**South Carolina General Assembly**

125th Session, 2023-2024

**S. 875**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rice

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Introduced in the Senate on January 9, 2024

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

Summary: Election reform

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2023 Senate Prefiled

11/30/2023 Senate Referred to Committee on **Judiciary**

1/9/2024 Senate Introduced and read first time ([Senate Journal‑page 67](h:\sj\20240109.docx))

1/9/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 67](h:\sj\20240109.docx))

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**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/875_20231130.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7‑13‑1180 SO AS TO REQUIRE EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS TO CONDUCT HAND COUNT POSTELECTION AUDITS OF ALL VOTES CAST WITHIN A MINIMUM NUMBER OF RANDOMLY SELECTED PRECINCTS; BY ADDING SECTION 7‑13‑1510 SO AS TO REQUIRE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO PUBLISH BALLOT TABULATION REPORTS DETAILING, AMONG OTHER THINGS, TIMESTAMPS ASSOCIATED WITH EACH BALLOT CAST; BY AMENDING SECTION 7‑3‑20, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE SECURITY ASSESSMENTS OF THE VOTING SYSTEM AND OTHER ELECTION SYSTEMS, INCLUDING SECURITY AUDITS CONDUCTED AT LEAST ANNUALLY BY INDEPENDENT THIRD‑PARTY VENDORS; AND BY AMENDING SECTION 7‑5‑186, RELATING TO the STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO PROHIBIT THE SHARING OF CONFIDENTIAL INFORMATION OR DATA WITH THIRD‑PARTY NONPROFIT GROUPS OR PRIVATE ORGANIZATIONS.

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

SECTION 1. 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 election results following an election in accordance with the provisions of this section.

(B) The audit must consist of a hand count of all votes cast in no less than ten percent of all precincts in the county for that election. The precincts to be hand counted in each county must be randomly selected, half by the State Election Commission and the other half by the board of voter registration and elections in each county, in a public manner after no less than twenty‑four hours’ notice to the public of the date, time, and location where each selection will take place.

(C) 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.

(D) 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.

(E) 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.

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

Section 7‑13‑1510. Each county board of voter registration and elections must publish reports detailing the timestamp associated with every ballot processed by automatic tabulating equipment no later than noon on the Saturday next following an election. The secrecy of the ballot must be preserved in every instance, and no additional data or information may be published which may reveal how votes were cast on a ballot or the identity of the voter who cast a ballot. Publication of these reports must be made, at a minimum, to a website or webpage managed by, or on behalf of, each respective county board of voter registration and elections.

SECTION 3. Section 7‑3‑20(D) of the S.C. Code is amended by adding:

(20) establish and conduct security assessments of the voting system, voter registration system, election management system, and other election-related systems, including security audits conducted by independent third‑party vendors that specialize in cyber security, physical security, or any other method deemed appropriate by the executive director. Independent security audits must be conducted annually or more often in the discretion of the executive director. Security audits and any associated reports, findings, or information gathered under this section concerning the security of the voting and other election systems is required to be closed to the public and is not considered to be made open to the public under the provisions of Chapter 4, Title 30.

SECTION 4. Section 7‑5‑186(C) of the S.C. Code is amended to read:

(C) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. Nothing in this section may be construed to allow the commission to share confidential information or data with third‑party nonprofit groups or private organizations.

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

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