**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3978**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Funderburk, Clyburn, Robinson‑Simpson, McKnight, M.S. McLeod, Hosey, W.J. McLeod, Norrell and Weeks

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Companion/Similar bill(s): 596, 4471

Introduced in the House on April 14, 2015

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

Summary: Driver's license and voter registration

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/14/2015 House Introduced and read first time ([House Journal‑page 109](file:///h:\HJ%20Archive\2015\04-14-15.docx))

4/14/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 109](file:///h:\HJ%20Archive\2015\04-14-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3978&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/14/2015](file:///p:\pprever\2015-16\3978_20150414.docx)

**A** **BILL**

TO AMEND SECTION 7‑5‑320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION FOR MOTOR VEHICLE DRIVER’S LICENSE AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER’S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION, TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER, TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER’S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER REGISTRATION PURPOSES, AND TO PROVIDE A PROCEDURE FOR AN INDIVIDUAL TO DECLINE REGISTRATION.

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

SECTION 1. Section 7‑5‑320 of the 1976 Code, as added by Act 466 of 1996, is amended to read:

“Section 7‑5‑320. (A)(1) Each state identification card application or motor vehicle driver’s license application, including a renewal application, submitted to the Department of Motor Vehicles serves as an application for voter registration ~~unless the applicant fails to sign the voter registration application. Failure to sign the voter registration portion of the driver’s license application serves as a declination to register~~. For voter registration purposes, the applicant shall consent to the use of his signature from his state identification card or driver’s license issued by the Department of Motor Vehicles.

(2) An application for voter registration submitted under item (1) is considered to update ~~any~~a previous voter registration by the applicant.

(B) ~~No information relating to the failure of an applicant for a state motor vehicle driver’s license to sign a voter registration application may be used for any purpose other than voter registration.~~ If a person who registers to vote pursuant to subsection (A) will be under eighteen years of age on the date of the next general, special, or primary election, the person’s name and other identifying information may not be disclosed as a public record.

(C)(1) The Department of Motor Vehicles shall include a voter registration form as part of an application for a state identification card application or motor vehicle driver’s license.

(2) The voter registration application portion of an application for a state motor vehicle driver’s license:

(a) may not require any information that duplicates information required in the driver’s license portion of the form, other than ~~a second signature or other~~ information necessary under subitem (c);

(b) may require only the minimum amount of information necessary to:

(i) prevent duplicate voter registrations; and

(ii) enable a county board of voter registration and elections to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(c) includes a statement that:

(i) states each eligibility requirement, including citizenship;

(ii) contains an attestation that the applicant meets each requirement; ~~and~~

(iii) ~~requires the signature of the applicant under penalty of perjury~~ explains that under penalty of perjury the applicant has consented to the use of his signature from his South Carolina state identification card or driver’s license for voter registration purposes; and

(iv) explains that if a person who registers to vote pursuant to this section will be under eighteen years of age on the date of the next general, special, or primary election, the person’s voter registration information, including but not limited to, the person’s name and other identifying information, may not be disclosed as a public record.

(d) includes the information required in subitem (c) in print identical to that used in the attestation portion of the application~~:~~; and

~~(i) the information required in Section 7‑5‑320(C)(2)(c);~~

~~(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and~~

~~(iii) a statement that, if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and~~

(e) must be made available, as submitted by the applicant, to the county board of voter registration and elections in which the application is made.

(D) A change of address form submitted in accordance with state law for purposes of a state identification card or motor vehicle driver’s license serves as notification of change of address for voter registration unless the qualified elector states on the form that the change of address is not for voter registration purposes.

(E)(1) A completed voter registration portion of an application for a state motor vehicle driver’s license accepted at a state motor vehicle authority must be transmitted to the county board of voter registration and elections no later than ten days after the date of acceptance.

(2) Upon receipt of the voter registration portion of the application described in this section, the county board of voter registration and elections shall notify each person of the process to decline being registered as a voter.

(3) If a person notified pursuant to this subsection does not decline to be registered as a voter within fifteen calendar days after the county board issues the notification, the person’s voter registration portion shall constitute a completed registration for purposes of this chapter.

~~(2)~~(4) If a registration application is accepted within five days before the last day for registration to vote in an election, the application must be transmitted to the county board of voter registration and elections not later than five days after the date of acceptance.

(F) The Executive Director of the State Election Commission and the Executive Director of the South Carolina Department of Motor Vehicles shall work together to ensure full compliance with the requirements of this section.”

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

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