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Indicates New Matter

AS PASSED BY THE SENATE

April 8, 2021

**S. 351**

Introduced by Senator McLeod, Malloy, and Allen

S. Printed 4/8/21--S.

Read the first time January 12, 2021.

**A** **BILL**

TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON’S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

Amend Title To Conform

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

SECTION 1. Section 24‑3‑180 of the 1976 Code is amended to read:

“Section 24‑3‑180. (A) ~~Whenever~~ When an inmate is discharged from a state prison, the Department of Corrections shall furnish the inmate with a suit of common clothes, if necessary, and transportation from the prison to his home or as near to it as can be done by public conveyances. The cost of transportation and clothes must be paid by the State Treasurer, on the draft of the department, countersigned by the Comptroller General.

(B) If a person who has been convicted of a felony or offenses against the election laws has completed his sentence, including probation and parole, then the Department of Corrections must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7‑5‑120.”

SECTION 2. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24‑13‑190. If a person who has been convicted of a felony or offenses against the election laws has completed his sentence, including probation and parole, then a detention facility, as defined by Section 24‑13‑80, must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7‑5‑120.”

SECTION 3. Section 24‑21‑280 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“( ) If a person who has been convicted of a felony or offenses against the election laws, by completing supervision, has completed all terms of his sentence, then the probation agent must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7‑5‑120. If the person’s supervision is completed through the granting of a pardon pursuant to Section 24‑21‑950(A)(3), then the probation agent may fulfill this requirement by including the information with the pardon certificate.”

SECTION 4. Section 7‑5‑120 of the 1976 Code is amended to read:

“Section 7-5-120. (A) Every citizen of this State and the United States who applies for registration must be registered if he meets the following qualifications:

(1) meets the age qualification as provided in Section 4, Article II of the Constitution of this State;

(2) is not laboring under disabilities named in the Constitution of 1895 of this State; and

(3) is a resident in the county and in the polling precinct in which the elector offers to vote.

(B) A person is disqualified from being registered or voting if he:

(1) is mentally incompetent as adjudicated by a court of competent jurisdiction; or

(2) is serving a term of imprisonment resulting from a conviction of a crime; or

(3) is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

(C) A person formerly disqualified from being registered to vote or from voting pursuant to subsection (B)(3) must provide verification at the time of registration that he has served his disqualifying sentence, including probation and parole time.”

SECTION 5. This act takes effect upon approval by the Governor.

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