



**Budget Presentation
FY2019-20**

**House Ways and Means
Constitutional Subcommittee**

January 15, 2019

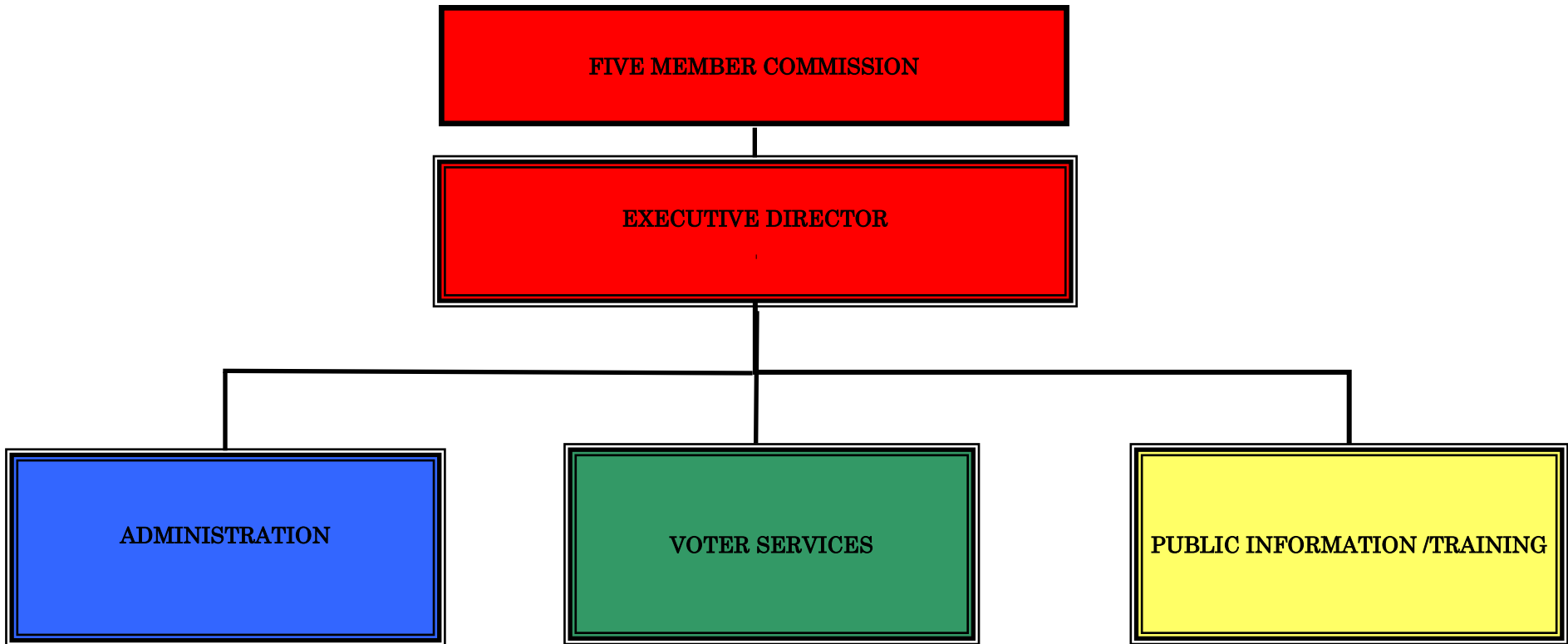
SOUTH CAROLINA
ELECTION COMMISSION

SEC Officials Attending Hearing:

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SOUTH CAROLINA

ELECTION COMMISSION



FIVE MEMBER COMMISSION

**EXECUTIVE DIRECTOR
UA01**

**LEGAL COUNSEL
AE30**

**ADMINISTRATIVE MANAGER I
AH20**

**PROGRAM MANAGER I
AH45**

**PROGRAM MANAGER I
AH45**

**PROGRAM MANAGER I
AH45**

**FISCAL ANALYST I
AD22**

**FISCAL TECH I
AD01**

**ADMIN COORD I
AH10**

**POSTAL COURIER
AB20**

**POSTAL SPECIALIST
AB10**

**INST / TRNG COORD II
AG35**

**INST / TRNG COORD I
AG35**

**IT TECH III
AM72**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**IT SERVICES SPEC III
AM62**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC III
AM62**

**IT SERVICES SPEC III
AM62**

**IT SERVICES SPEC II
AM61**

State Election Commission

The mission of the State Election Commission (SEC) is 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.

The SEC is charged by law with:

- Maintaining the statewide voter registration system
- Supporting the statewide voting system
- Supervising 46 county boards of voter registration and elections
- Performing audits and post-election analyses of county boards of registration and elections
- Assisting with county operations if a county election office fails to comply with state and federal law or SEC policies and procedures; or if a county is unable to certify election results in a timely manner
- Conducting a training and certification program for local election officials
- Conducting candidate filing and providing a candidate tracking system

The SEC is requesting the following non-recurring funds in the FY2019-20 budget request:

- \$60M for a statewide voting system
 - Current system is at end of life and replacement is necessary to ensure votes can be cast and counted accurately
 - New voting system will include a paper record of each vote and will include enhanced security features
- \$2,166,500 for 2020 Presidential Primary(ies) (PPP)
 - Requesting funds for one PPP at this time. If two PPP's are held, the SEC will use funds appropriated for the June primaries, but will include the additional cost amount in the FY2021 budget to restore those funds.

State Election Commission FY2017-18 Accountability Report Summary

Major Achievements:

- Successfully conducted the statewide primaries and runoffs
- Continued to enhance security and resilience measures, procedures, controls and contingency plans to protect the statewide voting system, the statewide voter registration system and the election process in general
- Conducted pre- and post-certification election results audits on all state-level elections.
- Conducted candidate filing for the 2018 statewide general election
- Provided voting system support to county boards of voter registration and elections for approximately 200 statewide, county, special and municipal elections, saving counties more than \$1.5M annually
- Continued to educate voters on all aspects of voter registration and elections through the Agency's SC Votes voter education initiative, focusing on educating voters on Photo ID requirements

Goals:

- Provide for a system of voter registration that is free of barriers
- Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters
- Support counties in conducting voter registration and fair, open and impartial elections
- Effectively oversee all agency programs and operations

Key Opportunities and Challenges:

- Strengthening the physical and cyber security and resilience of South Carolina's election infrastructure in the face of technical and budgetary challenges
- Securing funding for replacement of the current voting system
- Working with the General Assembly to develop and enact legislation to improve voter registration and elections in South Carolina

