**South Carolina General Assembly**

121st Session, 2015-2016

**H. 5295**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Stringer, Corley, Bedingfield, G.R. Smith, Burns, Collins, Putnam, Merrill, J.E. Smith, Taylor, Bradley, Finlay, Hill, W.J. McLeod and Willis

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Introduced in the House on April 28, 2016

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

Summary: Presidential electors declaring for a candidate

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/28/2016 House Introduced and read first time ([House Journal‑page 10](file:///h:\HJ%20Archive\2016\04-28-16.docx))

4/28/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h:\HJ%20Archive\2016\04-28-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5295&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/28/2016](file:///p:\pprever\2015-16\5295_20160428.docx)

**A** **BILL**

TO AMEND SECTION 7‑19‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESIDENTIAL ELECTORS DECLARING FOR A CANDIDATE, SO AS TO REMOVE THE EXCEPTION THAT ALLOWS THE PARTY EXECUTIVE COMMITTEE TO RELIEVE AN ELECTOR FROM THE OBLIGATION TO VOTE FOR A SPECIFIC CANDIDATE UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Section 7‑19‑80 of the 1976 Code is amended to read:

“Section 7‑19‑80. Each candidate for presidential and vice‑presidential elector shall declare which candidate for president and vice‑president he will vote for if elected. Those elected shall vote for the president and vice‑president candidates for whom they declared. ~~Any~~ A person selected to fill a vacancy in the electoral college shall vote for the candidates the elector whose place he is taking had declared for. The declaration ~~shall~~ must be made to the Secretary of State on ~~such~~ the form ~~as he may require~~ required not later than sixty days prior to the general election for electors. ~~No~~ A candidate for president and vice‑president elector ~~shall~~ may not have his name placed on the ballot ~~who~~ if he fails to make ~~such~~ a declaration by the prescribed time. ~~Any~~ An elector who votes contrary to the provisions of this section ~~shall~~ must be deemed guilty of violating the election laws of this State and upon conviction ~~shall~~ must be punished according to law. ~~Any~~ A registered elector ~~shall have~~ has the right to institute proper action to require compliance with the provisions of this section. The Attorney General shall institute criminal action for ~~any~~ a violation of the provision of this section. ~~Provided, the executive committee of the party from which an elector of the electoral college was elected may relieve the elector from the obligation to vote for a specific candidate when, in its judgment, circumstances shall have arisen which, in the opinion of the committee, it would not be in the best interest of the State for the elector to cast his ballot for such a candidate.~~”

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

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