~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 4, 2009

**H. 3067**

Introduced by Reps. Clemmons, Brady, M.A. Pitts, Merrill, Wylie and Bingham

S. Printed 2/4/09--H.

Read the first time January 13, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3067) to amend Section 7‑11‑10, Code of Laws of South Carolina, 1976, relating to methods of nominating candidates, so as to prohibit a candidate from filing, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 7‑13‑320(D) of the 1976 Code is amended to read:

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate’s name may not appear on the ballot more than once for any single office for the same election.” /

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 7‑11‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; AND TO AMEND SECTION 7‑13‑320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE’S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7‑11‑10 of the 1976 Code is amended to read:

“Section 7‑11‑10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention or by petition; provided, ~~no~~ that a person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ may not have his name placed on the ballot for the ensuing general or special election, except that this proviso ~~shall~~ does not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for ~~such~~ the office before the election is held.

(B) A candidate may not file more than one statement of intention of candidacy for a single election.

(C) A candidate may not be nominated by more than one political party for a single office for the same election.”

SECTION 2. Section 7‑13‑320(D) of the 1976 Code is amended to read:

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate’s name may not appear on the ballot more than once.”

SECTION 3. This act takes effect upon approval by the Governor.

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