FY 19-20 Budget Priorities Summary

State Election Commission

Budget Priorities			Funding					FTEs				
Priority No.	Priority Type (non-recurring/ recurring /other funds adjustment/ federal funds adjustment)	Priority Title	Priority Description	Non - Recurring	Recurring	Other	Federal	Total	State	Other	Federal	Total
1	Non-recurring	Statewide Voting System		60,000,000	0	0	0	60,000,000	0	0	0	0
2	Non-recurring	2020 Presidential Preference Primaries		2,166,500	0	0	0	2,166,500	0	0	0	0

Fiscal Year 2019-20 Budget Request Executive Summary

Agency Code: E280
 Agency Name: Election Commission
 Section: 101

BUDGET REQUESTS			FUNDING					FTES				
Priority	Request Type	Request Title	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
1	B2 - Non-Recurring	New Statewide Voting System	60,000,000	0	0	0	60,000,000	0.00	0.00	0.00	0.00	0.00
2	B2 - Non-Recurring	2020 Presidential Preference Primaries	2,166,500	0	0	0	2,166,500	0.00	0.00	0.00	0.00	0.00
3							0					0.00
4							0					0.00
5							0					0.00
6							0					0.00
7							0					0.00
8							0					0.00
9							0					0.00
10							0					0.00
11							0					0.00
12							0					0.00
13							0					0.00
14							0					0.00
15							0					0.00
16							0					0.00
17							0					0.00
18							0					0.00
19							0					0.00
20							0					0.00
21							0					0.00
22							0					0.00
23							0					0.00
24							0					0.00
25							0					0.00
26							0					0.00
27							0					0.00
28							0					0.00
29							0					0.00
30							0					0.00
TOTAL BUDGET REQUESTS			62,166,500	0	0	0	62,166,500	0.00	0.00	0.00	0.00	0.00

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	New Statewide Voting System
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Provide a brief, descriptive title for this request.

AMOUNT	\$60,000,000
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
	<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding
<input type="checkbox"/>	Related to a Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	Goal #2 - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters. Goal #3 - Support counties in conducting voter registration and fair, open and impartial elections.
	Replacement of the current statewide voting system is necessary to ensure votes can be cast and counted correctly.
	Funds are continually monitored internally and are included in agreed upon procedures audits conducted by the State Auditor's Office.

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

these funds be evaluated?

RECIPIENTS OF FUNDS	The SEC would be the recipient of the funds and would provide payment to the vendor awarded the contract to provide the statewide voting system.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The funds would be used to replace the statewide voting system including electronic poll books for each precinct.</p> <p>The current statewide voting system was implemented in 2004/2005 at a cost of \$34.6M and a life expectancy of 12–15 years. The current voting system has performed well in thousands of elections held across the state. However, replacement of the system is necessary in order to ensure votes can be cast and counted accurately. A voting system would include a paper record of each vote and enhanced security features.</p> <p>To ensure that South Carolina has a voting system that functions properly in future elections and includes a paper record of each vote cast, the SEC has begun preparations for replacement of the current voting system. Over the past seven fiscal years, the Agency has made budget requests to build a fund to replace the state’s aging voting system. Currently, the fund contains \$1M which was placed into an account with the Department of Administration and, beginning in FY18-19, \$4M in recurring funds. The SEC has also received a \$6M appropriation from Congress for the purpose of securing election infrastructure. Of those funds, \$5M will be used to replace the statewide voting system. The Agency’s goal is to implement a new statewide voting system in time for the 2020 election cycle.</p> <p>If funding is not provided, the current voting system could experience a higher failure rate and public trust in the election process will decline. Widespread failure of the voting system could result in elections being overturned and new elections ordered. This would be very costly for the State.</p> <p>If the statewide voting system is not replaced, South Carolina would not be in compliance with anticipated federal legislation and/or voting system standards that would require a paper record of each record cast.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. Does this non-recurring appropriation request create an annualization or need for recurring funds?

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	2020 Presidential Preference Primaries
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Provide a brief, descriptive title for this request.

AMOUNT	\$2,166,500
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input type="checkbox"/> Change in cost of providing current services to existing program audience
	<input type="checkbox"/> Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/> Non-mandated program change in service levels or areas
	<input type="checkbox"/> Proposed establishment of a new program or initiative
	<input type="checkbox"/> Loss of federal or other external financial support for existing program
	<input type="checkbox"/> Exhaustion of fund balances previously used to support program
	<input type="checkbox"/> IT Technology/Security related
	<input type="checkbox"/> Consulted DTO during development
	<input checked="" type="checkbox"/> Request for Non-Recurring Appropriations
	<input type="checkbox"/> Request for Federal/Other Authorization to spend existing funding
<input type="checkbox"/> Related to a Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:
	<input type="checkbox"/> Education, Training, and Human Development
	<input type="checkbox"/> Healthy and Safe Families
	<input type="checkbox"/> Maintaining Safety, Integrity, and Security
	<input type="checkbox"/> Public Infrastructure and Economic Development
<input checked="" type="checkbox"/> Government and Citizens	

ACCOUNTABILITY OF FUNDS	Goal #1 – Maintain a statewide voter registration system that is free of barriers. Goal #2 - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters. Goal #3 - Support counties in conducting voter registration and fair, open and impartial elections.
	The SEC and county boards of registration and elections are required to conduct Presidential Preference Primaries (PPP's), and funding is not appropriated in the SEC's budget.
	Funds are continually monitored internally and are included in agreed upon procedures audits conducted by the State Auditor's Office.

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and

AGENCY NAME:
AGENCY CODE:

State Election Commission

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SECTION:

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Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

The SEC would be the recipient of the funds and would use the funds to pay expenses and county reimbursements for the 2020 Presidential Preference Primaries. The agency would use cost saving measures when planning for the primary.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The State Election Commission (SEC) is required to conduct Presidential Preference Primaries (PPP) every four years for voters to express their preference for the party's nomination for President of the United States.

The SEC and county boards of registration and elections have conducted previous PPP's at the cost listed below:

2008	2012	2016
Democratic & Republican	Republican	Democratic & Republican
\$2,390,806	\$1,321,187	\$2,578,263

The majority of the expenses incurred for conducting a PPP are for poll managers. Other expenditures include ballots, legal notices, polling place technicians, postage, security, training, freight, etc.

At this time, we are unsure if both the Democratic and Republican parties will hold PPP's in 2020. The Democratic Party has scheduled their PPP for February 2020. If only the Democratic Party holds a PPP, we estimate the cost to be \$2,166,500. If two PPP's are held, the estimated cost is \$3,385,000.

The SEC anticipates having a new statewide voting system in place that uses a paper ballot and this will increase the cost over previous PPP's.

The SEC is requesting funding for only one PPP at this time. If two PPP's are held, the SEC will use funds appropriated for the June primaries, but will include the additional cost amount in the FY2021 budget to restore those funds.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. Does this non-recurring appropriation request create an annualization or need for recurring funds?

