification card issued by the Department of Motor Vehicles and that the number for that driver's license or identification card provided by the applicant matches the number for that person's driver's license or state identification card that is on file with the Department of Motor Vehicles;

(2) date of birth provided by the applicant matches the date of birth for that person, which is on file with the Department of Motor Vehicles;

(3) name provided by the applicant matches the name for the person which is on file with the Department of Motor Vehicles; and

(4) State Election Commission employs security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this section.

(D) Should there be a failure to match any of the information required in this section with the Department of Motor Vehicles, the State Election Commission immediately shall notify the applicant of the failure to match information and inform the applicant that his application for registration was not accepted.

(E) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.

### Recommended Change to Law # 3

**SECTION 7-5-220.** Certificates shall be invalid at election within ~~thirty~~ twenty four days of issuance.

Except as provided in Section 7-5-150, registration made ~~thirty~~ twenty four days or less before any election is not valid for that election or any second race or runoff resulting from that election but such registration shall be valid in any other election.

**SECTION 7-5-330.** Completion, receipt, and disposition of voter registration application; discretionary removal of elector.

(A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than ~~thirty~~ twenty five days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than ~~thirty~~ twenty five days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than ~~thirty~~ twenty five days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than ~~thirty~~ twenty five days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file and may remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

**Recommended Change to Law # 3**

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) "Notice", as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than ~~thirty~~ twenty five days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.



## *Appendix N. July 31, 2017 Meeting Information*

### Appendix Includes:

- Meeting packet
  - Agenda
  - June 27, 2017 - Meeting minutes
  - Study timeline
  - Agency snapshot
  - Potential recommendations and findings - Summary (excel chart)
  - Agency's response to Subcommittee's June 29, 2017 letter
    - Partisan and non-partisan primaries
    - Municipal election dates
    - Filing fees for presidential preference primaries
    - Election types, dates, coordinating entities, average cost
  - Presidential Advisory Commission on Election Integrity (PACEI) request for SC voter information (June - July 2017)
    - PACEI letter to SC Secretary of State (June 28, 2017)
    - State Election Commission letter to PACEI (July 6, 2017)
    - Congressional Black Caucus letter to National Association of State Election Directors (June 30, 2017)
    - The League of Women Voters of South Carolina letter to State Election Commission Chair (July 1, 2017)
  - US Department of Justice request to the State Election Commission
    - June 28, 2017 request for information regarding the State's procedures for compliance with the statewide voter registration list maintenance provisions of the National Voter Registration Act (NVRA) and Help America Vote Act (HAVA). NOTE: Request sent to each state covered by the NVRA
  - Committee contact information
- Potential recommendations and findings - Additional information

***Executive Subcommittee***

Monday, July 31, 2017

**Table of Contents**

\*Items in bold are focus of meeting discussion

	Page Number
• Agenda.....	1
• June 27, 2017 - Meeting Minutes.....	2
• Study Timeline.....	5
• Agency Snapshot.....	6
 <b>Potential Recommendations and Findings</b>	
• <b>Summary (Excel Chart).....</b>	7
• <b>Additional Information (Contains its own detailed table of contents).....</b>	See attached packet
 <b>Agency's Response to Subcommittee's June 29, 2017 letter</b>	
o Partisan and Non-Partisan Primaries.....	10
o Municipal Election Dates.....	11
o Filing Fees for Presidential Preference Primaries.....	12
o Election Types, dates, coordinating entities, average cost.....	13
 <b>Presidential Advisory Commission on Election Integrity (PACEI) request for SC voter information (June - July 2017)</b>	
• PACEI letter to SC Secretary of State (June 28, 2017).....	19
• State Election Commission letter to PACEI (July 6, 2017).....	21
• Congressional Black Caucus letter to National Association of State Election Directors (June 30, 2017).....	23
• The League of Women Voters of South Carolina letter to State Election Commission Chair (July 1, 2017).....	25
 <b>US Department of Justice request to the State Election Commission</b>	
• June 28, 2017 request for information regarding the State's procedures for compliance with the statewide voter registration list maintenance provisions of the National Voter Registration Act (NVRA) and Help America Vote Act (HAVA). NOTE: Request sent to each state covered by the NVRA.....	27
• Committee Contact Information.....	30

**South Carolina  
House of Representatives**



**Legislative Oversight Committee**

***EXECUTIVE SUBCOMMITTEE***

***Chairman Gary E. Clary***

***The Honorable Laurie Slade Funderburk***

***The Honorable Wm. Weston J. Newton***

***The Honorable Robert Q. Williams***

***Monday, July 31, 2017***

***10:00 am***

***Room 110, Blatt Building***

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.***

**AGENDA**

- I. Approval of Subcommittee Meeting Minutes**
- II. Discussion of the study of the State Election Commission**
- III. Adjournment**

*Chairman Wm. Weston J. Newton*

*First Vice-Chair:  
Laurie Slade Funderburk*

## **Legislative Oversight Committee**



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Phyllis J. Henderson  
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**Executive Subcommittee of the Legislative Oversight Committee  
Tuesday, June 27, 2017 10:00 am  
Blatt Room 110**

### **Archived Video Available**

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

### **Attendance**

- I. Subcommittee Chairman Gary E. Clary calls the Executive Subcommittee meeting to order on the morning of Tuesday, June 27, 2017, in Room 110 of the Blatt Building. The following members of the Subcommittee are present during all or part of the meeting: Subcommittee Chairman Clary, Representative Funderburk, Representative Newton, and Representative Williams.

## Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Newton moves to approve the minutes from the June 13, 2017 Subcommittee meeting. A roll call vote is held, and the motion passes.

Rep. Newton's motion to approve the minutes from June 13, 2017:	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

## Discussion of the State Election Commission

- I. Chairman Clary explains the purpose of today's meeting is for the State Election Commission to present its recommendations for law changes and/or major internal changes that may improve efficiency and outcomes or update laws; to receive any constituent testimony about these, or any other, recommendations; and discuss additional potential recommendations and findings.
- II. Chairman Clary reminds agency personnel who were sworn in during prior meetings that they remain under oath anytime they are with the Subcommittee or Committee.
- III. Chairman Clary swears in the following individuals:
  - a. Ms. Lynn Teague, League of Women Voters of South Carolina and Resident of Richland County; and
  - b. Mr. Scott Slatton, Municipal Association of South Carolina and Resident of Richland County.
- IV. State Election Commission Director Marci Andino presents responses to follow up questions from the Subcommittee after the last Subcommittee meeting. She then discusses the agency's recommendations. Those recommendations fall into 3 categories:
  - a. internal changes;
  - b. legislative changes; and
  - c. potential subcommittee recommendations.

Subcommittee members ask questions, which Director Andino answers.

V. Ms. Lynn Teague provides testimony.

VI. Mr. Scott Slatton presents information regarding the Municipal Association's perspective on the State Elections Commission's recommendations.

Subcommittee members ask questions, which Mr. Slatton answers.

VII. Ms. Kim Murphy (constituent) presents information regarding county boundaries and South Carolina Code of Law § 27-2-105. Prior to Ms. Murphy providing testimony, Subcommittee Chairman Clary reminds her that she was sworn in during a prior Subcommittee meeting and remains under oath.

Subcommittee members ask questions, which Ms. Murphy answers.

VIII. Director Frank Rainwater, Executive Director of South Carolina Revenue and Fiscal Affairs, and Mr. Will Roberts, State Political Cartographer for South Carolina Revenue and Fiscal Affairs, present information on the issue of clarifying county lines. Prior to Director Rainwater and Mr. Roberts providing testimony, Subcommittee Chairman Clary reminds them that they were sworn in during a prior Subcommittee meeting and remain under oath.

Subcommittee members ask questions, which Director Rainwater and Mr. Roberts answer.

IX. With no further business, the meeting is adjourned.

## Study Update - State Election Commission

- March 31, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **Annual Restructuring Report**, which is available online.
- September 20, 2016 - Agency submits its 2015-16 Accountability Report/2017 Annual **Restructuring Report**.
- January 10, 2017 - **Full committee votes to make the agency the next agency for the Executive Subcommittee to study**. Video of the meeting is available online.
- January 17, 2017 - Agency receives notice that it has been selected for study. Letter includes information on expectations of agency during the study and requirement that all testimony and correspondence is under oath.
- January 30, 2017 - Committee staff met with the agency to discuss study steps and procedures
- February 9 - March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- February 15, 2017 - Subcommittee has work session (**Meeting #1/Work Session**) and discusses questions to send the agency.
- March 9, 2017 - Full Committee meets with agency (**Meeting #2/Public Input**) to receive public input.
- April 5, 2017 - Subcommittee meets with agency (**Meeting #3**) and Revenue and Fiscal Affairs Office to discuss how county and district boundaries for elections are mapped.
- April 14, 2017 - Agency submits its **Program Evaluation Report** (agency requested, and was granted, a fourteen day extension).
- April 18, 2017 - Subcommittee meets with agency (**Meeting #4**) to discuss the agency's (a) mission, (b) responsibilities, (c) successes, (d) challenges and issues, (e) emerging Issues in the next five years, (f) history of the agency, and (g) agency's governing body.
- May 3, 2017 - Subcommittee meets with agency (**Meeting #5**) to hear testimony from a constituent and begin discussion of deliverables (i.e. products and services), organizational units, and goals.
- May 9, 2017 - Subcommittee meets with agency (**Meeting #6**) to continue discussion of deliverables, organizational units, and goals.
- May 31, 2017 - Subcommittee meeting cancelled due to fire in Election Commission building.
- June 13, 2017 - Subcommittee meets with agency (**Meeting #7**) to take a tour of the agency, then discuss resources available, methodology utilized to allocate resources to accomplish its strategic plan, and details about each of its goals, including, but not limited to, resources allocated and performance measures.
- June 27, 2017 - Subcommittee meets with agency (**Meeting #8**) to discuss recommendations.
- July 31, 2017 - (TODAY) Subcommittee work session (Meeting #9) to discuss recommendations.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov))

# State Election Commission

## History

Independent agency created in 1968.

SC was the first state in the country to have a statewide voter registration system.

## Voter Services

(1) Statewide voter registration system, provide election-specific databases to produce ballots for county and municipal election commissions; (2) Election support services and technical assistance related to statewide voting system to Counties; (3) Election security oversight and guidance to counties

## Public Information/Training

(1) Administer a mandatory statewide training and certification program for county and municipal election officials; (2) Ongoing training events and workshops; (3) Poll manager training program and materials; (4) Educate the public on the voter registration and election process; (5) Provide information regarding elections and agency activities

## Administration

Leadership and direction for the agency, including administration, finance and support services

## SUCCESSES

- Conduct Statewide Elections and Security
- Statewide Voting System Audits, County Compliance Audits, and Supervision of Counties
- Implementation of Candidate Filing and Photo ID

## ISSUES

- Voting System Refresh
- Election Security
- Meeting Demands of Voters
- Voting System Replacement
- Cyber Security



# Potential Recommendations and Findings

State Election Commission

Page 948 of 1104

Item	Summary	Rec or Finding	Statute, Reg. Internal Agency Operation	Concept or Specific*	Short or Long Term Resolution*	Issue Recommendation or Finding Addresses	RFA	SEC	Pg # in Add'l Info Doc
<b>Standardization and Uniformity</b>									
A	<b>Certification of Candidates</b> - Apply the August 15th requirement for certifying candidates in a statewide general election to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates.	Rec	Statute	Concept	Long term	Standardization and uniformity in elections	Takes no position	Requests	5
B	<b>Closing Registration Books</b> - Change deadline to register to vote from 30 days to 25 days by amending SC Code Ann. § 7-5-150; -155; -185, -220, and -330 as outlined by the State Election Commission in the agency recommendations document.	Rec	Statute	Specific	Long term	Standardization and uniformity in elections	Takes no position	Requests	9
C	<b>Substitution of Party Nominee</b> - Limit the time prior to an election when a candidate may resign for the reasons stated in § 7-11-50 and a time frame for when a substitute candidate may be nominated by updating the SC Code.	Rec	Statute	Concept	Long term	Standardization and uniformity in elections	Takes no position	Requests	14
D	<b>Municipal Elections</b> - General elections to be held on the first Tuesday of November in odd numbered years by amending S.C. Code Ann. Section 5-15-50 as follows: Each municipal governing body may by ordinance establish municipal ward lines and the time for <del>general</del> and special elections within the municipality. <u>General elections will be held on the first Tuesday of November in odd numbered years</u> . Public notice of the elections shall be given at least sixty days prior to such elections.	Rec	Statute	Specific	Long term	Standardization and uniformity in elections	Takes no position	Requests	16
E	<b>Partisan and Non-Partisan Primaries</b> - Analyze whether the election of school trustees should require a primary and if a primary is still to be conducted, having non-partisan primaries during odd calendar years to provide uniformity in the election of the trustees and to avoid voter confusion on primary day for the general election as all other ballots issued to voters are based upon party preference expressed by the voter at the polls. (Kershaw County School Trustee election only election at issue; suggestion is to change the date so non-partisan primary is not the same day as the other county partisan primary OR don't have a non-partisan primary)	Rec	Statute	Concept	Long term	Standardization and uniformity in elections	Takes no position	Requests	23
<b>Training of County Voter and Election Board Members</b>									
F	<b>Orientation for County Board</b> - Require each County Election Board Member participate in an orientation approved by the State Election Commission within thirty days of the individuals appointment to the County Board of Voter Registration and Elections; failure of which requires removal of the member by the Governor; by updating SC Code Section 7-5-10(D)(1) and (2).	Rec	Statute	Concept	Long term	Board members have some type of orientation training immediately as elections could occur shortly after they are appointed.	Takes no position	Supports	29
<b>Voter Registration and Database (not county boundary related)</b>									
G	<b>Yes/No Box on Voter Registration Application</b> - Revise the mailed and in-office voter registration applications to include a "Yes" and "No" box beside each voter eligibility qualification, similar to the boxes that currently appear by the "Are you 18?" and "Are you a U.S. Citizen?" to ensure it is clear to those registering that they are saying yes to each qualification.	Rec	Internal Agency Operation	Specific	Long term	Clarify to those registering that they are saying yes to each individual voter qualification	Takes no position	Supports	32
<b>Voter Registration Application</b>									
H	<b>Mental Incompetence Notification from Courts</b> - Update internal operations at the State Election Commission (SEC) to ensure the SEC receives notification when a Court deems an individual mentally incompetent from Probate Court Judges, or other entities, such as SLED, which the Courts notify, so the agency may update the voter registration database and move those individuals deemed mentally incompetent from active to inactive status.	Rec	Internal Agency Operation	Concept	Long term	Assist agency in keeping voter registration database current	Takes no position	Supports	36

# Potential Recommendations and Findings

State Election Commission

Page 949 of 1104

Item	Summary	Rec or Finding	Statute, Reg., Internal Agency Operation	Concept or Specific*	Short or Long Term Resolution*	Issue Recommendation or Finding Addresses	RFA	SEC	Pg # in Add'l Info Doc
<b>Who has the Official County Boundary Map?</b>									
I	<b>Adopted - RFA has Official Map</b> - Revenue and Fiscal Affairs Office has the official map of county boundaries, and that provisions be added in law which states South Carolina's official county boundary map that corresponds with current statutory descriptions and any annexations is held by Revenue and Fiscal Affairs Office or its successor entity. This map will include boundaries necessary to determine election districts and other determinations set out by statute.	Rec	Statute	Concept	Long term	Clarify who holds the official county boundary map upon which the Census Bureau and others may rely	Requests	Supports	47
<b>Keeping the County Boundary Map Current</b>									
J	<b>No Annexation impacting line SCGS is mapping while SCGS is mapping</b> - Update statutes to prevent the following two actions from occurring simultaneously: (1) a county annexing property that would impact an individual boundary line of a county; and (2) SCGS mapping the geographic coordinates of the same individual boundary line. If a county wishes to annex property, they may begin the annexation process as outlined in Chapter 5, Title 4, after the date the geographically positioned individual boundary line takes effect as outlined in Section 27-2-105(B)(6).	Rec	Statute	Concept	Short term	Avoids confusion while SCGS is mapping a particular boundary line.	Requests	Supports	49
K	<b>Include Geographic Coordinates in any Future Annexations</b> - Update statutes so after the SCGS geographically positioned boundary line takes effect, (1) any future annexations impacting that line include geographic coordinates and descriptions of the proposed new line, which SCGS will verify, as part of the information available to those within the counties or municipalities who are voting on the annexation, and (2) within 30 days of the certification of election results approving an annexation, counties and municipalities must provide the geographic coordinates and description of the new boundary line to SCGS who will update the official map.	Rec	Statute	Concept	Long term	Provides efficiency in keeping the official county boundary map updated and current.	Requests	Supports	50
<b>Additional Notice AFTER Geographically Positioned Boundary Finalized</b>									
L	<b>Additional Entities Notified of Geographic Positions of Boundary</b> - Require RFA to email a copy of the correspondence it sends the Register of Deeds pursuant to SC Code Section 27-2-105(B)(6), to the following additional entities to ensure all parties receive the information: (a) SEC and County Registration/Election Board <input type="checkbox"/> Elections; (b) County Council; County Assessor <input type="checkbox"/> Taxes; (c) County Emergency Services <input type="checkbox"/> Emergency Services; (d) All affected School Boards <input type="checkbox"/> School Districts, by adding a provision to SC Code Section 27-2-105(B)(6).	Rec	Statute	Concept	Short term	Helps ensure different county entities know which map to utilize	Requests	Supports	52

# Potential Recommendations and Findings

State Election Commission

Page 950 of 1104

Item	Summary	Rec or Finding	Statute, Reg. Internal Agency Operation	Concept or Specific*	Short or Long Term Resolution*	Issue Recommendation or Finding Addresses	RFA	SEC	Pg # in Add'l Info Doc
<b>Preventing Taxation without Representation</b>									
M	<p><b>Adopted - Differences in Interpretations May Cause Taxation without Representation</b> - Until such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as laid out in statute, different entities may have different interpretations of the county boundary. These differences may create situations when one constituent is being taxed in one county and voting in another. Further, these potential situations may arise until the South Carolina Geodetic Survey Office completes its work, and the counties recognize these boundaries for all purposes including voting. Therefore, these discrepancies may exist until the South Carolina Geodetic Survey Office completes the project in 2030.</p> <p><u>Potential Revised language</u> Until 2030, or such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as laid out in statute, practical problems may arise under various interpretations of a county boundary including but not limited to taxation and representation. The Subcommittee's recommendations are intended to address those problems.</p>	Finding	N/A	N/A	Long term	Identifies an issue  Potential revised language utilizes softer language and clarifies the Subcommittee intends to address the potential issues through its recommendations.	Requests	Supports	54
N	<b>County Follows Geographically Positioned Map Until Statute Updated</b> - Require, by adding provisions in statute, a County Council, within 180 days of receiving the geographically positioned boundary (which may only be one boundary line of the county and not the county's entire boundary) from South Carolina Geodetic Survey (SCGS), to provide written confirmation to Revenue and Fiscal Affairs (RFA) that the county has taken any and all necessary steps, which may include grandfathering in certain residents for periods of time as long as those residents are not being taxed in an area in which they cannot vote, to adhere to the boundary for all purposes, including but not limited to, elections, tax assessments, emergency services, school districts, and permits.	Rec	Statute	Concept	Short term	Helps avoid taxation in one county and representation in another county	Requests	Supports	55
O	<b>Update Voter Database based on Geographically Positioned Map</b> - Analyze current laws and short term revisions to allow an efficient and effective update of official voter lists necessary as SCGS geographically positions county boundaries pursuant to the boundary description in statute.	Rec	Statute	Concept	Short term	Ensures where citizens vote follows the same map by which they are taxed, the geographically positioned map (i.e., statutory boundary)	Requests	Supports	56
P	<b>Private COA (cause of action) for Taxation Outside Geographically Positioned Boundary</b> - Authorize, by adding provisions in statute, a private cause of action, which includes reasonable attorney's fees, against any county that, after 180 days of receiving the geographically positioned boundary from SCGS, taxes citizens outside the county's geographically positioned boundary contained in the official county boundary map at RFA.	Rec	Statute	Concept	Long term	Enforcement for the requirement that counties follow the official boundary for tax purposes	Supports	Supports	57
<b>Additional Notice BEFORE Geographically Positioned Boundary Finalized</b>									
Q	<b>Required Notice Pre-SCGS Work on County Boundary and Public Meeting Post-Preliminary Positioning</b> - Require SCGS send notice to the county administrator and publish this notice (1) in a local newspaper, and (2) on the RFA website prior to SCGS starting their work of geographically positioning a section of a county boundary. The notice will inform the public that SCGS intends to work on geographically positioning a section of the county boundary and welcomes public input. Require SCGS to work with the county administrator to hold a public meeting, after SCGS has preliminary geographic positions, to provide information on the preliminary positions and obtain additional public input prior to finalizing the plat of the section of the county boundary.	Rec	Statute	Concept	Short term	Allow for more public involvement at the start of the process	Supports	Supports	59

## Concept v. Specific

\*Concept means the Subcommittee recommends law(s) be updated to achieve a certain purpose or address an issue without draft language for doing so.

\*Specific means the Subcommittee recommends law(s) be updated and includes draft language.

## Short Term v. Long Term

^Short term refers to interim resolutions including, but not limited to, while State Mapping is finishing geographically positioning the county boundaries, which is anticipated to be completed in 2030.

^Long term refers to permanent resolutions to issues, including, but not limited to, how things will work once the county boundaries are geographically positioned.

July 7, 2017

SEC Response to June 29, 2017 Executive Subcommittee Request for Additional Information

1. In regards to Law Change #3 (Closing Registration Books), does the agency recommend 28 days or 25 days?

After further study, the SEC recommends a 25-day deadline which would make the voter registration deadline fall on a weekday for elections held on both Tuesdays and Saturdays. See attachment titled "Recommended Change to Law #3".

2. To assist in analysis of Law Change #5 (Municipal Elections), please provide the following:
  - a. Excel chart which includes a list of all election types (e.g., governor, county, municipality, special purpose district, school district, referendum, etc.), and for each, when it is typically held, the entities involved in coordinating it (e.g., SEC, county registration and election board, municipality, school district, etc.) and average cost, to the extent known, to each entity.

See attachment titled "Election Types".

Also see Additional Information below.

3. To assist in analysis of Law Change #6 (Partisan and Non-Partisan Primaries), please provide any additional information available to the agency regarding the number of school districts that (1) do not hold a non-partisan primary, and (2) hold a non-partisan primary on another date.

The SEC is aware of only one school district that holds a non-partisan primary. Kershaw holds their non-partisan primary on the same day as the statewide primaries (the second Tuesday in June of even-numbered years).

4. To assist in analysis of the potential recommendation regarding the court providing notice to the SEC of individuals deemed mentally incompetent, please provide any additional information available regarding which entities are provided notice when an individual is deemed mentally incompetent and if the SEC could obtain notice from the court or one of the other entities notified.

The SEC is working with Court Administration and SLED to determine what entity, if any, has a comprehensive list of individuals deemed mentally incompetent by the courts. As of this response, the responsible party has not been identified.

## **Additional Information**

### **Current Municipal Election Dates (updated 6/30/2017)**

<b>Election Date</b>	<b>Number of Municipalities</b>
November Odd Year	128 (47%)
November Even Year	34 (13%)
Other Date	109 (40%)

### **Municipal Voter Participation Comparison**

<b>Election Date</b>	<b>Small (Pop. Approx. 1.3K)</b>	<b>Medium (Pop. Approx. 8K)</b>	<b>Large (Pop. Approx. 23K)</b>
November Odd Year	28.6% (Due West, 11/3/15)	7.4% (Monck's Corner, 11/3/15)	8.4% (Easley, 11/3/15)
November Even Year	43.1% (Johnsonville, 11/4/14)	23.7% (Lancaster, 11/4/14)	15.6% (Greenwood, 11/8/16)
Other Date	5.1% (Elgin, 2/7/17)	14.5% (Seneca, 3/11/14)	8.4% (Anderson, 4/8/14)

### **School Boards and Public Service Districts on Dates Other Than November of Even Year**

<b>School Boards</b>	14	<u>Affected Counties</u> : Abbeville, Bamberg, Barnwell, Cherokee, Clarendon, Florence, Greenwood, Laurens, Orangeburg, Marion, and Spartanburg
<b>Public Service Districts</b>	20	<u>Affected Counties</u> : Greenville and Spartanburg

### **Filing Fees for Presidential Preference Primaries**

South Carolina charges a filing fee of \$20,000 to candidates who file to run in the state's Presidential Preference Primaries. Parties may also charge candidates a certification fee which is retained by the party.

Democratic Party – Total fees paid by candidates in Democratic Presidential Primaries may not exceed \$2,500 by Democratic National Committee rules.

Republican Party – The Republican National Committee allows states to set filing fees for the party's Presidential Primaries candidates. The table below shows total candidate filing fees for Republican Presidential Primaries by state.

State	Fee	State	Fee
Alabama	\$10,000	Montana	\$0
Alaska	\$2,500	Nebraska	\$0
Arizona	\$0	Nevada	\$12,500
Arkansas	\$25,000	New Hampshire	\$1,000
California	\$0	New Jersey	\$0
Colorado	\$0	New Mexico	\$0
Connecticut	\$0	New York	\$0
Delaware	\$0	North Carolina	\$0
Florida	\$0	North Dakota	\$0
Georgia	\$0	Ohio	\$0
Hawaii	\$5,000	Oklahoma	\$2,500
Idaho	\$1,000	Oregon	\$0
Illinois	\$0	Pennsylvania	\$200
Indiana	\$0	Rhode Island	\$0
Iowa	\$0	South Carolina	\$40,000
Kansas	\$15,000	South Dakota	\$0
Kentucky	\$15,000	Tennessee	\$0
Louisiana	\$1,125	Texas	\$5,000
Maine	\$10,000	Utah	\$5,000 - \$10,000
Maryland	\$0	Vermont	\$2,000
Massachusetts	\$0	Virginia	\$0
Michigan	\$0	Washington	\$0
Minnesota	\$0	West Virginia	\$2,500
Mississippi	\$0	Wisconsin	\$0
Missouri	\$1,000	Wyoming	\$0

## Election Types

Election Type	Election Date	Coordinating Entities	Average Cost
<b>General Election</b> (President, Governor, US Senate, US House, State Senate, State House, Solicitors, countywide and less-than-countywide offices)	First Tuesday after the First Monday in November in each even-numbered year	State Election Commission, County Boards of Voter Registration and Elections	\$3M
<b>Statewide Primaries/Runoffs</b>	Statewide primaries are held on the second Tuesday in June in each even-numbered year. Runoffs are held two weeks following the primaries.	State Election Commission, County Boards of Voter Registration and Elections	\$3.5M
<b>Presidential Preference Primaries</b>	Date set by the political parties	State Election Commission, County Boards of Voter Registration and Elections	\$2.6M
<b>Municipal Elections</b>	Determined by the governing body of the municipality by ordinance (see stats under Additional Information in July 6 response to Committee questions on when most municipal election are held).	Municipal Election Commission or County Board of Voter Registration and Elections (if authority has been transferred under S.C. Code of Laws Section 5-15-145)	Unknown
<b>Public Service Districts</b>	Determined by enabling legislation. Most PSDs are held with the General Election. Some PSDs in Greenville and Spartanburg are held on a different date.	County Boards of Voter Registration and Elections	Unknown
<b>School Districts</b>	Determined by enabling legislation. Most school district elections are held with the General Election. Fourteen school districts hold elections on a date other than the General Election (see stats under Additional Information in July 6 response to Committee questions).	County Boards of Voter Registration and Elections. (Except for one school district in Florence County that conducts its own election in conjunction with an annual public meeting.)	Unknown
<b>Referendums</b>	There are various referendum types. Some are required to be held at the time of the General Election, others can be set at other times according to rules set by law.	County Boards of Voter Registration and Elections, Municipal Election Commissions	Unknown

### Recommended Change to Law # 3

#### **SECTION 7-5-150.** Closing registration books; registration of persons coming of age while books closed.

The registration books shall be closed ~~thirty~~ thirty two ~~four~~ days before each election, but only as to that election or any second race or runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided, that the registration books shall be closed ~~thirty~~ thirty two ~~four~~ days before the June primary and shall remain closed until after the second primary and shall likewise be closed ~~thirty~~ thirty two ~~four~~ days before the November general election. They shall thereafter be opened from time to time in accordance with the provisions of this article. Any person eligible to register who has been discharged or separated from his service in the Armed Forces of the United States, and returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the next ensuing election after the discharge or separation from service, up to 5:00 p.m. on the day of the election. This application for registration must be made at the office of the board of voter registration and elections in the county in which the person wishes to register, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during this period of ~~thirty~~ thirty two ~~four~~ days shall be entitled to register before the closing of the books if otherwise qualified.

#### **SECTION 7-5-155.** Registration of electors by mail.

(a) Notwithstanding any other provision of law, the following procedures may be used in the registration of electors in addition to the procedure otherwise provided by law.

(1) Subject to the provision of Section 7-5-150, any qualified citizen may register to vote by mailing or having delivered a completed state registration by mail application form or a completed national registration by mail application form prescribed by the Federal Election Commission not later than ~~thirty~~ thirty five days before any election to his county board of voter registration and elections. The postmark date of a mailed application is considered the date of mailing. If the postmark date is missing or illegible, the county board of voter registration and elections must accept the application if it is received by mail no later than five days after the close of the registration books before any election.

(2) If the county board of voter registration and elections determines that the applicant is qualified and his application is legible and complete, the board shall mail the voter written notification of approval on a form to be prescribed and provided by the State Election Commission pursuant to Section 7-5-180. When the county board of voter registration and elections mails the written notification of approval, it must do so without requiring the elector to sign anything in the presence of a member of the board, a deputy member, or a registration clerk, and the attestation of the elector's signature is not required so long as the conditions set forth above are met.

(3) Any application must be rejected for any of the following reasons:

(i) any portion of the application is not complete;



### Recommended Change to Law # 3

- (ii) any portion of the application is illegible in the opinion of a member and the clerk of the board;
  - (iii) the board is unable to determine, from the address stated on the application, the precinct in which the voter should be assigned or the election districts in which he is entitled to vote.
- (4) Any person whose application is rejected must be notified of the rejection together with the reason for rejection. The applicant must further be informed that he still has a right to register by appearing in person before the county board of voter registration and elections or by submitting the information by mail necessary to correct his rejected application. The form for notifying applicants of rejection must be prescribed and provided by the State Election Commission pursuant to Section 7-5-180.
- (b) Every application for registration by mail shall contain spaces for the home and work telephone numbers of the applicant and the applicant shall enter the numbers on the application where applicable.
- (c) The State Election Commission shall furnish a sufficient number of application forms to the county boards of voter registration and elections and voter registration agencies specified in Section 7-5-310(B) so that distribution of the application forms may be made to various locations throughout the counties and mailed to persons requesting them.

County boards of voter registration and elections shall distribute application forms to various locations in their respective counties, including city halls and public libraries, where they must be readily available to the public.

(d) The original applications must remain on file in the office of the county board of voter registration and elections.

(e) The State Election Commission may promulgate regulations to implement the provisions of this section.

#### **SECTION 7-5-185.** Electronic applications for voter registration.

(A) A person who is qualified to register to vote and who has a valid South Carolina driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the Internet website of the State Election Commission.

(B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received ~~thirty~~ twenty five days before an election to be held in the precinct of the person submitting the application.

(2) The applicant shall attest to the truth of the information provided in the application.

(3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver's license or state identification card issued by the Department of Motor Vehicles.

(4) For each electronic application, the State Election Commission shall obtain an electronic copy of the

**Recommended Change to Law # 3**

applicant's signature from his driver's license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.

(5) An application submitted pursuant to this section must contain the applicant's name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: "I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence." An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(C) Upon submission of an application pursuant to this section, the electronic voter registration system shall provide immediate verification that the:

(1) applicant has a South Carolina driver's license or state identification card issued by the Department of Motor Vehicles and that the number for that driver's license or identification card provided by the applicant matches the number for that person's driver's license or state identification card that is on file with the Department of Motor Vehicles;

(2) date of birth provided by the applicant matches the date of birth for that person, which is on file with the Department of Motor Vehicles;

(3) name provided by the applicant matches the name for the person which is on file with the Department of Motor Vehicles; and

(4) State Election Commission employs security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this section.

(D) Should there be a failure to match any of the information required in this section with the Department of Motor Vehicles, the State Election Commission immediately shall notify the applicant of the failure to match information and inform the applicant that his application for registration was not accepted.

(E) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.

### Recommended Change to Law # 3

**SECTION 7-5-220.** Certificates shall be invalid at election within ~~thirty~~ twenty four days of issuance.

Except as provided in Section 7-5-150, registration made ~~thirty~~ twenty four days or less before any election is not valid for that election or any second race or runoff resulting from that election but such registration shall be valid in any other election.

**SECTION 7-5-330.** Completion, receipt, and disposition of voter registration application; discretionary removal of elector.

(A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than ~~thirty~~ twenty five days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than ~~thirty~~ twenty five days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than ~~thirty~~ twenty five days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than ~~thirty~~ twenty five days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file and may remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

**Recommended Change to Law # 3**

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) "Notice", as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than ~~thirty~~ twenty five days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.



