

Executive Order No. 2019-04

WHEREAS, in accordance with Act 104 of 2017, the Board of Voter Registration and Elections of Pickens County (“County Board of Elections”) held an election on November 6, 2018, for the office and seat representing District 7 on the Board of Trustees of the School District of Pickens County (“Seat 7”); and

WHEREAS, on November 19, 2018, the County Board of Elections, in its capacity as the Pickens County Board of Canvassers (“County Board of Canvassers”), conducted a hearing to consider and decide a protest filed by the unsuccessful candidate in the November 6, 2018 election for Seat 7 challenging the results of the same due to voting irregularities and requesting a new election for Seat 7; and

WHEREAS, on November 20, 2018, the County Board of Canvassers issued a unanimous decision upholding and granting the aforementioned protest and referring the matter “to the State officials for further action as is appropriate, to include the scheduling of a new election for Seat 7”; and

WHEREAS, on December 10, 2018, the State Election Commission, in its capacity as the State Board of Canvassers, issued a unanimous decision denying an appeal filed by the successful candidate in the November 6, 2018 election and affirming the decision of the County Board of Canvassers to overturn the November 6, 2018 election for Seat 7; and

WHEREAS, the time period prescribed by section 7-17-250 of the South Carolina Code of Laws, as amended, for appealing the decision of the State Board of Canvassers has expired, and the County Board of Elections, upon consultation with the State Election Commission, has requested that a new election for Seat 7 be held on March 26, 2019; and

WHEREAS, section 7-13-1170 of the South Carolina Code of Laws, as amended, provides as follows: “When any election official of any political subdivision of this State charged with ordering, providing for, or holding an election has neglected, failed, or refused to order, provide for, or hold the election at the time appointed, or if for any reason the election is declared void by competent authority, and these facts are made to appear to the satisfaction of the Governor, he shall, should the law not otherwise provide for this contingency, order an election or a new election to be held at the time and place, and upon the notice being given which to him appears adequate to insure the will of the electorate being fairly expressed. To that end, he may designate the existing election official or other person as he may appoint to perform the necessary official duties pertaining to the election and to declare the result.”

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby Order that a new election for Seat 7 be held on March 26, 2019. Pursuant to section 7-13-1170 of the South Carolina Code of Laws, as amended, I designate and appoint the County Board of Elections to perform the necessary official duties pertaining to the new election for Seat 7, in accordance with the applicable constitutional and statutory provisions, and to declare the results thereof. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF SOUTH
CAROLINA, THIS 15th DAY OF JANUARY,
2019.**

**HENRY MCMASTER
Governor**