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FORM D – PROVISIO REVISION REQUEST

NUMBER	101.7
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: Training & Certification Program
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	III. Public Information and Training
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Amend
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>This proviso currently states “if a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county’s legislative delegation must replace that person on the board”. Section 7-5-10 (D)(2) of the SC Code of Laws states “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”.</p> <p>The SEC is requesting that the proviso be changed to delete the information that conflicts with Section 7-5-10 (D)(2) of the SC Code of Laws.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the amendment of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT	<p>101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.</p> <p>The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.</p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: Voting System Examination Fee
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	None
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Pursuant to Sections 7-13-1330 and 7-13-1620 of the South Carolina Code of Laws, the State Election Commission must approve a voting system before the system may be used in any election. Any vendor seeking certification of a new voting system must pay a nonrefundable examination fee of \$1,000. A vendor must pay a \$500 nonrefundable examination fee for any upgrade to an existing system.</p> <p>Currently, the SEC does not have authority to retain the funds received for the examination fees.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the addition of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT	<p>101.14. (ELECT: Voting System Approval Fee) <u>Revenue received by the State Election Commission for the examination of a new voting system or an upgrade to an existing voting system may be retained and expended by the South Carolina Election Commission. Any balance in the voting system approval account on June thirtieth of the prior fiscal year may be carried forward and expended to support the statewide voting system.</u></p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: Voting System Refresh Funds Carry Forward
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	None
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>The SEC received \$4,000,000 in voting system refresh funds in FY2019. The funds were appropriated in anticipation of refreshing the system to extend the life of the system through the 2022 elections. It now appears Congress may require states to replace paperless voting systems prior to the 2020 election cycle. Therefore, the refresh funds were not used. The purpose of this proviso is to allow the refresh funds to be used toward the purchase of a new statewide voting system.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the addition of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISIO TEXT	<p>101.15. (ELECT: Voting System Refresh Funds Carry Forward) <u>Funds appropriated to the State Election Commission for refreshing the current statewide voting system may be carried forward into the current fiscal year. These funds may be used to purchase a new statewide voting system.</u></p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: New Statewide Voting System Funds Carry Forward
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	None
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>The SEC received \$4,000,000 in recurring funds to purchase a new statewide voting system in FY2019. The purpose of this proviso is to allow the funds to be carried forward into the new fiscal year.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the addition of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT	<p>101.16. (ELECT: New Statewide Voting System Funds Carry Forward) <u>Funds</u> appropriated to the State Election Commission for a new statewide voting system may be carried forward into the new fiscal year.</p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

**FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION
CONTINGENCY PLAN**

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
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AMOUNT	\$82,022
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What is the General Fund 3% reduction amount (minimum based on the FY 2018-19 recurring appropriations)? This amount should correspond to the reduction spreadsheet prepared by EBO.

ASSOCIATED FTE REDUCTIONS	No FTE's would be reduced.
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How many FTEs would be reduced in association with this General Fund reduction?

PROGRAM/ACTIVITY IMPACT	<p>The Agency would reduce operating costs for the Administration, Voter Services and Public Information and Training divisions.</p>
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What programs or activities are supported by the General Funds identified?

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SUMMARY	<p><u>Method of Calculation</u></p> <p>The SEC's general fund appropriation is \$10,567,053. \$3,833,000 is exempt from mandated reductions due to Provisos 101.1 and 101.5. Additionally, \$4M has been provided as recurring funds to be used solely for the replacement of a new statewide voting system.</p> <p>Proviso 101.1 references Aid to County stipends for County Boards of Voter Registration and Election Commission board members, and the proviso exempts these funds from the calculation of mandated reductions.</p> <p>Proviso 101.5 states that recurring and nonrecurring primary and general election funds are exempt from the calculation of mandated reductions.</p> <p>\$10,567,053 (7,833,000) \$ 2,734,053</p> <p>\$2,734,053 x 3% = \$82,022</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS	<p>In order to absorb a 3% reduction, the SEC would reduce spending for supplies, training and travel.</p>
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What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

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FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	\$0
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What is the expected savings to South Carolina’s businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark “X” for all that apply:</p> <input type="checkbox"/> Repeal or revision of regulations. <input type="checkbox"/> Reduction of agency fees or fines to businesses or citizens. <input type="checkbox"/> Greater efficiency in agency services or reduction in compliance burden. <input type="checkbox"/> Other
--	--

METHOD OF CALCULATION	None. All fees collected by the SEC are provided by statute or through agency proviso.
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	None
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

SUMMARY

The SEC is required to collect the following fees:

- Section 7-13-40 of the SC Code of Laws requires the SEC to collect filing fees from candidates to offset the cost of conducting primaries
- Section 7-3-20 of the SC Code of Laws requires the SEC to provide precinct lists to any registered voter in South Carolina at a reasonable price
- Proviso 101.7 allows the SEC to charge each class participant a fee to attend the SEC's Training and Certification classes to offset the cost for conducting the classes

Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?

Constitutional Subcommittee Proviso Request Summary FY 2019/20

Proviso # in FY 18-19 Act	Renumbered FY 19-20 Proviso #	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
101.1	101.1	County Boards of Voter Registration and Elections Compensation	Funds appropriated for compensation of board members of County Boards of Voter Registration and Elections. The maximum amount allowed per year is \$1,500 per member and \$13,500 per county.	Keep
101.2	101.2	Elections Managers & Clerks Per Diem	Provides the maximum rate of pay per day for all clerks and poll managers, provides the maximum number of allowable days for which clerks/poll managers may be paid for an election, and provides additional poll manager reimbursement for each county, before and following statewide elections.	Keep
101.3	101.3	Board of State Canvassers Compensation	Provides \$100 per day, up to a total of 15 days per year, additional compensation for the Board of State Canvassers members when the Board is required to conduct protest and appeal hearings following elections.	Keep
101.4	101.4	Sale of List Revenue Carry Forward	authority to generate and retain revenue from the sale of election lists after expenses of the program have been paid. Also allows the SEC to use up to \$400,000 for nonrecurring expenses in conjunction with extraordinary special elections and legal costs	Keep
101.5	101.5	Budget Reduction Exemption	Exempts funds appropriated for recurring and non-recurring general and primary election expenses from mandated across the board reductions. Also excludes those funds from the agency's base budget.	Keep
101.6	101.6	Primary and General Election Carry Forward	Allows fees from candidates filing to run for office to be retained and expended by the State Election Commission to pay for the conduct of those elections. Provides that any balance in the account at the end of the fiscal year be carried forward and expended for the same purposes.	Keep

