~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 24, 2010

**H. 4434**

Introduced by Reps. Nanney, Clemmons, Horne and Sellers

S. Printed 2/24/10--H.

Read the first time January 27, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4434) to amend Section 7‑13‑35, as amended, Code of Laws of South Carolina, 1976, relating to the notice of election given by the authority charged by law with conducting, 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 1 in its entirety and inserting:

/ SECTION 1. Section 7‑13‑35 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7‑13‑35. (A) The authority charged by law with conducting an election must publish ~~two notices~~ notice of general, municipal, special, and primary elections held in the county in a newspaper of general circulation in the county or municipality, as appropriate. The notice only must include the date, time, and type of election to be held, as well as the date by which a voter shall register in order to vote in the election. The notice must direct readers to the website of the State Election Commission for further information.

(B) The authority charged by law with conducting an election shall cause to be posted on the website of the State Elections Commission a notice of general, municipal, special, and primary elections held in the county. Included in each notice must be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of the precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return‑addressed envelopes containing absentee ballots may begin at ~~2:00 p.m.~~ 9:00 a.m. on election day at a place designated in the notice by the authority charged with conducting the election.

(C) The ~~first~~ notice must appear, in a paper of general circulation and on the State Elections Commission website, not later than ~~sixty~~ forty‑five days before the election ~~and the second notice must appear not later than two weeks after the first notice~~.

(D) The authority charged by law with conducting an election also shall caused to be posted on either the county or municipal board of election website, as appropriate, a conspicuous link to the website of the State Elections Commission. Nothing in the this section, must be construed to require a county or municipal board of election to create or maintain a website.” /

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 7‑13‑35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF ELECTION GIVEN BY THE AUTHORITY CHARGED BY LAW WITH CONDUCTING AN ELECTION, SO AS TO DELETE THE REQUIREMENT THAT THE NOTICE BE PUBLISHED IN A NEWSPAPER AND THAT INSTEAD IT BE POSTED ON THE WEBSITE OF THE STATE ELECTION COMMISSION, AND TO PROVIDE THAT THIS NOTICE BE POSTED FORTY‑FIVE DAYS INSTEAD OF SIXTY DAYS BEFORE AN ELECTION.

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

SECTION 1. Section 7‑13‑35 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7‑13‑35. The authority charged by law with conducting an election ~~must publish~~ shall post two notices of general, municipal, special, and primary elections ~~held in the county in a newspaper of general circulation in the county or municipality, as appropriate~~ on the website of the State Election Commission. Included in each notice must be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of the precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return‑addressed envelopes containing absentee ballots may begin at 2:00 p.m. on election day at a place designated in the notice by the authority charged with conducting the election. The first notice must appear not later than ~~sixty~~ forty‑five days before the election and the second notice must appear not later than two weeks after the first notice.”

SECTION 2. This act takes effect upon approval by the Governor.

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