

SOUTH CAROLINA

ELECTION COMMISSION

Budget Request Presentation FY 2023-24

House Ways and Means Constitutional Subcommittee

January 24, 2023

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S.C. State Election Commission
Agency Attendees

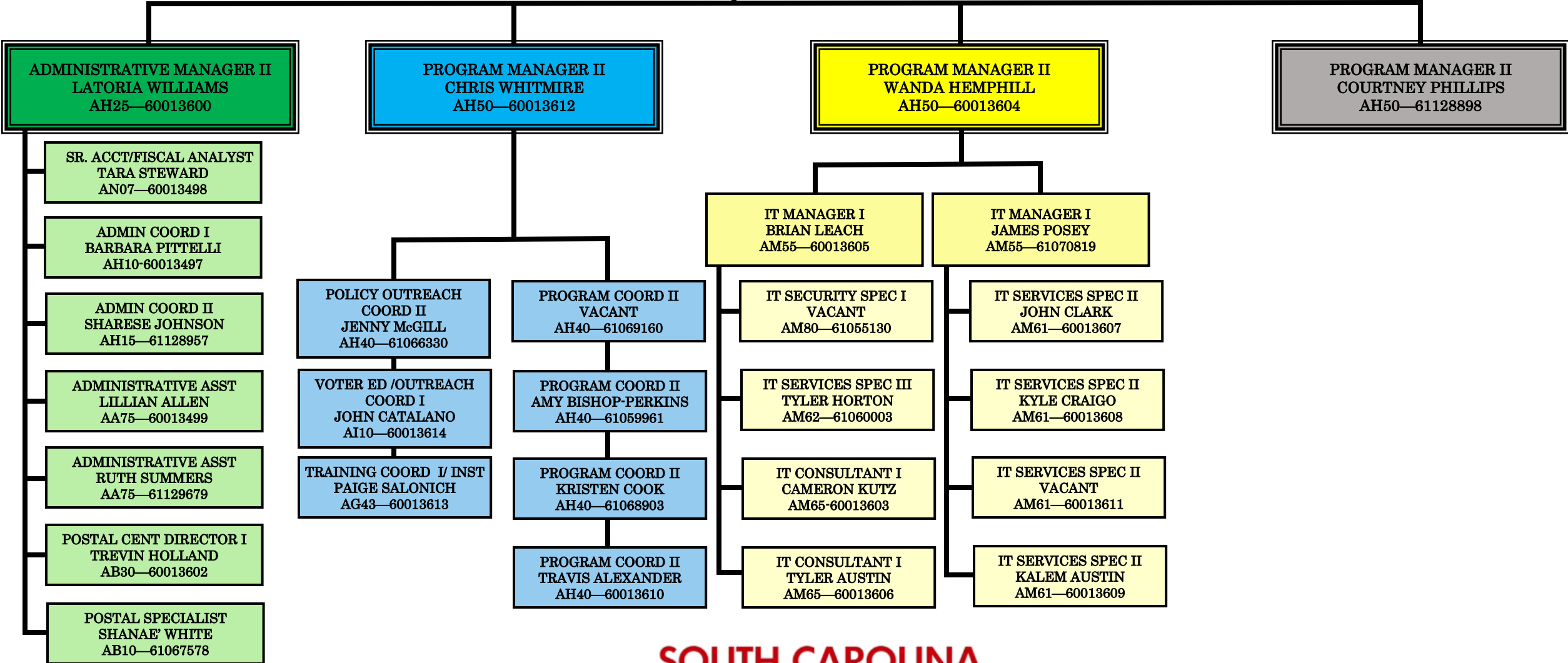
- Howard M. Knapp, *Executive Director*
 - hknapp@elections.sc.gov
- Chris Whitmire, *Deputy Executive Director*
 - cwhitmire@elections.sc.gov
- LaToria Williams, *Director of Finance and Administration*
 - lwilliams@elections.sc.gov

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FIVE MEMBER COMMISSION

**EXECUTIVE DIRECTOR
HOWARD KNAPP
UA01—60013601**

**GENERAL COUNSEL
THOMAS W NICHOLSON
AE40—61066304**



S.C. State Election Commission **Budget Request Summary**

The mission of the State Election Commission (SEC) is to ensure every eligible citizen in South Carolina has the opportunity to register to vote, to participate in fair and impartial elections, and have the assurance that their vote will count.