101.7	101.7	Training & Certification Program	The SEC provides members and staff of County Boards of Voter Registration and Elections with training on duties and responsibilities of the boards. The SEC is allowed to retain and expend up to \$35,000 of revenue generated by charging a fee to attend the courses. Requires the SEC to withhold the stipend of members who do not complete the program as required in Section 7-5-10 of the 1976 Code of Laws. Additionally, funds must be withheld if a member does not complete at least one training course per year. Requires removal by the county's legislative delegation if a board member does not become compliant within 18 months of initial notification of stipend withholding.	Change
101.8	101.8	Penalty for Late Submission of Reimbursable Expenses	Allows the SEC to deduct 10% from allowable expenses submitted for the conduct of elections. Also allows 10% to be deducted if expenses are not submitted by the county in the Statewide Voter Registration Election Management System.	Keep
101.9	101.9	HAVA Carry Forward	Allows the SEC to carry forward any unexpended Help America Vote Act (HAVA) funds.	Keep
101.10	101.10	HAVA Match Funds	Allows funds appropriated for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) to be moved into a restricted account in order that the funds may accrue interest as required by the Act.	Keep
101.11	101.11	Use of Election Funds	Provides that funds appropriated to the SEC for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in the Appropriations Act. Allows up to \$200,000 be transferred to other operating upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee and the Governor of such transfer of funds.	Keep

101.12	101.12	Statewide Voting System Reserve Fund	Pursuant to Sections 7-13-1330 and 7-13-1620 of the South Carolina Code of Laws, the State Election Commission must approve a voting system before the system may be used in any election. Any vendor seeking certification of a new voting system must pay a nonrefundable examination fee of \$1,000. A vendor must pay a \$500 nonrefundable examination fee for any upgrade to an existing system.	Keep
101.13	101.13	Match for Additional HAVA Funds	Allows the SEC to use election funds and voting system refurbishment funds to provide a match for additional HAVA funds	Keep
NA	101.14	Voting System Approval Fee	Allows revenue received by the SEC for the examination of a new voting system or upgrade to an existing voting system to be retained and expended to support the voting system. Also allows any balance in the voting system approval account on June thirtieth of the prior fiscal year to be carried forward and expended to support the statewide voting system.	Add
NA	101.15	Voting System Refurbishment Funds Carry Forward	Allows funds for voting system refurbishment to be carried forward into the current fiscal year. Also allows the funds to be used to replace the current voting system.	Add
NA	101.16	Statewide Voting System Funds Carry Forward	Allows funds appropriated in FY2019 for the purpose of a statewide voting system to be carried forward into the current fiscal year.	Add

State Election Commission 2018-19 Provisos

101.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County Boards of Voter Registration and Elections Board Members," shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$13,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections Board Members shall be excluded from the agency's base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections.

101.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$75.00 for the day of work and \$60.00 for training and paperwork. Managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$75.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of \$75.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

101.3. (ELECT: Board of State Canvassers Compensation) \$100.00 additional compensation per day may be paid to each member of the Board of State Canvassers up to a total of fifteen days that may be required for hearings held by the members of the Board of State Canvassers.

101.4. (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and expended by the South Carolina Election Commission to reimburse the Department of Administration, for the printing of such lists and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made an amount, not to exceed \$400,000, shall be used for nonrecurring expenses in conjunction with extraordinary special election and legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year.

101.5. (ELECT: Budget Reduction Exemption) Funds appropriated for recurring and nonrecurring general and primary election expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for recurring and nonrecurring primary and general election expenses shall be excluded from the agency's base budget.

101.6. (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections. Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections.

State Election Commission 2018-19 Provisos

101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.

101.8. (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election expenses to the Commission for payment more than thirty days after the election is held, the Commission may deduct a penalty of ten percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds appropriated/authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year. If a county submits a request for reimbursement of election expenses through any means other than the Voter Registration and Election Management System (VREMS), the Commission may deduct a penalty of ten percent of the amount submitted.

101.9. (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help America Vote Act funds into the current fiscal year and to use these funds for the same purpose.

101.10. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections. These funds may also be used to reimburse local governmental entities for expenses incurred in the prior fiscal year associated with special primaries, runoffs, and general elections.

101.11. (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in this act. However, up to \$200,000 may be transferred to other operating accounts from General Election accounts upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of such transfer of funds.

**State Election Commission
2018-19 Provisos**

101.12. (ELECT: Statewide Voting System Reserve Fund) Of the funds appropriated for the New Statewide Voting System, there is created within the State Election Commission the Statewide Voting System Reserve Fund. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund may only be used by the State Election Commission for the procurement of a new Statewide Voting System. The State Election Commission must receive authorization from the General Assembly prior to expending any amount from the fund. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

101.13. (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system refurbishment to provide a match for the federal funds.

**State Election Commission
Carry Forward FY2018-19**

General Fund Recurring		
Operating	350,950	
Aid to County	75,095	
Election Funds	<u>1,879,615</u>	
	2,305,661	
Total General Funds Carry Forward		2,305,661
Other Funds		
Sale of Lists	174,886	
Statewide Primary Filing Fees	543,964	
Training Certification	<u>51,593</u>	
	770,443	
Total Other Funds		770,443
Federal Funds		
Help America Vote Act	6,452,486	
Total Federal Funds Carry Forward		<u>6,452,486</u>
Grand Total All Funds Available at end of FY2018-2019		<u><u>9,528,590</u></u>

**State Election Commission
Authorized Positions**

Administration

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Agency Head	1				1
Administration Manager I	1				1
Admn. Coord. I	1				1
Acct/Fiscal Analyst II	1				1
Fiscal Tech I			1		1
Postal Courier			1		1
Postal Courier		0.5			0.5
Attorney III	1				1
Total Administration	5	0.5	2	0	7.5

Voter Services

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Program Manager I	1	1			2
IT Technician III	1				1
IT Service Specialist III	3				3
IT Service Specialist II	3	2			5
Program Coord. II	3	2			5
Total Voter Services	11	5	0	0	16

Public Information/Training

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Prog. Mgr. I	1				1
Ins/Trng Coord. I	1				1
Ins/Trng Coord. II	1				1
Total PI/Training	3	0	0	0	3

Grand Total Authorized Positions	19	5.5	2	0	26.5
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**Budget Presentation
FY2019-20**

