**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3439**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. M.S. McLeod, McKnight, Henegan, Kirby, Gilliard, Mack, Bradley, Whipper, Anderson, Bamberg, G.A. Brown and R.L. Brown

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Introduced in the House on January 28, 2015

Currently residing in the House Committee on **Judiciary**

Summary: Polling locations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/28/2015 House Introduced and read first time ([House Journal‑page 10](file:///h:\HJ%20Archive\2015\01-28-15.docx))

1/28/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h:\HJ%20Archive\2015\01-28-15.docx))

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**VERSIONS OF THIS BILL**

[1/28/2015](file:///p:\pprever\2015-16\3439_20150128.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑7‑12 SO AS TO PROVIDE A PROCEDURE ALLOWING A PHYSICALLY DISABLED PERSON OR A PERSON SIXTY‑FIVE YEARS OF AGE OR OLDER WHO HAS BEEN REASSIGNED TO A POLLING PLACE DIFFERENT FROM THAT WHERE HE PREVIOUSLY VOTED TO VOTE AT A POLLING PLACE OF THE VOTER’S CHOOSING, PROVIDED THE CANDIDATES AND BALLOT PROPOSALS ARE THE SAME AS THOSE IN THE VOTING PRECINCT IN WHICH THE VOTER RESIDES; AND TO AMEND SECTION 7‑7‑10, AS AMENDED, RELATING TO VOTING PRECINCTS, SO AS TO REQUIRE A COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION TO SEND AT LEAST TWO WRITTEN NOTIFICATIONS TO A VOTER WHO HAS BEEN TRANSFERRED TO A NEW POLLING PLACE, AND TO REQUIRE A COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION TO POST NOTICE OF POLLING PLACE CHANGES AND REASSIGNMENTS ON LOCAL GOVERNMENTAL INTERNET WEBSITES AND SOCIAL MEDIA, AND IN TRADITIONAL PRINT OR BROADCAST MEDIA.

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

SECTION 1. Article 1, Chapter 7, Title 7 of the 1976 Code is amended by adding:

“Section 7‑7‑12. (A) A physically disabled person or a person sixty‑five years of age or older who has been reassigned to a polling place different from that where he previously voted must be entitled to vote in person on election day at a polling place of the voter’s choosing, provided the candidates and ballot proposals are the same as those on the ballot in the voting precinct in which the voter resides.

(B) A written application by a voter described in subsection (A) to have his registration record transferred to another polling place is valid for an election occurring more than thirty days after it is received by the county board of elections and voter registration and for all subsequent elections. This application shall specify the polling place to which the voter wishes his registration records transferred.

(C) The county board of elections and voter registration shall maintain all applications from voters described in subsection (A) on file at its office. The county board of elections and voter registration shall transfer the records of each voter for whom it has an application and who continues to be registered from the address on the application to a polling place specified in the application.

(1) If the registration records are in the form of registration poll records, the county board of elections and voter registration, before transferring a registration record, shall make a photocopy of the record, which must be kept on file at the board’s office. Upon removing a registration poll record from a poll ledger, the county board of elections and voter registration shall insert in the poll ledger, at the place where the registration poll record was filed, a form giving the name and address of the voter, stating that the registration poll record was moved pursuant to the provisions of this section, giving the polling place designation to which the registration poll record was moved, and the location of the polling place for the voting precinct.

(2) If the registration records are kept in the form of computer generated registration lists, the county board of elections and voter registration at the time the registration record is transferred, shall enter on the computer generated registration at the place where the registration record would have appeared, the name and address of the voter but without the computer reproduced facsimile of the voter’s signature and either a notation that the record was moved pursuant to the provisions of this section together with the polling place designation to which the record was moved and the location of the polling place for the voting precinct or a notation stating where, in the computer-generated registration list, the information is provided.

(D) Within fifteen days after receipt of the application described in subsection (B), the county board of elections and voter registration shall mail to the applicant voter by first class mail, information specifying the designation and location of the polling place and location to which his records have been transferred.

(E) The county board of elections and voter registration shall compile a list, arranged by voting precincts of residence, of the names and addresses of all voters whose registration records have been moved pursuant to the provisions of this section and the designation of the voting precinct to which these registration records were moved. The Executive Director of the State Election Commission shall prescribe a standard form of application for use pursuant to this section and all forms necessary to carry out the provisions of this section.”

SECTION 2. Section 7‑7‑10 of the 1976 Code, as last amended by Act 365 of 2000, is further amended to read:

“Section 7‑7‑10. For the purpose of holding ~~any~~a general, primary, or special election in this State, the voting precincts and voting places in the several counties of the State ~~shall~~must be designated, fixed, and established by the General Assembly. Nothing in this chapter prohibits a county board of voter registration and elections from establishing multiple polling places within a precinct, provided that voters are assigned to these polling places alphabetically or geographically as determined by the county board of voter registration and elections and approved by a majority of that county’s legislative delegation. A voter must ~~be notified in writing~~receive two written notifications of his transfer to a new polling place and the location of the new polling place. These notifications must be mailed at least ten days apart from one another, and the latter must be mailed not later than thirty days before the first election following the voter’s reassignment. A county board of elections and voter registration shall post polling place change information on the appropriate local governmental Internet website and social media page, and it shall run polling place change information in both the local print and broadcast media.”

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

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