

SOUTH CAROLINA

ELECTION COMMISSION

Budget Presentation FY 2021-22

House Ways and Means Constitutional Subcommittee

January 5, 2021

**every vote matters.
every vote counts.**

S.C. State Election Commission
Agency Attendees

- Marci Andino, *Executive Director*
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- Howard M. Knapp, *Director of Voter Services*
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S.C. State Election Commission **Budget Request Summary**

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 \$930,000 in recurring funds in the FY2021-22 budget request to support the new paper-based voting system.

- Ballot cards for 110/% of registered voters - \$430,000
- Delivery/pickup of ballot marking devices, precinct tabulators and other items required for polling places - \$150,000
- Post-election audit and ballot verification services - \$350,000

The SEC is also requesting \$1,353,494 in non-recurring funds in the FY2021-22 budget request.

- The Consolidated Appropriations Act of 2020 provides funds to the U.S. Election Assistance Commission to provide grants to states.
- Funds are provided to improve administration of elections for federal office, including enhancing election technology and security improvements.
- States are required to match 20% of amounts awarded
 - S.C. total award: \$6,767,471
 - SC state match required: \$1,353,494

The SEC is requesting one proviso change for the 2021-22 fiscal year.

- 102.13 (ELECT: Third-Party Consultant): **Delete**

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- This proviso directs the SEC to expend funds on a consultant to assist the Richland County Board of Voter Registration and Elections. The consultant would advise the Board and staff on election operations. This proviso was passed during a time when Richland County was between permanent directors and lacked experienced leadership. Since this proviso was passed, Richland County has hired a permanent, experienced director and the county has held successful elections.
- The SEC requests this proviso be deleted.

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S.C. State Election Commission

FY 2019-20 Accountability Report Summary

Major Achievements:

- Continued operations and conducted of elections in COVID-19 pandemic
- Raised awareness with the S.C. General Assembly and the Governor’s Office of the unique challenges associated with conducting an election in a pandemic and provided options to help mitigate those challenges.
- Implemented temporary measures taken by the General Assembly and federal court to expand absentee voting opportunities for voters.
- Provided county offices with online COVID-19 poll manager training
- Provided county offices with PPE to keep both county staff and poll workers safe, including: masks, face shields, gloves, sneeze guards, hand sanitizer, and cotton swabs.
- Purchased additional voting equipment for county offices to help facilitate social distancing in polling places, including curbside voting areas.
- Assisted county offices with poll-manager recruitment.
- Sent postcards to voters whose polling places had to be changed due to the COVID-19 pandemic.
- Educated voters on their voting options and polling place safety.
- Held successful statewide Democratic Preference Primary in February, statewide primaries in June, and statewide general election in November; all during a pandemic.
- Implemented a new statewide paper-based voting system.
- Continued expansion of county network sensors on county networks.
- Strengthened security partnership with SLED by becoming a partner agency with its Critical Infrastructure Cybersecurity Program (“SC-CIC”).
- Implemented a new voter education program, “No Excuse SC” to encourage voter registration, inspire voter turnout, recruit poll managers, prepare voters for election day, and further establish the SCSEC as a trusted source of election information.

Goals:

- Improve voter registration process by increasing access and opportunities to register to vote.
- Improve the election process statewide while ensuring all elections are conducted in a fair, impartial, and accurate manner.
- Provide resources and support to local election officials to improve voter registration and elections for citizens of South Carolina.

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S.C. State Election Commission **FY 2019-20 Accountability Report Summary**

Key Opportunities and Challenges:

- Conducting elections during the COVID-19 pandemic. This issue is two-fold: the close nature of the polling place and the increase in absentee voting.
- Election security. This is an ongoing challenge faced by the SCSEC and all of our state and federal security partners. Since the U.S. Department of Homeland Security designated elections as “critical infrastructure,” an unprecedented security partnership of state, federal, and private security professionals, as well as state and federal law enforcement and intelligence agencies, has been launched to improve the protection of our state’s elections.
- Securing funding to cover the costs associated with a new voting system for an exponentially growing population. As the state’s population grows, so do the needs for more voting equipment, supplies, and election auditing systems.