**House Ways and Means
Legislative, Executive and Local Government**

January 15, 2019

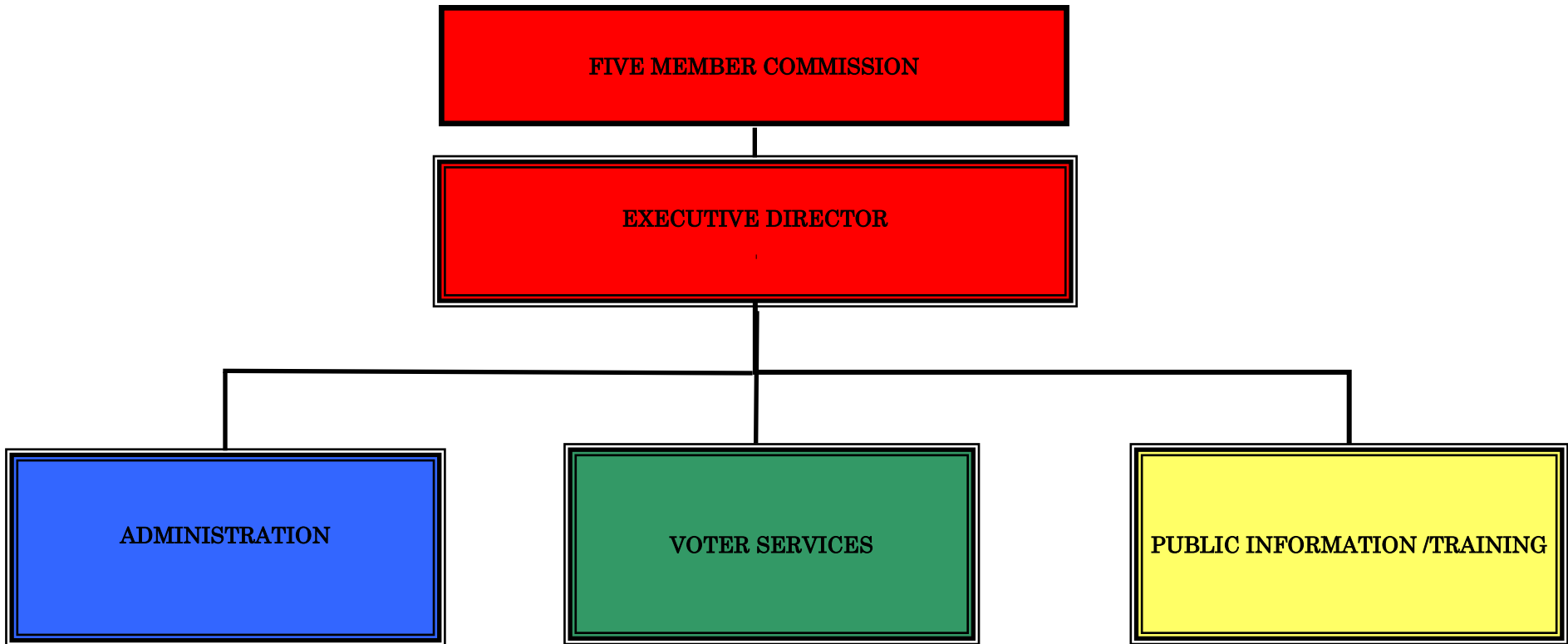
SOUTH CAROLINA
ELECTION COMMISSION

SEC Officials Attending Hearing:

Name	Title	Email	Telephone
Marci Andino	Executive Director	marci@elections.sc.gov	(803) 734-9060
Janet Reynolds	Director of Administration & Finance	jreynolds@elections.sc.gov	(803) 734-9069
Chris Whitmire	Director of Public Information & Training	cwhitmire@elections.sc.gov	(803) 734-9070
Howard Snider	Director of Voter Services	hsnider@elections.sc.gov	(803) 734-9004
Harrison Brant	Legal Counsel	hbrant@elections.sc.gov	(803) 734-9063

SOUTH CAROLINA

ELECTION COMMISSION



FIVE MEMBER COMMISSION

**EXECUTIVE DIRECTOR
UA01**

**LEGAL COUNSEL
AE30**

**ADMINISTRATIVE MANAGER I
AH20**

**PROGRAM MANAGER I
AH45**

**PROGRAM MANAGER I
AH45**

**PROGRAM MANAGER I
AH45**

**FISCAL ANALYST I
AD22**

**FISCAL TECH I
AD01**

**ADMIN COORD I
AH10**

**POSTAL COURIER
AB20**

**POSTAL SPECIALIST
AB10**

**INST / TRNG COORD II
AG35**

**INST / TRNG COORD I
AG35**

**IT TECH III
AM72**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**PROGRAM COORD II
AH40**

**IT SERVICES SPEC III
AM62**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

**IT SERVICES SPEC II
AM61**

State Election Commission

The mission of the State Election Commission (SEC) is 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.

The SEC is charged by law with:

- Maintaining the statewide voter registration system
- Supporting the statewide voting system
- Supervising 46 county boards of voter registration and elections
- Performing audits and post-election analyses of county boards of registration and elections
- Assisting with county operations if a county election office fails to comply with state and federal law or SEC policies and procedures; or if a county is unable to certify election results in a timely manner
- Conducting a training and certification program for local election officials
- Conducting candidate filing and providing a candidate tracking system

The SEC is requesting the following non-recurring funds in the FY2019-20 budget request:

- \$60M for a statewide voting system
 - Current system is at end of life and replacement is necessary to ensure votes can be cast and counted accurately
 - New voting system will include a paper record of each vote and will include enhanced security features
- \$2,166,500 for 2020 Presidential Primary(ies) (PPP)
 - Requesting funds for one PPP at this time. If two PPP's are held, the SEC will use funds appropriated for the June primaries, but will include the additional cost amount in the FY2021 budget to restore those funds.

State Election Commission FY2017-18 Accountability Report Summary

Major Achievements:

- Successfully conducted the statewide primaries and runoffs
- Continued to enhance security and resilience measures, procedures, controls and contingency plans to protect the statewide voting system, the statewide voter registration system and the election process in general
- Conducted pre- and post-certification election results audits on all state-level elections.
- Conducted candidate filing for the 2018 statewide general election
- Provided voting system support to county boards of voter registration and elections for approximately 200 statewide, county, special and municipal elections, saving counties more than \$1.5M annually
- Continued to educate voters on all aspects of voter registration and elections through the Agency's SC Votes voter education initiative, focusing on educating voters on Photo ID requirements

Goals:

- Provide for a system of voter registration that is free of barriers
- Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters
- Support counties in conducting voter registration and fair, open and impartial elections
- Effectively oversee all agency programs and operations

Key Opportunities and Challenges:

- Strengthening the physical and cyber security and resilience of South Carolina's election infrastructure in the face of technical and budgetary challenges
- Securing funding for replacement of the current voting system
- Working with the General Assembly to develop and enact legislation to improve voter registration and elections in South Carolina

FY 19-20 Budget Priorities Summary

State Election Commission

Budget Priorities			Funding					FTEs				
Priority No.	Priority Type (non-recurring/ recurring /other funds adjustment/ federal funds adjustment)	Priority Title	Priority Description	Non - Recurring	Recurring	Other	Federal	Total	State	Other	Federal	Total
1	Non-recurring	Statewide Voting System		60,000,000	0	0	0	60,000,000	0	0	0	0
2	Non-recurring	2020 Presidential Preference Primaries		2,166,500	0	0	0	2,166,500	0	0	0	0

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101



**Fiscal Year 2019-20
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS (FORM B1)	For FY 2019-20, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting General Fund Appropriations.
	<input type="checkbox"/>	Requesting Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.
NON-RECURRING REQUESTS (FORM B2)	For FY 2019-20, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.
CAPITAL REQUESTS (FORM C)	For FY 2019-20, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.
PROVISOS (FORM D)	For FY 2019-20, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
	<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Janet Reynolds	(803) 734-9069	jreynolds@elections.sc.gov
SECONDARY CONTACT:	Marci Andino	(803) 734-9001	marci@elections.sc.gov

I have reviewed and approved the enclosed FY 2019-20 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<u>Agency Director</u>	<u>Board or Commission Chair</u>
SIGN/DATE:		
TYPE/PRINT NAME:	Marci Andino	Billy Way, Jr.