## Presidential Advisory Commission on Election Integrity

June 28, 2017

The Honorable Mark Hammond  
 Secretary of State  
 1205 Pendleton Street, Suite 525  
 Columbia, SC 29201

Dear Secretary Hammond,

I serve as the Vice Chair for the Presidential Advisory Commission on Election Integrity ("Commission"), which was formed pursuant to Executive Order 13799 of May 11, 2017. The Commission is charged with studying the registration and voting processes used in federal elections and submitting a report to the President of the United States that identifies laws, rules, policies, activities, strategies, and practices that enhance or undermine the American people's confidence in the integrity of federal elections processes.

As the Commission begins its work, I invite you to contribute your views and recommendations throughout this process. In particular:

1. What changes, if any, to federal election laws would you recommend to enhance the integrity of federal elections?
2. How can the Commission support state and local election administrators with regard to information technology security and vulnerabilities?
3. What laws, policies, or other issues hinder your ability to ensure the integrity of elections you administer?
4. What evidence or information do you have regarding instances of voter fraud or registration fraud in your state?
5. What convictions for election-related crimes have occurred in your state since the November 2000 federal election?
6. What recommendations do you have for preventing voter intimidation or disenfranchisement?
7. What other issues do you believe the Commission should consider?

In addition, in order for the Commission to fully analyze vulnerabilities and issues related to voter registration and voting, I am requesting that you provide to the Commission the publicly-available voter roll data for South Carolina, including, if publicly available under the laws of your state, the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social

security number if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information.

You may submit your responses electronically to [ElectionIntegrityStaff@ovp.eop.gov](mailto:ElectionIntegrityStaff@ovp.eop.gov) or by utilizing the Safe Access File Exchange ("SAFE"), which is a secure FTP site the federal government uses for transferring large data files. You can access the SAFE site at <https://safe.amrdec.army.mil/safe/Welcome.aspx>. We would appreciate a response by July 14, 2017. Please be aware that any documents that are submitted to the full Commission will also be made available to the public. If you have any questions, please contact Commission staff at the same email address.

On behalf of my fellow commissioners, I also want to acknowledge your important leadership role in administering the elections within your state and the importance of state-level authority in our federalist system. It is crucial for the Commission to consider your input as it collects data and identifies areas of opportunity to increase the integrity of our election systems.

I look forward to hearing from you and working with you in the months ahead.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kris Kobach", with a stylized flourish at the end.

Kris W. Kobach  
Vice Chair  
Presidential Advisory Commission on Election Integrity



July 6, 2017

The Honorable Kris W. Kobach  
 Vice Chairman  
 Presidential Advisory Commission on Election Integrity  
[ElectionIntegrityStaff@ovp.eop.gov](mailto:ElectionIntegrityStaff@ovp.eop.gov)

Dear Vice Chairman Kobach:

As the chief state election official for the State of South Carolina, I am responding to your letter requesting recommendations and publicly-available voter roll data. The State Election Commission (SEC) is an independent agency with responsibility for the statewide voter registration system, statewide voting system, a training and certification program for county election officials, conduct of elections and supervisory responsibility over county boards of voter registration and elections.

The SEC supports efforts to improve the voter registration and election processes to ensure that every eligible citizen has the opportunity to register to vote, participate in fair and impartial elections and have the assurance that their vote will count.

The SEC has the following recommendations:

Federal laws that would enhance the integrity of federal elections:

- The National Voter Registration Act of 1993 has provided many citizens with the opportunity to register to vote; however, the Act is in need of modernization. First, many state agencies providing public assistance are no longer meeting with clients face-to-face. Allowances should be made for online transactions. Second, the Act relies heavily on the United States Postal Service (USPS) for mailing notifications to voters. The Act should be reviewed for compatibility with current USPS mailing requirements and should allow for the use of electronic communications with voters.

**COMMISSIONERS**

BILLY WAY, JR.  
 Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO  
 Executive Director

1122 Lady Street  
 Suite 500  
 Columbia, SC 29201

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 Columbia, SC 29250

803.734.9060  
 Fax: 803.734.9366  
[www.scvotes.org](http://www.scvotes.org)

Page 2

Vice Chairman Kobach

Support state and local election administrators with regard to information technology security and vulnerabilities:

- Provide for improved communications between federal intelligence and law enforcement agencies and states.
- Provide federal funding for enhancements to critical election infrastructure including security of voter registration databases and replacement of voting systems.

The Commission has also requested publicly-available voter roll data for South Carolina. After careful consideration of your request and applicable state laws, we have concluded the SEC does not have the authority to provide publicly-available voter roll data to the Commission. South Carolina Code of Laws Section 7-3-20(12) allows the SEC to "furnish at reasonable price any precinct lists to a qualified elector requesting them."

Thank you for the opportunity to provide recommendations to improve voter registration and elections.

Sincerely,



Marci Andino

/mba



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June 30, 2017

National Association of  
State Election Directors  
21946 Royal Montreal Drive  
Suite 100  
Katy, TX 77450

Dear Members of the National Association of State Election Directors:

We write to you to express our most urgent concern that letters just issued by the Trump Administration will pave the way for nationwide voter suppression and purging, and violate the privacy of hundreds of millions of American citizens. The letters were issued by both the Justice Department and the partisan Pence-Kobach voting commission to the Secretaries of State and election officials in all 50 states.

We have little doubt that if complied with, these letters – issued unilaterally without any vote or public discussion – would lead to an unprecedented, nationwide voter suppression effort. The letter from the DOJ appears to signal the initiation of a federal effort to prevent lawful voters from being able to vote, either by bullying states into removing such voters from their rolls, or by suing the states outright. We have previously seen such purging efforts conducted at the state level, littered with errors and inaccuracies, and inevitably performed in a manner which discriminates against minority voters.

The fact that the Pence-Kobach commission is being led by individuals with a known and notorious history of voter suppression severely compounds our concerns. Commission Vice-Chair Kris Kobach has been sued four times by the ACLU and was sanctioned by a federal court last week for “deceptive conduct and lack of candor.”<sup>1</sup> We learned just yesterday that Hans von Spakovsky was appointed to the Pence-Kobach commission. Von Spokavsky has been publicly rebuked in a letter signed by six former professionals in the DOJ voting section as being “the point person for undermining the Civil Rights Division mandate to protect voting rights” under the George W. Bush Administration.

<sup>1</sup> *Fish v. Kobach*, No. 16-2105, 2017 (Fed. D. Ct. KS, Jun. 23, 2017).

We also have grave concerns that compliance with Mr. Kobach's letter would result in unprecedented violations of American's privacy rights and potentially violate federal law. The breadth of the information requested, including name, address, birth dates, political party affiliation, voting history, Social Security numbers, and military status, among other personal information is not only overwhelming, but chilling from a civil rights and liberties perspective. In addition to being used to conduct further discriminatory voter purges, one shudders to think of the many ways this information could be misused. Kobach's request could potentially violate the federal Privacy Act<sup>2</sup> (a point emphasized by Loyola Law School Professor Justin Levitt today), including provisions which specifically limit use of data, such as voting history and party affiliation; and set forth specific procedural limits relating to public notification, transparency, security, and congressional approvals.

It is for these and other reasons that Secretaries of State and other officials from both political parties have expressed concerns with the Trump Administration's actions, including at the time of this writing, officials in California, Connecticut, Kentucky, Virginia, New York, Oklahoma, and Massachusetts.

We believe it is imperative that you place the interests of your own voters and the United States Constitution above any ill-thought partisan effort to disenfranchise American voters and justify President Trump's grossly inaccurate misstatement that "3-5 million" unauthorized immigrants had robbed him of a popular vote majority.

Sincerely,



Cedric Richmond  
Chairman  
Congressional Black Caucus



John Conyers, Jr.  
Co-Chair  
Civil and Voting Rights Task Force



Terri A. Sewell  
Co-Chair  
Civil and Voting Rights Task Force

<sup>2</sup> Privacy Act of 1974, 5 U.S.C. § 552a





THE LEAGUE OF WOMEN VOTERS OF SOUTH CAROLINA

PO BOX 8453, COLUMBIA, SC, 29202, (803) 251-2726, WWW.LWVSC.ORG

July 1, 2017

Billy Way, Jr., Chair  
State Election Commission  
1122 Lady Street, Suite 500  
Columbia, SC 29201

Dear Mr. Way:

As you know, the newly formed Presidential Election Integrity Commission (PEIC) has demanded that states turn over extensive information about citizens on their voting rolls (including, to the extent permitted by state law, the first, middle and last name, address, birthdates, party identification, voting history from 2006 onward, military status, criminal record, overseas status and last 4 digits of social security number) to the White House. How this information will be used, why it being requested and how the privacy of individuals will be protected from identity theft or other misuse is not known. Further, the PEIC Director has conceded that there is no legal basis for their demanding this information.

We are confident that our State Elections Commission (SEC) effectively controls the accuracy of our voter registration rolls, removing voters who have died or moved out of state and adding new voters as they register. The accuracy of South Carolina voting rolls was verified in 2012, when numerous state officials testified under oath in the federal case associated with our Photo ID law.

South Carolina has experience with the kind of review proposed by the PEIC. Only five years ago, review of voter records by the Department of Motor Vehicles led to claims that as many as 900 dead voters, quickly labeled "zombie voters," had voted in our 2012 election. This claim was made in support of demands for stricter voting laws. However, reviews by both SLED and the SEC showed that the claims were nonsense. Instead of voter fraud they found only a handful of clerical errors. The PEIC risks repeating the mistakes that were made here on a national scale.

The League of Women Voters strongly urges you to reject this demand. South Carolina must value the protection of its citizen's birthdates, social security numbers, and other personal data. Sensitive data collected by our state and counties should not be released without an assurance of a proven need and demonstration of secure protections against misuse or release. Other state leaders have stood up for their voters and the local integrity of their State and County Election Commissions. South Carolina should do the same and refuse the requests from federal EIC.

Sincerely yours,

A handwritten signature in blue ink that reads "Holley H. Ulbrich". The signature is written in a cursive style with a large, stylized 'H'.

Holley H. Ulbrich, Co-President

A handwritten signature in blue ink that reads "Julie C. Hussey". The signature is written in a cursive style with a large, stylized 'J'.

Julie Hussey, Co-President, Co-President

Cc: Ms. Marci Andino, Executive Director, SC State Election Commission

The Honorable Henry McMaster, Governor



U.S. Department of Justice Page 968 of 1104  
Civil Rights Division

Voting Section - NWB  
950 Pennsylvania Ave, NW  
Washington, DC 20530

**JUN 28 2017**

The Honorable Billy Way, Jr.  
State Election Commission Chair  
P.O. Box 5987  
Columbia, SC 29250-5987

Dear Chairman Way:

We write to you as the chief election official for the State of South Carolina to request information regarding the State's procedures for compliance with the statewide voter registration list maintenance provisions of the National Voter Registration Act ("NVRA"), 52 U.S.C. § 20501 et seq. and the Help America Vote Act ("HAVA"), 52 U.S.C. § 20901 et seq. As part of our nationwide enforcement efforts, we are reviewing voter registration list maintenance procedures in each state covered by the NVRA.

The NVRA imposes several requirements on covered states that promote the maintenance of accurate statewide voter lists. Among other things, states must:

- "conduct a general program that makes a reasonable effort to remove the names of ineligible voters" from the statewide voter registration list due to the registrant's death or change of residence (Section 8(a)(4), 52 U.S.C. § 20507(a)(4));
- ensure that the state's general program complies with the requirements and protections imposed by Sections 8(b), (c), and (d) (52 U.S.C. § 20507(b)-(d));
- ensure that any change-of-address form submitted by a voter to a state's motor vehicle authority for driver's licensing purposes serves as a change of address for voter registration purposes, unless the voter states a contrary intention on the form (Section 5(d), 52 U.S.C. § 20504(d));
- ensure that when a registrar receives information that a registered voter has moved to a new address within the registrar's jurisdiction, the voter list is updated to reflect the new address (Section 8(f), 52 U.S.C. § 20507(f)); and
- maintain and make available for public inspection for at least two years "all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters" (Section 8(i), 52 U.S.C. § 20507(i)).

The NVRA imposes these requirements on the state itself. Thus, where a state tasks local election officials with implementing aspects of its list maintenance procedures, the state's chief

elections official must “actively oversee the general program” and ensure that it is “reasonably conducted.” *United States v. Missouri*, 535 F.3d 844, 850 (8th Cir. 2008).

HAVA also imposes certain list maintenance obligations on states as part of the uniform statewide database requirements of Section 303(a)(2) of HAVA, 52 U.S.C. § 21083(a)(2), including coordinating the state voter registration list with state agency records on felony status and death.

As well as reviewing states’ procedures, our efforts to assess compliance with these provisions will also include an analysis of voter registration data reported by each state to the U.S. Election Assistance Commission (“EAC”) as part of its biennial Election Administration and Voting Survey (“EAVS”). Data regarding confirmation notices, removals from the voter registration list, and active and inactive registered voters are of particular relevance and are among the categories of data for which reporting is required by EAC regulations. *See* 11 C.F.R. § 9428.7. However, such data for some states were not included in the 2014 EAVS report,<sup>1</sup> the most recent survey results published by the EAC. Thus, some states are receiving a request for any missing data as part of the information requested below. Similarly, we will review the forthcoming 2016 EAVS data when they are available.

To assist our efforts, we respectfully request that you provide us with the following information related to the above requirements:

- All statutes, regulations, written guidance, internal policies, or database user manuals that set out the procedures South Carolina has put in place relating to:
  - (A) the general program required by Section 8(a)(4) to remove voters from the voter registration list who have become ineligible due to death or change of residence;
  - (B) the requirement of Section 5(d) that motor vehicle changes of address generally serve as updates to voter registration records;
  - (C) any other process that election officials are authorized or required to follow to remove voters by reason of death or change in residence, such as challenge procedures or other list maintenance activities not part of the “general program”; and
  - (D) the processes that the state follows for coordinating state databases under HAVA for list maintenance purposes, and any other database coordination or comparison that the state undertakes for list maintenance purposes.

If your state has relevant procedures in place that are not covered by these written materials, please provide a description of them.

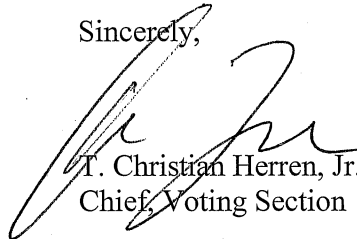
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<sup>1</sup> U.S. Election Assistance Commission, “The EAC 2014 Election Administration and Voting Survey Comprehensive Report: A Report to the 114th Congress,” June 30, 2015, *available at* [https://www.eac.gov/assets/1/1/2014\\_EAC\\_EAVS\\_Comprehensive\\_Report\\_508\\_Compliant.pdf](https://www.eac.gov/assets/1/1/2014_EAC_EAVS_Comprehensive_Report_508_Compliant.pdf).

- An explanation of which election officials are responsible for implementing South Carolina's general program of voter registration list maintenance, and for those responsible officials not employed by your office (such as a local election official), a description of the steps that you have taken to ensure that the State's list maintenance program has been properly carried out in full compliance with the NVRA.

Please provide this information within 30 days of the date of this letter. The materials may be sent by email to [voting.section@usdoj.gov](mailto:voting.section@usdoj.gov) or by FedEx or UPS to Voting Section, Civil Rights Division, Room 7254, U.S. Department of Justice, 1800 G Street NW, Washington, DC 20006. If you have any questions regarding this request, please contact David Cooper at 202-305-4733 or Samuel Olikier-Friedland at 202-353-6196. We very much appreciate your cooperation in our nationwide efforts to monitor NVRA compliance.

Sincerely,



T. Christian Herren, Jr.  
Chief, Voting Section

cc: Ms. Marci Andino, Executive Director, State Election Commission



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228



## **Potential Recommendations & Findings - Additional Information**

Note: The titles of Act Numbers or SC Code Annotated Sections have been shortened for spacing purposes.

### **Contents**

<b>Standardization and Uniformity</b>	4
A: Certification of Candidates (Recommendation)	5
§ 7-13-350. Certification of candidates; verification of qualifications.	6
Act No. 505 of 1996. Chesterfield County School District Board of Education Members	7
Act No. 185 of 1997. McCormick County School District No. 4 Board of Trustees	8
B: Closing Registration Books (Recommendation)	9
§ 7-5-150. Closing registration books; registration of persons coming of age while books closed.	10
§ 7-5-155. Registration of electors by mail.	11
§ 7-5-185. Electronic applications for voter registration.	12
§ 7-5-220. Certificates shall be invalid at election within <del>thirty</del> twenty four days of issuance.	12
§ 7-5-330. Voter registration application; discretionary removal of elector.	13
C: Substitution of Party Nominee (Recommendation)	14
§ 7-11-50. Substitution where party nominee dies, disqualified/resigns for nonpolitical reason.	15
D: Municipal Elections (Recommendation)	16
Election Types, Dates, Coordinating Entities, and Average Costs	17
Municipal Election Dates and Voter Participation Comparison	18
School Boards and Public Service Districts on Dates Other Than November of Even Year	18
Letter from SC Association of Registration and Election Officials, Inc.	19
Letter from Municipal Association of South Carolina	22
E: Partisan and Non-partisan Primaries (Recommendation)	23
Act No. 930 of 1970. An Act to provide for the School Trustees for Kershaw County	24
<b>Training of County Voter and Election Board Members</b>	28
F: Orientation for County Board (Recommendation)	29
§ 7-5-10. Appointment of board members; previous offices abolished; training/certification.	29
<b>Voter Registration and Database (not county boundary related)</b>	31
G: Yes/No Box on Voter Registration Application (Recommendation)	32
Voter Registration Applications	33
H: Mental Incompetence Notification from Courts (Recommendation)	36
<b>County Boundaries - Background Information</b>	37
Current Process for Geographically Positioning Ill-defined, Unmarked, or Poorly Marked County Boundaries	38
SCGS Informal Policy	39
#1 - Non-Impact Notification sent via U.S. Mail	40
#2 - Significant Impact Notification sent via Certified Mail, Return Receipt Requested	42
#3 - Agency Notification sent via Email	44
#4 - Elected Officials Notification sent via U.S. Mail	45
<b>Who has the Official County Boundary Map?</b>	46
I: RFA has Official Map (Recommendation)	47
<b>Keeping the County Boundary Map Current</b>	48
J: No Annexation impacting line SCGS is mapping while SCGS is mapping (Recommendation)	49
K: Include Geographic Coordinates in any Future Annexations (Recommendation)	50

<b>Additional Notice AFTER Geographically Positioned Boundary Finalized .....</b>	<b>51</b>
L: Additional Entities Notified of Geographic Positions of Boundary (Recommendation) .....	52
<b>Preventing Taxation without Representation.....</b>	<b>53</b>
M: Differences in Interpretations May Cause Taxation without Representation (Finding).....	54
N: County Follows Geographically Positioned Map Until Statute Updated (Recommendation).....	55
O: Update Voter Database based on Geographically Positioned Map (Recommendation).....	56
P: Private COA for Taxation Outside Geographically Positioned Boundary (Recommendation) .....	57
<b>Additional Notice BEFORE Geographically Positioned Boundary Finalized .....</b>	<b>58</b>
Q: Required Notice Pre-SCGS Work on County Boundary and Public Meeting Post-Preliminary Positioning (Recommendation) .....	59
<b>Statutes Applicable to County Boundaries .....</b>	<b>60</b>
§ 1-11-360. Office of Precinct Demographics; establishment and responsibilities. ....	61
§ 27-2-105. Clarification of county boundaries; role of SC Geodetic Survey; contested case hearings. ....	62
§ 58-23-1700. Local assessment fee; records; confidentiality; GIS file available for public use. ....	64
Title 4, Chapter 5 - Change of Boundaries.....	67
4-5-120. Procedure for annexing part of a county. ....	67
4-5-130. Appointment of commission for annexation. ....	67
4-5-140. Employment of surveyors to survey line; marking line on land. ....	67
4-5-150. Filing of plats; deposit of money to cover expenses. ....	67
4-5-160. Commission shall report all relevant facts. ....	68
4-5-170. Governor shall order election; voting place; eligible electors.....	68
4-5-180. Conduct of elections.....	68
4-5-190. Election results; canvass of returns in annexed area. ....	69
4-5-200. Election results; canvass of returns in annexing area.....	69
4-5-210. Protests or contests; appeals.....	69
4-5-220. Alteration of county line or lines by General Assembly.....	69
4-5-230. Payment of costs by annexing county; special tax.....	70
4-5-240. Compensation and expenses of commissioners. ....	70
4-5-250. Subsequent election after defeat of proposal.....	70
4-5-260. State aid to subdivisions for county government; allocation formula for annexed county. ....	70
Title 7 - Elections, Chapter 1 - General Provisions.....	71
7-1-25. "Domicile" defined.....	71
Title 7, Chapter 3 - State Election Commission; Central Registration System.....	73
7-3-10. State Election Commission created; appointment; term; powers and duties. ....	73
7-3-20. Executive director of State Election Commission.....	74
7-3-25. Noncompliant county boards of voter registration and elections.....	76
7-3-30. Notice of deletion of elector's name from roster; appeal by elector; restoration of name.....	77
7-3-40. Reports to be furnished by Bureau of Vital Statistics. ....	78
7-3-50. Information to be furnished by boards. ....	78
7-3-60. Clerks and magistrates shall report persons convicted of certain offenses. ....	78
7-3-70. Reports furnished by Department of Motor Vehicles. ....	79
Title 7, Chapter 5 - Qualifications and Registration of Electors, .....	80
7-5-120. Qualifications for registration; persons disqualified from registering or voting.....	80
7-5-186. Statewide voter registration database.....	81
7-5-230. Legal qualifications; challenges; proof of residency or domicile; appeals. ....	82
7-5-310. Definitions; designations.....	84
7-5-320. Application for motor vehicle driver's license and voter registration. ....	86

7-5-325. Address changes given under oath; fraud; penalties. ....	87
7-5-330. Completion through disposition of voter registration application; discretionary removal.....	88
7-5-340. Duties of State Election Commission respecting removal of elector from official list.....	89
52 U.S.C.A. Section 20507. Requirements with respect to administration of voter registration.....	90

## Standardization and Uniformity

## A: Certification of Candidates (Recommendation)

**Recommendation** - Apply the August 15th requirement for certifying candidates in a statewide general election to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates.

- Bullets from SEC PowerPoint (Agency's Law Change #2):
  - For a statewide general election, political parties must certify candidates by noon on August 15th
  - Several school districts and municipalities don't comply because candidate filing opens/closes after certification date
  - SEC recommends that all candidates be certified by August 15<sup>th</sup>
- Agency rationale
  - The SEC recommends that the August 15<sup>th</sup> requirement apply to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates. The rationale for the change is to allow time for the SEC and counties that prepare databases for the ballots to be used in the general election to be built and tested and to ensure that overseas citizens and members of the military voting absentee are mailed ballots at least forty-five days prior to an election as required by law.
- Summary of current statutory requirement and/or authority granted:
  - All nominees in a party primary or party convention must be submitted to the party charged with preparing the ballot no later than noon on August 15 for a general election; Presidential and Vice-Presidential candidates must be certified by noon on the first Tuesday following the first Monday in September. S.C. Code Ann. § 7-13-350. (2000).
    - Act No. 505 (1996): All persons desiring to be a candidate for District Board of Education in Chesterfield County must filed notice of candidacy during the filing period beginning on the first Tuesday in September at noon and running for two weeks.
    - Act No. 185 (1997): All candidates for the McCormick County Board of Trustees must filed not later than noon September 1 of a general election year.
- Other agencies that would be impacted by revising or eliminating the law:
  - SEC states there are no other state agencies that would be impacted by revising the laws.
- See SC Code Ann. Section 7-13-350; Act No. 505 of 1996; and Act No. 185 of 1997 on following pages.

**§ 7-13-350. Certification of candidates; verification of qualifications.**

(A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for the general election held under § 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on a Saturday or Sunday, not later than twelve o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice-President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

**Act No. 505 of 1996. Chesterfield County School District Board of Education Members**

AN ACT TO AMEND ACT 205 OF 1993, RELATING TO THE MEMBERS OF THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE MANNER IN WHICH CERTAIN VACANCIES ON THE BOARD SHALL BE FILLED.

Section 1. Notwithstanding any other provision of law, the District Board of Education of the Chesterfield County School District consists of nine members who must be elected in nonpartisan elections to be held at the same time as the general election in even-numbered years beginning in 1994 and also at a special election to be held on March 30, 1993, in the manner hereinafter provided. One member of the board must be a resident of and elected from each of the nine defined single-member election districts established in Section 2 of this act. Members of the board must be elected as follows:

- (a) In 1993, a member of the board from District 1 must be elected for a one-year term and members of the board from Districts 2 and 9 must be elected for five-year terms.
  - (b) In 1994, members of the board from Districts 1 and 3 must be elected for four-year terms.
  - (c) In 1996, members of the board from Districts 4, 5, 6, 7, and 8 must be elected for four-year terms.
  - (d) In 1998, members of the board from Districts 1, 2, 3, and 9 must be elected for four-year terms.
  - (e) After 1998, members of the board must be elected in nonpartisan elections held every two or four years thereafter as appropriate for four-year terms. All members shall serve until their successors are elected and qualify.
  - (f) The present members of the district board of education shall continue to serve until successors from the election districts in which the present members reside are elected in the manner provided by this act at which time the terms of office of these present members shall expire.
- In the event of a vacancy on the board occurring for any reason other than expiration of a term, the board shall fill the vacancy by appointment by majority vote of its members until the next regular trustee election at which time the vacancy must be filled by election for the remainder of the unexpired term or for a full term as appropriate.

Each member of the board must be elected by the qualified electors of the respective district from which the candidate seeks election. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission, or with the clerk of court on forms furnished by the commission which forms must be transmitted to the commission by the clerk of court. This notice of candidacy must be a sworn statement and must include the candidate's name, age, residence address, voting precinct, period of residence in the election district from which election is sought, and other information as the county election commission requires. The filing period on the first Tuesday in September at noon to run for two weeks, except that for the 1993 election, the filing period opens on the first Tuesday in February at noon to run for two weeks.

The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the time, polling places, and purpose of the election in a newspaper of general circulation within the district once a week for at least two successive weeks before the election. The results of the elections must be determined by the nonpartisan election and runoff method as contained in Section 5-15-62 of the 1976 Code.

The members of the board elected in these nonpartisan elections shall take office one week following certification of their election as provided in Section 59-19-315 of the 1976 Code."

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

**Act No. 185 of 1997. McCormick County School District No. 4 Board of Trustees**

(Section 21-3550 of the 1962 Code)

AN ACT TO AMEND ACT 472 OF 1976, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 4 OF MCCORMICK COUNTY, SO AS TO REQUIRE ALL CANDIDATES FOR ELECTION TO THE BOARD OF TRUSTEES TO FILE A STATEMENT OF CANDIDACY WITH THE BOARD OF ELECTION AND REGISTRATION NOT LATER THAN TWELVE O'CLOCK NOON ON SEPTEMBER 1ST OF THE YEAR IN WHICH THE GENERAL ELECTION IS HELD, AND TO FURTHER REFINE THE PROCEDURE FOR APPOINTMENT OF TRUSTEES IN THE EVENT THAT NO CANDIDATES OFFER IN THE GENERAL ELECTION FOR ANY FULL-TERM VACANCIES ON THE BOARD.

## Statement of candidacy

SECTION 1. Section 1 of Act 472 of 1976 (codified as Section 21-3550 of the 1962 Code) is amended to read:

The County Board of Education of McCormick County is hereby constituted as the Board of Trustees of School District No. 4 of McCormick County, with all powers and duties prescribed by law for such board of trustees. The board shall consist of seven members to be elected in the general election commencing with the general election of 1976 for terms of four years and until their successors are elected and qualify, except that of those first elected three shall serve for terms of two years only. The four members receiving the greatest number of votes shall serve for four years and those receiving the least number of votes shall serve for two years. If the members receive the same number of votes, the length of terms shall be determined by lot.

All candidates shall be qualified electors of McCormick County and shall file and qualify as candidates, to be voted on at the time of the general election, by filing and/or registering a statement of candidacy with the Board of Election and Registration of McCormick County not later than twelve o'clock noon on September 1st or, if September 1st falls on Sunday, not later than twelve o'clock noon on the following Monday of the year in which the general election is to be held.

In the event that candidates do not offer in the general election for any full-term vacancies on the board as specified above, the Governor shall appoint the trustee or trustees to fill any such vacancies upon the recommendation of the McCormick County Council. Any vacancies shall be filled for the unexpired portion of a term by appointment by the Governor upon recommendation of the McCormick County Council. In making recommendations for appointments to fill full-term or unexpired- term vacancies, the McCormick County Council may request and receive recommendations from the Board of Trustees.

The board shall elect a chairman who shall serve for one year.

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



## B: Closing Registration Books (Recommendation)

**Recommendation** - Change deadline to register to vote from 30 days to 25 days by amending SC Code Ann. § 7-5-150; -155; -185, -220, and -330 as outlined by the State Election Commission in the agency recommendations document.

- SEC Responses to Subcommittee's June 29, 2017 Letter
  - After further study, the SEC recommends a 25-day deadline which would make the voter registration deadline fall on a weekday for elections held on both Tuesdays and Saturdays.
- Bullets from SEC PowerPoint (Agency's Law Change #3):
  - Deadline to register to vote varies depending on how a person is registering
  - In person – books must be closed for thirty days
  - By mail – no later than thirty days
  - Online VR – if application is received thirty days
  - Recommend no later than 28 days/closed for 27 days
- Agency Rationale:
  - SEC recommends that the closing of the books and the voter registration deadlines be uniform and twenty-eight days prior to an election. The rationale for the change is to have a voter registration deadline on a week day instead of a weekend, to give greater opportunity for individuals to register to vote, and resolve public confusion. Laws to update include SC Code Ann. § 7-5-150; § 7-5-155; § 7-5-185; 7-5-220; and 7-5-330.
- Other agencies that would be impacted by revising or eliminating the law:
  - SEC states there are no other state agencies that would be impacted by revising the laws.
- See SC Code Ann. Section 7-5-150; -155; -185, -220, and -330 on following pages.

**§ 7-5-150. Closing registration books; registration of persons coming of age while books closed.**

The registration books shall be closed ~~thirty~~ twenty four days before each election, but only as to that election or any second race of runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided that the registration books shall be closed ~~thirty~~ twenty four days before the June primary and shall remain closed until after the second primary and shall likewise be closed ~~thirty~~ twenty four days before the November general election. They shall thereafter be opened from time to time in accordance with the provisions of this article. Any person eligible to register who has been discharged or separated from his service in the Armed Forces of the United States, and returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the next ensuing election after the discharge of separation from service, up to 5:00 p.m. on the day of the election. This application for registration must be made at the office of the board of voter registration and elections in the county in which the person wishes to register, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during this period of twenty four ~~thirty~~ days shall be entitled to register before the closing of the books if otherwise qualified.

**§ 7-5-155. Registration of electors by mail.**

- (a) Notwithstanding any other provision of law, the following procedures may be used in the registration of elections in addition to the procedure otherwise provided by law.
- (1) Subject to the provision of § 7-5-150, any qualified citizen may register to vote by mailing or having delivered a complete state registration by mail application form or a completed national registration by mail application form prescribed by the Federal Election Commission not later than ~~thirty~~ twenty five days before any election to his county board of voter registration and elections. The postmark date of a mailed application is considered the day of mailing. If the postmark date is missing or illegible, the county board of voter registration and elections must accept the application if it is received by mail no later than five days after the close of registration books before any election.
- (2) If the county board of voter registration and election determines that the applicant is qualified and his application is legible and complete, the board shall mail the voter written notification of approval on a form to be prescribed and provided by the State Election Commission pursuant to § 7-5-180. When the county board of voter registration and elections mails the written notification of approval, it must do so without requiring the elector to sign anything in the presence of a member of the board, a deputy member, or a registration clerk and the attestation of the elector's signature is not required so long as the conditions set forth above are met.
- (3) Any application must be rejected for any of the following reasons:
- (i) any portion of the application is not complete;
  - (ii) any portion of the application is illegible in the opinion of a member and the clerk of the board;
  - (iii) the board is unable to determine, from the address stated on the application, the precinct in which the voter should be assigned or the election districts in which he is entitled to vote.
- (4) Any person whose application is rejected must be notified of the rejection together with the reason for rejection. The applicant must further be informed that he still has a right to register by appearing in person before the county board of voter registration and elections or by submitting the information by mail necessary to correct his rejected application. The form for notifying applicants of rejection must be prescribed and provided by the State Election Commission pursuant to § 7-5-180.
- (b) Every application for registration by mail shall contain spaces for home and work telephone numbers of the applicant and the applicant shall enter the numbers on the application where applicable.
- (c) The State Election Commission shall furnish a sufficient number of application forms to the county boards of voter registration and elections and voter registration agencies specified in § 7-5-310(B) so that distribution of the application forms may be made to various locations throughout the counties and mailed to persons requesting them. County boards of voter registration and elections shall distribute application forms to various locations in their respective counties, including city halls and public libraries, where they must be readily available to the public.
- (d) The original application must remain on file in the office of the county board of voter registration and elections.
- (e) The State Election Commission may promulgate regulations to implement the provisions of this section.