The SEC is charged by law with:

- Maintaining the statewide voter registration system
- Supporting the statewide voting system
- Supervising 46 county boards of voter registration and elections
- Performing audits and analyses of county boards of registration and elections
- Assisting with county operations if a county election office fails to comply with state and federal law or SEC policies and procedures; or if a county is unable to certify election results in a timely manner
- Conducting a training and certification program for local election officials
- Conducting candidate filing and providing a candidate tracking system

All FTE funding requests include compensation and fringe costs

Priority 1

The SEC is requesting \$3,246,709 in recurring funds and 23 new FTEs for its new Training Division and enhanced technical support for the statewide voting system and the statewide e-poll book system. This appropriation would create and fund:

- One Training Division director, two training managers, and 12 new trainers. The division director would oversee the training division, the training curriculum for the statewide training and certification program. The director would also manage two training managers, which would each manage a training department. The creation of this new division would allow more statewide training and more training in the counties or regionally throughout the state—making training more accessible to all county election officials. This division would also ensure greater uniformity in election processes across the state.
- Five new election equipment technicians, who would support and assist counties in servicing election equipment throughout the state.
- One additional area representative. Currently, the agency has four area representatives whose responsibilities are to be the agency's representatives to the county boards of

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voter registration and elections. By adding an additional area representative, each county would have a support team (one area rep and one tech support employee).

- One GIS Manager. The GIS would be the primary point of contact for legislative stakeholders and others involved in the redistricting process. While redistricting occurs once a decade, voters are constantly moving in and out of all 46 counties, and this GIS manager will ensure that voters are in the right precincts and receive the right ballots.
- One Voter List Manager. With the growing amounts of data the agency receives from third parties regarding voter registration, managing the statewide voter list has become a full time position. This person would be responsible for ensuring the statewide voter list is as accurate as possible on any given day.
- The agency is requesting an additional \$500,000 for the creation and updating of virtual training classes/recorded videos and materials for county election officials, as well as recurring additional office space costs and licenses/ongoing maintenance costs associated with IT equipment for additional staff.

Priority 2

The SEC is also requesting \$1,165,021 in recurring funds and seven new FTE's for critical needs positions to support the mission and programs of the agency.

- One Public Information Officer. As the agency grows, it strives to better educate voters and the public at large on how to register and how to vote in South Carolina. This is not only a goal of the agency, it is also legislatively mandated. This person would be responsible for those efforts and would work with outside stakeholders on outreach endeavors.
- Four Voter Education and Outreach Coordinators. These coordinators would report to the public information officer and would be responsible for both working with the agency's many third party stakeholders, as well as assisting with the agency's growing FOIA request workload.
- One Senior Accountant and one Budget Manager. As the agency grows, so does the financial management workload. The accountant would be responsible for county board member stipends and county election reimbursements. The budget manager would be responsible for ensuring the agency is on track with its spending, as well as for submitting its many state and federal financial reports.
- \$100,000 in recurring additional office space costs and licenses/ongoing maintenance costs associated with IT equipment for additional staff

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Priority 3

The SEC is requesting \$216,977 in non-recurring funds for the state match required by the federal funds received by the Help America Vote Act grant received in 2022.

- The Consolidated Appropriations Act of 2022 provides funds to the U.S. Election Assistance Commission (EAC) as authorized under Title 1, Section 101, of the Help America Vote Act (HAVA) of 2002, to make grant payments to states.
- The funds are provided to improve the administration of elections for federal office, including to enhance election technology and make security improvements.
- States are required to match 20% of amounts awarded.
- South Carolina's total award was \$1,084,886, so the required state match is \$216,977.

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Constitutional Subcommittee Proviso Request Summary FY 2023-24

Proviso # in FY 22-23 Act	Renumbered FY 23-24 Proviso #	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
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None

S.C. State Election Commission

Agency Proviso List

- 102.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County Boards of Voter Registration and Elections Board Members," shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$13,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections Board Members shall be excluded from the agency's base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections. **(KEEP)**
- 102.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$75.00 for the day of work and \$60.00 for training and paperwork. Managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$75.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of \$75.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used. **(KEEP)**
- 102.3. (ELECT: Board of State Canvassers Compensation) \$100.00 additional compensation per day may be paid to each member of the Board of State Canvassers up to a total of fifteen days that may be required for hearings held by the members of the Board of State Canvassers. **(KEEP)**
- 102.4. (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and expended by the South Carolina Election Commission to reimburse the Department of Administration, for the printing of such lists and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made an amount, not to exceed \$400,000, shall be used for nonrecurring expenses in conjunction with extraordinary special election and legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. **(KEEP)**
- 102.5. (ELECT: Budget Reduction Exemption) Funds appropriated for recurring and nonrecurring general and primary election expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency base reductions

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mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for recurring and nonrecurring primary and general election expenses shall be excluded from the agency's base budget. **(KEEP)**

- 102.6. (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections. Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections. **(KEEP)**
- 102.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year. **(KEEP)**