This form must be signed by the agency head – not a delegate.

Fiscal Year 2019-20 Budget Request Executive Summary

Agency Code: E280
 Agency Name: Election Commission
 Section: 101

BUDGET REQUESTS			FUNDING					FTES				
Priority	Request Type	Request Title	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
1	B2 - Non-Recurring	New Statewide Voting System	60,000,000	0	0	0	60,000,000	0.00	0.00	0.00	0.00	0.00
2	B2 - Non-Recurring	2020 Presidential Preference Primaries	2,166,500	0	0	0	2,166,500	0.00	0.00	0.00	0.00	0.00
3							0					0.00
4							0					0.00
5							0					0.00
6							0					0.00
7							0					0.00
8							0					0.00
9							0					0.00
10							0					0.00
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20							0					0.00
21							0					0.00
22							0					0.00
23							0					0.00
24							0					0.00
25							0					0.00
26							0					0.00
27							0					0.00
28							0					0.00
29							0					0.00
30							0					0.00
TOTAL BUDGET REQUESTS			62,166,500	0	0	0	62,166,500	0.00	0.00	0.00	0.00	0.00

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	New Statewide Voting System
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Provide a brief, descriptive title for this request.

AMOUNT	\$60,000,000
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
	<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding
<input type="checkbox"/>	Related to a Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	Goal #2 - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters. Goal #3 - Support counties in conducting voter registration and fair, open and impartial elections.
	Replacement of the current statewide voting system is necessary to ensure votes can be cast and counted correctly.
	Funds are continually monitored internally and are included in agreed upon procedures audits conducted by the State Auditor's Office.

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

these funds be evaluated?

RECIPIENTS OF FUNDS	<p>The SEC would be the recipient of the funds and would provide payment to the vendor awarded the contract to provide the statewide voting system.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The funds would be used to replace the statewide voting system including electronic poll books for each precinct.</p> <p>The current statewide voting system was implemented in 2004/2005 at a cost of \$34.6M and a life expectancy of 12–15 years. The current voting system has performed well in thousands of elections held across the state. However, replacement of the system is necessary in order to ensure votes can be cast and counted accurately. A voting system would include a paper record of each vote and enhanced security features.</p> <p>To ensure that South Carolina has a voting system that functions properly in future elections and includes a paper record of each vote cast, the SEC has begun preparations for replacement of the current voting system. Over the past seven fiscal years, the Agency has made budget requests to build a fund to replace the state’s aging voting system. Currently, the fund contains \$1M which was placed into an account with the Department of Administration and, beginning in FY18-19, \$4M in recurring funds. The SEC has also received a \$6M appropriation from Congress for the purpose of securing election infrastructure. Of those funds, \$5M will be used to replace the statewide voting system. The Agency’s goal is to implement a new statewide voting system in time for the 2020 election cycle.</p> <p>If funding is not provided, the current voting system could experience a higher failure rate and public trust in the election process will decline. Widespread failure of the voting system could result in elections being overturned and new elections ordered. This would be very costly for the State.</p> <p>If the statewide voting system is not replaced, South Carolina would not be in compliance with anticipated federal legislation and/or voting system standards that would require a paper record of each record cast.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. Does this non-recurring appropriation request create an annualization or need for recurring funds?

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	2020 Presidential Preference Primaries
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Provide a brief, descriptive title for this request.

AMOUNT	\$2,166,500
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input type="checkbox"/> Change in cost of providing current services to existing program audience
	<input type="checkbox"/> Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/> Non-mandated program change in service levels or areas
	<input type="checkbox"/> Proposed establishment of a new program or initiative
	<input type="checkbox"/> Loss of federal or other external financial support for existing program
	<input type="checkbox"/> Exhaustion of fund balances previously used to support program
	<input type="checkbox"/> IT Technology/Security related
	<input type="checkbox"/> Consulted DTO during development
	<input checked="" type="checkbox"/> Request for Non-Recurring Appropriations
	<input type="checkbox"/> Request for Federal/Other Authorization to spend existing funding
<input type="checkbox"/> Related to a Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:
	<input type="checkbox"/> Education, Training, and Human Development
	<input type="checkbox"/> Healthy and Safe Families
	<input type="checkbox"/> Maintaining Safety, Integrity, and Security
	<input type="checkbox"/> Public Infrastructure and Economic Development
<input checked="" type="checkbox"/> Government and Citizens	

ACCOUNTABILITY OF FUNDS	Goal #1 – Maintain a statewide voter registration system that is free of barriers. Goal #2 - Certify and support a statewide voting system that meets state law, federal voting system standards and is accessible for all voters. Goal #3 - Support counties in conducting voter registration and fair, open and impartial elections.
	The SEC and county boards of registration and elections are required to conduct Presidential Preference Primaries (PPP's), and funding is not appropriated in the SEC's budget.
	Funds are continually monitored internally and are included in agreed upon procedures audits conducted by the State Auditor's Office.

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and

AGENCY NAME:
AGENCY CODE:

State Election Commission

E28

SECTION:

101

Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

The SEC would be the recipient of the funds and would use the funds to pay expenses and county reimbursements for the 2020 Presidential Preference Primaries. The agency would use cost saving measures when planning for the primary.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The State Election Commission (SEC) is required to conduct Presidential Preference Primaries (PPP) every four years for voters to express their preference for the party's nomination for President of the United States.

The SEC and county boards of registration and elections have conducted previous PPP's at the cost listed below:

2008	2012	2016
Democratic & Republican	Republican	Democratic & Republican
\$2,390,806	\$1,321,187	\$2,578,263

The majority of the expenses incurred for conducting a PPP are for poll managers. Other expenditures include ballots, legal notices, polling place technicians, postage, security, training, freight, etc.

At this time, we are unsure if both the Democratic and Republican parties will hold PPP's in 2020. The Democratic Party has scheduled their PPP for February 2020. If only the Democratic Party holds a PPP, we estimate the cost to be \$2,166,500. If two PPP's are held, the estimated cost is \$3,385,000.