**§ 7-5-185. Electronic applications for voter registration.**

(A) A person who is qualified to register to vote and who has a valid South Carolina driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the Internet website of the State Election Commission.

(B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received thirty twenty five days before an election to be held in the precinct of the person submitting the application.

(2) The applicant shall attest to the truth of the information provided in the application.

(3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver's license or state identification card issued by the Department of Motor Vehicles.

(4) For each electronic application, the State Election Commission shall obtain an electronic copy of the applicant's signature from his driver's license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.

(5) An application submitted pursuant to this section must contain the applicant's name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: "I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence." An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(C) Upon submission of an application pursuant to this section, the electronic voter registration system shall provide immediate verification that the:

(1) applicant has a South Carolina driver's license or state identification card issued by the Department of Motor Vehicles and that the number for that driver's license or identification card provided by the applicant matches the number for that person's driver's license or state identification card that is on file with the Department of Motor Vehicles;

(2) date of birth provided by the applicant matches the date of birth for that person, which is on file with the Department of Motor Vehicles;

(3) name provided by the applicant matches the name for the person which is on file with the Department of Motor Vehicles; and

(4) State Election Commission employs security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this section.

(D) Should there be a failure to match any of the information required in this section with the Department of Motor Vehicles, the State Election Commission immediately shall notify the applicant of the failure to match information and inform the applicant that his application for registration was not accepted.

(E) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.

**§ 7-5-220. Certificates shall be invalid at election within thirty twenty four days of issuance.**

Except as provided in Section 7-5-150, registration made thirty twenty four days or less before any election is not valid for that election or any second race or runoff resulting from that election but such registration shall be valid in any other election.

**§ 7-5-330. Voter registration application; discretionary removal of elector.**

- (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty twenty five days before the date of the election.
- (B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty twenty five days before the date of the election.
- (C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty twenty five days before the date of the election.
- (D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty twenty five days before the date of the election.
- (E)(1) The county board of voter registration and elections shall:
- (a) send notice to each applicant of the disposition of the application; and
  - (b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.
- (2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file and may remove this elector upon compliance with the provisions of Section 7-5-330(F).
- (F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:
- (a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or
  - (b)(i) has failed to respond to a notice described in item (2); and
  - (ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.
- (2) "Notice", as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:
- (a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty twenty five days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;
  - (b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.
- (3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.
- (4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

## C: Substitution of Party Nominee (Recommendation)

**Recommendation** - Limit the time prior to an election when a candidate may resign for the reasons stated in § 7-11-50 and a time frame for when a substitute candidate may be nominated by updating the SC Code.

- Bullets from SEC PowerPoint (Agency's Law Change #4):
  - No time limit is specified for candidate withdrawals
  - Potential exists for a candidate to withdraw and push statewide election to December or beyond
  - SEC recommends that a time limit be placed on the time prior to an election when a candidate may resign for a legitimate nonpolitical reason
- Agency Rationale:
  - The Commission recommends that a limit be placed on the time prior to an election when a candidate may resign for legitimate nonpolitical reasons and a time frame for when a substitute candidate may be nominated. The rationale for these changes ensures that overseas citizens and members of the military who are required to be mailed a ballot at least forty-five days prior to an election are able to vote for the replacement candidate in an election.
- Summary of current statutory requirement and/or authority granted:
  - If a party nominee was nominated by a method other than a party primary election dies, becomes disqualified after nomination or resigns for a legitimate non-political reason and sufficient time does not remain to hold a convention to fill the vacancy or to nominate for a special election, the state or county party executive committee may nominate a nominee. Legitimate nonpolitical reasons is limited to: reasons of health which in the written opinion of a physician would be harmful to the health of the candidate, family crises including circumstances which would substantially alter the duties and responsibilities of the candidate to the family or family business, and substantial business conflict which would result in ineligibility of the candidate or impair ability to carry out the functions properly of the office. S.C. Code Ann. § 7-11-50 (2007).
- Other agencies that would be impacted by revising or eliminating the law:
  - SEC states there are no other state agencies that would be impacted by revising the law.
- See SC Code Ann. Section 7-11-50 on next page.

**§ 7-11-50. Substitution where party nominee dies, disqualified/resigns for nonpolitical reason.**

If a party nominee who was nominated by a method other than party primary election dies, becomes disqualified after his nomination, or resigns his candidacy for a legitimate nonpolitical reason as defined in this section and sufficient time does not remain to hold a convention to fill the vacancy or to nominate a nominee to enter a special election, the respective state or county party executive committee may nominate a nominee for the office, who must be duly certified by the respective county or state chairman.

"Legitimate nonpolitical reason" as used in this section is limited to:

(a) reasons of health, which include any health condition which, in the written opinion of a medical doctor, would be harmful to the health of the candidate if he continued;

(b) family crises, which include circumstances which would substantially alter the duties and responsibilities of the candidate to the family or to a family business;

(c) substantial business conflict, which includes the policy of an employer prohibiting employees being candidates for public offices and an employment change which would result in the ineligibility of the candidate or which would impair his capability to carry out properly the functions of the office being sought.

A candidate who withdraws based upon a legitimate nonpolitical reason which is not covered by the inclusions in (a), (b) or (c) has the strict burden of proof for his reason. A candidate who wishes to withdraw for a legitimate nonpolitical reason shall submit his reason by sworn affidavit.

This affidavit must be filed with the state party chairman of the nominee's party and also with the board of voter registration and elections of the county if the office concerned is countywide or less and with the State Election Commission if the office is statewide, multi-county, or for a member of the General Assembly. A substitution of candidates is not authorized, except for death or disqualification, unless the election commission to which the affidavit is submitted approves the affidavit as constituting a legitimate nonpolitical reason for the candidate's resignation within ten days of the date the affidavit is submitted to the commission. However, where this party nominee is unopposed, each political party registered with the State Election Commission has the privilege of nominating a candidate for the office involved. If the nomination is certified two weeks or more before the date of the general election, that office is to be filled at the general election. If the nomination is certified less than two weeks before the date of the general election, that office must not be filled at the general election but must be filled in a special election to be held on the second Tuesday in the month following the election, provided that the date of the special election to be conducted after the general election may be combined with other necessary elections scheduled to occur within a twenty-eight day period in the manner authorized by Section 7-13-190(D).

## D: Municipal Elections (Recommendation)

**Recommendation** - General elections to be held on the first Tuesday of November in odd numbered years by amending S.C. Code Ann. Section 5-15-50 as follows:

Each municipal governing body may by ordinance establish municipal ward lines and the time for ~~general and~~ special elections within the municipality. General elections will be held on the first Tuesday of November in odd numbered years. Public notice of the elections shall be given at least sixty days prior to such elections.

- SEC Responses to Subcommittee's June 29, 2017 Letter
  - On next page see a chart of all election types, and additional information.
- Bullets from SEC PowerPoint (Agency's Law Change #5):
  - Municipalities hold elections throughout the year
  - SEC recommends holding municipal election in November of ODD calendar years
- Agency Rationale
  - SEC recommends that the time for general elections within the municipality be required to be held in November during odd calendar years. The rationale for this change is to avoid any conflict with statewide general elections that are held in during even calendar years, simplify the conduct of elections and provide cost savings for counties and municipalities, improve voter education on the dates of municipal elections, and encourage more participation in municipal elections.
- Summary of current statutory requirement and/or authority granted:
  - Each municipality governing body may by ordinance establish ward lines and time for general and special elections within the municipality.
- Other agencies that would be impacted by revising or eliminating the law:
  - SEC states there are no other state agencies that would be impacted by revising the law.
- Municipal Association (MASC) Letter to Subcommittee (June 28, 2017) - summary points
  - MASC supports establishing several annual dates on which municipalities may hold their general elections. MASC agrees that standardization of general election dates would be helpful, but believes cities and towns should be allowed to choose from several dates rather than be forced to use a single date.
  - MASC previously proposed that general elections could be held once per calendar quarter in an even or odd year to provide cities and towns the option to choose a date closest to their current election dates, but MASC is willing to discuss other potential options.
  - Effects of changing election dates MASC believes should be considered:
    - 1) Terms of many elected council members across the state will have to be shortened or lengthened (currently councils choose whether or not to shorten or lengthen their terms when they change their election dates and MASC believes council prerogative should be retained)
    - 2) Councils will need to modify their existing election ordinances to accommodate a new election date, so legislation should allow councils time to modify their ordinances.



**Election Types, Dates, Coordinating Entities, and Average Costs**

<b><u>Election Type</u></b>	<b><u>Election Date</u></b>	<b><u>Coordinating Entities</u></b>	<b><u>Avg. Cost</u></b>
General Election (President, Governor, US Senate, US House, State Senate, State House, Solicitors, countywide and less-than-countywide offices)	First Tuesday after the First Monday in November in each even-numbered year	State Election Commission, County Boards of Voter Registration and Elections	\$3M
Statewide Primaries/Runoffs	Statewide primaries are held on the second Tuesday in June in each even-numbered year. Runoffs are held two weeks following the primaries.	State Election Commission, County Boards of Voter Registration and Elections	\$3.5M
Presidential Preference Primaries	Date set by the political parties	State Election Commission, County Boards of Voter Registration and Elections	\$2.6M
Municipal Elections	Determined by the governing body of the municipality by ordinance (see stats under Additional Information in July 6 response to Committee questions on when most municipal election are held).	Municipal Election Commission or County Board of Voter Registration and Elections (if authority has been transferred under S.C. Code of Laws Section 5-15-145)	Unknown
Public Service Districts	Determined by enabling legislation. Most PSDs are held with the General Election. Some PSDs in Greenville and Spartanburg are held on a different date.	County Boards of Voter Registration and Elections	Unknown
School Districts	Determined by enabling legislation. Most school district elections are held with the General Election. Fourteen school districts hold elections on a date other than the General Election (see stats under Additional Information in July 6 response to Committee questions).	County Boards of Voter Registration and Elections. (Except for one school district in Florence County that conducts its own election in conjunction with an annual public meeting.)	Unknown
Referendums	There are various referendum types. Some are required to be held at the time of the General Election, others can be set at other times according to rules set by law.	County Boards of Voter Registration and Elections, Municipal Election Commissions	Unknown

## Municipal Election Dates and Voter Participation Comparison

Municipal Election Dates and Voter Participation Comparison			
Election Date (updated 6/30/2017)	Small (Pop. Approx. 1.3K)	Medium (Pop. Approx. 8K)	Large (Pop. Approx. 23K)
November - Odd Year  128 or 47% of municipalities	28.6% (Due West, 11/3/15)	7.4% (Monck's Corner, 11/3/15)	8.4% (Easley, 11/3/15)
November - Even Year  34 of 13% of municipalities	43.1% (Johnsonville, 11/4/14)	23.7% (Lancaster, 11/4/14)	15.6% (Greenwood, 11/8/16)
Other Date  109 or 40% of municipalities	5.1% (Elgin, 2/7/17)	14.5% (Seneca, 3/11/14)	8.4% (Anderson, 4/8/14)

## School Boards and Public Service Districts on Dates Other Than November of Even Year

<b>School Boards</b>	14	<u>Affected Counties:</u> Abbeville, Bamberg, Barnwell, Cherokee, Clarendon, Florence, Greenwood, Laurens, Orangeburg, Marion, and Spartanburg
<b>Public Service Districts</b>	20	<u>Affected Counties:</u> Greenville and Spartanburg

## Letter from SC Association of Registration and Election Officials, Inc.



## South Carolina Association of Registration and Election Officials, Inc.

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DAVID K. ALFORD  
PRESIDENT  
EXECUTIVE COMMITTEE

June 22, 2017

The Honorable Gary E. Clary, Chairperson  
Executive Subcommittee  
Legislative Oversight Committee  
South Carolina House of Representatives  
PO Box 11867  
Columbia SC 29211

Dear Representative Clary:

In review of some of the submissions and testimony relating to the Legislative Oversight Committee's assessment of the State Election Commission, I would like to submit information on behalf of the South Carolina Association of Registration and Election Officials, Inc. (SCARE)

Our professional organization is comprised of local election officials from across the state and part of our purpose is to represent the interests of counties with regard to legislative matters.

Several topics have been mentioned or touched on during the committee's review process of the State Election Commission either through document submission or by way of testimony. I would like to take this time to provide some additional information from an organizational and county perspective, and I thank you for accepting my submission and the kind consideration of its content.

In previous testimony, Marci Andino touched on the matter of funding with regard to the voting system refresh. As she stated, the State Election Commission requested \$7.5 million in funding to refresh the state's aging voting system. Unfortunately, that funding request did not survive the budget process.

Collectively as counties, we cannot emphasize enough the importance of maintaining a dependable and reliable voting system in order to uphold the confidence of the elections process in South Carolina.

In recent months, the Department of Homeland Security designated election systems as part of our nation's critical infrastructure, and the interest in the integrity of our voting system is prominent.

Therefore, we are respectfully requesting continued dialogue with the State Election Commission with regard to proper funding to extend the life of the existing voting system and/or eventual replacement.

In addition to the above topic, we noted that the State Election Commission provided a copy of their Election Date Standardization Plan. SCARE is strongly in support of election standardization for a variety of reasons. By creating limited and standardized dates, the logistics of conducting elections would be better streamlined, and it would create a measure of cost savings to both the state and counties. It would also assist in reducing voter confusion and fatigue and decreasing the strain on facilities and poll workers.

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DAVID K. ALFORD  
PRESIDENT

KATY SMITH  
FIRST  
VICE PRESIDENT

MARIE G. SMALLS  
SECOND  
VICE PRESIDENT

ADAM HAMMONS  
TREASURER

JOSEPH DEBNEY  
SECRETARY

DEBRA BRYANT  
HISTORIAN

WANDA W. HEMPHILL  
IMMEDIATE  
PAST PRESIDENT

---



## South Carolina Association of Registration and Election Officials, Inc.

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DAVID K. ALFORD  
PRESIDENT  
EXECUTIVE COMMITTEE

Within the vein of election standardization, we noted the significant measure of questions and discussion regarding Presidential Preference Primaries, filing fees collected, and the offset of costs. We would strongly recommend requiring the political parties to collaborate and choose a uniform date. With all said, we would request your careful consideration of the standardization plan submitted by the State Election Commission and encourage conversation and potential legislative action in this area.

In conclusion, should you desire a representative(s) to appear and provide testimony on these topics, please do not hesitate to ask. Furthermore, should you wish for us to testify on other election related matters or our role as county election officials, please let us know. Counties are the linchpin of elections in South Carolina; however, we could not subsist without the partnership and support of the State Election Commission. We are all committed to working collectively together to better serve the voters of South Carolina.

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DAVID K. ALFORD  
PRESIDENT

KATY SMITH  
FIRST  
VICE PRESIDENT

MARIE G. SMALLS  
SECOND  
VICE PRESIDENT

ADAM HAMMONS  
TREASURER

JOSEPH DEBNEY  
SECRETARY

DEBRA BRYANT  
HISTORIAN

WANDA W. HEMPHILL  
IMMEDIATE  
PAST PRESIDENT

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With Kindest Regards,

David K. Alford  
President



## **South Carolina Association of Registration and Election Officials, Inc.**

### **Proposed 2017-2018 Legislative Priorities**

#### **Improve Voter Experience**

##### **Reduce Lines**

- Allow early voting and/or no excuse absentee voting.
- Reduce length of ballot by allowing the listing of only ballot question short titles with "Yes" "No" selections for ballot questions. Text, content, summary and/or explanation would be published prior to Election Day and at polls through educational materials.

##### **Recruit Adequate Number of Poll Workers**

- Allow SC registered voter to serve as a poll worker anywhere in South Carolina.
- Increase poll worker pay.

#### **Improve Absentee Voting Process**

- Delete witness signature on mail-in absentee ballots.
- Allow permanent absentee status for some reasons. (e.g. over 65, physically disabled).
- Allow for the processing of mail-in absentee ballot envelopes the day prior to the election not to include the tabulation and reporting prior to 7 p.m. Election Day.

#### **Funding**

- Fully fund refurbishment of current voting system and establish fund for the replacement of the voting system
- Conduct Presidential Preference Primaries on same day.

#### **Election Law Review**

- Require municipal general elections to be held in November of odd years and establish uniform and standardized election dates for other election types.

#### **State of Emergency**

- Authorize and/or clarify authority to postpone elections in the event of an emergency.

## Letter from Municipal Association of South Carolina



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*Advocacy. Service. Innovation.*

June 28, 2017

Hon. Gary Clary  
Chair  
Executive Subcommittee  
House Legislative Oversight Committee  
PO Box 11867  
Columbia, SC 29211

VIA EMAIL

Dear Rep. Clary:

As we discussed during the Executive Subcommittee meeting held on June 27, 2017, the Municipal Association of South Carolina supports the concept of establishing several annual dates on which municipalities may hold their general elections.

Currently, cities and towns across the state hold their general elections throughout the year. While those dates were chosen for a variety of reasons, the Municipal Association recognizes the confusion those varying dates may cause for residents. The Association agrees that standardization of general election dates would be helpful, but cities and towns should be allowed to choose from several dates rather than be forced to use a single date.

The Association has previously proposed that general elections could be held once per calendar quarter in an even or odd year. This would provide cities and towns the option to choose a date closest to their current election dates. The Association is certainly willing to discuss other potential options and reach agreement on dates that would satisfy as many stakeholders as possible.

Keep in mind that changes to election dates will have several effects that should be considered by any potential legislation. First, the terms of many elected council members across the state will have to be shortened or lengthened. Currently, councils choose whether or not to shorten or lengthen their terms when they change their election dates. That council prerogative should be retained. Additionally, changes in election dates will require councils to modify their existing election ordinances to accommodate a new date. Therefore, any new legislation's effective date must be set to allow councils time to modify their election ordinances.

On behalf of the state's 270 cities and towns, the Municipal Association stands ready to assist you and the subcommittee with your work on this important issue. Please do not hesitate to contact us going forward.

Sincerely,

Signature Redacted

Scott Slatton  
Legislative and Public Policy Advocate

## E: Partisan and Non-partisan Primaries (Recommendation)

**Recommendation** - Analyze whether the election of school trustees should require a primary and if a primary is still to be conducted, having non-partisan primaries during odd calendar years to provide uniformity in the election of the trustees and to avoid voter confusion on primary day for the general election as all other ballots issued to voters are based upon party preference expressed by the voter at the polls.

- SEC Responses to Subcommittee's June 29, 2017 Letter
  - The SEC is aware of only one school district that holds a non-partisan primary. Kershaw holds their non-partisan primary on the same day as the statewide primaries (the second Tuesday in June of even-numbered years).
- Bullets from SEC PowerPoint (Agency's Law Change #6):
  - School trustees for Kershaw County
  - Non-partisan primary held on same day as partisan primaries (June)
  - SEC recommends not holding a non-primary or moving non-partisan primary to another date
- Agency Rationale
  - SEC recommends that the election of trustees not require a primary which is the majority method of the election of trustees for a Board of Education in South Carolina. Most elections of School District Trustees include a non-partisan filing period with candidate placement on the general election ballot. If a primary is still to be conducted, the Commission recommends that the non-partisan primary be held during odd calendar years. The rationale for the change is to provide uniformity in the election of the trustees and to avoid voter confusion on primary day for the general election as all other ballots issued to voters are based upon party preference expressed by the voter at the polls.
    - Law at issue: Act No. 930
- Summary of current statutory requirement and/or authority granted:
  - The Kershaw County public education system shall be a board of trustees composed of nine members, be elected for terms of four years. All candidates for the office of the board of trustees shall run in a non-partisan primary to be conducted at the same time of the other county primary elections are held.
- Other agencies that would be impacted by revising or eliminating the law:
  - SEC states there are no other state agencies that would be impacted by revising the law.
- See Act No. 930 of 1970 on next page.

**Act No. 930 of 1970. An Act to provide for the School Trustees for Kershaw County**

**AN ACT TO PROVIDE FOR THE SCHOOL TRUSTEES FOR KERSHAW COUNTY; TO PROVIDE FOR THEIR POWERS AND DUTIES; TO PROVIDE FOR ADVISORY TRUSTEES AND TO REPEAL SECTION 21-3151 THROUGH 21-3157, CODE OF LAWS OF SOUTH CAROLINA, 1962, RELATING TO THE SCHOOL SYSTEM OF KERSHAW COUNTY.**

**Section 1. School trustees for Kershaw County.**-The central authority of Kershaw County's public educational system shall be a board of trustees composed of nine members, to be elected for terms of four years from the county at large, but who shall be residents of the respective townships and have their offices numbered as follow: one member from Flat Rock, Seat No. 1; two members from Buffalo, Seats Nos. 2 and 3; two members from West Wateree, Seats Nos. 4 and 5; and four members from DeKalb, Seats Nos. 6, 7, 8 and 9. Full terms shall commence on the first Tuesday in January following the election. Each candidate shall run for a specified numbered office and shall be a resident of the township to which such number is assigned. All candidates for the office of the board of trustees shall run in a non-partisan primary to be conducted by the county election commission at the same time as other county primary elections are held. The expenses of such election shall be borne by the county. Each candidate in the primary shall be required to pay a filing fee to the election commission in such sum as it may determine, but not to exceed one hundred dollars. All of such fees shall be deposited to the general fund of the county. The two candidates receiving the most votes for each seat who did not withdraw shall have their names placed on the general election ballot and the person receiving the highest number of votes for each seat in that election shall be declared elected. *Provided*, that in the event a candidate receives a majority of the votes cast in the primary, only his name shall be placed on the general election ballot. There shall be no petition candidate for any of these offices in the general election, and no person shall be a candidate for more than one such office at any one election; but nothing herein shall be construed to prohibit a qualified individual from running as a "write-in" candidate in the general election.

In the event the person receiving the most votes in the primary ceases to be a candidate for any reason, another primary shall be ordered if as much as forty-five days remain between such cessation and the general election. In the event such time does not exist, no election for such office shall be held at the time of the general election. Another election for such office shall be held on the first Tuesday of the month following the general election. Any person wishing to be a candidate for such office may qualify with the county election commission not later than April fifteenth. In the event no candidate in this election receives a majority of the votes cast, and additional election shall be conducted two weeks thereafter between the two candidates receiving the most votes who do not withdraw.

All members of the board of trustees shall be commissioned by the Governor.

All vacancies on the board of trustees shall be filled by a majority vote of the county council for the unexpired portion of their terms. If a seat is unfilled as a result of no one offering for such seat it shall be filled by a majority vote of the county council.

**Section 2. Advisory board.**-An advisory board shall be appointed by the Kershaw County Board of Trustees. The advisory board shall be composed of five members from each school in the county, except the Kershaw County Vocational School, who shall serve for terms of two years; the Camden Elementary, the Camden Junior High and the Camden High Schools each having five advisory members. *Provided*, that the provisions of this act shall not apply to the two Kershaw County residents serving as trustees of the Andrew Jackson High School of Lancaster County.



The advisory board shall organize as soon after the appointment of its members as practicable by electing a chairman and such other officers as it may deem necessary.

The advisory board shall meet as often as it may deem necessary, but not less than twice each year, and shall advise from time to time the board of trustees on matters relating to the public schools in the county.

**Section 3. Continuation of present members.**-Notwithstanding the provision of Section 1, the current members of the Board of Trustees of Kershaw County shall continue to serve through the first Monday in January 1971.

**Section 4. Terms of initial members.**-Notwithstanding the provisions of Section 1, the initial terms of those members elected to the even-numbered seats shall be for a terms of two years and for a terms of four years thereafter.

**Section 5. Meetings-compensation.**-The Kershaw County Board of Trustees shall meet on the first Tuesday of January, 1971, at 10:00 A.M. and on such date of each year thereafter and elect one of its members chairman for a term of one year, and another as vice chairman for a like period.

The board shall hold regular meetings at least once each month, and any special meeting it may deem necessary; all meetings shall be open to the public unless the board by a majority vote thereof deems it necessary to meet in executive session for such meeting or any part thereof. Six members shall constitute a quorum at all meetings.

Members of the board shall receive twenty-five dollars for their attendance at each meeting plus mileage as provided by law for members of boards, commission and committees, et cetera, for travel expenses incurred; such funds to be paid from the general Kershaw County school funds.

**Section 6. Administrator.**-The Kershaw County Board of School Trustees shall employ an administrator for the operations of schools of the county, who shall be knowledgeable in the operations of schools.

The term of office for the administrator shall be determined by the board in making a contract with him, but he shall not be hired for terms to exceed four years. The salary and expenses of the administrator shall be fixed in his contract. The administrator shall be the secretary and executive officer of the board. It shall be his duty to effectuate the policies of the board and to recommend to the board from time to time such changes in procedure and policy as he feels will improve, effectuate and carry out the policies of the board; constantly keeping in mind the financial economy of the individual taxpayer of the county and of the school district.

- (a) The administrator shall nominate all staff members and other personnel necessary to carry out the policies of the Kershaw County School Board of Trustees.
- (b) Assign all personnel employed.
- (c) All supplies necessary or incidental to the operation of the schools of the county shall be obtained by the board from the State purchasing agency unless such supplies can be obtained elsewhere at a lower cost by bid, except that all contracts for services and reports shall be obtained from whatever source that is approved by a majority of the board of trustees.
- (d) Prepare an annual budget for the approval of the board with as much detail as possible therein being published some thirty days prior to the presentation of such to the board for its approval.

**Section 7. Powers and duties.**-The Board of Trustees for Kershaw County shall have the following duties and powers relative to the public school in the county.

1. Upon nomination by the administrator to employ all personnel necessary for the efficient operation of the schools except as otherwise provided in this act.
2. To adopt administrative policies.
3. After the fiscal year 1970-1971 to fix all local supplements for teachers and incentive salary schedule for the teachers of Kershaw County; *provided*, however in no way can the local supplement to teacher's salaries or the incentive salary schedule for teachers in the county be reduced below the monetary compensation received by such teachers for the fiscal year 1970-1971.
4. To plan and construct new buildings.
5. To issue from time to time general obligation bonds of the district to construct and repair buildings and pledge capital outlays from State, Federal and local tax sources for their repayment.
6. To operate a building, maintenance and repair program.
7. To issue, with the approval of a majority of the county council, short term notes in anticipation of taxes and state aid funds which note or notes shall mature not later than one year from the date thereof.
8. To excuse the right of eminent domain in securing necessary property, and in the exercise of such rights the board shall follow as near as practical the procedure prescribed for condemnation by municipal corporations.
9. To determine and evaluate the education program.
10. To assume all duties and authority delegated to county boards of education under the general provisions of law.
11. To contract for services, equipment and supplies in the operation of Kershaw County School system as heretofore set out under the duties of the administrator of schools for the county.
12. To have prepared and published in a local newspaper, not more than ninety days from the end of each fiscal year, an audit prepared by a C.P.A. as to the operation of the public schools of Kershaw County.
13. To keep an accurate record of all board proceedings; which shall be at all times open to the public.
14. To direct a continuing school census.
15. To fix the length of the school term.
16. To conduct from time to time surveys and studies as to the curriculum of the Kershaw County Schools, their supervisory programs, auxiliary services, always keeping in mind the application of the surveys, studies, or reports which may be for the best educational interest of the students, Kershaw County, and the financial interest of its taxpayers.
17. To arrange with adjoining counties for the interchange of pupils or educational services.

**Section 8. Tax levy.**-The Kershaw County Board of School Trustees shall each fiscal year after 1970-1971 set a tax levy to be applied uniformly to all property in Kershaw County, which in its opinion will guarantee an adequate program of public school education to all children in the county. The levy so imposed by the board shall be entered by the county auditor and collected by the county treasurer in the same manner as other taxes on property. Proceeds of this levy shall be credited by the county treasurer to the board and the county treasurer shall pay out all of such funds only on special vouchers prepared for this purpose and carrying the signature of the chairman of the Kershaw County School Board of Trustees or the vice chairman of the board, together with the signature of the administrator of schools for Kershaw County each of whom shall be bonded in the amount of five thousand dollars; *provided*, however, the

board shall not increase ad valorem taxes for the operation of the Kershaw County school system without the approval of a majority of the county council.

This does not include millage necessary for the retirement of bonds for capital improvement, notes or obligations, previously voted on and approved by the voters of Kershaw County.

**Section 9. Repeal.**-Sections 21-3151 through 21-3157 of the 1962 Code are repealed.

**Section 10. Time effective.**-This act shall take effect upon approval by the Governor.

Approved the 13<sup>th</sup> day of March, 1970.

## Training of County Voter and Election Board Members

## F: Orientation for County Board (Recommendation)

**Recommendation** - Require each County Election Board Member participate in an orientation approved by the State Election Commission within thirty days of the individuals appointment to the County Board of Voter Registration and Elections; failure of which requires removal of the member by the Governor; by updating SC Code Section 7-5-10(D)(1) and (2).

- See SC Code Section 7-5-10 below.

### **§ 7-5-10. Appointment of board members; previous offices abolished; training/certification.**

(A)(1) The Governor shall appoint, upon the recommendation of the legislative delegation of the counties, competent and discreet persons in each county, who are qualified electors of that county and who must be known as the "Board of Voter Registration and Elections of \_\_\_\_\_ County". The total number of members on the board must not be less than five nor more than nine persons. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution: "I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God."

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member's initial appointment or his reappointment following a break in service, or within eighteen months after a staff person's initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

(3) Following completion of the training and certification program required in item (1), each board member, and each staff person designated by the board or commission, must take at least one training course each year.

HISTORY: 1962 Code Section 23-51; 1952 Code Section 23-51; 1950 (46) 2059; 1967 (55) 634; 1970 (56) 2337; 1988 Act No. 422, Section 1, eff March 28, 1988; 1996 Act No. 465, Section 1, eff August 21, 1996; 1998 Act No. 304, Section 1, eff May 27, 1998; 2007 Act No. 100, Section 1, eff June 18, 2007; 2014 Act No. 196 (S.815), Section 3, eff June 2, 2014.

## Voter Registration and Database (not county boundary related)

### G: Yes/No Box on Voter Registration Application (Recommendation)

**Recommendation** - Revise the mailed and in-office voter registration applications to include a “Yes” and “No” box beside each voter eligibility qualification, similar to the boxes that currently appear by the “Are you 18?” and “Are you a U.S. Citizen?” to ensure it is clear to those registering that they are saying yes to each qualification.

- Sample Voter Registration Applications on following pages.



# Voter Registration Applications

## SOUTH CAROLINA VOTER REGISTRATION MAIL APPLICATION

**SOUTH CAROLINA**  
ELECTION COMMISSION

Registration Number

Are you a citizen of the United States of America? Yes <input type="checkbox"/> No <input type="checkbox"/> Will you be 18 years of age on or before election day? Yes <input type="checkbox"/> No <input type="checkbox"/> <b>If you checked 'NO' in response to either of these questions, DO NOT complete this form.</b>				Check One: <input type="checkbox"/> New Registration <i>(Check above if moving from one county to another)</i> <input type="checkbox"/> Address or name change within the same county			
NAME		Last		First		MI	Suffix
SEX	Male <input type="checkbox"/>	RACE	White <input type="checkbox"/>	Black/African American <input type="checkbox"/>	Asian <input type="checkbox"/>	Hispanic <input type="checkbox"/>	Native American <input type="checkbox"/>
	Female <input type="checkbox"/>		Other Specify <input type="checkbox"/>				
ADDRESS WHERE YOU LIVE (Physical Address)		Street		Apt Number		Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>	
		City		State	Zip Code	Would you like to be a poll worker? Yes <input type="checkbox"/> No <input type="checkbox"/>	
MAILING ADDRESS (if different from above)		Street or Post Office Box					
		City		State	Zip Code		
BIRTHDATE		Month	Day	Year	PHONE #	Home ( )	Work ( )
PREVIOUS REGISTRATION/NAME		Precinct		County	State	Previous Name	

### Voter Declaration – (read and sign below)

I swear or affirm that:

- I am a citizen of the United States of America
- I will be 18 years of age on or before Election Day
- I am a resident of South Carolina, this county and precinct
- I am not under a court order declaring me mentally incompetent
- I am not confined in any public prison resulting from a conviction of a crime
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction
- the address listed above is my only legal place of residence, and I claim no other place as my legal residence

If you do not have a street name or number, draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.

Attach ID Here

Signature

Date of Application

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

**ID Required:** If you are registering for the first time in this county, you **must** attach a copy of a current valid photo ID or a copy of a current utility bill, bank statement, paycheck or other government document that shows your name and address in this county. If you do not provide this identification now, you will be required to provide this information when you vote. Voters who are age 65 and over, voters with disabilities, members of the U.S. Uniformed Services or Merchant Marines and their families, and U.S. Citizens residing outside the U.S. are exempt from this requirement.

☐ Check here if you are exempt.

