

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 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.	