The SEC anticipates having a new statewide voting system in place that uses a paper ballot and this will increase the cost over previous PPP's.

The SEC is requesting funding for only one PPP at this time. If two PPP's are held, the SEC will use funds appropriated for the June primaries, but will include the additional cost amount in the FY2021 budget to restore those funds.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. Does this non-recurring appropriation request create an annualization or need for recurring funds?

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	101.7
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: Training & Certification Program
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	III. Public Information and Training
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Amend
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>This proviso currently states “if a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county’s legislative delegation must replace that person on the board”. Section 7-5-10 (D)(2) of the SC Code of Laws states “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”.</p> <p>The SEC is requesting that the proviso be changed to delete the information that conflicts with Section 7-5-10 (D)(2) of the SC Code of Laws.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the amendment of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT	<p>101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.</p> <p>The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.</p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: Voting System Examination Fee
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	None
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Pursuant to Sections 7-13-1330 and 7-13-1620 of the South Carolina Code of Laws, the State Election Commission must approve a voting system before the system may be used in any election. Any vendor seeking certification of a new voting system must pay a nonrefundable examination fee of \$1,000. A vendor must pay a \$500 nonrefundable examination fee for any upgrade to an existing system.</p> <p>Currently, the SEC does not have authority to retain the funds received for the examination fees.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the addition of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT	<p>101.14. (ELECT: Voting System Approval Fee) <u>Revenue received by the State Election Commission for the examination of a new voting system or an upgrade to an existing voting system may be retained and expended by the South Carolina Election Commission. Any balance in the voting system approval account on June thirtieth of the prior fiscal year may be carried forward and expended to support the statewide voting system.</u></p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: Voting System Refresh Funds Carry Forward
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	None
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>The SEC received \$4,000,000 in voting system refresh funds in FY2019. The funds were appropriated in anticipation of refreshing the system to extend the life of the system through the 2022 elections. It now appears Congress may require states to replace paperless voting systems prior to the 2020 election cycle. Therefore, the refresh funds were not used. The purpose of this proviso is to allow the refresh funds to be used toward the purchase of a new statewide voting system.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the addition of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISIO TEXT	<p>101.15. (ELECT: Voting System Refresh Funds Carry Forward) <u>Funds appropriated to the State Election Commission for refreshing the current statewide voting system may be carried forward into the current fiscal year. These funds may be used to purchase a new statewide voting system.</u></p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM D – PROVISIO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	ELECT: New Statewide Voting System Funds Carry Forward
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	None
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	None
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>The SEC received \$4,000,000 in recurring funds to purchase a new statewide voting system in FY2019. The purpose of this proviso is to allow the funds to be carried forward into the new fiscal year.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FISCAL IMPACT	<p>There will be no fiscal impact on the addition of the proviso.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT	<p>101.16. (ELECT: New Statewide Voting System Funds Carry Forward) <u>Funds appropriated to the State Election Commission for a new statewide voting system may be carried forward into the new fiscal year.</u></p>
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Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION CONTINGENCY PLAN

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
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AMOUNT	\$82,022
	<i>What is the General Fund 3% reduction amount (minimum based on the FY 2018-19 recurring appropriations)? This amount should correspond to the reduction spreadsheet prepared by EBO.</i>

ASSOCIATED FTE REDUCTIONS	No FTE's would be reduced.
	<i>How many FTEs would be reduced in association with this General Fund reduction?</i>

PROGRAM/ACTIVITY IMPACT	The Agency would reduce operating costs for the Administration, Voter Services and Public Information and Training divisions.
	<i>What programs or activities are supported by the General Funds identified?</i>

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

SUMMARY	<p><u>Method of Calculation</u></p> <p>The SEC's general fund appropriation is \$10,567,053. \$3,833,000 is exempt from mandated reductions due to Provisos 101.1 and 101.5. Additionally, \$4M has been provided as recurring funds to be used solely for the replacement of a new statewide voting system.</p> <p>Proviso 101.1 references Aid to County stipends for County Boards of Voter Registration and Election Commission board members, and the proviso exempts these funds from the calculation of mandated reductions.</p> <p>Proviso 101.5 states that recurring and nonrecurring primary and general election funds are exempt from the calculation of mandated reductions.</p> <p style="margin-left: 20px;">\$10,567,053 (7,833,000) \$ 2,734,053</p> <p style="margin-left: 20px;">\$2,734,053 x 3% = \$82,022</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS	<p>In order to absorb a 3% reduction, the SEC would reduce spending for supplies, training and travel.</p>
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What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	\$0
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What is the expected savings to South Carolina’s businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark “X” for all that apply:</p> <input type="checkbox"/> Repeal or revision of regulations. <input type="checkbox"/> Reduction of agency fees or fines to businesses or citizens. <input type="checkbox"/> Greater efficiency in agency services or reduction in compliance burden. <input type="checkbox"/> Other
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METHOD OF CALCULATION	None. All fees collected by the SEC are provided by statute or through agency proviso.
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	None
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

AGENCY NAME:	State Election Commission		
AGENCY CODE:	E28	SECTION:	101

SUMMARY

The SEC is required to collect the following fees:

- Section 7-13-40 of the SC Code of Laws requires the SEC to collect filing fees from candidates to offset the cost of conducting primaries
- Section 7-3-20 of the SC Code of Laws requires the SEC to provide precinct lists to any registered voter in South Carolina at a reasonable price
- Proviso 101.7 allows the SEC to charge each class participant a fee to attend the SEC's Training and Certification classes to offset the cost for conducting the classes

Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?

Constitutional Subcommittee Proviso Request Summary FY 2019/20

Proviso # in FY 18-19 Act	Renumbered FY 19-20 Proviso #	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
101.1	101.1	County Boards of Voter Registration and Elections Compensation	Funds appropriated for compensation of board members of County Boards of Voter Registration and Elections. The maximum amount allowed per year is \$1,500 per member and \$13,500 per county.	Keep
101.2	101.2	Elections Managers & Clerks Per Diem	Provides the maximum rate of pay per day for all clerks and poll managers, provides the maximum number of allowable days for which clerks/poll managers may be paid for an election, and provides additional poll manager reimbursement for each county, before and following statewide elections.	Keep
101.3	101.3	Board of State Canvassers Compensation	Provides \$100 per day, up to a total of 15 days per year, additional compensation for the Board of State Canvassers members when the Board is required to conduct protest and appeal hearings following elections.	Keep
101.4	101.4	Sale of List Revenue Carry Forward	authority to generate and retain revenue from the sale of election lists after expenses of the program have been paid. Also allows the SEC to use up to \$400,000 for nonrecurring expenses in conjunction with extraordinary special elections and legal costs	Keep
101.5	101.5	Budget Reduction Exemption	Exempts funds appropriated for recurring and non-recurring general and primary election expenses from mandated across the board reductions. Also excludes those funds from the agency's base budget.	Keep
101.6	101.6	Primary and General Election Carry Forward	Allows fees from candidates filing to run for office to be retained and expended by the State Election Commission to pay for the conduct of those elections. Provides that any balance in the account at the end of the fiscal year be carried forward and expended for the same purposes.	Keep

