**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4513**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope and Ligon

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Introduced in the House on May 6, 2025

Currently residing in the House

Summary: Election Transparency and Accountability Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 5/6/2025 House Introduced and read first time

 5/6/2025 House Referred to Committee on **Judiciary**

 5/8/2025 House Member(s) request name added as sponsor: Ligon

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**VERSIONS OF THIS BILL**

[05/06/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4513_20250506.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7‑5‑35 SO AS TO REQUIRE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO MAINTAIN CERTAIN RECORDS THAT MUST BE PROVIDED, UPON REQUEST, TO QUALIFIED ELECTORS FREE OF CHARGE; BY ADDING SECTION 7‑13‑870 SO AS TO ESTABLISH CERTAIN INHERENT RIGHTS OF OBSERVATION WITH REGARDS TO ELECTION PROCESSES FOR EVERY CITIZEN OF THIS STATE; BY ADDING SECTION 7‑13‑880 SO AS TO ESTABLISH CERTAIN INVENTORY RECORD‑KEEPING PROTOCOLS AND CHAIN OF CUSTODY REQUIREMENTS FOR VOTING SYSTEM COMPONENTS AND OTHER SYSTEMS, EQUIPMENT, MATERIALS, OR DEVICES USED IN ELECTION‑RELATED PROCESSES; BY ADDING SECTION 7‑13‑1180 SO AS TO CONDUCT POSTELECTION AUDITS IN WHICH ALL VOTES CAST ARE HAND COUNTED; AND BY ADDING SECTION 7‑13‑1455 SO AS TO PROVIDE ACTIONS AND PROTOCOLS THAT MUST BE TAKEN WHEN THERE IS A DISCREPANCY BETWEEN POSTELECTION AUDIT RESULTS AND TABULATED VOTE COUNTS THAT EQUALS OR EXCEEDS A CERTAIN AMOUNT.

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

SECTION 1. Article 1, Chapter 5, Title 7 of the S.C. Code is amended by adding:

 Section 7‑5‑35. Each county board of voter registration and elections must maintain the following records and, upon request, furnish electronic copies to a qualified elector at no charge:

 (1) cast vote records;

 (2) poll lists or precinct lists;

 (3) logic and accuracy testing reports;

 (4) ballot review and reconciliation reports;

 (5) chain of custody documents; and

 (6) proof of citizenship, any actions taken to verify citizenship, and any actions taken to remove noncitizens from the voter registration list.

SECTION 2. Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

 Section 7‑13‑870. (A) It is the inherent right of every citizen of this State to observe the election process in its entirety including:

 (1) the testing of any and all equipment or processes prior to the election;

 (2) all operations during absentee voting, early voting, and on election day;

 (3) chain of custody of election materials;

 (4) all processes related to the canvassing, preparation, counting, and tabulation of ballots;

 (5) the uploading of election results; and

 (6) any postelection audits of processes or results.

 (B) To the extent observers do not overcrowd a polling location or other facility used in the election process or otherwise impede election processes, observers must:

 (1) be allowed to view any component or election process while remaining at least five feet away from voters;

 (2) refrain from communicating with a voter while the voter is inside the polling place; and

 (3) be allowed to view the ballots for logic and accuracy testing, absentee ballot verification, and postelection audits.

SECTION 3. Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

 Section 7‑13‑880. (A)(1) Any and all parts and components of the voting system, as well as any other systems, equipment, hardware, materials, and devices used to conduct election‑related processes, must be accounted for throughout the time and place of their use.

 (2) The provisions of this section apply to any off‑the‑shelf equipment or components used to conduct elections.

 (3) The types of election equipment, components, and other items subject to the provisions of this subsection specifically include, but are not limited to, voting machines, ballots, poll books, internet connectivity devices or hardware, ballots, tamper‑evident seals, flash drives, and printers.

 (B) Each county board of voter registration and elections shall maintain such chain of custody records throughout the twenty‑four‑month retention period. Chain of custody documentation must include, without limitation, the location of the item, the date and time, ballot container seal number, and the identity of any ballot couriers for every transfer or change made with respect to the materials or information referenced in this section. The name of any person who comes into contact with or modifies, moves, transfers, updates, or interacts with the materials referenced in this section must be recorded along with the reason for the interaction.

SECTION 4. Article 11, Chapter 13, Title 7 of the S.C. Code is amended by adding:

 Section 7‑13‑1180. (A) Notwithstanding the provisions of Section 7‑3‑20, each county board of voter registration and elections shall conduct a postelection audit of precinct and voting center election results following every statewide party primary and general election in accordance with the provisions of this section.

 (B) The audit must consist of a hand count of all votes cast, including those cast during the early voting period and those cast by absentee ballot, in contested races for no less than ten percent of all precincts and voting centers in the county for that election. The precincts to be hand counted in each county must be publicly and randomly hand selected by the respective county board of voter registration and elections after no less than twenty‑four hours’ notice to the public of the date, time, and location where each selection will take place.

 (C) Hand‑count audits must prioritize races with the narrower margin of victory by tabulation and must include at least three contested races. To the extent feasible, the three or more contested races subject to a hand‑count audit must include the presidential race, if applicable, or one statewide office and one countywide race.

 (D) The hand counting of votes under this section may only commence after no less than twenty‑ four hours’ notice to the public of the date, time, and location where the hand count will be conducted and within twenty‑four hours of the close of polls on election day, unless that time falls on a Sunday.

 (E) Any notice required by the provisions of this section must be published, at a minimum, to a website or webpage managed by, or on behalf of, the State Election Commission and each respective county board of voter registration and elections.

 (F) Candidates or their representatives, party representatives, poll watchers, and observers must be permitted access to observe all aspects of the precinct selection or hand‑count processes required by this section, and must be permitted to view the ballots.

SECTION 5. Article 11, Chapter 13, Title 7 of the S.C. Code is amended by adding:

 Section 7‑13‑1455. Any discrepancy between the postelection audit results and the tabulated vote counts of equal to or greater than 0.002% must, when confirmed by a mandatory hand recount, be:

 (1) reported to the State Election Commission and the Office of the Inspector General by the director of the county board of voter registrations and elections;

 (2) investigated for election system tampering by a forensic audit team appointed by the Inspector General, which shall examine all components including, but not limited to, all hardware, software, source code pursuant to Section 7‑13‑1330, and internet connectivity used by the audited precincts; and

 (3) followed by a hand recount of all vote totals for all races in all precincts in the affected county prior to certification of election results.

SECTION 6. This act takes effect upon approval by the Governor.

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