

Session 126 - (2025-2026)

H 3640 General Bill, By Bernstein and Collins

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-11-5 SO AS TO REQUIRE PRIMARY ELECTIONS FOR COUNTY, STATE, AND FEDERAL OFFICES, EXCEPT FOR PRESIDENT AND VICE PRESIDENT, TO BE CONDUCTED AS NONPARTISAN OPEN PRIMARY ELECTIONS IN WHICH THE TWO CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES ADVANCE TO THE GENERAL ELECTION; BY AMENDING SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO REPLACE REFERENCES TO POLITICAL PARTY PRIMARIES AND CONVENTIONS WITH THE CONDUCTING OF A NONPARTISAN OPEN PRIMARY; BY AMENDING SECTION 7-11-15, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO ALLOW ALL PERSONS SEEKING NOMINATION VIA NONPARTISAN OPEN PRIMARY TO FILE A STATEMENT OF INTENTION OF CANDIDACY ACCOMPANIED BY EITHER A FILING FEE OR A NOMINATING PETITION, AND TO PROVIDE THAT WRITE-IN CANDIDACIES ARE PERMITTED FOR ANY OFFICE ON THE NONPARTISAN OPEN PRIMARY BALLOT, BUT NOT ON THE GENERAL ELECTION BALLOT; BY AMENDING SECTION 7-13-40, RELATING TO THE CONDUCT OF PARTY PRIMARIES, SO AS TO REPLACE REFERENCES TO POLITICAL PARTY PRIMARIES WITH NONPARTISAN OPEN PRIMARY, TO PROVIDE THAT ALL CANDIDATES FOR AN OFFICE TO BE VOTED ON IN THE NONPARTISAN OPEN PRIMARY ARE LISTED ON A SINGLE BALLOT REGARDLESS OF POLITICAL PARTY AFFILIATION, IF ANY, AND TO ALLOW A CANDIDATE TO CHOOSE TO HAVE A PARTY WITH WHICH HE AFFILIATES DESIGNATED BY HIS NAME ON THE BALLOT; BY AMENDING SECTION 7-13-330, RELATING TO FORM OF GENERAL ELECTION BALLOTS, SO AS TO MAKE CONFORMING CHANGES AND REMOVE INSTRUCTIONS REGARDING STRAIGHT TICKET VOTING; BY AMENDING SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO CLARIFY THAT THE TOP TWO VOTE EARNERS FOR AN OFFICE FROM THE NONPARTISAN OPEN PRIMARY ARE TO BE CERTIFIED FOR INCLUSION ON THE GENERAL ELECTION BALLOT; BY AMENDING SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO CLARIFY THE DEADLINES FOR SUBMITTING NOMINATING PETITIONS WITH REGARDS TO THE NONPARTISAN OPEN PRIMARY AS OPPOSED TO THE GENERAL ELECTION; BY AMENDING SECTION 7-13-360, RELATING TO PLACE ON BALLOT FOR WRITE-IN NAMES, SO AS TO REQUIRE SUCH PLACES ON NONPARTISAN OPEN PRIMARY BALLOTS, BUT NOT ON GENERAL ELECTION BALLOTS; BY AMENDING SECTION 7-13-610, RELATING TO PRIMARY BALLOT SPECIFICATIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 7-13-611, RELATING TO ARRANGEMENT OF OFFICIAL COUNTY AND STATE PRIMARY BALLOTS, SO AS TO MAKE CONFORMING CHANGES; BY REPEALING SECTION 7-11-30 RELATING TO CONVENTION NOMINATION OF CANDIDATES, SECTION 7-11-210 RELATING TO PARTY PLEDGE FILING REQUIREMENTS, AND SECTION 7-13-50 RELATING TO SECOND AND OTHER PRIMARIES.

12/12/24 House Prefiled

12/12/24 House Referred to Committee on Judiciary

01/14/25 House Introduced and read first time (House Journal-page 275)

01/14/25 House Referred to Committee on Judiciary (House Journal-page 275)