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FY 21-22 Budget Priorities Summary

Agency Name

Budget Priorities				Funding					FTEs			
Priority No.	Priority Type (recurring/ non-recurring /other funds adjustment/ federal funds adjustment)	Priority Title	Priority Description	Recurring	Non - Recurring	Other	Federal	Total	State	Other	Federal	Total

1	Recurring	Funding to support Paper-Based Voting System	Funds would be used to provide necessary election supplies and reimbursements to county election offices, as well as fund an independent third-party verification of election results.	930,000	0	0	0	0	0	0	0	0
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2	Non-Recurring	State matching funds for 2020 HAVA Grant	The Consolidated Appropriations Act of 2020 provides funds to the U.S. Election Assistance Commission, under the Help America Vote Act of 2002, to make payments to state election agencies. The funds are provided to improve the administration of elections for federal office, including election technology and security improvements. States are required to match 20% of the total funds. S.C.'s total award was \$6,767,471, so the state match is \$1,353,494.	0	1,353,494	0	0	0	0	0	0	0
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Constitutional Subcommittee Proviso Request Summary FY 2021-22

Proviso # in FY 19-20 Act	Renumbered FY 21-22 Proviso #	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
101.13	102.13	ELECT: Third-Party Consultant	This proviso directs the SEC to expend funds on a consultant to assist the Richland County Board of Voter Registration and Elections. The consultant would advise the Board and staff on election operations. This proviso was passed during a time when Richland County was between permanent directors and lacked experienced leadership. Since this proviso was passed, Richland County has hired a permanent, experienced director and the county has held successful elections.	Delete

S.C. State Election Commission

Agency Proviso List

- 102.1. (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. **(KEEP)**

- 102.2. (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. **(KEEP)**

- 102.3. (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. **(KEEP)**

- 102.4. (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. **(KEEP)**

- 102.5. (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. **(KEEP)**
- 102.6. (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. **(KEEP)**
- 102.7. (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. **(KEEP)**

- 102.8. (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

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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. **(KEEP)**

- 102.9. (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. **(KEEP)**
- 102.10. (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. **(KEEP)**
- 102.11. (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. **(KEEP)**
- 102.12. (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. **(KEEP)**
- 102.13. (ELECT: Third-Party Consultant) In the current fiscal year and from the funds appropriated, the Election Commission must expend funds to contract for a third-party consultant to advise the Richland County Election Commission on the conduct of elections. **(DELETE)**

**S.C. State Election Commission
Carry Forward FY2020-21**

General Fund Recurring		
Operating	497,099	
Aid to County	69,843	
Election Funds	1,586,581	
	<u>2,153,522</u>	
Total General Funds Carry Forward		2,153,522
Other Funds		
COVID Response Reserve Fund	3,187,836	
2020 HAVA CARES Grant Act Matching Funds	1,241,082	
Sale of Lists	123,860	
Statewide Primary Filing Fees	1,298,955	
Training Certification	71,592	
	<u>5,923,324</u>	
Total Other Funds		5,923,324
Federal Funds		
Help America Vote Act	9,729,521	
2020 HAVA CARES Grant Act	6,193,708	
	<u>15,923,229</u>	
Total Federal Funds Carry Forward		15,923,229
Grand Total All Funds Available at end of FY2019-20		<u><u>24,000,076</u></u>

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**S.C. State Election Commission
FTE's-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	4	1.5	1	1	7.5

Voter Services

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Program Manager I	1				1
IT Manager I	1				1
IT Consultant I	1	2			1
IT Service Specialist III	1				1
IT Service Specialist II	5				5
Total Voter Services	9	2	0	0	11

Public Information

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Prog. Mgr. I	1				1
Outreach Coordinator	1				1
Total Public Info	2	0	0	0	2

Training & Compliance

Prog. Mgr. I	1				1
Ins/Trng Coord. II	1				1
Program Coord. II	4				4
Total Training	6				6

Grand Total Authorized Positions	21	3.5	1	1	26.5
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