**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4162**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Fry, Lucas, Pope, Simrill, Murphy, Jordan, Yow, Huggins, Crawford, May, B. Newton, Brittain, Oremus, B. Cox, M.M. Smith, Jones, Bennett, Taylor, Haddon, Burns, Long, Carter, J.E. Johnson, West, Blackwell, T. Moore, Bailey, Bryant, McGarry, Wooten, Willis, Trantham, Dabney, McCabe, Nutt, Chumley, Bradley, Hardee, Gagnon, Forrest, McGinnis, W. Newton, Kimmons, McCravy, Collins, Erickson, Gilliam, Davis, Allison, Calhoon, Daning, Elliott, Herbkersman, Hewitt, Hixon, Lowe, Magnuson, V.S. Moss, Sandifer, G.M. Smith, Stringer, Thayer, White and Whitmire

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Introduced in the House on April 6, 2021

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

Summary: Elections

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/6/2021 House Introduced and read first time ([House Journal‑page 121](file:///h:\hj\20210406.docx))

4/6/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 121](file:///h:\hj\20210406.docx))

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**VERSIONS OF THIS BILL**

[4/6/2021](file:///p:\pprever\2021-22\4162_20210406.docx)

**A** **BILL**

TO AMEND SECTION 7‑15‑340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO PROVIDE, AMONG OTHER THINGS, THAT ABSENTEE BALLOT APPLICATIONS ALSO REQUIRE THE VOTER’S DATE OF BIRTH AND THE VOTER’S SOUTH CAROLINA DRIVER’S LICENSE NUMBER OR THE VOTER’S PERSONAL IDENTIFICATION CARD NUMBER OR ANOTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OR A PHOTOCOPY OF ONE OF THE FORMS OF IDENTIFICATION REQUIRED FOR VOTING PURSUANT TO SECTION 7‑13‑710.

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

SECTION 1. Section 7‑15‑340 of the 1976 Code is amended to read:

“Section 7‑15‑340. (A) The application required in Section 7‑15‑330 to be submitted to these election officials must be in a form prescribed and distributed by the State Election Commission; except that persons listed in Section 7‑15‑320(2), (3), (6), and (10) may use Standard Form 76, or any subsequent form replacing it, provided by the federal government as a simultaneous request for registration and an absentee ballot or a request for an absentee ballot if already registered.

(B)(1) The application must contain the following information: name, registration certificate number, address, absentee address, election of ballot request, election date, runoff preference, party preference, reason for request, oath of voter, and voter’s signature.

(2)(a) The absentee ballot application also shall require:

(i) the voter’s date of birth and the voter’s South Carolina driver’s license number or the voter’s personal identification card number or another form of identification containing a photograph issued by the South Carolina Department of Motor Vehicles; or

(ii) a photocopy of one of the forms of identification specified in Section 7‑13‑710(A).

(b) If the voter fails to comply with the requirements of this item, the county board of voter registration and elections shall inform the voter promptly, and the voter must be allowed to correct the problem.

(3)(a) In order to be found eligible to vote an absentee ballot by mail, the appropriate elections official or employee shall compare the identifying information on the absentee ballot application with the information on file in the office of the county board of voter registration and elections and verify the voter’s identity based upon the identification provided by the voter pursuant to this subsection.

(b) In order to be found eligible to cast an in‑person absentee ballot at a duly designated location for in‑person absentee voting, the voter shall produce one of the forms of identification specified in Section 7‑13‑710(A) to the appropriate elections official or employee at the in‑person absentee voting location.

(C) For both mail‑in and in‑person absentee voting, if the voter registered to vote by mail but failed to attach one of the registration application’s required forms of identification and the voter is voting for the first time in this State, the absentee ballot application shall contain a photocopy of one of the forms of identification specified in Section 7‑13‑710(A). If the voter fails to include a photocopy of one of the forms of identification required in this subsection or if the photocopy is not legible, the county board of voter registration and elections shall inform the voter promptly, and the voter must be allowed to correct the problem.

(D) The oath must be as follows: ‘I do swear or affirm that I am a qualified elector, that I am entitled to vote in this election, and that I will not vote again during this election. The information above is true in all respects, and I hereby apply for an absentee ballot for the reason indicated above.’ Any person who fraudulently applies for an absentee ballot in violation of this section, upon conviction, must be punished in accordance with Section 7‑25‑20.”

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

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