**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4036**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Tedder, Garvin, Thigpen, Rose, J.L. Johnson, Govan, Henegan, Bernstein, Hart, K.O. Johnson and Brawley

Document Path: l:\council\bills\jn\3368zw21.docx

Companion/Similar bill(s): 310, 3207, 3268, 3519, 3822

Introduced in the House on March 9, 2021

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

Summary: Elections - Same Day Registration and Voting

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/9/2021 House Introduced and read first time ([House Journal‑page 7](file:///h:\hj\20210309.docx))

3/9/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 7](file:///h:\hj\20210309.docx))

3/16/2021 House Member(s) request name added as sponsor: Brawley

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**VERSIONS OF THIS BILL**

[3/9/2021](file:///p:\pprever\2021-22\4036_20210309.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑5‑145 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO IS QUALIFIED TO REGISTER TO VOTE MAY REGISTER IN PERSON AND THEN IMMEDIATELY VOTE AT AN IN‑PERSON ABSENTEE VOTING LOCATION IN THE PERSON’S COUNTY OF RESIDENCE DURING THE PERIOD FOR IN‑PERSON ABSENTEE VOTING ESTABLISHED PURSUANT TO THIS ACT, AND TO ESTABLISH PROCEDURES FOR SAME DAY REGISTRATION AND VOTING AT IN‑PERSON ABSENTEE VOTING LOCATIONS; AND BY ADDING SECTION 7‑15‑325 SO AS TO ESTABLISH A THIRTY‑DAY PERIOD DURING WHICH ALL QUALIFIED ELECTORS OF THIS STATE MUST BE ALLOWED TO CAST AN IN‑PERSON ABSENTEE BALLOT WITHOUT BEING REQUIRED TO ASSERT, STATE, OFFER, OR PROVIDE AN EXCUSE, JUSTIFICATION, OR REASON, AND TO SPECIFY THE DAYS AND HOURS THAT THE IN‑PERSON ABSENTEE VOTING LOCATIONS ESTABLISHED PURSUANT TO THIS ACT MUST BE OPEN.

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

SECTION 1. Article 3, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7‑5‑145. (A) Notwithstanding another provision of law, pursuant to the provisions of this section, an individual who is qualified to register to vote may register in person and then immediately vote at an in‑person absentee voting location in the person’s county of residence during the period for in‑person absentee voting provided for pursuant to Section 7‑15‑325. For purposes of this section, an in‑person absentee voting location includes the county board of voter registration and elections, if that office is used for in‑person absentee voting.

(B) To register and vote pursuant to this section, the individual shall do both of the following:

(1) complete a voter registration application form as prescribed in this article, including the oath or attestation requirement that the individual meets the qualifications for registration pursuant to Section 7‑5‑120; and

(2) provide proof of residence by presenting any of the following valid documents that show the person’s current name and current residence address: a South Carolina drivers license, another form of identification containing a photograph issued by the South Carolina Department of Motor Vehicles, or any of the documents listed in Section 7‑13‑710.

(C) An individual who registers pursuant to this section shall vote the appropriate absentee ballot as provided in Chapter 15 immediately after registering. If the individual declines to vote immediately, the registration shall be processed, and the individual may later vote at an in‑person absentee voting location pursuant to this section in the same election.

(D) Within two business days of the person’s registration under this section, the county board of voter registration and elections in conjunction with the State Election Commission shall verify the South Carolina drivers license or other qualifying identification, update the statewide registration database, and search for possible duplicate registrations. The individual’s vote must be counted unless the county board of voter registration and elections determines that the applicant is not qualified to vote pursuant to the provisions of state law.

(E) An individual who is already registered to vote in the county may update his information in the registration record pursuant to state law at the in‑person absentee voting location during the in‑person absentee voting period established pursuant to Section 7‑15‑325.

(F) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.”

SECTION 2. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

“Section 7‑15‑325. (A) For a thirty‑day period, excluding Saturdays and Sundays, except as provided in subsection (B), and ending at 5:00 p.m. on the Saturday immediately prior to any election for which absentee voting is permitted, all qualified electors of this State must be allowed to cast an in‑person absentee ballot without being required to assert, state, offer, or provide an excuse, justification, or reason. Each county board of voter registration and elections must establish at least one in‑person absentee voting location and may establish up to six in‑person absentee voting locations. If the election for which absentee voting is permitted falls on a Saturday, then the last day for in‑person absentee voting is the Thursday immediately preceding the election.

(B) During the thirty‑day in‑person absentee voting period, excluding Saturdays and Sundays, provided for in this section, all in‑person absentee voting locations must be open each day from 8:30 a.m. until 5:00 p.m. However, all in‑person absentee voting locations must be open from 8:30 a.m. until 5:00 p.m. on the Saturday immediately preceding the election.

(C) The State Election Commission may promulgate regulations necessary to effectuate the provisions of this section.”

SECTION 3. This act takes effect upon approval by the Governor.

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