**\*\* Social Security Number is required by the S.C. Code of Laws 7-5-170. This number is used for internal purposes only and eliminates multiple registrations by a single individual. Your Social Security Number is not released to any unauthorized individual.**

For Voter Registration Board Use Only

**scVOTES.org**

☐ Approved ☐ Disapproved by \_\_\_\_\_ (Member, Voter Registration Board) Date \_\_\_\_\_

# STATE OF SOUTH CAROLINA

## Application for Voter Registration

Registration Number

Social Security Number is required by the S.C. Code of Laws and is used for internal purposes only. Social Security Number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized individual.

NAME		Last		First		MI	Suffix
SEX	Male <input type="checkbox"/>	RACE	Black/African American <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic <input type="checkbox"/> Other Specify <input type="checkbox"/>				SOCIAL SECURITY NUMBER - -
	Female <input type="checkbox"/>						
ADDRESS WHERE YOU LIVE		Street				Apt Number	Inside City Limits Yes <input type="checkbox"/> No <input type="checkbox"/>
		City				State	
MAILING ADDRESS (if different from above)		Street or Post Office Box					
		City				State	Zip Code
BIRTHDATE		Month	Day	Year	PHONE #	Home	Work
PREVIOUS REGISTRATION		Precinct			County	State	

☐ I am not under a court order declaring me mentally incompetent or confined in any public prison.

☐ I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.

I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of the State of South Carolina, this county and of my precinct. I further swear (or affirm) that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.

\_\_\_\_\_  
Signature of Applicant

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Member, Deputy Member or  
Clerk of Registration Board

### For Registration Board Use Only

City	Mail City	Mail Co.	Township	Precinct	House	Senate	Co. Council	School	City Cnd.	Cong.	Watershed		
June 27, 2017 Meeting Packet Page 48 of 52													

Agency Code

**920**

# STATE OF SOUTH CAROLINA

## Application for Voter Registration

Registration Number

Social Security Number is required by the S.C. Code of Laws and is used for internal purposes only. Social Security Number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized individual.

<b>CHECK ONE</b>		<input type="checkbox"/> New registration in county		<input type="checkbox"/> Change in current registration	
<b>NAME</b>	Last		First		MI
<b>SEX</b>	Male <input type="checkbox"/>	<b>RACE</b>	White <input type="checkbox"/>	Black/African American <input type="checkbox"/>	Asian <input type="checkbox"/>
	Female <input type="checkbox"/>		Hispanic <input type="checkbox"/>	Other (Specify) _____	
		<b>SOCIAL SECURITY NO.</b>			
<b>ADDRESS WHERE YOU LIVE</b>	Street		Apt Number		<b>INSIDE CITY LIMITS</b>
	City		State		Yes <input type="checkbox"/> No <input type="checkbox"/>
	Zip Code				
<b>MAILING ADDRESS (if different from above)</b>	Street or Post Office Box		Apt Number		
	City		State		Zip Code
<b>BIRTHDATE</b>	Month	Day	Year	<b>PHONE</b>	Home
					Work
<b>PREVIOUS REGISTRATION</b>	Precinct		County		State

**Voter Declaration - Read and Sign Below**

I swear or affirm that:

- I am a United States citizen.
- I will be at least 18 years old on or before the next election.
- I am a resident of South Carolina, this county and precinct.
- I am not under a court order declaring me mentally incompetent.
- I am not confined in any public prison resulting from a conviction of a crime.
- I have never been convicted of a felony or offense against the election laws OR if previously convicted, I have served my entire sentence, including probation or parole, or I have received a pardon for the conviction.
- The address listed above is my only legal place of residence and I claim no other place as my legal residence.

Signature \_\_\_\_\_

Date of Application \_\_\_\_\_

Whoever shall, willfully and knowingly, swear (or affirm) falsely in taking any oath required by law shall be guilty of perjury and, on conviction, incur the pains and penalties of the offense.

If you decline to register to vote, that decision will remain confidential and be used only for voter registration purposes.

If you register to vote, information regarding the office in which the application was submitted will remain confidential, again, to be used only for voter registration purposes.

Draw a diagram of the area in which you live. Show your house in relation to local landmarks such as schools, churches, stores, etc. Be sure to label the streets or roads.


**For Registration Board Use Only**

City	Mail City	Mail Co.	Township	Precinct	House	Senate	Co. Council	School	City Council	Cong.	Watershed	Reg Loc	Misc
												920	

☐ Rejected
☐ Approved By \_\_\_\_\_  
 Member, Board of Voter Registration

Date \_\_\_\_\_

## [H: Mental Incompetence Notification from Courts \(Recommendation\)](#)

**Recommendation** - Update internal operations at the State Election Commission (SEC) to ensure the SEC receives notification when a Court deems an individual mentally incompetent from Probate Court Judges, or other entities, such as SLED, which the Courts notify, so the agency may update the voter registration database and move those individuals deemed mentally incompetent from active to inactive status.

- SEC Responses to Subcommittee's June 29, 2017 Letter
  - The SEC is working with Court Administration and SLED to determine what entity, if any, has a comprehensive list of individuals deemed mentally incompetent by the courts. As of this response, the responsible party has not been identified.

## County Boundaries - Background Information

**Current Process for Geographically Positioning Ill-defined, Unmarked, or Poorly Marked County Boundaries****County boundary lines set in state law**

- General Assembly describes county boundary lines in statute.

**Time passes**

- Passage of time and growth in society has led to confusion over locations of county boundary lines described in statute. (2014 Act No. 262, Section 1 (A)(2))

**Technology exists to provide permanent markers of boundary lines**

- General Assembly tasks SCGS with geographically positioning the County Boundary Lines described in statute whenever anyone believes a county boundary is ill-defined, unmarked, or poorly marked. (SC Code Section 27-2-105(A)(1))

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D**A portion of the county boundary currently in state law is geographically positioned onto a plat**

- SCGS works with county personnel to analyze archival and other evidence and perform field surveys geographically to position all county boundaries in accordance with current statutory descriptions. (SC Code Section 27-2-105(A)(1)) (See SCGS Informal Policy attached)
- County plat with geographical positions for the county boundaries will be drafted, signed and sealed by a licensed South Carolina Professional Land Surveyor, and approved by the Chief of the SCGS. (SC Code Section 27-2-105(A)(4))

**Backup notifications ensure all impacted know, if they didn't already, and have chance to disagree**

- Within 30 days of the Chief of SCGS approving the county plat with geographical positions for the county boundary, SCGS will provide the following: (SC Code Section 27-2-105(A)(3)&(B)(1)-(4))
  - copies to the administrator of each affected county;
  - notice and copies to the public through its official website and/or other means it considers appropriate; and
  - written notification to affected parties, which include: (1) governing body of an affected county; (2) governing body of a political subdivision of the state; (3) elected official, other than a statewide elected official; (4) property owner or an individual residing in the certification zone (send certified letter to these people); (5) business entity located in the certification zone; and (6) nonresident individual who owns/leases real property situated in the certification zone. (See #1 - #4 on attached pages)
    - An affected party that disagrees with the geographic positioning of the county boundary described in statute, may file request for a contested case hearing with the SC Administrative Law Court (ALC) within 60 days of receiving notice. The party may appeal the decision of the ALC if they desire.

**Geographic positions of the portion of the county boundary currently in state law takes effect**

- When the plat is no longer subject to appeal, the Chief of the SCGS shall provide the geographically positioned map to the Secretary of State, the South Carolina Department of Archives, and the register of deeds in each affected county. The date of the cover letter is the date the boundary takes effect. (SC Code Section 27-2-105(B)(5)-(6))

**State Code updated to reflect the geographic positions of the entire county boundary**

- When all portions of a county boundary are resolved, the SCGS shall prepare a unique boundary description and forward that description in a form suitable for the General Assembly to amend all of the boundaries for a county. SC Code Section 27-2-105(B)(7))

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**NOTE:** If two counties find through the geographic positioning process that they have been utilizing boundaries that are different than those set in statute, the counties may adjust the boundaries set in statute through annexation.

**SCGS Informal Policy**

Prior to SCGS starting their work, SCGS notifies the administrators of the effected counties. The county administrator will create a delegation of other officials to work with the SCGS on the project. If assistance from the county is provided, it is done so as a mutual agreement between the county administrator and the SCGS. The SCGS will work to collect historical land records for documentary evidence of boundaries and perform fieldwork to locate monuments and corroborating evidence and position on State Plane Coordinates.

When SCGS has preliminary findings regarding the boundaries, SCGS shares these findings with the county administrator and delegation. This information is shared to identify any impacts to property owners. If property owners are impacted by the clarification of the boundary, a collaborative decision is made between the SCGS and the counties on the necessity of a public meeting. Letters of notification are sent to the impacted individuals. Contained within the letter is the purpose and explanation of the project, and the time, date, and location of the public meeting. This will be done prior to SCGS certifying a final plat of survey.

Once county delegations and county councils are satisfied that all issues have been resolved, the SCGS completes the project by certifying the plat of the clarified county boundary. At that time, the certified plat is provided to the appropriate parties pursuant to SC Code Section 27-2-105(A)(3) (i.e., copies to administrators, written notification to affected parties, etc.). When an affected party receives this written notification, said party has 60 days to file an appeal and request for a contested case hearing with Administrative Law Court (ALC). After the 60 day filing process ends, and if no appeals are filed, a cover letter from the Chief of the SCGS is signed identifying the project as complete. The certified plat of survey, along with the cover letter, is submitted to the SC Secretary of State, each county's Register of Deeds Offices, and the SC Department of Archives.



**#1 - Non-Impact Notification sent via U.S. Mail**

SCGS classifies property owners as “non-impact” when they are minimally affected, their residence or business is not found to be in the adjacent county or the majority of their property is not found to be in the adjacent county. Those that will not experience any change to their circumstances. SCGS generally works with the counties to determine who is not impacted and who is significantly impacted.

**Sample Letter**

CHAD WALLDORF, Chairman  
HOWELL CLYBORNE, JR.  
EMERSON F. GOWER, JR.

SOUTH CAROLINA  
REVENUE AND FISCAL AFFAIRS OFFICE

FRANK A. RAINWATER  
Executive Director

June 13, 2017

Re: 400 Old Island Ford Road, Spartanburg County: TMS/PID 2-08-00-076.00

Dear Sir or Madam,

In the fall of 2013, Cherokee County and Spartanburg County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Cherokee County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Cherokee and Spartanburg counties committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates.

Please consider this letter the official notification that the re-established survey has been certified as of June 13, 2017. The certified plat of this re-establishment survey may be found on the SCGS' website:

[http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar) and at the respective counties Assessor's office. If you would like to review the plat, in person, please call those offices to schedule an appointment; Cherokee: (864)487-2552 and Spartanburg: (803)684-8526.

The SCGS presented its findings and work performed in re-establishing the Cherokee-Spartanburg boundary at a public meeting. The meeting was held in the Spartanburg County Council Chambers, 366 N. Church Street, Main Level Suite 1000; Spartanburg, South Carolina 29303 on April 6th at 6:00 pm.

The reason for this letter is two-fold:

The first reason is to inform you of how the re-established Cherokee-Spartanburg boundary will/might affect you as a property owner. Included, with this letter, is an aerial photograph showing your property, the re-established Cherokee-Spartanburg county line and the parcel (property) lines used by each county.

**For the property referenced in this letter, we perceive no significant impacts.** A significant impact is defined as a residence or place of business being found in a different county based on the proposed re-established boundary.

The second reason is to inform you that you may appeal the determination of the re-establishment survey with the South Carolina Administrative Law Court (ALC) by filing a "Request for Contested Case Hearing FORM." There will be a \$150 fee associated with the filing, per Administrative Law Court Rule 71C. As per Act 262 of 2014 there is a 60-day window for appeal from the date of this letter. The ACL will review any evidence that you may have to refute the findings of the re-establishment survey, the ACL will also review the evidence used by the SCGS or their consultants, and then the ACL will render a ruling.

Contact information for the ALC is:

South Carolina Administrative Law Court; Edgar A. Brown Building; 1205 Pendleton Street; Columbia, SC 29201  
Voice: (803) 734-0550; Fax (803) 734-6400; Website: <http://www.scalc.net/>

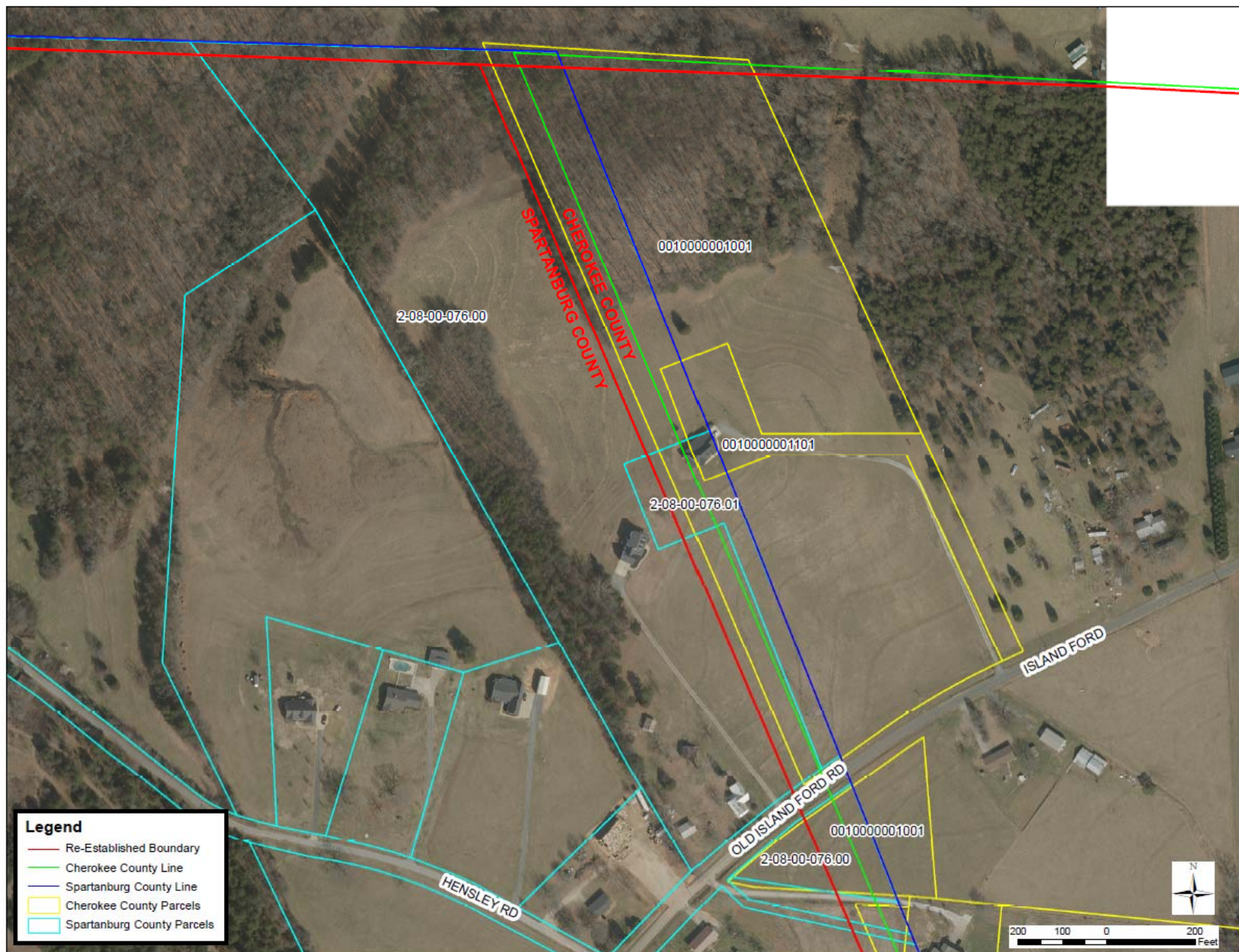
If you own several parcels along the re-established boundary, you may receive several letters from this agency. Please let us know if you are not the current owner of this property. If any of this property is leased, using the contact information below, please provide us with the name and address of the current tenants of this property.

Cordially,



David K. Ballard, PLS  
Manager, County Boundary Program  
SC Geodetic Survey  
5 Geology Road  
Columbia, SC 29212  
(803) 896-7710;  
Email: [david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)





The above information was verified as accurate by Revenue and Fiscal Affairs via email on July 12 and 18, 2017.



**#2 - Significant Impact Notification sent via Certified Mail, Return Receipt Requested**

SCGS classifies property owners as "significant impact" when they are found to be in the adjacent county or the majority of their property is found to be in the adjacent county. SCGS generally works with the counties to determine who is not impacted and who is significantly impacted.

**Sample Letter**

CHAD WALLDORF, Chairman  
HOWELL CLYBORNE, JR.  
EMERSON F. GOWER, JR.

SOUTH CAROLINA  
REVENUE AND FISCAL AFFAIRS OFFICE

FRANK A. RAINWATER  
Executive Director

June 13, 2017

Re: 284 Green Valley Dr, Spartanburg County: TMS/PID 2-19-00-197.00

Dear Sir or Madam,

In the fall of 2013, Cherokee County and Spartanburg County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Cherokee County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Cherokee and Spartanburg counties committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates.

Please consider this letter the official notification that the re-established survey has been certified as of June 13, 2017. The certified plat of this re-establishment survey may be found on the SCGS' website: [http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar) and at the respective counties Assessor's office. If you would like to review the plat, in person, please call those offices to schedule an appointment; Cherokee: (864)487-2552 and Spartanburg: (803)684-8526.

The SCGS presented its findings and work performed in re-establishing the Cherokee-Spartanburg boundary at a public meeting. The meeting was held in the Spartanburg County Council Chambers, 366 N. Church Street, Main Level Suite 1000; Spartanburg, South Carolina 29303 on April 6th at 6:00 pm.

The reason for this letter is two-fold:

The first reason is to inform you of how the re-established Cherokee-Spartanburg boundary will/might affect you as a property owner. Included, with this letter, is an aerial photograph showing your property, the re-established Cherokee-Spartanburg county line and the parcel (property) lines used by each county.

**For the property referenced in this letter, it appears that there is or may be a significant impact.** A significant impact is defined as a residence or place of business being found in a different county based on the proposed re-established boundary.

The second reason is to inform you that you may appeal the determination of the re-establishment survey with the South Carolina Administrative Law Court (ALC) by filing a "Request for Contested Case Hearing FORM." There will be a \$150 fee associated with the filing, per Administrative Law Court Rule 71C. As per Act 262 of 2014 there is a 60-day window for appeal from the date of this letter. The ACL will review any evidence that you may have to refute the findings of the re-establishment survey, the ACL will also review the evidence used by the SCGS or their consultants, and then the ACL will render a ruling.

Contact information for the ALC is:

South Carolina Administrative Law Court; Edgar A. Brown Building; 1205 Pendleton Street; Columbia, SC 29201  
Voice: (803) 734-0550; Fax (803) 734-6400; Website: <http://www.scalc.net/>

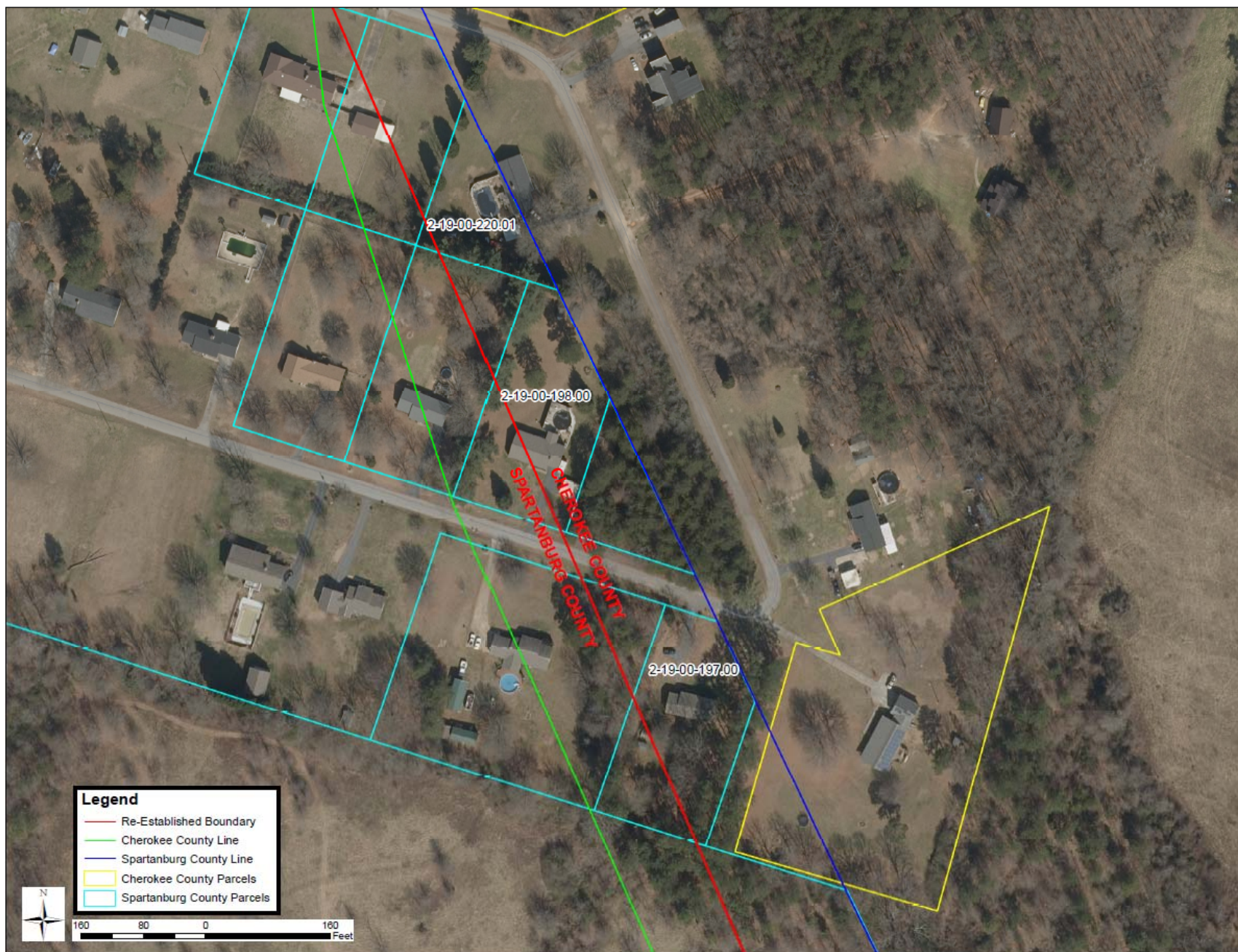
If you own several parcels along the re-established boundary, you may receive several letters from this agency. Please let us know if you are not the current owner of this property. If any of this property is leased, using the contact information below, please provide us with the name and address of the current tenants of this property.

Cordially,



David K. Ballard, PLS  
Manager, County Boundary Program  
SC Geodetic Survey  
5 Geology Road  
Columbia, SC 29212  
(803) 896-7710;  
Email: [david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)






The above information was verified as accurate by Revenue and Fiscal Affairs via email on July 12 and 18, 2017.

### #3 - Agency Notification sent via Email

When the first county boundary line was being geographically positioned the Director of Revenue and Fiscal Affairs sent an email to all State Agency heads and asked if they would like to be notified directly or would assign someone as a point of contact. Some agencies responded that they did not want notification.

The list of agencies that wanted notification, and are provided notification, are as follows: (1) Department of Social Services; (2) State Election Commission; (3) Judicial Department; (4) Department of Transportation; (5) University of South Carolina; (6) Clemson University; (7) SC Forestry Commission; (8) SC Commission on Indigent Defense; (9) SC Patients' Compensation Fund; (10) SC Conservation Bank; (11) Department of Corrections; (12) State Law Enforcement Division (SLED); (13) Court Administration; and (14) Department of Disabilities and Special Needs.

### Sample Email



Mon 7/3/2017 11:30 AM

**Ballard, David** <David.Ballard@rfa.sc.gov>

**Certification of the Re-establishment of a portion of the Cherokee Spartanburg and Cherokee York Boundaries**

To: Derrick, Barbara; Leach, Brian; Chief Justice-elect Donald Beatty; Hall, Christy; Derrick Huggins; Emily Watts (wattsek@scdot.org); Gerald Vander Mey; Harry Blount; Snider, Howard; Ryan, Hugh; James D. Scurry; Jeffrey L. Baumann; John Harmon; Laura Haselden; Brown, Lawrence; Paul Magargle; Randy B. Bradley; Richard Lacy; Rosalyn Frierson; Sharon Scott; Tanya DeOliveira; Coston, Terry; Terry Parham; Tom Osmer; Waring, Tom; Yelena Kalashnikova

Cc: Rainwater, Frank; Wellslager, Matt

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Dear Sirs or Madams,

The South Carolina Geodetic Survey (SCGS), a section of the Revenue and Fiscal Affairs Office (RFA), was authorized via Act 262 of 2014 to clarify and monument the locations of county boundaries as they are defined in SC Code of Laws. A letter from the Executive Director of the Revenue and Fiscal Affairs Office (RFA) was sent to your agency's director asking if they, or someone within your agency, should be notified when sections of county boundaries have been re-established/clarified. If a reply in the affirmative was received by us, you were added to a group mail out list for notification.

Please consider this the official notice to "Affected Parties," as required by the SC Code of Law; Section 27-2-105. A section of boundary between Cherokee and Spartanburg Counties and Cherokee and York Counties has been re-established and the plats of survey have been certified by a contractor working for the SCGS and by the SCGS. A public meeting was held in the Spartanburg County Council Chambers on April 6th, regarding the Cherokee/Spartanburg boundary and it went well. SCGS and county officials were able to address the concerns of the citizens that were present, the biggest concern being if resident's children will be able to continue going to their present schools. The adjacent school districts were able to work out a solution to allow the children to continue attending classes in their current school districts until graduation. Also, A public meeting was held in the Cherokee County Council Chambers on May 18th, regarding the Cherokee/York boundary and it went well.

Jurisdictionally there were approximately 20 significant impacts or changes of residences or buildings from one county to another on the Cherokee Spartanburg section. There were around 9 on the Cherokee York section.

The certified surveys, presentation, and historical information have been posted:

Cherokee Spartanburg- [http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar)  
 Cherokee York- [http://rfa.sc.gov/geodetic/cb\\_projectlist/cheryork](http://rfa.sc.gov/geodetic/cb_projectlist/cheryork)

You may appeal the determination of the re-establishment survey with the South Carolina Administrative Law Court (ALC) by filing a "Request for Contested Case Hearing FORM." There will be a \$150 fee associated with the filing, per Administrative Law Court Rule 71C. As per Act 262 of 2014 there is a 60-day window for appeal from the date of this letter. The ACL will review any evidence that you may have to refute the findings of the re-establishment survey, the ACL will also review the evidence used by the SCGS or their consultants, and then the ACL will render a ruling.

Contact information for the ALC is:

South Carolina Administrative Law Court; Edgar A. Brown Building; 1205 Pendleton Street; Columbia, SC 29201  
 Voice: (803) 734-0550; Fax (803) 734-6400; Website: <http://www.scalc.net/>

You are welcome to contact me to discuss this boundary.

**David K. Ballard, PLS**  
*South Carolina Geodetic Survey*  
 5 Geology Rd  
 Columbia, SC 29212  
 803.896.7710 (Office)  
 803.466.7999 (Mobile)  
[david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)  
<http://rfa.sc.gov/geodetic>

The above information was verified as accurate by Revenue and Fiscal Affairs via email on July 12 and 18, 2017.



**#4 - Elected Officials Notification sent via U.S. Mail**

Elected Officials notified include: (1) Senator(s); (2) Representatives; (3) Clerks of Court; (4) County Council Members; (5) County Treasurers; (6) School District Board Members; (7) Sheriff; (8) Coroner; (9) Solicitor; (10) State Treasurer; and (11) State Auditor.

**Sample Letter**

EDWARD B. GRIMBALL, Chairman  
HOWELL CLYBORNE, JR.  
EMERSON F. GOWER, JR.

**SOUTH CAROLINA**  
**REVENUE AND FISCAL AFFAIRS OFFICE**

FRANK A. RAINWATER  
Executive Director

July 5, 2017

Re: *Re-establishment/Clarification of a Portion of the Cherokee/Spartanburg County Line*

Dear Jackie Williams,  
**Treasurer**

The South Carolina Geodetic Survey (SCGS), a section of the Revenue and Fiscal Affairs Office, has begun a systematic program to re-establish South Carolina's county boundaries in accordance with the statutory descriptions. Throughout the state of South Carolina there is uncertainty and misinformation regarding the location of county boundaries, causing confusion about jurisdiction.

In the fall of 2013, Cherokee County and Spartanburg County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Cherokee County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Cherokee and Spartanburg counties committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates.

The SCGS presented its findings and work performed in re-establishing the Cherokee-Spartanburg boundary at a public meeting. The meeting was held in the Spartanburg County Council Chambers, 366 N. Church Street, Main Level Suite 1000; Spartanburg, South Carolina 29303 on April 6th at 6:00 pm. SCGS and county officials were able to address the concerns of the citizens that were present, the biggest concern being if resident's children will be able to continue going to their present schools. The adjacent school districts were able to work out a solution to allow the children to continue attending classes in their current school districts until graduation.

Jurisdictionally there were approximately 20 significant impacts or changes of residences or buildings from one county to another on the Cherokee Spartanburg section.

Please consider this the official notice to "Affected Parties," as required by the South Carolina Code of Law §27-2-105. The re-established survey has been certified as of June 13, 2017. The certified surveys, presentation, and historical information have been posted on the SCGS' website: [http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar). Anyone who disagrees with the certified surveys may appeal this determination to the Administrative Law Courts pursuant to §27-2-105.

If you have any questions, please feel free to contact us.

Cordially,

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## Who has the Official County Boundary Map?

## I: RFA has Official Map (Recommendation)

*Adopted by Subcommittee: May 9, 2017*

**Recommendation** - Revenue and Fiscal Affairs Office has the official map of county boundaries, and that provisions be added in law which states South Carolina's official county boundary map that corresponds with current statutory descriptions and any annexations is held by Revenue and Fiscal Affairs Office or its successor entity. This map will include boundaries necessary to determine election districts and other determinations set out by statute.

- Issue Addressed - Ensures state statute is clear on who holds the official county boundary map upon which the Census Bureau and others may rely.
- Related Statutes
  - SC Code Section 58-23-1700
    - RFA will publish the GIS file showing the state's county and municipal boundaries on the RFA website.

## Keeping the County Boundary Map Current



[J: No Annexation impacting line SCGS is mapping while SCGS is mapping  
\(Recommendation\)](#)

**Recommendation** - Update statutes to prevent the following two actions from occurring simultaneously: (1) a county annexing property that would impact an individual boundary line of a county; and (2) SCGS mapping the geographic coordinates of the same individual boundary line. If a county wishes to annex property, they may begin the annexation process as outlined in Chapter 5, Title 4, after the date the geographically positioned individual boundary line takes effect as outlined in Section 27-2-105(B)(6).

- Issue Addressed - Avoids confusion while SCGS is mapping a particular boundary line.

## K: Include Geographic Coordinates in any Future Annexations (Recommendation)

**Recommendation** - Update statutes so after the SCGS geographically positioned boundary line takes effect, (1) any future annexations impacting that line include geographic coordinates and descriptions of the proposed new line, which SCGS will verify, as part of the information available to those within the counties or municipalities who are voting on the annexation, and (2) within 30 days of the certification of election results approving an annexation, counties and municipalities must provide the geographic coordinates and description of the new boundary line to SCGS who will update the official map.

- Issue Addressed - Efficiency in keeping the official county boundary map updated and current.
- Related Issues which will require additional research to determine the best statutory wording
  - Without geographic coordinates as part of the annexation, the description in statute will remain vague as it currently is
  - Geographic coordinates are easy to obtain with proper surveying equipment
  - Some counties and municipalities may not want to
    - hire someone with the correct equipment; or
    - have someone do a survey at all
  - You would want the geographic coordinates to be done prior to individuals voting on the annexation, to ensure they are voting on those coordinates. If you do the coordinates after the vote, RFA would need to go through the entire process described in 27-2-105 which would be a lot of additional cost to the State.
- Related Statutes
  - Annexation process for Counties
    - Section 4-5-140. Employment of surveyors to survey line; marking line on land.
    - Section 4-5-150. Filing of plats; deposit of money to cover expenses.
  - SC Code Section 58-23-1700
    - Cities and towns are required to provide annexation information to RFA within 30 days after the annexation is complete.
    - Annexation information must include a written description of the boundary, along with a map or plat which clearly defines the new territory added.
    - RFA is required to update the GIS file showing the state's county and municipal boundaries on a quarterly basis.
- Potential Benefits
  - Avoid confusion with initial mapping and gain efficiency in keeping map updated

Additional Notice AFTER Geographically Positioned Boundary  
Finalized

## L: Additional Entities Notified of Geographic Positions of Boundary (Recommendation)

**Recommendation** - Require RFA to email a copy of the correspondence it sends the Register of Deeds pursuant to SC Code Section 27-2-105(B)(6), to the following additional entities to ensure all parties receive the information: (a) SEC and County Registration/Election Board ☐ Elections; (b) County Council; County Assessor ☐ Taxes; (c) County Emergency Services ☐ Emergency Services; (d) All affected School Boards ☐ School Districts, by adding a provision to SC Code Section 27-2-105(B)(6).