101.7	101.7	Training & Certification Program	The SEC provides members and staff of County Boards of Voter Registration and Elections with training on duties and responsibilities of the boards. The SEC is allowed to retain and expend up to \$35,000 of revenue generated by charging a fee to attend the courses. Requires the SEC to withhold the stipend of members who do not complete the program as required in Section 7-5-10 of the 1976 Code of Laws. Additionally, funds must be withheld if a member does not complete at least one training course per year. Requires removal by the county's legislative delegation if a board member does not become compliant within 18 months of initial notification of stipend withholding.	Change
101.8	101.8	Penalty for Late Submission of Reimbursable Expenses	Allows the SEC to deduct 10% from allowable expenses submitted for the conduct of elections. Also allows 10% to be deducted if expenses are not submitted by the county in the Statewide Voter Registration Election Management System.	Keep
101.9	101.9	HAVA Carry Forward	Allows the SEC to carry forward any unexpended Help America Vote Act (HAVA) funds.	Keep
101.10	101.10	HAVA Match Funds	Allows funds appropriated for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) to be moved into a restricted account in order that the funds may accrue interest as required by the Act.	Keep
101.11	101.11	Use of Election Funds	Provides that funds appropriated to the SEC for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in the Appropriations Act. Allows up to \$200,000 be transferred to other operating upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee and the Governor of such transfer of funds.	Keep

101.12	101.12	Statewide Voting System Reserve Fund	Pursuant to Sections 7-13-1330 and 7-13-1620 of the South Carolina Code of Laws, the State Election Commission must approve a voting system before the system may be used in any election. Any vendor seeking certification of a new voting system must pay a nonrefundable examination fee of \$1,000. A vendor must pay a \$500 nonrefundable examination fee for any upgrade to an existing system.	Keep
101.13	101.13	Match for Additional HAVA Funds	Allows the SEC to use election funds and voting system refurbishment funds to provide a match for additional HAVA funds	Keep
NA	101.14	Voting System Approval Fee	Allows revenue received by the SEC for the examination of a new voting system or upgrade to an existing voting system to be retained and expended to support the voting system. Also allows any balance in the voting system approval account on June thirtieth of the prior fiscal year to be carried forward and expended to support the statewide voting system.	Add
NA	101.15	Voting System Refurbishment Funds Carry Forward	Allows funds for voting system refurbishment to be carried forward into the current fiscal year. Also allows the funds to be used to replace the current voting system.	Add
NA	101.16	Statewide Voting System Funds Carry Forward	Allows funds appropriated in FY2019 for the purpose of a statewide voting system to be carried forward into the current fiscal year.	Add

State Election Commission 2018-19 Provisos

101.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County Boards of Voter Registration and Elections Board Members," shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$13,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections Board Members shall be excluded from the agency's base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections.

101.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$75.00 for the day of work and \$60.00 for training and paperwork. Managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$75.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of \$75.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

101.3. (ELECT: Board of State Canvassers Compensation) \$100.00 additional compensation per day may be paid to each member of the Board of State Canvassers up to a total of fifteen days that may be required for hearings held by the members of the Board of State Canvassers.

101.4. (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and expended by the South Carolina Election Commission to reimburse the Department of Administration, for the printing of such lists and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made an amount, not to exceed \$400,000, shall be used for nonrecurring expenses in conjunction with extraordinary special election and legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year.

101.5. (ELECT: Budget Reduction Exemption) Funds appropriated for recurring and nonrecurring general and primary election expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for recurring and nonrecurring primary and general election expenses shall be excluded from the agency's base budget.

101.6. (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections. Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections.

State Election Commission 2018-19 Provisos

101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.

101.8. (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election expenses to the Commission for payment more than thirty days after the election is held, the Commission may deduct a penalty of ten percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds appropriated/authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year. If a county submits a request for reimbursement of election expenses through any means other than the Voter Registration and Election Management System (VREMS), the Commission may deduct a penalty of ten percent of the amount submitted.

101.9. (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help America Vote Act funds into the current fiscal year and to use these funds for the same purpose.

101.10. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections. These funds may also be used to reimburse local governmental entities for expenses incurred in the prior fiscal year associated with special primaries, runoffs, and general elections.

101.11. (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in this act. However, up to \$200,000 may be transferred to other operating accounts from General Election accounts upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of such transfer of funds.

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101.12. (ELECT: Statewide Voting System Reserve Fund) Of the funds appropriated for the New Statewide Voting System, there is created within the State Election Commission the Statewide Voting System Reserve Fund. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund may only be used by the State Election Commission for the procurement of a new Statewide Voting System. The State Election Commission must receive authorization from the General Assembly prior to expending any amount from the fund. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

101.13. (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system refurbishment to provide a match for the federal funds.

**State Election Commission
Carry Forward FY2018-19**

General Fund Recurring		
Operating	350,950	
Aid to County	75,095	
Election Funds	1,879,615	
	<u>2,305,661</u>	
Total General Funds Carry Forward		2,305,661
Other Funds		
Sale of Lists	174,886	
Statewide Primary Filing Fees	543,964	
Training Certification	51,593	
	<u>770,443</u>	
Total Other Funds		770,443
Federal Funds		
Help America Vote Act	6,452,486	
Total Federal Funds Carry Forward		<u>6,452,486</u>
Grand Total All Funds Available at end of FY2018-2019		<u><u>9,528,590</u></u>

**State Election Commission
Authorized Positions**

Administration

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Agency Head	1				1
Administration Manager I	1				1
Admn. Coord. I	1				1
Acct/Fiscal Analyst II	1				1
Fiscal Tech I			1		1
Postal Courier			1		1
Postal Courier		0.5			0.5
Attorney III	1				1
Total Administration	5	0.5	2	0	7.5

Voter Services

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Program Manager I	1	1			2
IT Technician III	1				1
IT Service Specialist III	3				3
IT Service Specialist II	3	2			5
Program Coord. II	3	2			5
Total Voter Services	11	5	0	0	16

Public Information/Training

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Prog. Mgr. I	1				1
Ins/Trng Coord. I	1				1
Ins/Trng Coord. II	1				1
Total PI/Training	3	0	0	0	3

Grand Total Authorized Positions	19	5.5	2	0	26.5
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