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board. **(KEEP)**

- 102.8. (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election expenses to the Commission for payment more than thirty days after the election is held, the Commission may deduct a penalty of ten percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds appropriated/authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year. If a county submits a request for reimbursement of election expenses through any means other

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than the Voter Registration and Election Management System (VREMS), the Commission may deduct a penalty of ten percent of the amount submitted. **(KEEP)**

- 102.9. (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help America Vote Act funds into the current fiscal year and to use these funds for the same purpose. **(KEEP)**
- 102.10. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections. These funds may also be used to reimburse local governmental entities for expenses incurred in the prior fiscal year associated with special primaries, runoffs, and general elections. **(KEEP)**
- 102.11. (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in this act. However, up to \$200,000 may be transferred to other operating accounts from General Election accounts upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of such transfer of funds. **(KEEP)**
- 102.12. (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system refurbishment to provide a match for the federal funds. **(KEEP)**

OTHERS

- 103.2 (RFAO: Election File Merge) In order to assist the County Registration and Election Commissions to ensure that registered voters are assigned to proper election districts, the Revenue and Fiscal Affairs Office, in conjunction with the South Carolina Election Commission, shall merge the voter registration file with the office's Geocoded Address List and the district boundaries of the Congress, South Carolina Senate, South Carolina House of Representatives, county councils, and such other districts as the office possesses official district boundary records in electronic format. The merged systems will allow the Revenue and Fiscal Affairs Office to provide the respective county officials with a list of potential voters who are possibly assigned to the wrong election district. File merger is required only for those districts in which elections are scheduled. Counties and municipalities shall release GIS to the Revenue and Fiscal Affairs Office upon the office's written request. Written request must be sent to the chief administrative officer of the county or municipality and advise the county or municipality that failure to comply within thirty days of request may result in the withholding of ten percent of the county's or municipality's state aid. The Executive Director of the Revenue and Fiscal Affairs Office may grant additional time for good cause and must waive release if the county or municipality does not possess GIS data. For counties and municipalities that possess GIS data but do not release it,

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the Executive Director of the Revenue and Fiscal Affairs Office shall notify the State Treasurer of the failure to comply with this provision after the required notice. Notification shall result in the withholding of ten percent of subsequent payments of state aid to the entity until the GIS data is provided. Municipal and county data acquired by the Revenue and Fiscal Affairs Office in the course of performing its responsibilities may be used for other functions of the office as well as shared with other state agencies. For this provision GIS data includes, but is not limited to, road centerlines; orthophotography; parcel boundaries; address points; political boundaries; and administrative boundaries. **(KEEP)**

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**S.C. State Election Commission
Carry Forward FY2022-23**

General Fund Recurring		
Operating	130,346	
Aid to County	234,658	
Election Funds	910,814	
	<u>1,275,818</u>	
Total General Funds Carry Forward		1,275,818
Other Funds		
2020 HAVA CARES Grant Act Matching Funds	1,353,494	
Sale of Lists	259,346	
Statewide Primary Filing Fees	1,024,133	
	<u>2,636,973</u>	
Total Other Funds		2,636,973
Federal Funds		
Help America Vote Act	6,266,356	
Total Federal Funds Carry Forward		<u>6,266,356</u>
Grand Total All Funds Available at end of FY2021-22		<u><u>10,179,147</u></u>

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**S.C. State Election Commission
FTE's-Authorized Positions
As of December 2022**

Administration

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Agency Head	1				1
Attorney IV	1				1
Administrative Manager II	1				1
Senior Acct/Fiscal Analyst	1				1
Administrative Coordinator I	1				1
Administrative Coordinator II	1				1
Administrative Assistant	1				1
Administrative Assistant	1				1
Postal Center Director I	1				1
Postal Specialist	0.5				0.5
Total Administration	9.5	0	0	0	9.5

Voter Services

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Program Manager II	1				1
IT Manager I	2				2
Endpoint Tech I	2				3
IT Security Specialist I		1			1
IT Customer Support Specialist III	1				
IT Customer Support Specialist II	3	1			4
Total Voter Services	9	2	0	0	11

Public Information/Training

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Program Manager II	1				1
Voter Ed/Outreach Coordinator I	1				1
Policy Outreach/Program Coord II	1				1
Training Coord I/Instructor	1				1
Program Coord. II	3	1			4
Total Public information/Training	7	1	0	0	8

Audit

Position Title	GF Filled	GF Vacant	Other Filled	Other Vacant	Total
Program Manager II	1				1
Audit Manager I		2			2
Total Audit	1	2	0	0	3

Grand Total Authorized Positions	26.5	5	0	0	31.5
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