- Issue Addressed - Helps ensure different county entities know which map to utilize
- Related Statutes
  - SC Code Section 27-2-105(B)(6)
    - RFA is required to provide geographic positioned boundary map to (1) Secretary of State; (2) Department of Archives; and (3) Register of Deeds in each affected County.
- Notes
  - RFA states there is no great additional burden on them as they are simply emailing the additional entities a copy of the letter RFA is already required in statute to send the Secretary of State.

## Preventing Taxation without Representation

## M: Differences in Interpretations May Cause Taxation without Representation (Finding)

*Adopted by Subcommittee: May 9, 2017*

**Finding** - Until such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as laid out in statute, different entities may have different interpretations of the county boundary. These differences may create situations when one constituent is being taxed in one county and voting in another. Further, these potential situations may arise until the South Carolina Geodetic Survey Office completes its work, and the counties recognize these boundaries for all purposes including voting. Therefore, these discrepancies may exist until the South Carolina Geodetic Survey Office completes the project in 2030.

### **Potential Revised Language**

Until 2030, or such time as the South Carolina Geodetic Survey Office of Revenue and Fiscal Affairs surveys and maps the county boundaries as laid out in statute, practical problems may arise under various interpretations of a county boundary including but not limited to taxation and representation. The Subcommittee's recommendations are intended to address those problems.

- Issue Addressed - Identifies an issue.
- Notes
  - The potential revised language utilizes softer language and clarifies the Subcommittee intends to address the potential problems through its recommendations.

[N: County Follows Geographically Positioned Map Until Statute Updated  
\(Recommendation\)](#)

**Recommendation** - Require, by adding provisions in statute, a County Council, within 180 days of receiving the geographically positioned boundary (which may only be one boundary line of the county and not the county's entire boundary) from South Carolina Geodetic Survey (SCGS), to provide written confirmation to Revenue and Fiscal Affairs (RFA) that the county has taken any and all necessary steps, which may include grandfathering in certain residents for periods of time as long as those residents are not being taxed in an area in which they cannot vote, to adhere to the boundary for all purposes, including but not limited to, elections, tax assessments, emergency services, school districts, and permits.

- Issue Addressed - Helps prevent taxation in one county and representation in another county.

## O: Update Voter Database based on Geographically Positioned Map (Recommendation)

**Recommendation** - Analyze current laws and short term revisions to allow an efficient and effective update of official voter lists which will be needed as SCGS geographically positions county boundaries pursuant to the boundary description in statute.

- Issue Addressed - Ensures where citizens vote follows the same map by which they are taxed.
- Notes
  - The specific wording needed to address this issue will take additional time to research to ensure compliance with federal law, including the National Voter Registration Act. However, the above concept recommendation, which is similar to concept recommendations made in studies by other Subcommittees when under similar circumstances, will communicate the Subcommittee's identification of this issue and recommendation that it needs to be addressed.

### Example Scenario

- John registers to vote in County A
- County A Registration and Election Board states John lives in County A
- State Election Commission (SEC) adds John to the voter database, noting John lives in County A.
- John votes in elections in County A.
- SC Geodetic Survey (SCGS) geographically positions the boundary of County A pursuant to how the boundary is described in state statute.
  - Based on the geographic positions, John does not live in the statutory boundary of County A. However, John still lives in the same house and has not changed his domicile.
- Under current statutes, the County board of voter registration may correct the official list of eligible voters, only if
  - John requests the County board update his information; OR
  - John receives a postage prepaid and preaddressed return card, sent by forwardable mail, 90 days or more prior to the next election, which includes statements required by statute and on which John may state his current address, and
    - (1) John indicates he lives in County B, not County A; OR
    - (2) John does not respond and has not voted in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.



[P: Private COA for Taxation Outside Geographically Positioned Boundary  
\(Recommendation\)](#)

**Recommendation** - Authorize, by adding provisions in statute, a private cause of action, which includes reasonable attorney's fees, against any county that, after 180 days of receiving the geographically positioned boundary from SCGS, taxes citizens outside the county's geographically positioned boundary contained in the official county boundary map at RFA.

- Issue Addressed - Enforcement method re: counties follow the official boundary for tax purposes.

Additional Notice BEFORE Geographically Positioned Boundary  
Finalized

[Q: Required Notice Pre-SCGS Work on County Boundary and Public Meeting Post-Preliminary Positioning \(Recommendation\)](#)

**Recommendation** - Require SCGS send notice to the county administrator and publish this notice (1) in a local newspaper, and (2) on the RFA website prior to SCGS starting their work of geographically positioning a section of a county boundary. The notice will inform the public that SCGS intends to work on geographically positioning a section of the county boundary and welcomes public input. Require SCGS to work with the county administrator to hold a public meeting, after SCGS has preliminary geographic positions, to provide information on the preliminary positions and obtain additional public input prior to finalizing the plat of the section of the county boundary.

- Issue Addressed - Allows for more public involvement at the start of the process

## Statutes Applicable to County Boundaries

§ 1-11-360. Office of Precinct Demographics; establishment and responsibilities.

There is created within the Revenue and Fiscal Affairs Office an Office of Precinct Demographics to be staffed by personnel as determined appropriate by the office and consistent with funds appropriated for the Office by the General Assembly in the annual general appropriation act. The Office of Precinct Demographics shall:

- (1) Review existing precinct boundaries and maps for accuracy, develop and rewrite descriptions of precincts for submission to the legislative process.
- (2) Consult with members of the General Assembly or their designees on matters related to precinct construction or discrepancies that may exist or occur in precinct boundary development in the counties they represent.
- (3) Develop a system for originating and maintaining precinct maps and related data for the State.
- (4) Represent the Division at public meetings, meetings with members of the General Assembly, and meetings with other state, county, or local governmental entities on matters related to precincts.
- (5) Assist the appropriate county officials in the drawing of maps and writing of descriptions or precincts preliminary to these maps and descriptions being filed in this office for submission to the United States Department of Justice.
- (6) Coordinate with the Census Bureau in the use of precinct boundaries in constructing census boundaries and the identification of effective uses of precinct and census information for planning purposes.
- (7) Serve as a focal point for verifying official precinct information for the counties of South Carolina.

HISTORY: 1984 Act No. 512, Part II, Section 59.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1).

§ 27-2-105. Clarification of county boundaries; role of SC Geodetic Survey; contested case hearings.

(A)(1) Where county boundaries are ill-defined, unmarked, or poorly marked, the South Carolina Geodetic Survey on a cooperative basis shall assist counties in defining and monumenting the locations of county boundaries and positioning the monuments using geodetic surveys. The South Carolina Geodetic Survey (SCGS) shall seek to clarify the county boundaries as defined in Chapter 3, Title 4. The SCGS shall analyze archival and other evidence and perform field surveys geographically to position all county boundaries in accordance with statutory descriptions. Physical and descriptive points defining boundaries must be referenced using South Carolina State Plane Coordinates.

(2) If there is a boundary dispute between two or more counties, the SCGS shall act as the mediator to resolve the dispute.

(3) Upon reestablishing all, or some portion, of a county boundary, the SCGS shall certify its work and within thirty days of that certification:

- (a) provide copies to the administrator of each affected county;
- (b) provide written notification to affected parties;
- (c) provide notice and copies to the public through its official website and or other means it considers appropriate; and
- (d) notify as it determines appropriate, other affected state and federal agencies.

(4) For purposes of item (1), a certification for all or some portion of a county boundary means a plat signed and sealed by a licensed South Carolina Professional Land Surveyor and approved by the Chief of the SCGS.

(B)(1) An affected party disagreeing with a boundary certified by the SCGS may file a request for a contested case hearing with the South Carolina Administrative Law Court according to the court's rules of procedure. An affected party has sixty calendar days from the date of a written notice sent to the affected party to file an appeal with the Administrative Law Court.

(2) As used in this subsection an "affected party" means:

- (a) the governing body of an affected county;
- (b) the governing body of a political subdivision of this State, including a school district, located in whole or in part in the certification zone;
- (c) an elected official, other than a statewide elected official, whose electoral district is located in whole or in part in the certification zone;
- (d) a property owner or an individual residing in the certification zone;
- (e) a business entity located in the certification zone; or

(f) a nonresident individual who owns or leases real property situated in the certification zone.

(3) A "certification zone" means the actual territory in which the boundary certification changes from one affected county to another.

(4) The decision of the Administrative Law Court may be appealed as provided in Section 1-23-610.

(5) The certified county boundary plat described in subsection (A)(4) of this section takes effect for all purposes on the date provided in item (6).

(6) When the certified boundary plat is no longer subject to appeal, the SCGS under cover of a letter signed by the Chief of the SCGS shall provide an appropriate revised boundary map to the Secretary of State, the South Carolina Department of Archives, and the register of deeds in each affected county. The date of the SCGS director's cover letter is the date the revised boundaries take effect.

(7) When all portions of a county boundary are resolved, the SCGS shall prepare a unique boundary description for counties with boundaries affected by the operation of this section and forward that description in a form suitable for the General Assembly to amend county boundaries as described in Chapter 3, Title 4.

(C) Nothing in this section may be construed as limiting or in any way restricting the plenary authority of the General Assembly by legislative enactment to adjust or otherwise clarify existing county boundaries, however, these boundaries may have been established.

HISTORY: 1994 Act No. 497, Part II, Section 59A; 2014 Act No. 262 (S.988), Section 2, eff June 9, 2014.

Effect of Amendment

2014 Act No. 262, Section 2, rewrote the section.

[§ 58-23-1700. Local assessment fee; records; confidentiality; GIS file available for public use.](#)

### **Background**

In 2015, the General Assembly passed the Transportation Network Company Act (Act. 88 of 2015). The primary purpose of this act was to address regulation of Transportation Network Companies, companies that use a digital network to connect a passenger to a driver for the purposes of providing transportation services (e.g., Uber, Lyft, etc.). To enforce some of the regulations, there needed to be a way to determine specifically what county or municipality a trip fare was earned in so the local assessment fee on that fare would go back to the appropriate county or municipality. SC Code Section 58-23-1700(J) was included in the Act to allow for these determinations.

### **Statute**

(A) For the purposes of this section:

(1) "Gross trip fare" means the sum of the base fare charge, distance charge, and time charge for the complete trip at rates published on the TNC's website.

(2) "Local assessment fee" means one percent of the gross trip fare.

(3) "Municipality" means a city or town issued a certificate of incorporation, or township created by act of the General Assembly.

(B) A TNC shall collect a local assessment fee on behalf of a TNC driver who accepts a request for a prearranged ride made through the TNC's digital network for all prearranged rides that originate in the State.

(C) Using the Geographic Information System (GIS) data made available by the Revenue and Fiscal Affairs Office pursuant to subsection (I), a TNC shall determine whether each prearranged trip occurred within the incorporated boundaries of a municipality, or outside of the incorporated boundaries of a municipality and within the boundaries of a county of this State.

(D) No later than thirty days after the end of a calendar quarter, a TNC shall submit to the Office of Regulatory Staff:

(1) the total local assessment fees collected by a TNC on behalf of the TNC drivers;

(2) for trips that originated in a municipality, a report listing the percentage of the gross trip fare that originated in each municipality during the reporting period; and

(3) for trips that originated outside a municipality, a report listing the percentage of the gross trip fare that originated outside a municipality during the reporting period.

(E) The funds collected pursuant to this section are not general fund revenue of the State and must be kept by the State Treasurer in a distinct and separate unbudgeted Trust & Agency fund and apart from the general fund. These funds are to be administered by the Office of Regulatory Staff pursuant to this section and expended only for the purposes provided in this chapter.



(F)(1) The Office of Regulatory Staff shall retain an amount of one percent of the local assessment fee collected under subsection (D)(1) to cover the expenses borne by the Office of Regulatory Staff derived from:

(a) regulation of TNC's; and

(b) collection, remittance, and distribution of local assessment fees pursuant to this section.

(2) Within sixty days of the end of the calendar quarter, the Office of Regulatory Staff shall distribute the remaining portion of the total local assessment fees collected under subsection (D)(1), minus the amount retained pursuant to subsection (F)(1), to each municipality where a trip originated during the reporting period and, for trips that originated outside a municipality, to each county where a trip originated during the reporting period. The distribution to each municipality or county must be proportionate to the percentage of the gross trip fare that originated in each municipality or county.

(G)(1) To ensure that the TNC has remitted the correct local assessment fee and has accurately reported the percentages attributable to municipalities and counties pursuant to subsection (D), upon request of the municipality, the Office of Regulatory Staff may inspect the necessary records at a TNC's place of business or a mutually agreed upon location. This inspection may not be conducted more than once a year.

(2) At least forty-five days before the Office of Regulatory Staff conducts an inspection of records pursuant to item (1), the Office of Regulatory Staff shall notify the Municipal Association of South Carolina (MASC) or its successor organization of its intent to conduct an inspection and the date of the planned inspection.

(3) MASC may request that a TNC that is subject to inspection under item (1) engage an independent third party auditor to verify that the local assessment to municipalities has been properly accounted for and distributed. At least thirty days before the scheduled audit, MASC must submit this request in writing to the Office of Regulatory Staff and the TNC subject to the audit.

(a) The TNC that is subject to the audit shall engage the independent third party auditor, which must be selected at the sole discretion of the TNC, and bear all costs associated with the third party audit. The independent third party auditor must be:

(i) a certified public accounting firm licensed in the State; and

(ii) qualified to perform engagements in accordance with Generally Accepted Government Auditing Standards (GAGAS).

(b) The TNC shall provide MASC with a copy of the third party audit report within fifteen days of completion, which shall in no event, occur later than ninety days after receipt of MASC's written request. The audit report must disclose the amount of any underpayments or overpayments to municipalities and counties.

(c) A person employed by or formerly employed by MASC who discloses to a third party any information that the TNC marked in the audit report as confidential must be assessed civil penalties as contained in Section 58-23-1680 unless the individual obtained the TNC's written consent prior to disclosure. Nothing

in this section must be construed to restrict MASC from disclosing any overpayment or underpayment with the impacted municipalities or counties.

(4) In the event that a TNC submits a report to the ORS that is subsequently determined to be inaccurate, thereby leading to an underpayment or overpayment of a municipality's or county's local assessment fee, the Office of Regulatory Staff shall correct the underpayment and overpayment by offsetting the amount of the underpayment or overpayment in subsequent local assessment fee distributions. In the event a TNC remits an assessment fee to the Office of Regulatory Staff that is determined to constitute an underpayment of the total assessment fee required by this article, the Transportation Network Company shall, within thirty days of receiving notification of the determination, remit the balance owed to the Office of Regulatory Staff. A TNC that submits a report containing an inaccuracy or remits an assessment fee that constitutes an underpayment that is determined by the Office of Regulatory Staff to be the result of an intentional misrepresentation must be assessed damages that are no less than three times the amount of the underpayment or resultant underpayment to the municipality or county impacted.

(H) Any records maintained by a TNC pursuant to this section that are obtained by the Office of Regulatory Staff, a public body as defined by Section 30-4-20(a), or any records that incorporate information from records maintained pursuant to this section, must not be subject to disclosure under the Freedom of Information Act as provided for in Chapter 4, Title 30, or any other provision of law.

(I) The Office of Regulatory Staff may not disclose records or information provided by a TNC unless disclosure is required by a subpoena or court order. If a disclosure is required, the Office of Regulatory Staff shall promptly notify the TNC prior to the disclosure. Nothing in this section may be construed to restrict the Office of Regulatory Staff from disclosing any overpayment or underpayment with the impacted municipalities or counties.

(J) To ensure proper distribution of the local assessment fee pursuant to subsection (D)(2), the Revenue and Fiscal Affairs Office shall prepare and make available for public use a GIS file showing the state's county and municipal boundaries. This file must be updated on a quarterly basis, and published on the Revenue and Fiscal Affairs Office's website. In addition to the requirements of Section 5-3-90, municipalities shall provide annexation information to the Revenue and Fiscal Affairs Office within thirty days after the annexation is complete. Such information shall include a written description of the boundary, along with a map or plat which clearly defines the new territory added.

(K) This section takes effect ninety days after the effective date of this article.

HISTORY: 2015 Act No. 88 (H.3525), Section 1, eff September 22, 2015.

## Title 4, Chapter 5 - Change of Boundaries

### **4-5-120. Procedure for annexing part of a county.**

Whenever the governing body of a county by resolution requests that a part of such county be merged with one or more adjoining counties or whenever ten percent of the registered voters in an area of one county petition in writing that such area be transferred to another county, the county governing body or the petitioners, as the case may be, shall deposit with the clerk of court of such county an amount of money sufficient to cover the expenses of surveys and plats and of the annexation commission and the election to be held to determine whether the proposed annexation shall be effected and shall file such resolution or petition in the office of the clerk of court of such county and transmit the petition or resolution to the Governor.

HISTORY: 1976 Act No. 697 Section 1.

### **4-5-130. Appointment of commission for annexation.**

When a request of a county governing body or a petition as prescribed in Section 4-5-120 has been presented to the Governor for changing the boundary line or lines between two counties, whereby a portion of the territory of one county would be annexed to another, the Governor shall within thirty days appoint a commission of four persons, two from the territory proposed to be annexed and two from the other territory of the county or counties from which such territory has theretofore been a part. Two of the persons, if such are to be found, shall be opponents and two advocates of the proposed change of line.

HISTORY: 1976 Act No. 697 Section 2.

### **4-5-140. Employment of surveyors to survey line; marking line on land.**

The commission may contract for the survey and location of the proposed change of line and for such purpose may employ three competent disinterested surveyors, who are nonresidents of the counties affected, two to be selected by the commission and the third by the two selected by the commission. Such surveyors shall clearly mark the proposed change of line upon the land with due regard to all legal provisions and limitations and certify plats showing such line.

HISTORY: 1976 Act No. 697 Section 3.

### **4-5-150. Filing of plats; deposit of money to cover expenses.**

Certified plats of such line shall be filed with the Secretary of State and with the respective clerks of court of each county affected thereby and a deposit of an amount of money sufficient to cover expenses of survey and plats and other necessary expenses including advertising shall be made with the treasurer of the county whose territory is proposed to be reduced by those requesting or petitioning for the change of line.

HISTORY: 1976 Act No. 697 Section 4.

**4-5-160. Commission shall report all relevant facts.**

The commission shall carefully investigate all facts relating to the area, population and assessed property values of the territory proposed to be severed and that remaining, the proximity of the line to any courthouse and the proper amount of indebtedness of the county losing area to be assessed to the county gaining such area and shall report in writing to the Governor upon all such relevant matters as the Governor may direct for his information. The commission shall also report to the Governor an itemized statement of the expense of the survey and plats.

HISTORY: 1976 Act No. 697 Section 5.

**4-5-170. Governor shall order election; voting place; eligible electors.**

(A) Upon satisfactory compliance with Sections 4-5-120 to 4-5-160, the Governor shall order an election to be held in an area sought to be transferred and an election to be held in the county to which the area is proposed to be transferred. If there is no established voting place in the area proposed to be transferred, the Governor in his order of election shall designate the place or places at which the voters in the area shall vote. All qualified electors of the area proposed to be annexed and the county to which the area is proposed to be annexed are eligible to vote in the elections.

(B) Where the area proposed to be annexed is less than fifty acres in size and is titled in the name of ten or fewer freeholders as defined in Section 5-3-240 and upon satisfactory compliance with Sections 4-5-120 through 4-5-160, the Governor shall order the county board of elections in the county in which the area proposed to be annexed is located to canvass the qualified electors residing in the area as to whether the area proposed to be annexed should be transferred to the annexing county. Notice of the canvassing must be given to the qualified electors residing in the area proposed to be annexed by certified mail. The canvassing of the qualified electors must be in the form of a census taken by the county board of elections on the third Tuesday after the notice is given or attempted. If the county commission of elections certifies that two-thirds of the qualified electors in the area proposed to be annexed favor annexation, the governing body of the county to which the area is proposed to be transferred, upon the concurring vote of the governing body of the county from which the area is proposed to be transferred, may vote to require the General Assembly to ratify the transfer of property under Section 4-5-220.

HISTORY: 1976 Act No. 697 Section 6; 1988 Act No. 520, eff May 18, 1988.

Effect of Amendment - The 1988 amendment made grammatical changes, redesignated the first paragraph as subsection (A), and added subsection (B) relating to canvassing.

**4-5-180. Conduct of elections.**

Except as provided in Section 4-5-170(B), the elections called for must be conducted at the time specified in the Governor's order by the respective election commissions of the two counties in accordance with the applicable constitutional and statutory provisions relating to elections.

HISTORY: 1976 Act No. 697 Section 7; 1988 Act No. 520, eff May 18, 1988.

Effect of Amendment - The 1988 amendment added a reference to Section 4-5-170(B).

**4-5-190. Election results; canvass of returns in annexed area.**

Except as provided for in Section 4-5-170(B), the commissioners of elections for the county from which the area is proposed to be transferred shall canvass the returns of the managers of each precinct in the area seeking annexation in their county as the returns are canvassed in general elections and shall certify the results of the canvassing in a tabulated statement of the vote at each precinct to the Secretary of State who shall transmit a tabulated statement of the vote at each precinct of the county to the Senate and House of Representatives at its next session.

HISTORY: 1976 Act No. 697 Section 8; 1988 Act No. 520, eff May 18, 1988.

Effect of Amendment - The 1988 amendment added a reference to Section 4-5-170(B) and made grammatical changes.

**4-5-200. Election results; canvass of returns in annexing area.**

Except as provided in Section 4-5-170(B), the commissioners of election for the county to which the area is proposed to be transferred shall canvass the returns of the managers of each voting place in the county as the returns are canvassed in the general elections and shall certify the results of the canvass in a tabulated statement of the vote at each polling place to the Secretary of State who shall transmit a tabulated statement of the vote at each polling place to the General Assembly for action as provided for in Section 4-5-220.

HISTORY: 1976 Act No. 697 Section 9; 1988 Act No. 520, eff May 18, 1988.

Effect of Amendment - The 1988 amendment made grammatical changes and added a reference to Section 4-5-170(B).

**4-5-210. Protests or contests; appeals.**

The commissioners of election respectively as judicial officers shall decide all cases of protest or contest in the areas of their jurisdiction that may arise in such elections and their decisions shall be final and conclusive evidence of the result of the elections unless appealed from within five days to the Court of Common Pleas of the county in which the election was held.

HISTORY: 1976 Act No. 697 Section 10.

**4-5-220. Alteration of county line or lines by General Assembly.**

The General Assembly upon receipt of the certified returns shall as soon as practicable alter the county line or lines in accordance with the request or petition if two-thirds of the qualified electors voting or otherwise indicating their preference, under Section 4-5-170(B), on the question in the area to be transferred vote or otherwise indicate, under Section 4-5-170(B), in favor of the transfer and if a majority of the qualified electors voting in the county to which the transfer is proposed or the members of the county governing boards, under Section 4-5-170(B), vote in favor of the transfer, provided that all the constitutional requirements for the alteration of county lines have been complied with, all of which must be determined by the General Assembly. The annexation must then become effective.

HISTORY: 1976 Act No. 697 Section 11; 1988 Act No. 520, eff May 18, 1988.

Effect of Amendment - The 1988 amendment added references to Section 4-5-170(B).

**4-5-230. Payment of costs by annexing county; special tax.**

When one portion of a county is annexed to another county, the county to which it is annexed shall levy a special tax upon all property in such annexed area to cover the cost of survey and transfer or so much thereof as the governing body of the county to which the annexation or addition is made shall deem just and proper, and such governing body may levy upon the property within the original lines of their county such tax as in their judgment shall seem just and fair to augment the amount raised by taxation within the annexed area to reimburse and refund those who made the deposit as provided in Section 4-5-120 for the cost of annexation.

HISTORY: 1976 Act No. 697 Section 12.

**4-5-240. Compensation and expenses of commissioners.**

The commissioners appointed by the Governor in accordance with Section 4-5-130 shall each be entitled as compensation for services to twenty-five dollars per day for not exceeding five days and necessary traveling expenses to be voted and paid as expenses of survey. Upon filing of their report and certified plats as herein required, the commissioners may draw their warrant upon the county treasurer with whom deposit has been made as herein required for payment of the expenses of survey and a warrant shall be payable only out of such deposit.

HISTORY: 1976 Act No. 697 Section 13.

**4-5-250. Subsequent election after defeat of proposal.**

Upon the defeat of any proposed change of boundary line of a county at any election thereon, no election upon the same or any modified change of such boundary line shall be held within four years thereafter.

HISTORY: 1976 Act No. 697 Section 14.

**4-5-260. State aid to subdivisions for county government; allocation formula for annexed county.**

With respect to state aid to subdivisions for county government and the allocation formula for an annexed county, where a portion of one county is annexed to another county, the total amount allocated to the two counties shall not exceed the total which would be allocated to the two counties separately. However, the population of the annexed areas must be taken into consideration in determining the proportionate share of the total allocation due to each county.

HISTORY: 1995 Act No. 145, Part II, Section 33, eff June 29, 1995.

## Title 7 - Elections, Chapter 1 - General Provisions

### **7-1-25. "Domicile" defined.**

(A) A person's residence is his domicile. "Domicile" means a person's fixed home where he has an intention of returning when he is absent. A person has only one domicile.

(B) For voting purposes, a person has changed his domicile if he (1) has abandoned his prior home and (2) has established a new home, has a present intention to make that place his home, and has no present intention to leave that place.

(C) For voting purposes, a spouse may establish a separate domicile.

(D) For voting purposes, factors to consider in determining a person's intention regarding his domicile include, but are not limited to:

- (1) a voter's address reported on income tax returns;
- (2) a voter's real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12-43-220(C);
- (3) a voter's physical mailing address;
- (4) a voter's address on driver's license or other identification issued by the Department of Motor Vehicles;
- (5) a voter's address on legal and financial documents;
- (6) a voter's address utilized for educational purposes, such as public school assignment and determination of tuition at institutions of higher education;
- (7) a voter's address on an automobile registration;
- (8) a voter's address utilized for membership in clubs and organizations;
- (9) the location of a voter's personal property;
- (10) residence of a voter's parents, spouse, and children; and
- (11) whether a voter temporarily relocated due to medical care for the voter or for a member of the voter's immediate family.

HISTORY: 1999 Act No. 103, Section 1, eff June 30, 1999; 2011 Act No. 27, Section 1, eff May 18, 2011.

Editor's Note - 2011 Act No. 27, Sections 7 and 8, provide as follows:

"SECTION 7. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows: "(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites. "(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation. "(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held following preclearance by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. "(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to December 15, 2011. "(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level. "(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than December 15, 2011. "(7) Coordinate with local media outlets to

disseminate information concerning the changes in this legislation. "(8) Notify each registered elector who does not have a South Carolina issued driver's license or identification card a notice of the provisions of this act by no later than December 1, 2011. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It also must state the availability of a free South Carolina identification card pursuant to Section 56-1-3350. "In addition to the items above, the State Elections Commission may implement additional educational programs in its discretion.

"SECTION 8. The State Election Commission is directed to create a list containing all registered voters of South Carolina who are otherwise qualified to vote but do not have a South Carolina driver's license or other form of identification containing a photograph issued by the Department of Motor Vehicles as of December 1, 2011. The list must be made available to any registered voter upon request. The Department of Motor Vehicles must provide the list of persons with a South Carolina driver's license or other form of identification containing a photograph issued by the Department of Motor Vehicles at no cost to the commission. The commission may charge a reasonable fee for the provision of the list in order to recover associated costs of producing the list."

Effect of Amendment - The 2011 amendment added subsection (D).



## Title 7, Chapter 3 - State Election Commission; Central Registration System

### **7-3-10. State Election Commission created; appointment; term; powers and duties.**

(a) There is hereby created the State Election Commission composed of five members, at least one of whom shall be a member of the majority political party represented in the General Assembly and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. Any vacancy on the Commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(b) The Governor shall appoint one of the members to serve as chairman for a term of two years and until his successor has been appointed and qualifies. The Commission shall select such other officers from among its members as it may deem necessary.

(c) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.

(d) The Commission shall have the powers and duties as enumerated in this title.

(e) No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal by the Governor.

HISTORY: 1962 Code Section 23-30; 1968 (55) 2316; 1992 Act No. 276, Section 1, eff March 10, 1992; 1996 Act No. 423, Section 2, eff June 18, 1996; 1998 Act No. 293, Section 1, eff April 20, 1998.

Effect of Amendment - The 1992 amendment in subsection (c), deleted "at such times as it may determine" from the end of the first sentence, and added the second sentence. The 1996 amendment added subsection (e). The 1998 amendment in subsection (c) added "or at such times as considered necessary by the commission" to the end of the first sentence.

**7-3-20. Executive director of State Election Commission.**

(A) The State Election Commission shall elect an executive director who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission.

(B) The executive director shall receive such compensation and employ such staff, subject to the approval of the State Election Commission, as may be provided by law.

(C) The executive director shall:

(1) supervise the conduct of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

(2) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

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

(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;

(5) enter names on the master file as they are reported by the county boards of voter registration and elections;

(6) furnish each county board of voter registration and elections 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;

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

(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;

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

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

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

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

(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;

(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

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

(D) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by state or local governments. State and local governments shall file notice of all changes in voting procedures, including, but not limited to, changes to precincts with the State Election Commission within five days after adoption of the change or thirty-five days prior to the implementation, whichever is earlier. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election, then the changes shall remain on the commission's website through the date of the following general election.

HISTORY: 1962 Code Section 23-31; 1967 (55) 657; 1968 (55) 2316; 1996 Act No. 466, Section 2, eff August 21, 1996; 2006 Act No. 253, Section 1, eff March 24, 2006; 2012 Act No. 265, Section 4, eff upon preclearance approval or declaratory judgment; 2014 Act No. 196 (S.815), Sections 1, 10, eff June 2, 2014.

Code Commissioner's Note - Pursuant to the directive in 2014 Act No. 196, Section 8, at the direction of the Code Commissioner, references in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

Editor's Note - 2012 Act No. 265, Section 9, provides as follows: "This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first."  
Preclearance approval for 2012 Act No. 265 was received on October 1, 2012.

Effect of Amendment - The 1996 amendment revised subsection (C). The 2006 amendment added paragraph (C)(12) relating to implementation of the Uniformed and Overseas Citizens Absentee Voting Act. The 2012 amendment added item (13) relating to a statewide voter registration database, and made other nonsubstantive changes. 2014 Act No. 196, Section 1, in subsection (C), added paragraphs (1) and (2), relating to county board of elections and voter registration, and redesignated the paragraphs accordingly. 2014 Act No. 196, Section 10, in subsection (C), added paragraph (16).

### **7-3-25. Noncompliant county boards of voter registration and elections.**

(A) In the event that the State Election Commission, acting through its executive director, determines that a county board of elections and voter registration has failed to comply with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of the election or voter registration process, the State Election Commission, acting through its executive director or other designee, must supervise, pursuant to Section 7-3-20(C)(1), the county board to the extent necessary to:

(1) identify the failure to comply with state or federal law or State Election Commission policies and procedures;

(2) establish a plan to correct the failure; and

(3) implement the plan to correct the failure. The officials and employees of the State Election Commission and the county board must work together, in good faith, to remedy the failure of the county board to adhere to state or federal law. In the event of a difference of policy or opinion between a county election official or employee and the State Election Commission or its designee, pertaining to the manner in which particular functions must be performed, the policy or opinion of the State Election Commission shall control.

(B) If a county board of voter registration and elections does not or cannot determine and certify the results of an election or referendum for which it is responsible by the time set for certification by applicable law, the responsibility to determine and certify the results is devolved upon the State Election Commission.

(C) If the State Election Commission determines that an official or an employee of a county board of voter registration and elections has negligently failed to comply with applicable state or federal law or State Election Commission policies and procedures with regard to the election or voter registration process or fails to comply with or cooperate with the corrective plan established by the State Election Commission or its designee under the provisions of subsection (A), the commission may order the decertification of that official or employee and if decertified the commission shall require that official to participate in a retraining program approved by the commission prior to recertification. If the commission finds that the failure to comply with state or federal law or State Election Commission policies and procedures by an official is wilful, it shall recommend the termination of that official to the Governor or it shall recommend termination of a staff member to the director of the appropriate county board of voter registration and elections.

HISTORY: 2014 Act No. 196 (S.815), Section 2, eff June 2, 2014.

**7-3-30. Notice of deletion of elector's name from roster; appeal by elector; restoration of name.**

(a) The executive director shall notify by mail each elector at the address last filed in the office, whose name has been deleted for the reasons of conviction or a change in the residence of a qualified voter. The notice shall state the reason for the deletion and inform the elector of his right to appeal to the county board of voter registration and elections and the time in which to perfect his appeal. A copy of the notice must be forwarded to the appropriate county board of voter registration and elections.

(b) Each elector whose name has been deleted has twenty days from the date the notice is mailed to appeal. The appeal must be to the county board of voter registration and elections from whose master file the deletion has been made. If the board determines that the elector's name should not have been deleted, it shall instruct the executive director to restore his name to the registration books; however, if the deletion is for conviction, the appeal must be to the Executive Director of the State Election Commission.

