

# **Study of the State Election Commission**

## Question - Notice of Polling Place Change

There was a question at the last meeting regarding standardized notice requirements when, after notice of the election is originally posted, the location of a polling place changes. The State Election Commission provided additional information related to this matter, which is attached. The additional information includes the current requirements in Title 7 and in the Voter Registration and Elections handbook related to notifying voters when changes are made to their polling place.

## **From the S.C. Code of Laws:**

### **SECTION 7-7-10.** Voting precincts established.

For the purpose of holding any general, primary, or special election in this State, the voting precincts and voting places in the several counties of the State shall be designated, fixed, and established by the General Assembly. Nothing in this chapter prohibits a county board of voter registration and elections from establishing multiple polling places within a precinct, provided that voters are assigned to these polling places alphabetically or geographically as determined by the county board of voter registration and elections and approved by a majority of that county's legislative delegation. **A voter must be notified in writing of his transfer to a new polling place and the location of the new polling place.**

### **SECTION 7-7-15.** Notice of change in polling place.

When a polling place established by statute or ordinance or by an entity allowed by law to establish polling places is changed **the entity charged with conducting elections at the polling place shall post at the time of the first election held after the change a notice on or next to the door of the entrance of the previous polling place stating in printing with letters large enough to be read easily by a person with normal vision from a distance of at least twenty feet the location of the new polling place and the address and telephone number of the entity in charge of the conduct of the election.**

### **SECTION 7-7-910.** Designated polling places; alternative polling place.

(A) Subject to the provisions of Section 7-7-920 and Section 7-5-440 and except as provided in subsection (B) of this section, each elector must be registered and, unless otherwise specified on his voting certificate, shall vote at the designated polling place within the precinct of his residence, but in incorporated municipalities in which officers are elected by wards or other municipal subdivisions, electors must be registered and shall vote at their designated polling places.

(B)(1) For purposes of this subsection, an "emergency situation" means the designated polling place is not available for use as a polling place on the election day after the first notice of the election is published.

(2) If a designated polling place in a precinct is unavailable for use during an election as a result of an emergency situation, the authority charged by law with conducting the election shall designate an alternative polling place to be used for the electors in that precinct for any election occurring during the emergency situation. An alternative polling place for an emergency situation must be approved by the majority of the legislative delegation if the designation occurs more than seven days prior to the election. If an alternative polling place for an emergency situation is designated seven days or less prior to the election, the authority charged by law with conducting the election must notify the members of the legislative delegation of the alternative polling place.

(3) The alternative polling place is not required to be within the precinct of the elector's residence; however, the authority charged by law with conducting the election may designate an alternative polling place outside the precinct only if no other location within the precinct is available for use as a polling place. If an alternative polling place is outside the precinct, it must be located in an

adjoining precinct. The alternative polling place must be selected with consideration of the distance the electors would be required to travel in order to vote.

**(4) Every attempt must be made to notify electors of the alternative polling place before the election and on the day of the election through the media and by posted notice at the designated polling place.**

(C) If an alternative polling place outside of the precinct is selected pursuant to subsection (B) of this section, the authority charged by law with conducting the election shall certify in writing to the State Election Commission that no other location within the precinct is available for use as a polling place and that the selection of a polling place was made with consideration of the distance electors would have to travel to vote.

## **From the Voter Registration and Elections Handbook:**

### **4.5 Changing the Polling Place Location**

If a polling location changes, the Board must:

- Notify each voter in writing of his transfer to a new polling place and the location of the new polling place (7-7-10). This can be done by sending these voters a postcard. A new VR card is not necessary.
- Enter the new polling place location into VREMS
- Post a notice on or next to the entrance door of the previous polling place for the first election held after the change in location. This notice must include the location of the new polling place and the address and telephone number of the Board. The notice must be printed with letters large enough to be read easily by a person with normal vision from a distance of at least 20 feet (7-7-15).

### **4.7 Polling Places Used In an Emergency Situation**

Each voter shall vote at the designated polling place within the precinct of his residence except during an “emergency situation.” An emergency situation means, after the first notice of the election is published, the designated polling place is not available for use as a polling place on election-day.

If a designated polling place is unavailable for use as a result of an emergency situation, the Board shall designate an alternative polling place to be used for the electors in that precinct. An alternative polling place must be approved by the majority of the legislative delegation if the designation occurs more than seven days prior to the election. If an alternative polling place for an emergency situation is designated seven days or less prior to the election, the Board must notify the members of the legislative delegation of the alternative polling place.

The alternative polling place is not required to be within the precinct of the elector's residence; however, the Board may designate an alternative polling place outside the precinct only if no other location within the precinct is available for use as a polling place. If an alternative polling place is outside the precinct, it must be located in an adjoining precinct. The alternative polling place must be selected with consideration of the distance the electors would be required to travel in order to vote.

Every attempt must be made to notify electors of the alternative polling place before the election and on the day of the election through the media and by posting a notice at the designated polling place.

If an alternative polling place outside of the precinct is selected, the Board shall certify in writing to the SEC that no other location within the precinct is available for use as a polling place and that the selection of a polling place was made with consideration of the distance electors would have to travel to vote.

The Board must also make a change in VREMS to show the name and address of the emergency polling location of any precinct. When the election is over, and the original polling location is available, the Board must change the polling location and address back to its original form.