**South Carolina General Assembly**

121st Session, 2015-2016

**H. 5164**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. W.J. McLeod, King, J.E. Smith, Cobb‑Hunter, Jefferson, Mitchell, Neal, Southard, Erickson, Long, Brannon, Herbkersman, Horne, Clary and Pitts

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Companion/Similar bill(s): 148, 3720

Introduced in the House on March 23, 2016

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

Summary: Early voting procedures

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/23/2016 House Introduced and read first time ([House Journal‑page 22](file:///h:\HJ%20Archive\2016\03-23-16.docx))

3/23/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 22](file:///h:\HJ%20Archive\2016\03-23-16.docx))

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**VERSIONS OF THIS BILL**

[3/23/2016](file:///p:\pprever\2015-16\5164_20160323.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑13‑25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; AND TO AMEND SECTION 7‑15‑320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD.

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

SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The county board of registration and elections shall determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins fifteen days before an election and ends three days prior to the election.

(F) The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however:

(1) for any election, the early voting centers shall not open on Sundays;

(2) for statewide primaries and general elections, the early voting centers must be open for two Saturdays within the early voting period; and

(3) for any election that is not a statewide primary or general election, the county board of registration and elections shall determine whether or not to open the early voting centers on Saturdays during the early voting period.

(G) In addition to the early voting centers established pursuant to this section, a county board of registration and elections may authorize up to two additional early voting centers if the county board of registration and elections finds there is a need for additional early voting centers after holding a public hearing on the matter. The county board of registration and elections will determine the location of the early voting center or centers.

(H) A sign must be posted prominently in the early voting center and shall have printed on it: ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.

(I) The provisions of this section do not apply to presidential preference primaries held pursuant to Section 7‑11‑20.”

SECTION 2. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 196 of 2014, is further amended by adding:

“(16) enter into the master file a separate designation for each voter casting an absentee ballot or an early ballot in a general election.”

SECTION 3. Section 7‑15‑320 of the 1976 Code, as last amended by Act 289 of 2014, is further amended by adding:

“(C) A qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.”

SECTION 4. This act takes effect upon approval by the Governor.

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