HISTORY: 1962 Code Section 23-32; 1967 (55) 657; 1968 (55) 2316; 1996 Act No. 466, Section 3, eff August 21, 1996; 2012 Act No. 265, Section 5, eff upon preclearance approval or declaratory judgment.

Code Commissioner's Note - Pursuant to the directive in 2014 Act No. 196, Section 8, at the direction of the Code Commissioner, references in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

Editor's Note - 2012 Act No. 265, Section 9, provides as follows: "This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first."

Preclearance approval for 2012 Act No. 265 was received on October 1, 2012.

Effect of Amendment - The 1996 amendment revised subsection (b). The 2012 amendment inserted "for the reasons of conviction or a change in the residence of a qualified voter" in subsection (a), substituted "executive director" for "central registration office" in subsection (b), and made other nonsubstantive changes.

**7-3-40. Reports to be furnished by Bureau of Vital Statistics.**

The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age or older who have died in the State since making the previous report. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. The bureau must provide this information at no charge.

HISTORY: 1962 Code Section 23-33; 1967 (55) 657; 1968 (55) 2316; 1996 Act No. 434, Section 1, eff June 4, 1996; 2012 Act No. 265, Section 6, eff upon preclearance approval or declaratory judgment.

Editor's Note - 2012 Act No. 265, Section 9, provides as follows: "This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first."

Preclearance approval for 2012 Act No. 265 was received on October 1, 2012.

Effect of Amendment - The 1996 amendment revised this section. The 2012 amendment substituted "this information at no charge" for "that this information be furnished to it by each county".

**7-3-50. Information to be furnished by boards.**

Each county board of voter registration and elections must furnish the executive director information as may be requested by him concerning each registered elector by the fifteenth day of each month and within five days after closing of the books prior to an election.

HISTORY: 1962 Code Section 23-34; 1967 (55) 657; 1968 (55) 2316; 1984 Act No. 510, Section 1, eff June 28, 1984.

Code Commissioner's Note - Pursuant to the directive in 2014 Act No. 196, Section 8, at the direction of the Code Commissioner, references in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

Effect of Amendment - The 1984 amendment changed "shall" to "must" and deleted "a duplicate copy of each certificate issued and such other" before "information."

**7-3-60. Clerks and magistrates shall report persons convicted of certain offenses.**

The clerks of the courts of common pleas and general sessions and every magistrate in the State must, annually on or before June first, make out under their respective hands and seals and report to the executive director a complete list as shown by the records of their respective offices for the preceding calendar year of all persons convicted in that year of felonies or crimes against the election laws, together with the social security or identification numbers of these persons and the month of conviction. Where there is no person to be reported, the report shall so state. Any clerk of the court or magistrate who fails or neglects to make any report required by this section must forfeit and pay to the county in which he holds office the sum of fifty dollars for each failure or neglect to make the report.

HISTORY: 1962 Code Section 23-92; 1952 Code Section 23-92; 1950 (46) 2059; 1967 (55) 657; 1968 (55) 2316; 1984 Act No. 289, eff March 5, 1984.

Effect of Amendment - The 1984 amendment deleted references to specific offenses, added "felonies or"

in lieu thereof, and also added the requirement that a report contain the month of conviction.

**7-3-70. Reports furnished by Department of Motor Vehicles.**

(a) The Department of Motor Vehicles must furnish the executive director a monthly report of all persons eighteen years of age or older who have surrendered their driver's license or identification card and obtained a driver's license or identification card in another state. All reports must contain the name of the driver or identification cardholder, social security number, date of birth, South Carolina county where previously a resident, and the state in which the license or identification card was surrendered. The department must provide this information at no charge.

(b) The Department of Motor Vehicles must furnish the executive director a monthly report of all persons eighteen years of age or older who were reported as deceased by Social Security Administration. All reports must contain the name, social security number, date of birth, and date of death. The department must provide this information at no charge.

HISTORY: 2012 Act No. 265, Section 7, eff upon preclearance approval or declaratory judgment.

Editor's Note - 2012 Act No. 265, Section 9, provides as follows: "This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first."

Preclearance approval for 2012 Act No. 265 was received on October 1, 2012.

[Title 7, Chapter 5 - Qualifications and Registration of Electors,](#)

**7-5-120. Qualifications for registration; persons disqualified from registering or voting.**

(A) Every citizen of this State and the United States who applies for registration must be registered if he meets the following qualifications:

- (1) meets the age qualification as provided in Section 4, Article II of the Constitution of this State;
- (2) is not laboring under disabilities named in the Constitution of 1895 of this State; and
- (3) is a resident in the county and in the polling precinct in which the elector offers to vote.

(B) A person is disqualified from being registered or voting if he:

- (1) is mentally incompetent as adjudicated by a court of competent jurisdiction; or
- (2) is serving a term of imprisonment resulting from a conviction of a crime; or
- (3) is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

HISTORY: 1962 Code Section 23-62; 1952 Code Section 23-62; 1950 (46) 2059; 1961 (52) 50; 1963 (53) 155; 1967 (55) 657; 1974 (58) 2188; 1981 Act No. 1 Section 2, eff January 14, 1981; 1986 Act No. 345, Section 1, eff March 7, 1986; 1994 Act No. 365, Section 1, eff May 3, 1994; 1996 Act No. 408, Section 1, eff on the ratification of the amendment to Section 4, Article II of the Constitution of this State to change the age qualification to vote (ratified March 25, 1997).

Editor's Note - 1981 Act No. 1, Section 2A, provides as follows: "Section 2A. The provision of paragraph (b) of Section 7-5-120, as amended in Section 2, shall apply to all persons falling within the amended provision regardless of the date of their conviction."

Effect of Amendment - The 1981 amendment inserted the words "a felony" in paragraph (b) in place of the words "burglary, arson, obtaining goods or money under false pretenses, perjury, forgery, robbery, bribery, adultery, bigamy, wife-beating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, larceny, murder, rape"; substituted the word "offenses" for the word "crimes"; and substituted the words "service of the sentence, including probation and parole time unless sooner pardoned" for the word "pardon." The 1986 amendment deleted former item (4), redesignated former item (5) as item (4), and made grammatical changes. The 1994 amendment rewrote this section, primarily to provide that a person is disqualified from voting if he is serving a term of imprisonment resulting from a conviction of a crime. The 1996 amendment substituted "meets the age qualification as provided in Section 4, Article II of the Constitution of this State" for "is at least eighteen years of age" in subsection (A)(1), and inserted "and" at the end of subsection (A)(2).



**7-5-186. Statewide voter registration database.**

(A)(1) The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law.

(2)(a) State agencies, including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

(b) Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector only must be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.

(c) A county board of voter registration and elections shall contact a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection (A)(2)(a) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency.

(3) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

HISTORY: 2012 Act No. 265, Section 3, eff upon preclearance approval or declaratory judgment.

Code Commissioner's Note - Pursuant to the directive in 2014 Act No. 196, Section 8, at the direction of the Code Commissioner, references in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

Editor's Note - 2012 Act No. 265, Section 9, provides as follows: "This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first." Preclearance approval for 2012 Act No. 265 was received on October 1, 2012.

**7-5-230. Legal qualifications; challenges; proof of residency or domicile; appeals.**

(A) The county boards of voter registration and elections to be appointed under Section 7-5-10 shall be the judges of the legal qualifications of all applicants for registration. The board is empowered to require proof of these qualifications as it considers necessary.

Once a person is registered, challenges of the qualifications of any elector, except for challenges issued at the polls pursuant to Sections 7-13-810, 7-13-820, and 7-15-420 must be made in writing to the county board of voter registration and elections in the county of registration. The board must, within ten days following the challenge and after first giving notice to the elector and the challenger, hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications set forth in Section 7-5-120.

(B) When a challenge is made regarding the residence or domicile of an elector, the board must consider the provisions of Section 7-1-25(D).

(C) Any person denied registration or restoration of his name on the registration books shall have the right of appeal from the decision of the county board of voter registration and elections denying him registration or such restoration to the court of common pleas of the county or any judge thereof and subsequently to the Supreme Court.

HISTORY: 1962 Code Section 23-73; 1952 Code Section 23-73; 1950 (46) 2059; 1967 (55) 657; 1999 Act No. 103, Section 2, eff June 30, 1999; 2011 Act No. 27, Section 3, eff May 18, 2011.

Code Commissioner's Note - Pursuant to the directive in 2014 Act No. 196, Section 8, at the direction of the Code Commissioner, references in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

Editor's Note - 2011 Act No. 27, Sections 7 and 8, provide as follows:

"SECTION 7. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows: "(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites. "(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation. "(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held following preclearance by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. "(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to December 15, 2011. "(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level. "(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than December 15, 2011. "(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation. "(8) Notify each registered elector who does not have a South Carolina issued driver's license or identification card a notice of the provisions of this act by no later than December 1, 2011. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It also must state the availability of a free South Carolina identification card pursuant to Section 56-1-3350. "In addition to the

items above, the State Elections Commission may implement additional educational programs in its discretion.

"SECTION 8. The State Election Commission is directed to create a list containing all registered voters of South Carolina who are otherwise qualified to vote but do not have a South Carolina driver's license or other form of identification containing a photograph issued by the Department of Motor Vehicles as of December 1, 2011. The list must be made available to any registered voter upon request. The Department of Motor Vehicles must provide the list of persons with a South Carolina driver's license or other form of identification containing a photograph issued by the Department of Motor Vehicles at no cost to the commission. The commission may charge a reasonable fee for the provision of the list in order to recover associated costs of producing the list."

Effect of Amendment - The 1999 amendment added the second sentence in the first paragraph and the second and third paragraphs regarding challenges and changed "thence" to "subsequently" in the last paragraph. The 2011 amendment designated the first paragraph as subsection (A); designated the third paragraph as subsection (B), and therein, inserted "or domicile" following "the residence", substituted "the board must" for "the board may", and substituted "provisions of Section 7-1-25(D)" for "following proof to establish residence including, but not limited to, income tax returns; real estate interests; mailing address; address on driver's license; official papers and documents requiring the statement of residence address; automobile registration; checking and savings accounts; past voting record; membership in clubs and organizations; location of personal property; and the elector's statements as to his intent"; and designated the last paragraph as subsection (C).

**7-5-310. Definitions; designations.**

- (A) As used in this article:
- (1) "Voter registration agency" means an office designated to perform specific voter registration activities;
  - (2) "Motor vehicle driver's license" means any personal identification document issued by the Department of Motor Vehicles.
- (B) There are designated the following voter registration agencies:
- (1) Department of Social Services;
  - (2) Department of Health and Environmental Control - WIC program;
  - (3) Department of Disabilities and Special Needs;
  - (4) Commission for the Blind;
  - (5) Department of Vocational Rehabilitation;
  - (6) South Carolina Protection and Advocacy System for the Handicapped;
  - (7) Armed Forces recruiting offices;
  - (8) Alcohol and Other Drug Abuse Services;
  - (9) Department of Mental Health.
- (C) At each voter registration agency, the following services must be made available:
- (1) distribution of voter registration application forms in accordance with subsection (F);
  - (2) assistance to applicants in completing voter registration application forms, unless the applicant refuses the assistance;
  - (3) acceptance of completed voter registration application forms for transmittal to the county board of voter registration and elections.
- (D) If a voter registration agency designated under the provisions of this section provides services to a person with a disability at the person's home, the agency shall provide the services described in subsection (C) at the person's home.
- (E) A person who provides services described in subsection (C) may not:
- (1) seek to influence an applicant's political preference;
  - (2) display a political preference or party allegiance;
  - (3) make any statement to an applicant or take any action, the purpose or effect of which is to discourage the applicant from registering to vote; or
  - (4) make any statement to an applicant or take any action, the purpose or effect of which is to lead the applicant to believe that a decision to register to vote has any bearing on the availability of services or benefits.
- (F) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall:
- (1) distribute to each applicant for the service or assistance, and with each recertification, renewal, or change of address form relating to the service or assistance the voter registration application form, including a statement that:
    - (a) specifies each eligibility requirement (including citizenship);
    - (b) contains an attestation that the applicant meets the requirement; and
    - (c) requires the signature of the applicant, under penalty of perjury; or
  - (2)(a) provide a form that includes:
    - (i) the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";
    - (ii) if the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

(iii) boxes for the applicant to check to indicate whether the applicant would like to register or decline to register to vote (failure to check either box being considered to constitute a declination to register for purposes of subsection (G), together with the statement (in close proximity to the boxes and in prominent type), "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(iv) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(v) the statement, "If you believe that someone has interfered with your right to register or decline to register to vote, your privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the State Election Commission." The name, address, and telephone number of the Executive Director of the State Election Commission must be printed on the form; and

(b) provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses the assistance.

(G) No information relating to a declination to register to vote in connection with an application made at an office described in subsection (B) may be used for any purpose other than voter registration.

(H)(1) A completed registration application accepted at a voter registration agency must be transmitted to the county board of voter registration and elections not later than ten days after acceptance.

(2) 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.

HISTORY: 1996 Act No. 466, Section 1, eff August 21, 1996.

Code Commissioner's Note - Pursuant to the direction to the Code Commissioner in 2003 Act No. 51, Section 18, "Department of Public Safety" was changed to "Department of Motor Vehicles" in paragraph (A)(2). Pursuant to the directive in 2014 Act No. 196, Section 8, at the direction of the Code Commissioner, references in this section to county election commissions or commissioners or county boards of voter registration were changed to the "Board of Voter Registration and Elections" and board members as appropriate.

**7-5-320. Application for motor vehicle driver's license and voter registration.**

(A)(1) Each state 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.

(2) An application for voter registration submitted under item (1) is considered to update any 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.

(C)(1) The Department of Motor Vehicles shall include a voter registration form as part of an application for a state 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;
- (d) includes in print identical to that used in the attestation portion of the application:
  - (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 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) 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.

HISTORY: 1996 Act No. 466, Section 1, eff August 21, 1996.

**7-5-325. Address changes given under oath; fraud; penalties.**

Any change of address submitted by an elector for registration or voting purposes as provided by Sections 7-5-320(D), 7-5-330(F)(2)(a), and 7-5-440, and any other written notification of change of address signed by an elector are considered to be given under oath. An elector convicted of fraudulently providing such change of address is guilty of violating Section 7-25-10 and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both.

HISTORY: 1999 Act No. 103, Section 3, eff June 30, 1999.

**7-5-330. Completion through disposition of voter registration application; discretionary removal.**

- (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.
- (B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.
- (C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty days before the date of the election.
- (D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.
- (E)(1) The county board of voter registration and elections shall:
- (a) send notice to each applicant of the disposition of the application; and
  - (b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.
- (2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file and may remove this elector upon compliance with the provisions of Section 7-5-330(F).
- (F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:
- (a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or
  - (b)(i) has failed to respond to a notice described in item (2); and
  - (ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.
- (2) "Notice", as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:
- (a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;
  - (b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.
- (3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.
- (4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.
- HISTORY: 1996 Act No. 466, Section 1, eff August 21, 1996.



**7-5-340. Duties of State Election Commission respecting removal of elector from official list.**

The State Election Commission shall:

(1) ensure that the name of a qualified elector may not be removed from the official list of eligible voters except:

- (a) at the request of the qualified elector;
- (b) if the elector is adjudicated mentally incompetent by a court of competent jurisdiction; or
- (c) as provided under item (2);

(2) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:

- (a) the death of the qualified elector; or
- (b) a change in the residence of the qualified elector;

(3) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:

- (a) voter eligibility requirements; and
- (b) penalties provided by law for submission of a false voter registration application;

(4) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official lists of eligible voters in compliance with the provisions of Section 7-5-330(F); this subitem may not be construed to preclude:

- (a) the removal of names from official lists of voters on a basis described in items (1) and (2); or
- (b) correction of registration records pursuant to this article.

HISTORY: 1996 Act No. 466, Section 1, eff August 21, 1996.

## 52 U.S.C.A. Section 20507. Requirements with respect to administration of voter registration

### **(a) In general**

In the administration of voter registration for elections for Federal office, each State shall-

- (1) ensure that any eligible applicant is registered to vote in an election-
  - (A) in the case of registration with a motor vehicle application under section 20504 of this title, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;
  - (B) in the case of registration by mail under section 20505 of this title, if the valid voter registration form of the applicant is postmarked not later than the lesser of 30 days, or the period provided by State law, before the date of the election;
  - (C) in the case of registration at a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency not later than the lesser of 30 days, or the period provided by State law, before the date of the election; and
  - (D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than the lesser of 30 days, or the period provided by State law, before the date of the election;
- (2) require the appropriate State election official to send notice to each applicant of the disposition of the application;
- (3) provide that the name of a registrant may not be removed from the official list of eligible voters except-
  - (A) at the request of the registrant;
  - (B) as provided by State law, by reason of criminal conviction or mental incapacity; or
  - (C) as provided under paragraph (4);
- (4) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of-
  - (A) the death of the registrant; or
  - (B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d);
- (5) inform applicants under sections 20504, 20505, and 20506 of this title of-
  - (A) voter eligibility requirements; and
  - (B) penalties provided by law for submission of a false voter registration application; and
- (6) ensure that the identity of the voter registration agency through which any particular voter is registered is not disclosed to the public.

### **(b) Confirmation of voter registration**

Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office-

- (1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) [now 52 U.S.C. 10301 et seq.]; and
- (2) shall not result in the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person's failure to vote, except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) to remove an individual from the official list of eligible voters if the individual-
  - (A) has not either notified the applicable registrar (in person or in writing) or responded during the period described in subparagraph (B) to the notice sent by the applicable registrar; and then
  - (B) has not voted or appeared to vote in 2 or more consecutive general elections for Federal office.

**(c) Voter removal programs**

- (1) A State may meet the requirement of subsection (a)(4) by establishing a program under which-
  - (A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and
  - (B) if it appears from information provided by the Postal Service that-
    - (i) a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or
    - (ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in subsection (d)(2) to confirm the change of address.
- (2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.
  - (B) Subparagraph (A) shall not be construed to preclude-
    - (i) the removal of names from official lists of voters on a basis described in paragraph (3)(A) or (B) or (4)(A) of subsection (a); or
    - (ii) correction of registration records pursuant to this chapter.

**(d) Removal of names from voting rolls**

- (1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant-
  - (A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or
  - (B)(i) has failed to respond to a notice described in paragraph (2); and
    - (ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.
- (2) A notice is described in this paragraph if it is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address, together with a notice to the following effect:
  - (A) If the registrant did not change his or her residence, or changed residence but remained in the registrar's jurisdiction, the registrant should return the card not later than the time provided for mail registration under subsection (a)(1)(B). If the card is not returned, affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in a Federal election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice, and if the registrant does not vote in an election during that period the registrant's name will be removed from the list of eligible voters.
  - (B) If the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered, information concerning how the registrant can continue to be eligible to vote.

**(3) A voting registrar shall correct an official list of eligible voters in elections for Federal office in accordance with change of residence information obtained in conformance with this subsection.**

**(e) Procedure for voting following failure to return card**

(1) A registrant who has moved from an address in the area covered by a polling place to an address in the same area shall, notwithstanding failure to notify the registrar of the change of address prior to the date of an election, be permitted to vote at that polling place upon oral or written affirmation by the registrant of the change of address before an election official at that polling place.

(2)(A) A registrant who has moved from an address in the area covered by one polling place to an address in an area covered by a second polling place within the same registrar's jurisdiction and the same congressional district and who has failed to notify the registrar of the change of address prior to the date of an election, at the option of the registrant-

(i) shall be permitted to correct the voting records and vote at the registrant's former polling place, upon oral or written affirmation by the registrant of the new address before an election official at that polling place; or

(ii)(I) shall be permitted to correct the voting records and vote at a central location within the same registrar's jurisdiction designated by the registrar where a list of eligible voters is maintained, upon written affirmation by the registrant of the new address on a standard form provided by the registrar at the central location; or

(II) shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote in the present election, upon confirmation by the registrant of the new address by such means as are required by law.

(B) If State law permits the registrant to vote in the current election upon oral or written affirmation by the registrant of the new address at a polling place described in subparagraph (A)(i) or (A)(ii)(II), voting at the other locations described in subparagraph (A) need not be provided as options.

(3) If the registration records indicate that a registrant has moved from an address in the area covered by a polling place, the registrant shall, upon oral or written affirmation by the registrant before an election official at that polling place that the registrant continues to reside at the address previously made known to the registrar, be permitted to vote at that polling place.

**(f) Change of voting address within a jurisdiction**

In the case of a change of address, for voting purposes, of a registrant to another address within the same registrar's jurisdiction, the registrar shall correct the voting registration list accordingly, and the registrant's name may not be removed from the official list of eligible voters by reason of such a change of address except as provided in subsection (d).

**(g) Conviction in Federal court**

(1) On the conviction of a person of a felony in a district court of the United States, the United States attorney shall give written notice of the conviction to the chief State election official designated under section 20509 of this title of the State of the person's residence.

(2) A notice given pursuant to paragraph (1) shall include-

(A) the name of the offender;

(B) the offender's age and residence address;

(C) the date of entry of the judgment;

(D) a description of the offenses of which the offender was convicted; and

(E) the sentence imposed by the court.

- (3) On request of the chief State election official of a State or other State official with responsibility for determining the effect that a conviction may have on an offender's qualification to vote, the United States attorney shall provide such additional information as the United States attorney may have concerning the offender and the offense of which the offender was convicted.
- (4) If a conviction of which notice was given pursuant to paragraph (1) is overturned, the United States attorney shall give the official to whom the notice was given written notice of the vacation of the judgment.
- (5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

**(h) Omitted**

**(i) Public disclosure of voter registration activities**

- (1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.
- (2) The records maintained pursuant to paragraph (1) shall include lists of the names and addresses of all persons to whom notices described in subsection (d)(2) are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

**(j) "Registrar's jurisdiction" defined**

For the purposes of this section, the term "registrar's jurisdiction" means-

- (1) an incorporated city, town, borough, or other form of municipality;
- (2) if voter registration is maintained by a county, parish, or other unit of government that governs a larger geographic area than a municipality, the geographic area governed by that unit of government; or
- (3) if voter registration is maintained on a consolidated basis for more than one municipality or other unit of government by an office that performs all of the functions of a voting registrar, the geographic area of the consolidated municipalities or other geographic units.

( [Pub. L. 103-31, §8, May 20, 1993, 107 Stat. 82](#); [Pub. L. 107-252, title IX, §903, Oct. 29, 2002, 116 Stat. 1728](#).)

References in Text

The Voting Rights Act of 1965, referred to in subsec. (b)(1), is [Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437](#), which is classified generally to chapters 103 (§10301 et seq.), 105 (§10501 et seq.), and 107 (§10701 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

Codification

Section was formerly classified to section 1973gg-6 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Section is comprised of section 8 of Pub. L. 103-31. Subsec. (h) of section 8 of Pub. L. 103-31 enacted section 3629 of Title 39, Postal Service, and amended sections 2401 and 3627 of Title 39.

Amendments

**2002**-Subsec. (b)(2). Pub. L. 107-252 inserted before period at end ", except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) to remove an individual from the official list of eligible voters if the individual-

"(A) has not either notified the applicable registrar (in person or in writing) or responded during the period described in subparagraph (B) to the notice sent by the applicable registrar; and then  
"(B) has not voted or appeared to vote in 2 or more consecutive general elections for Federal office".

## *Appendix O. Recommendation Details*

### Appendix Includes:

- Recommendations adopted by the Committee.

## Recommendation Details

### Pre-Election

1. *Voter Registration* (Internal Agency Operation) - Recommend the State Election Commission revise the mailed and in-office voter registration applications to include a “Yes” and “No” box beside each voter eligibility qualification, similar to the boxes that currently appear by the “Are you 18?” and “Are you a U.S. Citizen?” to ensure it is clear to those registering that they are saying yes to each qualification.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

2. *Incapacity* (Internal Agency Operation) - Recommend the State Election Commission update its internal operations to ensure the agency receives notification when a Court deems an individual mentally incompetent from Probate Court Judges, or other entities, such as the State Law Enforcement Division, which the Courts notify, so the agency may update the voter registration database and move those individuals deemed mentally incompetent from active to inactive status.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			



3. *Voter Registration Books* (Statutory) - Recommend the General Assembly change the deadline to register to vote from 30 days to 25 days by amending SC Code Ann. § 7-5-150; - 155; -185, -220, and -330 as outlined by the State Election Commission in the agency recommendations document. See end of appendix for wording.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

4. *Substitution of Nominee* (Statutory) - Recommend the General Assembly limit the time prior to an election when a candidate may resign for the reasons stated in § 7-11-50 and time frame for when a substitute candidate may be nominated by updating statutes.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

5. *Certification of Candidates* (Statutory) - Recommend the General Assembly updates statutes to apply the August 15th requirement for certifying candidates in a statewide general election to all candidates and questions to be voted on in the general election except Presidential and Vice-Presidential candidates.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

## Election

6. *Municipal Elections* (Statutory) - Recommend the General Assembly update statutes so the general elections of municipalities are standardized to a single, or no more than three, dates in an odd numbered year.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

7. *Primaries* (Statutory) - Recommend the General Assembly update statutes so non-partisan primaries shall not be held on the same day as partisan primaries.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

8. *Poll Workers* (Statutory) - Recommend the General Assembly update statutes to allow South Carolina registered voters to work as poll workers anywhere in South Carolina.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

9. *Absentee Ballots* (Statutory) - Recommend the General Assembly update statutes to remove the requirement of a witness signature on the envelope of a mail in absentee ballot since the signatures cannot be verified.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

10. *Protest Time Frames* (Statutory) - Recommend the General Assembly update SC Code Annotated Sections 5-15-80; 5-15-100; and 5-15-130 as outlined on the screen during the committee meeting on December 19, 2017, to standardize municipal election protest time frames to mirror the state wide election protest schedule. See end of appendix for wording.

December 19, 2017	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			

Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

### Training of County Registration and Election Board Members

11. *County Board Orientation* (Statutory) - Recommend the General Assembly update SC Code Section 7-5-10(D)(1) and (2) to require each County Election Board Member participate in an orientation approved by the State Election Commission within thirty days of the individuals appointment to the County Board; failure of which requires removal of the member by the Governor as removals are currently outlined in statute.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

### County Boundaries Utilized for Elections

#### In General

12. *Official Map* (Statutory) - Recommend the General Assembly add provisions in law which states South Carolina's official county boundary map that corresponds with current statutory descriptions and any annexations is held by Revenue and Fiscal Affairs Office or its successor entity. This map will include boundaries necessary to determine election districts and other determinations set out by statute.

May 9, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

### Setting Geographic Positions

13. *Initial Public Notice* (Statutory) - Recommend the General Assembly add provisions in law which require South Carolina Geodetic Survey (SCGS) send notice to the county administrator and publish this notice (1) in a local newspaper, and (2) on the Revenue and Fiscal Affairs website 30 days prior to SCGS starting their work of geographically positioning a section of a county boundary. The notice will inform the public that SCGS intends to work on geographically positioning a section of the county boundary and welcomes public input. Require SCGS to work with the county administrator to hold a public meeting, after SCGS has preliminary geographic positions, to provide information on the preliminary positions and obtain additional public input prior to finalizing the plat of the section of the county boundary.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

14. *Streamline Process* (Statutory) - Recommend the General Assembly update statutes to prevent the following two actions from occurring simultaneously: (1) a county annexing property that would impact an individual boundary line of a county; and (2) South Carolina Geodetic Survey mapping the geographic coordinates of the same individual boundary line. If a county wishes to annex property, they may begin the annexation process as outlined in Chapter 5, Title 4, before or after the date the geographically positioned individual boundary line takes effect as outlined in Section 27-2-105(B)(6).

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

After Geographic Positions Finalized

15. *Post-work Notice* (Statutory) - Recommend the General Assembly add a provision to SC Code Section 27-2-105(B)(6) that requires the Revenue and Fiscal Affairs Office to email a copy of the correspondence it sends the Register of Deeds pursuant to SC Code Section 27-2-105(B)(6), to the following additional entities to ensure all parties receive the information: (a) State Election Commission and County Registration and Election Boards; (b) County Council; (c) County Assessor; (d) County Emergency Services; and (e) all affected School Boards.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

16. *County Usage* (Statutory) - Recommend the General Assembly add provisions in statute which require a County Council, within 180 days of receiving the geographically positioned boundary (which may only be one boundary line of the county and not the county's entire boundary) from South Carolina Geodetic Survey (SCGS), to provide written confirmation to Revenue and Fiscal Affairs (RFA) that the county has taken any and all necessary steps, which may include grandfathering in certain residents for periods of time as long as those residents are not being taxed in an area in which they cannot vote, to adhere to the boundary for all purposes, including but not limited to, elections, tax assessments, emergency services, school districts, and permits.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

17. *Voter Database* (Statutory) - Recommend the General Assembly analyze current laws and short term revisions to allow an efficient and effective update of official voter lists necessary as South Carolina Geodetic Survey Office geographically positions county boundaries pursuant to the boundary description in statute.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

18. *Future Annexations* (Statutory) - Recommend the General Assembly update statute so after the SC Geodetic Survey Office (SCGS) geographically positioned boundary line takes effect, (1) any future annexations impacting that line include geographic coordinates and descriptions of the proposed new line, which SCGS will verify, as part of the information available to those within the counties who are voting on the annexation, and (2) within 30 days of the certification of election results approving an annexation, counties must provide the geographic coordinates and description of the new boundary line to SCGS who will update the official map.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

19. *Enforcement* (Statutory) - Recommend the General Assembly add provisions in statute which authorize a private cause of action, which includes reasonable attorney's fees, against any county that, after 180 days of receiving the geographically positioned boundary from South Carolina Geodetic Survey Office, taxes citizens outside the county's geographically positioned boundary contained in the official county boundary map held by Revenue and Fiscal Affairs.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			

## Follow Up

20. *Follow Up* (Internal) - Recommend the full Committee may follow up with the agency at any time about (1) the status of implementing the Committee's recommendations, and (2) any other questions the full Committee has for the agency.

July 31, 2017	Yea	Nay	Not Voting (Absent)	Not Voting (Present)
Rep. Clary	✓			
Rep. Funderburk	✓			
Rep. Newton	✓			
Rep. Williams	✓			



## Voter Registration Books (Statutory)

### Proposed Language<sup>136</sup>

#### § 7-5-150. Closing registration books; registration of persons coming of age while books closed.

The registration books shall be closed ~~thirty~~ twenty four days before each election, but only as to that election or any second race of runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided that the registration books shall be closed ~~thirty~~ twenty four days before the June primary and shall remain closed until after the second primary and shall likewise be closed ~~thirty~~ twenty four days before the November general election. They shall thereafter be opened from time to time in accordance with the provisions of this article. Any person eligible to register who has been discharged or separated from his service in the Armed Forces of the United States, and returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the next ensuing election after the discharge of separation from service, up to 5:00 p.m. on the day of the election. This application for registration must be made at the office of the board of voter registration and elections in the county in which the person wishes to register, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during this period of ~~twenty four~~ thirty days shall be entitled to register before the closing of the books if otherwise qualified.

#### § 7-5-155. Registration of electors by mail.

- (a) Notwithstanding any other provision of law, the following procedures may be used in the registration of elections in additional to the procedure otherwise provided by law.
- (1) Subject to the provision of § 7-5-150, any qualified citizen may register to vote by mailing or having delivered a complete state registration by mail application form or a completed national registration by mail application form prescribed by the Federal Election Commission not later than ~~thirty~~ twenty five days before any election to his county board of voter registration and elections. The postmark date of a mailed application is considered the day of mailing. If the postmark date is missing or illegible, the county board of voter registration and elections must accept the application if it is received by mail no later than five days after the close of registration books before any election.
  - (2) If the county board of voter registration and election determines that the applicant is qualified and his application is legible and complete, the board shall mail the voter written notification of approval on a form to be prescribed and provided by the State Election Commission pursuant to § 7-5-180. When the county board of voter registration and elections mails the written notification of approval, it must do so without requiring the elector to sign anything in the presence of a member of the board, a deputy member, or a registration clerk and the attestation of the elector's signature is not required so long as the conditions set forth above are met.
  - (3) Any application must be rejected for any of the following reasons:
    - (i) any portion of the application is not complete;
    - (ii) any portion of the application is illegible in the opinion of a member and the clerk of the board;
    - (iii) the board is unable to determine, from the address stated on the application, the precinct in which the voter should be assigned or the election districts in which he is entitled to vote.
  - (4) Any person whose application is rejected must be notified of the rejection together with the reason for rejection. The applicant must further be informed that he still has a right to register by appearing in person before the county board of voter registration and elections or by submitting the information by

mail necessary to correct his rejected application. The form for notifying applicants of rejection must be prescribed and provided by the State Election Commission pursuant to § 7-5-180.

- (b) Every application for registration by mail shall contain spaces for home and work telephone numbers of the applicant and the applicant shall enter the numbers on the application where applicable.
- (c) The State Election Commission shall furnish a sufficient number of application forms to the county boards of voter registration and elections and voter registration agencies specified in § 7-5-310(B) so that distribution of the application forms may be made to various locations throughout the counties and mailed to persons requesting them.  
County boards of voter registration and elections shall distribute application forms to various locations in their respective counties, including city halls and public libraries, where they must be readily available to the public.
- (d) The original application must remain on file in the office of the county board of voter registration and elections.
- (e) The State Election Commission may promulgate regulations to implement the provisions of this section.

**§ 7-5-185. Electronic applications for voter registration.**

(A) A person who is qualified to register to vote and who has a valid South Carolina driver's license or state identification card issued by the Department of Motor Vehicles may submit an application for voter registration electronically on the Internet website of the State Election Commission.

(B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received ~~thirty~~ twenty five days before an election to be held in the precinct of the person submitting the application.

(2) The applicant shall attest to the truth of the information provided in the application.

(3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver's license or state identification card issued by the Department of Motor Vehicles.

(4) For each electronic application, the State Election Commission shall obtain an electronic copy of the applicant's signature from his driver's license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.

(5) An application submitted pursuant to this section must contain the applicant's name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: "I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence." An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(C) Upon submission of an application pursuant to this section, the electronic voter registration system shall provide immediate verification that the:

- (1) applicant has a South Carolina driver's license or state identification card issued by the Department of Motor Vehicles and that the number for that driver's license or identification card provided by the applicant matches the number for that person's driver's license or state identification card that is on file with the Department of Motor Vehicles;
- (2) date of birth provided by the applicant matches the date of birth for that person, which is on file with the Department of Motor Vehicles;

(3) name provided by the applicant matches the name for the person which is on file with the Department of Motor Vehicles; and

(4) State Election Commission employs security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this section.

(D) Should there be a failure to match any of the information required in this section with the Department of Motor Vehicles, the State Election Commission immediately shall notify the applicant of the failure to match information and inform the applicant that his application for registration was not accepted.

(E) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.

**§ 7-5-220. Certificates shall be invalid at election within thirty twenty four days of issuance.**

Except as provided in Section 7-5-150, registration made thirty twenty four days or less before any election is not valid for that election or any second race or runoff resulting from that election but such registration shall be valid in any other election.

**§ 7-5-330. Voter registration application; discretionary removal of elector.**

(A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty twenty five days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty twenty five days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty twenty five days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty twenty five days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file and may remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) "Notice", as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty twenty five days before the date of the election. If

the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

*Standardize Municipal Election Protest Time Frames to Mirror State Wide Elections (Statutory)*

**Proposed Language<sup>137</sup>**

**§ 5-15-80. Results of political party primaries; protests and contests.**

The results of any political party primary shall be declared by the party conducting the election by 1:00 p.m. on Thursday following the primary. Protests and contests shall be filed in writing with the municipal party chairman no later than noon on Monday following certification ~~within two days after the day of the declaration~~ of the results of the election and the municipal party executive committee shall determine such protests on Thursday following the deadline to file a protest ~~within five days after the filing thereof.~~ From the decision of the municipal party committee an appeal may be made to the Board of State Canvassers of Municipal Primaries as provided in Section 7-17-580. Notice and grounds of appeal must be filed in writing with the chairman of the Board of State Canvassers of Municipal Primaries within five days following the date on which the decision of the municipal committee is declared.

Any appeal thereafter shall be to the court of common pleas of the county in which the municipality is situate. Notice and grounds of appeal shall be served on the opposing parties or their attorneys within ten days following the decision of the Board of State Canvassers of Municipal Primaries.

**§ 5-15-100. Functions, powers and duties of municipal election commission.**

The municipal election commission shall be vested with the functions, powers and duties of Municipal Supervisors of Registration if no such supervisors have been appointed pursuant to Section 7-5-640, and shall also have the functions, powers and duties of commissioners of election, as set forth in Section 7-5-10 and other provisions of Title 7. The municipal election commission shall insure proper books of registration are provided for each ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of election for each polling place and otherwise supervise and conduct all municipal, special and general elections. The managers shall certify report the results of the election to the commission within one day and the commission shall declare the results not later than three days by 1:00 p.m. on Friday following the election.

Nominees in a party primary or party convention and nominees by petition shall be certified to the municipal election commission within the time specified herein and when so certified, the commission shall place the names of such nominees upon the ballots.

**§ 5-15-130. Procedures for contesting results of election**

~~Within forty-eight hours after the closing of the polls~~ No later than noon on Wednesday following certification, any candidate may contest the result of the election as reported by the managers by filing a written notice of such contest together with a concise statement of the grounds therefor with the Municipal Election Commission. On Monday following the deadline to file a protest, ~~Within forty-eight hours after the filing of such notice,~~ the Municipal Election Commission shall, after due notice to the parties concerned, conduct a hearing on the contest, decide the issues raised, file its report together with all recorded testimony and exhibits with the clerk of court of the county in which the municipality is situated, notify the parties concerned of the decisions made, and when the decision invalidates the election the council shall order a new election as to the parties concerned.

Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any contest in which he is a party.

## *Appendix P. Election Types, Dates, Coordinating Entities, and Costs*

### Appendix Includes:

- Chart provided by the State Election Commission which includes information on different election types, dates, coordinating entities, and average costs.

**Election Types, Dates, Coordinating Entities, and Average Costs<sup>138</sup>**

<b><u>Election Type</u></b>	<b><u>Election Date</u></b>	<b><u>Coordinating Entities</u></b>	<b><u>Avg. Cost</u></b>
General Election (President, Governor, US Senate, US House, State Senate, State House, Solicitors, countywide and less-than-countywide offices)	First Tuesday after the First Monday in November in each even-numbered year	State Election Commission, County Boards of Voter Registration and Elections	\$3M
Statewide Primaries/Runoffs	Statewide primaries are held on the second Tuesday in June in each even-numbered year. Runoffs are held two weeks following the primaries.	State Election Commission, County Boards of Voter Registration and Elections	\$3.5M
Presidential Preference Primaries	Date set by the political parties	State Election Commission, County Boards of Voter Registration and Elections	\$2.6M
Municipal Elections	Determined by the governing body of the municipality by ordinance (see stats under Additional Information in July 6 response to Committee questions on when most municipal election are held).	Municipal Election Commission or County Board of Voter Registration and Elections (if authority has been transferred under S.C. Code of Laws Section 5-15-145)	Unknown
Public Service Districts	Determined by enabling legislation. Most PSDs are held with the General Election. Some PSDs in Greenville and Spartanburg are held on a different date.	County Boards of Voter Registration and Elections	Unknown
School Districts	Determined by enabling legislation. Most school district elections are held with the General Election. Fourteen school districts hold elections on a date other than the General Election (see stats under Additional Information in July 6 response to Committee questions).	County Boards of Voter Registration and Elections. (Except for one school district in Florence County that conducts its own election in conjunction with an annual public meeting.)	Unknown
Referendums	There are various referendum types. Some are required to be held at the time of the General Election, others can be set at other times according to rules set by law.	County Boards of Voter Registration and Elections, Municipal Election Commissions	Unknown

## *Appendix Q. Process of Geographically Positioning County Boundaries*

### Appendix Includes:

- Flow chart with background and process steps involved in geographically positioning ill-defined, unmarked, or poorly marked county boundaries.
- SC Geodetic Survey Office's informal process prior to starting their work in a county.
- Sample notifications sent to different groups during the process.



## Current Process for Geographically Positioning Ill-defined, Unmarked, or Poorly Marked County Boundaries

### County boundary lines set in state law

- General Assembly describes county boundary lines in statute.

### Time passes

- Passage of time and growth in society has led to confusion over locations of county boundary lines described in statute. (2014 Act No. 262, Section 1 (A)(2))

### Technology exists to provide permanent markers of boundary lines

- General Assembly tasks SCGS with geographically positioning the County Boundary Lines described in statute whenever anyone believes a county boundary is ill-defined, unmarked, or poorly marked. (SC Code Section 27-2-105(A)(1))

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### A portion of the county boundary currently in state law is geographically positioned onto a plat

- SCGS works with county personnel to analyze archival and other evidence and perform field surveys geographically to position all county boundaries in accordance with current statutory descriptions. (SC Code Section 27-2-105(A)(1)) (See SCGS Informal Policy attached)
- County plat with geographical positions for the county boundaries will be drafted, signed and sealed by a licensed South Carolina Professional Land Surveyor, and approved by the Chief of the SCGS. (SC Code Section 27-2-105(A)(4))

### Backup notifications ensure all impacted know, if they didn't already, and have chance to disagree

- Within 30 days of the Chief of SCGS approving the county plat with geographical positions for the county boundary, SCGS will provide the following: (SC Code Section 27-2-105(A)(3)&(B)(1)-(4))
  - copies to the administrator of each affected county;
  - notice and copies to the public through its official website and/or other means it considers appropriate; and
  - written notification to affected parties, which include: (1) governing body of an affected county; (2) governing body of a political subdivision of the state; (3) elected official, other than a statewide elected official; (4) property owner or an individual residing in the certification zone (send certified letter to these people); (5) business entity located in the certification zone; and (6) nonresident individual who owns/leases real property situated in the certification zone. (See #1 - #4 on attached pages)
    - An affected party that disagrees with the geographic positioning of the county boundary described in statute, may file request for a contested case hearing with the SC Administrative Law Court (ALC) within 60 days of receiving notice. The party may appeal the decision of the ALC if they desire.

### Geographic positions of the portion of the county boundary currently in state law takes effect

- When the plat is no longer subject to appeal, the Chief of the SCGS shall provide the geographically positioned map to the Secretary of State, the South Carolina Department of Archives, and the register of deeds in each affected county. The date of the cover letter is the date the boundary takes effect. (SC Code Section 27-2-105(B)(5)-(6))

### State Code updated to reflect the geographic positions of the entire county boundary

- When all portions of a county boundary are resolved, the SCGS shall prepare a unique boundary description and forward that description in a form suitable for the General Assembly to amend all of the boundaries for a county. SC Code Section 27-2-105(B)(7))

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**NOTE:** If two counties find through the geographic positioning process that they have been utilizing boundaries that are different than those set in statute, the counties may adjust the boundaries set in statute through annexation.

**SCGS Informal Policy**

Prior to SCGS starting their work, SCGS notifies the administrators of the effected counties. The county administrator will create a delegation of other officials to work with the SCGS on the project. If assistance from the county is provided, it is done so as a mutual agreement between the county administrator and the SCGS. The SCGS will work to collect historical land records for documentary evidence of boundaries and perform fieldwork to locate monuments and corroborating evidence and position on State Plane Coordinates.

When SCGS has preliminary findings regarding the boundaries, SCGS shares these findings with the county administrator and delegation. This information is shared to identify any impacts to property owners. If property owners are impacted by the clarification of the boundary, a collaborative decision is made between the SCGS and the counties on the necessity of a public meeting. Letters of notification are sent to the impacted individuals. Contained within the letter is the purpose and explanation of the project, and the time, date, and location of the public meeting. This will be done prior to SCGS certifying a final plat of survey.

Once county delegations and county councils are satisfied that all issues have been resolved, the SCGS completes the project by certifying the plat of the clarified county boundary. At that time, the certified plat is provided to the appropriate parties pursuant to SC Code Section 27-2-105(A)(3) (i.e., copies to administrators, written notification to affected parties, etc.). When an affected party receives this written notification, said party has 60 days to file an appeal and request for a contested case hearing with Administrative Law Court (ALC). After the 60 day filing process ends, and if no appeals are filed, a cover letter from the Chief of the SCGS is signed identifying the project as complete. The certified plat of survey, along with the cover letter, is submitted to the SC Secretary of State, each county's Register of Deeds Offices, and the SC Department of Archives.

**#1 - Non-Impact Notification sent via U.S. Mail**

SCGS classifies property owners as “non-impact” when they are minimally affected, their residence or business is not found to be in the adjacent county or the majority of their property is not found to be in the adjacent county. Those that will not experience any change to their circumstances. SCGS generally works with the counties to determine who is not impacted and who is significantly impacted.

**Sample Letter**

CHAD WALDORF, Chairman  
HOWELL CLYBORNE, JR.  
EMERSON F. GOWER, JR.

SOUTH CAROLINA  
REVENUE AND FISCAL AFFAIRS OFFICE

FRANK A. RAINWATER  
Executive Director

June 13, 2017

Re: 400 Old Island Ford Road, Spartanburg County: TMS/PID 2-08-00-076.00

Dear Sir or Madam,

In the fall of 2013, Cherokee County and Spartanburg County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Cherokee County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Cherokee and Spartanburg counties committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates.

Please consider this letter the official notification that the re-established survey has been certified as of June 13, 2017. The certified plat of this re-establishment survey may be found on the SCGS' website:

[http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar) and at the respective counties Assessor's office. If you would like to review the plat, in person, please call those offices to schedule an appointment; Cherokee: (864)487-2552 and Spartanburg: (803)684-8526.

The SCGS presented its findings and work performed in re-establishing the Cherokee-Spartanburg boundary at a public meeting. The meeting was held in the Spartanburg County Council Chambers, 366 N. Church Street, Main Level Suite 1000; Spartanburg, South Carolina 29303 on April 6th at 6:00 pm.

The reason for this letter is two-fold:

The first reason is to inform you of how the re-established Cherokee-Spartanburg boundary will/might affect you as a property owner. Included, with this letter, is an aerial photograph showing your property, the re-established Cherokee-Spartanburg county line and the parcel (property) lines used by each county.

**For the property referenced in this letter, we perceive no significant impacts.** A significant impact is defined as a residence or place of business being found in a different county based on the proposed re-established boundary.

The second reason is to inform you that you may appeal the determination of the re-establishment survey with the South Carolina Administrative Law Court (ALC) by filing a "Request for Contested Case Hearing FORM." There will be a \$150 fee associated with the filing, per Administrative Law Court Rule 71C. As per Act 262 of 2014 there is a 60-day window for appeal from the date of this letter. The ACL will review any evidence that you may have to refute the findings of the re-establishment survey, the ACL will also review the evidence used by the SCGS or their consultants, and then the ACL will render a ruling.

Contact information for the ALC is:

South Carolina Administrative Law Court; Edgar A. Brown Building; 1205 Pendleton Street; Columbia, SC 29201  
Voice: (803) 734-0550; Fax (803) 734-6400; Website: <http://www.scalc.net/>

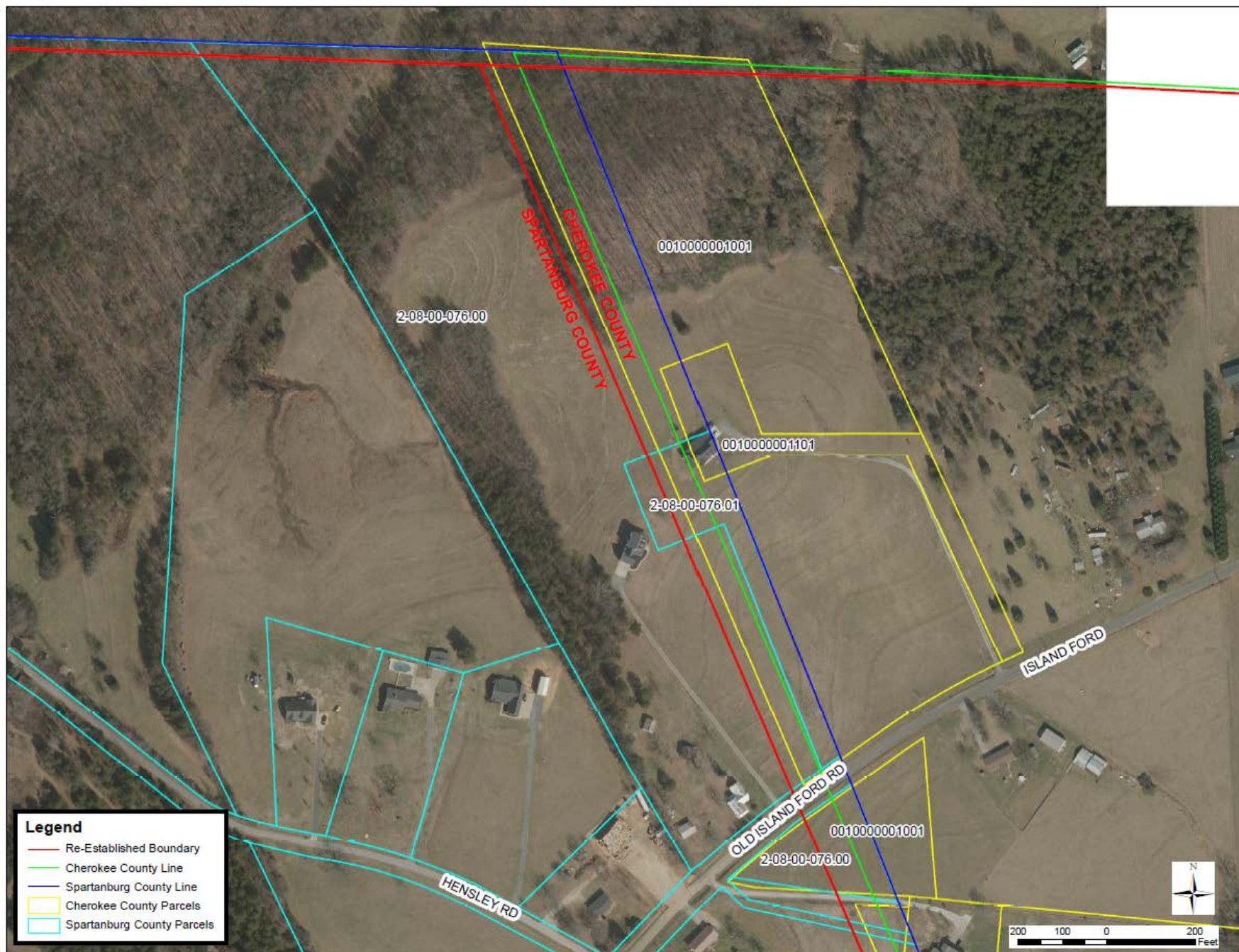
If you own several parcels along the re-established boundary, you may receive several letters from this agency. Please let us know if you are not the current owner of this property. If any of this property is leased, using the contact information below, please provide us with the name and address of the current tenants of this property.

Cordially,



David K. Ballard, PLS  
Manager, County Boundary Program  
SC Geodetic Survey  
5 Geology Road  
Columbia, SC 29212  
(803) 896-7710;  
Email: [david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)





The above information was verified as accurate by Revenue and Fiscal Affairs via email on July 12 and 18, 2017.

**#2 - Significant Impact Notification sent via Certified Mail, Return Receipt Requested**

SCGS classifies property owners as “significant impact” when they are found to be in the adjacent county or the majority of their property is found to be in the adjacent county. SCGS generally works with the counties to determine who is not impacted and who is significantly impacted.

**Sample Letter**

CHAD WALLDORF, Chairman  
HOWELL CLYBORNE, JR.  
EMERSON F. GOWER, JR.

SOUTH CAROLINA  
REVENUE AND FISCAL AFFAIRS OFFICE

FRANK A. RAINWATER  
Executive Director

June 13, 2017

Re: 284 Green Valley Dr, Spartanburg County: TMS/PID 2-19-00-197.00

Dear Sir or Madam,

In the fall of 2013, Cherokee County and Spartanburg County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Cherokee County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Cherokee and Spartanburg counties committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates.

Please consider this letter the official notification that the re-established survey has been certified as of June 13, 2017. The certified plat of this re-establishment survey may be found on the SCGS' website: [http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar) and at the respective counties Assessor's office. If you would like to review the plat, in person, please call those offices to schedule an appointment; Cherokee: (864)487-2552 and Spartanburg: (803)684-8526.

The SCGS presented its findings and work performed in re-establishing the Cherokee-Spartanburg boundary at a public meeting. The meeting was held in the Spartanburg County Council Chambers, 366 N. Church Street, Main Level Suite 1000; Spartanburg, South Carolina 29303 on April 6th at 6:00 pm.

The reason for this letter is two-fold:

The first reason is to inform you of how the re-established Cherokee-Spartanburg boundary will/might affect you as a property owner. Included, with this letter, is an aerial photograph showing your property, the re-established Cherokee-Spartanburg county line and the parcel (property) lines used by each county.

**For the property referenced in this letter, it appears that there is or may be a significant impact.** A significant impact is defined as a residence or place of business being found in a different county based on the proposed re-established boundary.

The second reason is to inform you that you may appeal the determination of the re-establishment survey with the South Carolina Administrative Law Court (ALC) by filing a "Request for Contested Case Hearing FORM." There will be a \$150 fee associated with the filing, per Administrative Law Court Rule 71C. As per Act 262 of 2014 there is a 60-day window for appeal from the date of this letter. The ACL will review any evidence that you may have to refute the findings of the re-establishment survey, the ACL will also review the evidence used by the SCGS or their consultants, and then the ACL will render a ruling.

Contact information for the ALC is:

South Carolina Administrative Law Court; Edgar A. Brown Building; 1205 Pendleton Street; Columbia, SC 29201  
Voice: (803) 734-0550; Fax (803) 734-6400; Website: <http://www.scalc.net/>

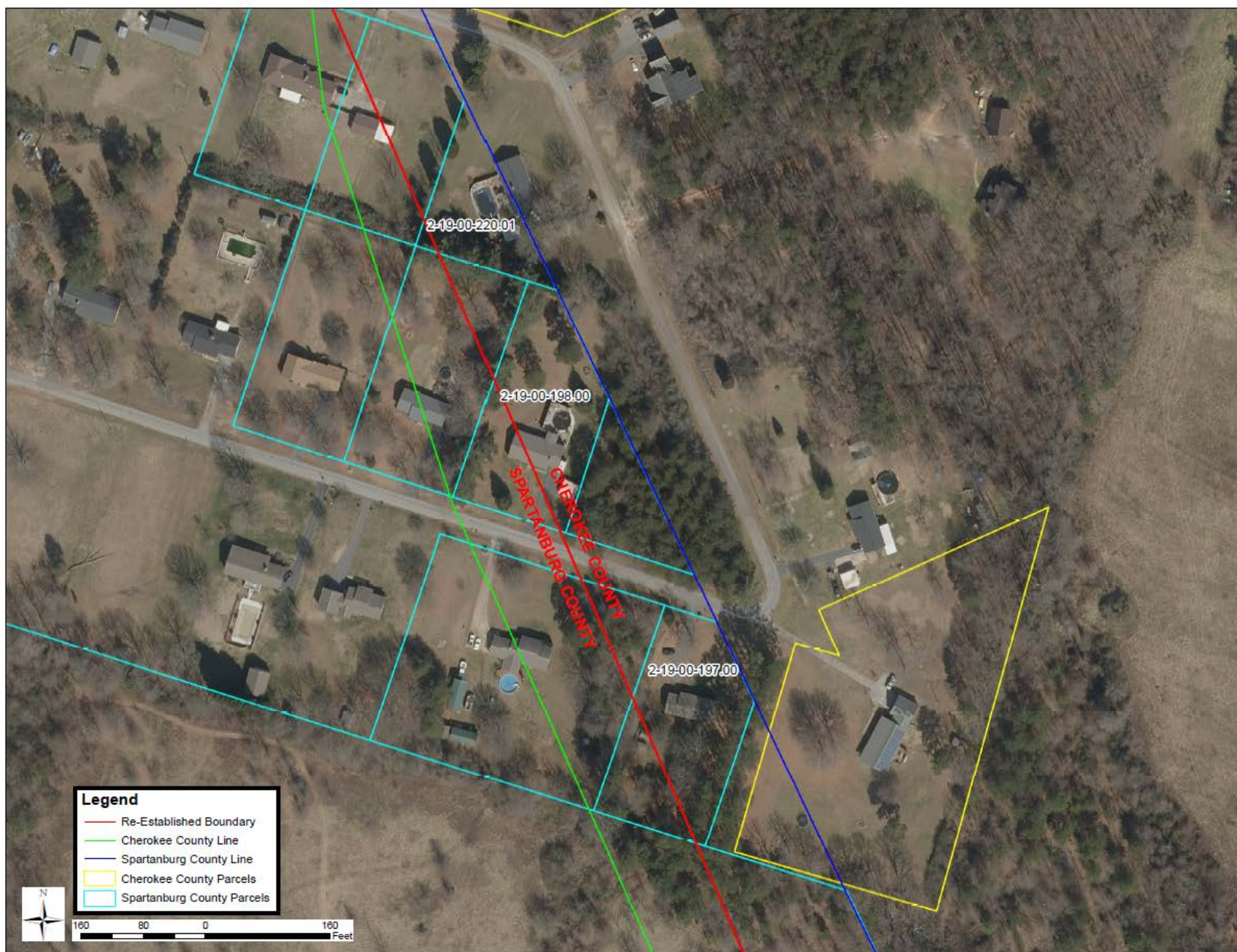
If you own several parcels along the re-established boundary, you may receive several letters from this agency. Please let us know if you are not the current owner of this property. If any of this property is leased, using the contact information below, please provide us with the name and address of the current tenants of this property.

Cordially,



David K. Ballard, PLS  
Manager, County Boundary Program  
SC Geodetic Survey  
5 Geology Road  
Columbia, SC 29212  
(803) 896-7710;  
Email: [david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)






The above information was verified as accurate by Revenue and Fiscal Affairs via email on July 12 and 18, 2017.

### #3 - Agency Notification sent via Email

When the first county boundary line was being geographically positioned the Director of Revenue and Fiscal Affairs sent an email to all State Agency heads and asked if they would like to be notified directly or would assign someone as a point of contact. Some agencies responded that they did not want notification.

The list of agencies that wanted notification, and are provided notification, are as follows: (1) Department of Social Services); (2) State Election Commission; (3) Judicial Department; (4) Department of Transportation; (5) University of South Carolina; (6) Clemson University; (7) SC Forestry Commission; (8) SC Commission on Indigent Defense; (9) SC Patients' Compensation Fund; (10) SC Conservation Bank; (11) Department of Corrections; (12) State Law Enforcement Division (SLED); (13) Court Administration; and (14) Department of Disabilities and Special Needs.

### Sample Email



Mon 7/3/2017 11:30 AM

**Ballard, David** <David.Ballard@rfa.sc.gov>

**Certification of the Re-establishment of a portion of the Cherokee Spartanburg and Cherokee York Boundaries**

**To** Derrick, Barbara; Leach, Brian; Chief Justice-elect Donald Beatty; Hall, Christy; Derrick Huggins; Emily Watts (wattsek@scdot.org); Gerald Vander Mey ; Harry Blount; Snider, Howard; Ryan, Hugh; James D. Scurry; Jeffrey L. Baumann; John Harmon; Laura Haselden; Brown, Lawrence; Paul Magargle; Randy B. Bradley; Richard Lacy; Rosalyn Frierson; Sharon Scott; Tanya DeOliveira; Coston, Terry; Terry Parham; Tom Osmer; Waring, Tom; Yelena Kalashnikova

**Cc** Rainwater, Frank; Wellslager, Matt

Dear Sirs or Madams,

The South Carolina Geodetic Survey (SCGS), a section of the Revenue and Fiscal Affairs Office (RFA), was authorized via Act 262 of 2014 to clarify and monument the locations of county boundaries as they are defined in SC Code of Laws. A letter from the Executive Director of the Revenue and Fiscal Affairs Office (RFA) was sent to your agency's director asking if they, or someone within your agency, should be notified when sections of county boundaries have been re-established/clarified. If a reply in the affirmative was received by us, you were added to a group mail out list for notification.

Please consider this the official notice to "Affected Parties," as required by the SC Code of Law; Section 27-2-105. A section of boundary between Cherokee and Spartanburg Counties and Cherokee and York Counties has been re-established and the plats of survey have been certified by a contractor working for the SCGS and by the SCGS. A public meeting was held in the Spartanburg County Council Chambers on April 6th, regarding the Cherokee/Spartanburg boundary and it went well. SCGS and county officials were able to address the concerns of the citizens that were present, the biggest concern being if resident's children will be able to continue going to their present schools. The adjacent school districts were able to work out a solution to allow the children to continue attending classes in their current school districts until graduation. Also, A public meeting was held in the Cherokee County Council Chambers on May 18th, regarding the Cherokee/York boundary and it went well.

Jurisdictionally there were approximately 20 significant impacts or changes of residences or buildings from one county to another on the Cherokee Spartanburg section. There were around 9 on the Cherokee York section.

The certified surveys, presentation, and historical information have been posted:

Cherokee Spartanburg- [http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar)  
Cherokee York- [http://rfa.sc.gov/geodetic/cb\\_projectlist/cheryork](http://rfa.sc.gov/geodetic/cb_projectlist/cheryork)

You may appeal the determination of the re-establishment survey with the South Carolina Administrative Law Court (ALC) by filing a "Request for Contested Case Hearing FORM." There will be a \$150 fee associated with the filing, per Administrative Law Court Rule 71C. As per Act 262 of 2014 there is a 60-day window for appeal from the date of this letter. The ACL will review any evidence that you may have to refute the findings of the re-establishment survey, the ACL will also review the evidence used by the SCGS or their consultants, and then the ACL will render a ruling.

Contact information for the ALC is:

South Carolina Administrative Law Court; Edgar A. Brown Building; 1205 Pendleton Street; Columbia, SC 29201  
Voice: (803) 734-0550; Fax (803) 734-6400; Website: <http://www.scalc.net/>

You are welcome to contact me to discuss this boundary.

**David K. Ballard, PLS**  
South Carolina Geodetic Survey  
5 Geology Rd  
Columbia, SC 29212  
803.896.7710 (Office)  
803.466.7999 (Mobile)  
[david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)  
<http://rfa.sc.gov/geodetic>

The above information was verified as accurate by Revenue and Fiscal Affairs via email on July 12 and 18, 2017.



**#4 - Elected Officials Notification sent via U.S. Mail**

Elected Officials notified include: (1) Senator(s); (2) Representatives; (3) Clerks of Court; (4) County Council Members; (5) County Treasurers; (6) School District Board Members; (7) Sheriff; (8) Coroner; (9) Solicitor; (10) State Treasurer; and (11) State Auditor.

**Sample Letter**

EDWARD B. GRIMBALL, Chairman  
HOWELL CLYBORNE, JR.  
EMERSON F. GOWER, JR.

**SOUTH CAROLINA**  
**REVENUE AND FISCAL AFFAIRS OFFICE**

FRANK A. RAINWATER  
Executive Director

July 5, 2017

Re: *Re-establishment/Clarification of a Portion of the Cherokee/Spartanburg County Line*

Dear Jackie Williams,  
**Treasurer**

The South Carolina Geodetic Survey (SCGS), a section of the Revenue and Fiscal Affairs Office, has begun a systematic program to re-establish South Carolina's county boundaries in accordance with the statutory descriptions. Throughout the state of South Carolina there is uncertainty and misinformation regarding the location of county boundaries, causing confusion about jurisdiction.

In the fall of 2013, Cherokee County and Spartanburg County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Cherokee County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Cherokee and Spartanburg counties committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates.

The SCGS presented its findings and work performed in re-establishing the Cherokee-Spartanburg boundary at a public meeting. The meeting was held in the Spartanburg County Council Chambers, 366 N. Church Street, Main Level Suite 1000; Spartanburg, South Carolina 29303 on April 6th at 6:00 pm. SCGS and county officials were able to address the concerns of the citizens that were present, the biggest concern being if resident's children will be able to continue going to their present schools. The adjacent school districts were able to work out a solution to allow the children to continue attending classes in their current school districts until graduation.

Jurisdictionally there were approximately 20 significant impacts or changes of residences or buildings from one county to another on the Cherokee Spartanburg section.

Please consider this the official notice to "Affected Parties," as required by the South Carolina Code of Law §27-2-105. The re-established survey has been certified as of June 13, 2017. The certified surveys, presentation, and historical information have been posted on the SCGS' website: [http://rfa.sc.gov/geodetic/cb\\_projectlist/cherspar](http://rfa.sc.gov/geodetic/cb_projectlist/cherspar). Anyone who disagrees with the certified surveys may appeal this determination to the Administrative Law Courts pursuant to §27-2-105.

If you have any questions, please feel free to contact us.

Cordially,

David K. Ballard, PLS  
Manager, County Boundary Program  
SC Geodetic Survey  
5 Geology Road  
Columbia, SC 29212  
(803) 896-7710  
Email: [david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)



## CONTACT INFORMATION

### Committee Contact Information

Physical:

South Carolina House of Representatives  
Legislative Oversight Committee  
1105 Pendleton Street, Blatt Building Room 228

Mailing:

Post Office Box 11867  
Columbia, South Carolina 29211

Telephone: 803-212-6810

Online:

You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

### Agency Contact Information

Physical:

State Election Commission  
1122 Lady Street, Suite 500  
Columbia, South Carolina 29201

Telephone: 803-734-9060

Fax: 803-734-9366

Email: [elections@elections.sc.gov](mailto:elections@elections.sc.gov)

Online: <https://www.scvotes.org/>

Mailing

Post Office Box 5987  
8301 Parklane Road  
Columbia, South Carolina 29250

## ENDNOTES

<sup>1</sup> Visual Summary Figure 1 is compiled from information in the State Election Commission study materials available online under "Citizens' Interest," under "House Legislative Oversight Committee Postings and Reports," and then under "State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/ElectionCommission.php> (accessed July 7, 2017).

<sup>2</sup> *SC Code of Laws* § 2-2-20(C).

<sup>3</sup> SC House of Representatives, House Legislative Oversight Committee, "April 5, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/April%205,%202017%20-%20Meeting%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 27:36 in the archived video. Hereinafter, "April 5, 2017 - Subcommittee Meeting Minutes." See also, SC House of Representatives, House Legislative Oversight Committee, "June 27, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/June%2027,%202017%20-%20Meeting%20Minutes%20-%20SEC.pdf> (accessed August 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 01:22:09 in the archived video. Hereinafter, "June 27, 2017 - Subcommittee Meeting Minutes."

<sup>4</sup> SC House of Representatives, House Legislative Oversight Committee, “Agency PER (Updated May 2017),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and under “State Election Commission”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/PER%20Submission%20-%20UPDATED%20pdf%20-%20Election%20Commission%20\(May%209,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/PER%20Submission%20-%20UPDATED%20pdf%20-%20Election%20Commission%20(May%209,%202017).pdf). Hereinafter, “Agency PER.”

<sup>5</sup> Janet Reynolds, State Election Commission Director of Administration, email message to Charles Appleby, Legal Counsel to House Legislative Oversight Committee, August 24, 2017.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> In 2016, the State Election Commission conducted the following: two presidential preference primaries, statewide primary and runoff, and general election.

<sup>11</sup> *SC Code of Laws Sec. 7-3-10(a)*.

<sup>12</sup> Ibid.

<sup>13</sup> *SC Code of Laws Sec. 7-3-10(e)*.

<sup>14</sup> Ibid.

<sup>15</sup> *SC Code of Laws Sec. 7-3-10(b)*.

<sup>16</sup> *SC Code of Laws Sec. 7-3-10(c)*.

<sup>17</sup> Ibid.

<sup>18</sup> *SC Code of Laws Sec. 7-3-20(A)*.

<sup>19</sup> Ibid.

<sup>20</sup> Agency PER at page 47.

<sup>21</sup> SC House of Representatives, House Legislative Oversight Committee, “May 9, 2017 - Meeting Minutes,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and under “The State Election Commission,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/May%209,%202017%20Meeting%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 01:16:48 in the archived video. Hereinafter, “May 9, 2017 - Subcommittee Meeting Minutes.”

<sup>22</sup> SC House of Representatives, House Legislative Oversight Committee, “Organization Chart (as of May 2017),” under “Structure/Employees,” under “The State Election Commission,” and under “House Legislative Oversight Committee,”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Structure&Laws%20-%20Org%20Chart%20&%20Employees/Organization%20Chart%20\(as%20of%20May%204,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Structure&Laws%20-%20Org%20Chart%20&%20Employees/Organization%20Chart%20(as%20of%20May%204,%202017).pdf) (accessed July 10, 2017).

<sup>23</sup> Agency PER.

<sup>24</sup> Department of Administration, Executive Budget Office, “2016-17 Accountability Report Technical Assistance Guide,” under Agency Accountability Reports <http://www.admin.sc.gov/files/FY%202016-17%20Accountability%20Report%20Technical%20Assistance.pdf> (accessed July 21, 2017). See also, Agency PER.

<sup>25</sup> SC House of Representatives, House Legislative Oversight Committee, “Presentation by Election Commission (May 9, 2017 Subcommittee Meeting),” under “Mission, Goals & Strategic Plan,” under “The State Election Commission,” and under “House Legislative Oversight Committee,”

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20\(May%209,%202017%20Subcommittee%20Meeting\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Presentation%20by%20Election%20Commission%20(May%209,%202017%20Subcommittee%20Meeting).pdf) (accessed August 24, 2017). The methodology the agency utilizes includes the agency assigning expenditures to objectives. The agency compares each employee’s job duties to individual objectives based on percentage of time spent performing job duties related to the objective. All agency expenditures and cost of employee salaries/benefits are included in the amount assigned to each objective.

<sup>26</sup> Kevin Paul, Assistant Director of State Human Resources, Department of Administration, email message to House Oversight Committee Legal Counsel Charles Appleby, May 5, 2017.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> *SC Code of Laws Sec. 2-2-10(1)*.

<sup>31</sup> SC House of Representatives, House Legislative Oversight Committee, "January 10, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "Full Committee Minutes,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/January102017.pdf> (accessed July 10, 2017). A video of the meeting is available at

<http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "January 10, 2017 - Full Committee Meeting Minutes."

<sup>32</sup> SC House of Representatives, House Legislative Oversight Committee, "Letter from Oversight Committee to the Election Commission (January 17, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Election%20Commission%20-Notification%20Letter%20to%20Agency%201.17.17.pdf> (accessed July 10, 2017).

<sup>33</sup> SC House of representatives, House Legislative Oversight Committee, "Subcommittees -2017," under "Committee Information," under "House Legislative Oversight Committee,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20Assignment%20-%202017.pdf> (accessed July 10, 2017).

<sup>34</sup> *S.C. Code of Laws Sec. 1-30-10*.

<sup>35</sup> SC House of Representatives, House Legislative Oversight Committee, "Restructuring & Seven Year Plan," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2015AgencyRestructuringandSevenYearPlanReports/2015%20Election%20Commission.pdf> (accessed July 10, 2017).

<sup>36</sup> *SC Code of Laws Sec. 1-30-10*.

<sup>37</sup> SC House of Representatives, House Legislative Oversight Committee, "2016 Annual Restructuring Report," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2016%20ARR/2016%20Agency%20Restructuring%20ReportElectionCommission.PDF> (accessed July 10, 2017). SC House of Representatives, House Legislative Oversight Committee, "2017 Annual Restructuring Report," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (accessed July 10, 2017).

<sup>38</sup> SC House of Representatives, House Legislative Oversight Committee, "2015-16 Agency Accountability Report/2017ARR," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (accessed August 24, 2017).

<sup>39</sup> *SC Code of Laws Sec. 2-2-50*.

<sup>40</sup> Agency PER.

<sup>41</sup> A brochure about the House Legislative Oversight's Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Brochure%205.18.17.pdf> (accessed August 10, 2017).

<sup>42</sup> SC House of Representatives, House Legislative Oversight Committee.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed July 10, 2017).

<sup>43</sup> Other agencies in the public survey include Department of Disabilities and Special Needs; Human Affairs Commission; and John de la Howe School.

<sup>44</sup> SC House of Representatives, House Legislative Oversight Committee, "Press Release announcing Public Survey (February 9, 2017)," under "Public Survey & Public Input via LOC webpage" under "Committee Postings and Reports," under "The State Election Commission," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Media%20Release%20-%20Public%20Survey%20Open%20\(February%209,%202017\)%20\(pdf\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Media%20Release%20-%20Public%20Survey%20Open%20(February%209,%202017)%20(pdf).pdf) (accessed July 10, 2017).

<sup>45</sup> SC House of Representatives, House Legislative Oversight Committee, "Results from the 2017 Survey of the Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; and John de la Howe School," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20\(2\\_9%20-3\\_13\).PDF](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20(2_9%20-3_13).PDF) (accessed July 10, 2017). Hereinafter, "February/March 2017 Survey Results."

<sup>46</sup> Committee Standard Practice 10.4.

<sup>47</sup> February/March 2017 Survey Results.

<sup>48</sup> SC House of Representatives, House Legislative Oversight Committee, "Submit Public Input," under "Committee Postings and Reports," under "House Legislative Oversight Committee" <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed July 10, 2017).

<sup>49</sup> February/March 2017 Survey Results.

<sup>50</sup> Ibid.

<sup>51</sup> Committee Standard Practice 10.4.2. This standard practice allows for the redaction of profanity.

<sup>52</sup> SC House of Representatives, House Legislative Oversight Committee, "Public input about Election Commission received via Committee webpage," under "Public Survey & Public Input via LOC webpage" under "Committee Postings and Reports," under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/2.21.17%20Public%20Input%20Recieved%20Via%20Web%20Link.pdf> (accessed July 10, 2017).

<sup>53</sup> The Chair of either the Committee or Executive Subcommittee has the discretion to allow testimony during meetings.

<sup>54</sup> SC House of Representatives, House Legislative Oversight Committee, "March 9, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "Full Committee Minutes,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/March%209,%202017%20Mtg%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "March 9, 2017 - Full Committee Meeting Minutes."

<sup>55</sup> SC House of Representatives, House Legislative Oversight Committee, "Statewide Media Release Inviting the Public to Provide Testimony About Six Agencies Under Study (February 16, 2017)," under "Public Survey & Public Input via LOC webpage" under "Committee Postings and Reports," under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/2.16.17%20Media%20Release.PDF> (accessed July 10, 2017).

<sup>56</sup> January 10, 2017 - Full Committee Meeting Minutes.

<sup>57</sup> SC House of Representatives, House Legislative Oversight Committee, "February 15 , 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/February%2015,%202017%20-%20Meeting%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

<sup>58</sup> March 9, 2017 - Full Committee Meeting Minutes.

<sup>59</sup> Ms. Kim Murphy, constituent from Richland County/Lexington County; Mr. Tiger Wells, the Government Affairs Liaison for the Municipal Association of South Carolina testify about the agency.

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<sup>60</sup> April 5, 2017 - Subcommittee Meeting Minutes.

<sup>61</sup> Mr. Frank Rainwater, Executive Director; Mr. Will Roberts, Precinct Demographics Manager; Mr. David Ballard, County Boundary Program Manager, Professional Land Surveyor.

<sup>62</sup> Ms. Marci Andino, Executive Director; Ms. Janet Reynolds, Director of Administration; Mr. Chris Whitmire, Director of Training and Public Information; Mr. Howard Snider, Director of Voter Services; and Ms. Kristina Catoe, Staff Attorney.

<sup>63</sup> SC House of Representatives, House Legislative Oversight Committee, "April 18 , 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/April182017Minutes.pdf> (accessed July 10, 2017). A video of the meeting is available at

<http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "April 18, 2017 - Subcommittee Meeting Minutes."

<sup>64</sup> SC House of Representatives, House Legislative Oversight Committee, "May 3 , 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/May%203,%202017%20-%20Meeting%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is

available at <http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "May 3, 2017 - Subcommittee Meeting Minutes."

<sup>65</sup> May 9, 2017 - Subcommittee Meeting Minutes.

<sup>66</sup> Interested parties include: The League of Women Voters of South Carolina; Municipal Association of South Carolina; South Carolina Association of Counties; and South Carolina Association of Registration and Election Officials, Inc.

<sup>67</sup> SC House of Representatives, House Legislative Oversight Committee, "June 13, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/June%2013,%202017%20Meeting%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is

available at <http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "June 13, 2017 - Subcommittee Meeting Minutes."

<sup>68</sup> June 27, 2017 - Subcommittee Meeting Minutes.

<sup>69</sup> Mr. Scott Slatton is the representative from the Municipal Association of South Carolina.

<sup>70</sup> Ms. Lynn Teague is the representative from The League of Women Voters of South Carolina. See June 27, 2017 - Subcommittee Meeting Minutes at 52:25 in the archived video.

<sup>71</sup> SC House of Representatives, House Legislative Oversight Committee, "July 31, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," (Minutes will be posted once they are approved by the Subcommittee). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "July 31, 2017 - Subcommittee Meeting Minutes."

<sup>72</sup> Ms. Katy Smith is First Vice President of SC Association of Registration and Election Officials.

<sup>73</sup> Ms. Wanda Hemphill is the Director of Elections in York County and Chairman of the Legislative Committee of the South Carolina Association of Registration and Election Officials, Inc.

<sup>74</sup> SC House of Representatives, House Legislative Oversight Committee, "November 13, 2017," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Meeting Minutes and Handouts" and under "Full Committee Minutes,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/November1317.pdf> (last accessed January 9, 2018). A video of the meeting is available at

<http://www.scstatehouse.gov/video/videofeed.php>.

<sup>75</sup> SC House of Representatives, House Legislative Oversight Committee, "Meeting Packet," under "Meetings," under "November 13, 2017," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Meeting%20Packet%20-%20November%2013,%202017.pdf> (last accessed January 9, 2018).

<sup>76</sup> SC House of Representatives, House Legislative Oversight Committee, "December 19, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," will be available online when approved at next full committee meeting. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter, "December 19, 2017 - Full Committee Meeting Minutes." Hereinafter, "December 19, 2017 - Meeting Minutes."

<sup>77</sup> SC House of Representatives, House Legislative Oversight Committee, "Meeting Packet," under "Meetings," under "December 19, 2017," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DHEC/12.19.17%20Meeting%20Packet.PDF> (last accessed January 9, 2018); See also, SC House of Representatives, House Legislative Oversight Committee, "Municipal elections that are conducted by the County - Responses from survey conducted by the SC Association of Counties," under "Meetings," under "December 19, 2017," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Municipal%20Elections%20conducted%20by%20County%20-%20survey%20responses.pdf> (last accessed January 9, 2018); See also, SC House of Representatives, House Legislative Oversight Committee, "Municipal election protest times - Proposed statutory revisions," under "Meetings," under "December 19, 2017," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Municipal%20Election%20protest%20times.pdf> (last accessed January 9, 2018); See also, SC House of Representatives, House Legislative Oversight Committee, "Notice of polling location changes - Statutes and handbook provisions applicable," under "Meetings," under "December 19, 2017," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Notice%20of%20Polling%20Location%20Changes%20-%20Statutes%20and%20Handbook.pdf> (last accessed January 9, 2018).

<sup>78</sup> SC House of Representatives, House Legislative Oversight Committee, "April 5, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/April%205,%202017%20-%20Meeting%20Minutes.pdf> (accessed July 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 27:36 in the archived video. Hereinafter, "April 5, 2017 - Subcommittee Meeting Minutes." See also, SC House of Representatives, House Legislative Oversight Committee, "June 27, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/ExecutiveSub/June%2027,%202017%20-%20Meeting%20Minutes%20-%20SEC.pdf> (accessed August 10, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. See 01:22:09 in the archived video. Hereinafter, "June 27, 2017 - Subcommittee Meeting Minutes."

<sup>79</sup> May 9, 2017 - Subcommittee Meeting Minutes at 22:57 in the archived video. See also, June 13, 2017 - Subcommittee Meeting Minutes at 46:41 in the archived video.

<sup>80</sup> *SC Code of Laws Sec. 7-5-120(B)(1)*.

<sup>81</sup> June 13, 2017 - Subcommittee Meeting Minutes at 01:06:20 in the archived video.

<sup>82</sup> SC House of Representatives, House Legislative Oversight Committee, "Presentation by Election Commission regarding agency recommendations (June 27, 2017 Subcommittee Meeting)," under "Mission, Goals & Strategic Plan," under "House Legislative Oversight Committee," and under "The State Election Commission," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/SEC%20Presentation%20\(June%2027,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/SEC%20Presentation%20(June%2027,%202017).pdf) (accessed August 24, 2017). Hereinafter, "Agency June 27, 2017 Presentation." See also, June 27, 2017 - Subcommittee Meeting Minutes.

<sup>83</sup> June 27, 2017 - Subcommittee Meeting Minutes at 13:57 in the archived video. See also, SC House of Representatives, House Legislative Oversight Committee, "Letter from Election Commission to Oversight Subcommittee (July 7, 2017)," under "Correspondence," under "House Legislative Oversight Committee," and under "The State Election Commission,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Letter%20from%20Election%20Commission%20to%20Oversight%20Subcommittee%20with%20attachments%20\(July%207,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Letter%20from%20Election%20Commission%20to%20Oversight%20Subcommittee%20with%20attachments%20(July%207,%202017).pdf) (accessed August 24, 2017). Hereinafter, "Agency July 7, 2017 letter to the Subcommittee."

<sup>84</sup> April 18, 2017 - Subcommittee Meeting Minutes at 16:51 in the archived video.

<sup>85</sup> Ibid.

<sup>86</sup> June 27, 2017 - Subcommittee Meeting Minutes at 12:07 in the archived video.

<sup>87</sup> Ibid. at 13:24 in the archived video.

<sup>88</sup> Agency July 7, 2017 letter to the Subcommittee at page 5.

<sup>89</sup> *SC Code of Laws Sec. 7-11-50*.

<sup>90</sup> Agency June 27, 2017 Presentation.

<sup>91</sup> SC House of Representatives, House Legislative Oversight Committee, "Summary Chart (see Meeting Minutes for list of recommendations approved by the Subcommittee)," under "Potential Recommendations," under "Other Materials," under "House Legislative Oversight Committee," and under "The State Election Commission," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Potential%20Recommendations%20and%20Findings%20-%20Summary%20Chart.pdf> (accessed August 24, 2017). Hereinafter, "Potential Recommendations and Findings - Excel Chart." See also, Agency PER (Recommendations section).

<sup>92</sup> S.C. Code Ann. § 7-13-350. All nominees in a party primary or party convention must be submitted to the party charged with preparing the ballot no later than noon on August 15 for a general election; Presidential and Vice-Presidential candidates must be certified by noon on the first Tuesday following the first Monday in September. See also, June 27, 2017 - Subcommittee Meeting Minutes at 9:40 in the video. See also, Act No. 505 of 1996. All persons desiring to be a candidate for District Board of Education in Chesterfield County must filed notice of candidacy during the filing period beginning on the first Tuesday in September at noon and running for two weeks. See also, Act No. 185 of 1997. All candidates for the McCormick County Board of Trustees must filed not later than noon September 1 of a general election year. See also, Agency June 27, 2017 Presentation (Law Change #2).

<sup>93</sup> Agency PER (Recommendations Section). See also, Potential Recommendations and Findings - Excel Chart.

<sup>94</sup> July 31, 2017 - Subcommittee Meeting Minutes at 15:40 in the video. (Rep. Williams Q: How this will make it better than previous? Director Andino A: Thank you. The recommendation is to have all municipal elections held in November of the odd year. Currently, municipal elections are held throughout the calendar year with a high concentration in November of the odd year. We do have some that fall in November of even year which would be the general election it makes the ballot longer and it also requires two voter registration lists. So it would reduce long lines, moving the municipals off of the general election ballot. It also provides for some consistency. Right now, they are held in 12 months of the year, so voters experience confusion because they don't know when the election is. If they're all held at the same time, then it would become a standard that November is time for a municipal election.)

<sup>95</sup> *SC Code of Laws Sec. 5-15-50*.

<sup>96</sup> June 27, 2017 - Subcommittee Meeting Minutes at 18:00 in the archived video.

<sup>97</sup> Agency PER (Recommendations section). See also, Potential Recommendations and Findings - Excel Chart.

<sup>98</sup> June 27, 2017 - Subcommittee Meeting Minutes at 35:15 in the archived video.

<sup>99</sup> SC House of Representatives, House Legislative Oversight Committee, "Letter from SC Association of Registration and Election Officials, Inc. to Oversight Subcommittee (June 22, 2017)," under "Correspondence," under "House Legislative Oversight Committee," and under "The State Election Commission," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Letter%20from%20SC%20Association%20of%20Registration%20and%20Election%20Officials,%20Inc.%20\(June%2022,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Letter%20from%20SC%20Association%20of%20Registration%20and%20Election%20Officials,%20Inc.%20(June%2022,%202017).pdf) (accessed August 24, 2017). South Carolina Association of Registration and Election Officials, Inc., is strongly in support of election standardization for a variety of reasons. By limited and standardized dates, the logistics of conducting elections would be better streamlined, and it would create a measure of cost savings to both the state and counties. It would also assist in reducing voter confusion and fatigue and decreasing the strain on facilities and poll workers.

<sup>100</sup> SC House of Representatives, House Legislative Oversight Committee, "Letter from Municipal Association of South Carolina (MASC) to the Oversight Subcommittee (June 28, 2017)," under "Correspondence," under "House Legislative Oversight Committee," and under "The State Election Commission,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Letter%20from%20Municipal%20Association%20to%20Oversight%20Subcommittee%20\(June%2028,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Letter%20from%20Municipal%20Association%20to%20Oversight%20Subcommittee%20(June%2028,%202017).pdf) (accessed August 24, 2017). Municipal Association of South Carolina (MASC) previously proposed that general elections could be held once per calendar quarter in an even or odd year to provide cities and towns the option to choose a date closest to their current election dates but is willing to discuss other potential options. MASC believes the following effects of changing election dates should be considered: (1) Terms of many elected council members across the state will have to be shortened or lengthened (currently councils choose whether or not to shorten or lengthen their terms when they change their election dates and MASC believes council prerogative should be retained); and (2) Councils will need to modify their existing election ordinances to accommodate a new election date, so legislation should allow councils time to modify their ordinances. See also, June 27, 2017 - Subcommittee Meeting Minutes at 22:00 and 27:21 in the archived video. See also, July 31, 2017 - Subcommittee Meeting Minutes at 20:45 in the archived video.

<sup>101</sup> Agency PER (Recommendations section).

<sup>102</sup> The school district is in Kershaw County. See also, Agency July 7, 2017 letter to the Subcommittee. See also, Act. No. 930 of 1970.

<sup>103</sup> Agency PER (Recommendations section).

<sup>104</sup> *SC Code of Laws Sec. 7-13-110*. Poll managers to be residents and registered electors of counties; assistants.

<sup>105</sup> July 31, 2017 - Subcommittee Meeting Minutes at 1:43:25 in the archived video.

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.* at 1:44:30 in the archived video.

<sup>108</sup> December 19, 2017 - Full Committee Meeting Minutes.

<sup>109</sup> The agency explained the certification and training for individuals newly appointed to a county board as follows, Once appointed to a county board, they have 18 months to complete our training and certification. We offer classes every month mainly in Columbia, but do go out to various locations. We also offer classes in conjunction with county association meetings (summer and winter). We also offer some classes on Saturday, and go to different locations. There are some core classes. There are classes that county board chairs are required to take. There is a different curriculum for staff and board members. Board members have to take 6 classes to become certified. Once certified, we ask them to take one continuing education class. We give continuing education credit if they attend a county legislative conference. We also accept credits from technical school or college, through the county association. If it is something that is a minimum 3 hour class, we let them use that as well.

The core classes and electives are election related. Then there is a long list of professional development classes also offered. At the beginning and end of each year, the agency performs an analysis of the needs of the participants and, based on that analysis sets a schedule of classes for the year. As part of this analysis the agency reviews the needs of new appointments, continuing education needs of existing board members, and needs the agency has identified during an election year. The agency believes there is a need for an onboarding process before the individual assumes the position and has a document which provides an overview of the county, online training, and expects the County Director to provide some introduction as well. May 3, 2017 - Subcommittee Meeting Minutes at 1:09:00; 1:11:04; and 1:11:45 in the archived video. See also, May 9, 2017 - Subcommittee Meeting Minutes at 36:20; 37:30; 38:14; 38:40; and 39:44 in the archived video.

<sup>110</sup> *SC Code of Laws Sec. 7-5-10(D)(1)*.

<sup>111</sup> *SC Code of Laws Sec. 7-5-10(D)(2)*.

<sup>112</sup> May 9, 2017 - Subcommittee Meeting Minutes at 41:55; 45:05; and 49:15 in the archived video.

<sup>113</sup> SC House of Representatives, House Legislative Oversight Committee, "Additional Information," under "Potential Recommendation," under "Other Materials," under "House Legislative Oversight Committee," and under "The State Election Commission,

"<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Potential%20Recommendations%20and%20Findings%20-%20Additional%20Information.pdf> (accessed August 24, 2017). Hereinafter, "Potential Recommendations and Findings - Additional Information."

<sup>114</sup> May 3, 2017 - Subcommittee Meeting Minutes at 43:50 and 47:44 in the archived video.

<sup>115</sup> *SC Code of Laws Sec. 4-1-10*. See also, SC Code of Laws Title 4, Chapter 3.

<sup>116</sup> Potential Recommendations and Findings - Additional Information. See also, July 31, 2017 - Subcommittee Meeting Minutes at 01:09:00 in the archived video.



<sup>117</sup> *SC Code of Laws Sec. 27-2-105(A)(3)*.

<sup>118</sup> Potential Recommendations and Findings - Additional Information.

<sup>119</sup> July 31, 2017 - Subcommittee Meeting Minutes at 52:52 and 54:10 in the archived video.

<sup>120</sup> *Ibid.* at 59:45 and 01:03:41 in the archived video.

<sup>121</sup> *SC Code of Laws Sec. 27-2-105(B)(6)*.

<sup>122</sup> Potential Recommendations and Findings - Additional Information.

<sup>123</sup> David Ballard, County Boundary Program Manager, Professional Land Surveyor with the Revenue and Fiscal Affairs Office, telephone call with House Oversight Committee Legal Counsel Charles Appleby, July 2017.

<sup>124</sup> Potential Recommendations and Findings - Additional Information.

<sup>125</sup> SC House of Representatives, House Legislative Oversight Committee, "Election Boundaries: Precincts, Districts, Census, Counties - presentation by SC Revenue and Fiscal Affairs Office to Oversight Subcommittee (April 5, 2017)," under "County Boundaries," under "Other Materials," under "House Legislative Oversight Committee," and under "The State Election Commission,

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ElectionCommission/Election%20Boundaries%20-%20Precincts,%20Districts,%20Census,%20Counties%20-%20presentation%20by%20RFA%20to%20Oversight%20Subcommittee.pdf> (accessed August 24, 2017).

<sup>126</sup> Act 262 of 2014, Section 1(A).

<sup>127</sup> Act 262 of 2014, Section 1(B). The General Assembly further finds that it is appropriate statutorily to allow the South Carolina Geodetic Survey, with appropriate procedural safeguards, administratively to adjust or otherwise clarify disputed or unclear boundaries. However, in providing the statutory administrative process and procedural safeguards in the amendments to Section 27-2-105 of the 1976 Code as contained in this act, the General Assembly in no way restricts the plenary authority of the General Assembly by legislative enactment to adjust or otherwise clarify existing county boundaries.

<sup>128</sup> *SC Code of Laws Sec. 27-2-105(A)(6)*. When the certified boundary plat is no longer subject to appeal, the SCGS under cover of a letter signed by the Chief of the SCGS shall provide an appropriate revised boundary map to the Secretary of State, the South Carolina Department of Archives, and the register of deeds in each affected county. The date of the SCGS director's cover letter is the date the revised boundaries take effect. See also, *SC Code of Laws Sec. 4-3-10*. Abbeville County.

<sup>129</sup> *Ibid.*

<sup>130</sup> SC Constitution, Article 7, Section 7.

<sup>131</sup> April 5, 2017 - Subcommittee Meeting Minutes at 25:45 in the archived video.

<sup>132</sup> Potential Recommendations and Findings - Additional Information.

<sup>133</sup> Potential Recommendations and Findings - Additional Information.

<sup>134</sup> April 5, 2017 - Subcommittee Meeting Minutes at 32:40 in the archived video.

<sup>135</sup> *Ibid.* at 30:52 in the archived video. If a county does not follow the geographically positioned boundary as required in statute, no state entity enforces the requirement. July 31, 2017 - Subcommittee Meeting Minutes at 01:21:25 in the archived video. A private cause of action serves as the mechanism of enforcement to avoid taxation of a citizen in a county where they do not have representation. July 31, 2017 - Subcommittee Meeting Minutes at 01:21:06; 01:22:08; and 01:23:00 in the archived video. As opposed requiring a county to immediately make all of the changes, if any are needed, the Subcommittee's recommendation 15 provides the county half a year. Notably, if the geographically positioned line, which is positioned based on the current description of the boundary in state law, is the same as the county has been utilizing, no changes are needed by the county.

<sup>136</sup> Agency July 7, 2017 letter to the Subcommittee.

<sup>137</sup> December 19, 2017 - Meeting Minutes.

<sup>138</sup> *Ibid.*

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**Committees:**

Agriculture, Natural Resources and  
Environmental Affairs  
Legislative Oversight

**House of Representatives**  
State of South Carolina

August 31, 2017

**Member Statement for the Subcommittee Study of the State Election Commission**

I am including this statement to thank the Legislative Oversight Committee staff for working so hard to ensure the State Election Commission received proper direction in answering questions and responding to necessary requests from the Committee. Additionally, I want to thank the State Election Commission for being transparent and providing information in a timely manner. Agency staff's professionalism and attention to detail are remarkable attributes that reflect highly on the agency and its continued success.

However, I feel it is very important for the agency to maintain the integrity of information it possesses about citizens of South Carolina. I understand there have been several requests to release certain data on voters in this state. The agency must remain vigilant and resilient to the many challenges that may arise. I am confident their leadership team will make the best choice for all the citizens of South Carolina. Secure technology that maintains the privacy of information is paramount when it comes to issues of importance to voters in our state.

The citizens of this great state must be able to reassure themselves that information about them is protected, safe from hackers and others with criminal intent.

The Honorable Robert Q. Williams  
Subcommittee Member  
SC House of Representative District 62

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**Committees:**

Education and Public Works  
 Legislative Oversight

## House of Representatives

State of South Carolina

December 28, 2017

### **Member Statement for the Full Committee Study of the State Election Commission**

Public input is the cornerstone of the House Legislative Oversight Committee's process. Constituents have a number of opportunities to provide input during the study of an agency including, but not limited to, submitting information online and testifying during meetings.

During the study of the State Election Commission, a constituent availed herself of these various opportunities on multiple occasions. As the constituent now desires to provide comment on provisions of this study as approved by the full Committee, I offer her comments on early notification to affected parties, verbatim, for consideration.

#### **EARLY NOTIFICATION TO AFFECTED PARTIES:**

##### **(Purpose of Proposed Changes to Sub-Committee's Recommendations -**

Because of the importance of the political boundary and impacts to affected parties, initial notice to "Potential Affected Parties" and the public will help not only to better protect the rights of citizens, but it will provide valuable oversight in the process and a cost-saving aid to South Carolina Geodetic Survey in re-establishing the boundary in a location closest to exact location determined by the original surveyor. In many cases, the original boundary was formed by an annexation vote by the residents who were to be impacted by the placement of the boundary. I believe the recommendations made by the Sub-Committee for changes are insufficient and timing is unclear.)

**Sub-Committee Recommendations** (Legislative Oversight Committee Meeting Packet December 19, 2017, pg. 61, attached. This was referenced by Rep. Newton when your concern was raised):

**12. Initial Public Notice** - The Subcommittee recommends the General Assembly expand notification efforts during the county boundary geographic coordinate surveying process. More specifically, the Subcommittee recommends the General Assembly require SCGS: (1) send notice to the county administrator and publish this notice (a) in a local newspaper, and (b) on RFA's website 30 days prior to SCGS starting their work of surveying the geographic coordinates of an individual county boundary; and (2) work with the county administrator to hold a public meeting, after SCGS has preliminary geographic coordinates, to provide information on the preliminary coordinates and obtain additional public input prior to finalizing the plat of the individual

county boundary line. This recommendation seeks to provide more opportunities for public involvement at the start of the process of geographically surveying a county boundary line.<sup>113</sup> Currently, SCGS has an informal process for communicating with counties prior to starting its work and there is a process outlined in statute after SCGS finishes its work.<sup>114</sup> Appendix P includes a flow chart of the process with sample correspondence sent to involved parties. The Subcommittee recommendation seeks to codify SCGS' informal process.

**Recommended Change:**

**1. Delete 12(b) and replace with (something like):**

12(b) South Carolina Geodetic Survey (SCGS) will provide official written notice to "Potential Affected Parties" prior to in depth analysis of archival and other evidence and performing field surveys. Notice will include:

- an alert that the affected party may be impacted by the re-establishment of the county boundary;
- a request that the affected party provide any historical documentation that may have that may be helpful in identifying the boundary;
- a list of the potential impacts\*\*;
- the process undertaken by SCGS to re-establish the boundary;
- the potential time-frame;
- important dates;
- full disclosure of the 60-day appeal window;
- website information to monitor the process and view documents;
- contact information for comments, concerns and where to send historical documentation.

**2. Spell out how SCGS will determine Potential Affected Parties. The purpose is to attempt to notify all parties who may be impacted:**

**Determination of Potential Affected Parties.**

To determine Potential Affected Parties, SCGS will review voter data bases and state and county maps for the area proposed to be certified that indicate a county boundary that could have been used (or was used) by the state and/or county to determine a citizen's domicile, county of residence, taxing authority, election district or area of representation, precinct assignment, census block or tract, etc. and such maps used to determine parcel ownership or potential property tax incentives. Such maps will include the state's or counties' GIS maps, pre-GIS paper tax, election district maps, precinct maps, House, Senate or Congressional maps, Jury maps, Census maps, etc. In order to reach as many Affected Parties as possible, after overlaying maps to determine the approximate area to be certified, add a 50-yard buffer beyond the approximate area. All Potential Affected Parties with the approximate area to be certified, including those within the buffers, are to be noticed. If at any time during the process it becomes evident that a re-established boundary may impact other parties who have not yet been notified, provide official written notice to them.

**3.** Add a definition for Potential Affected Parties: All those that fall under Section 27-2-105 (B)(2) that are representing, residing, lease or is leasing, or located in the *approximate* certification zone.

**\*\*Potential impacts:** Property tax increase or decrease; change in precinct, change in school district, change of in area of representation, change in 911 service and other county services, change in sewer or water district, etc.

The Honorable Bill Taylor  
Committee Member  
SC House of Representative District 86