**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3005**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Delleney, M.A. Pitts, Parker, Bingham, Toole and A.D. Young

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Companion/Similar bill(s): 3418

Introduced in the House on January 13, 2009

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

Summary: Voters

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2008 House Prefiled

12/9/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑19

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑19

**VERSIONS OF THIS BILL**

[12/9/2008](file:///p:\pprever\2009-10\3005_20081209.docx)

**A** **BILL**

TO AMEND SECTION 7‑5‑125, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WRITTEN NOTIFICATION OF REGISTRATION OF PERSONS WHO HAVE SUCCESSFULLY APPLIED TO REGISTER TO VOTE, SO AS TO PROVIDE THAT THE NOTIFICATION ALSO MUST INCLUDE A PHOTOGRAPH OF THE PERSON MAKING THE APPLICATION; BY ADDING SECTION 7‑5‑200 SO AS TO REQUIRE THAT EACH ELECTOR REGISTERED TO VOTE BY A COUNTY BOARD OF REGISTRATION MUST BE ISSUED A CERTIFICATE WHICH CONTAINS HIS PHOTOGRAPH AND OTHER INFORMATION THE STATE ELECTION COMMISSION REQUIRES, AND TO PROVIDE A PROCEDURE FOR THE TAKING OF THESE PHOTOGRAPHS; AND TO AMEND SECTION 7‑13‑710, AS AMENDED, RELATING TO THE PRESENTATION OF A PERSON’S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND ALSO TO REQUIRE THE POLL MANAGER TO VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE.

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

SECTION 1. Section 7‑5‑125 of the 1976 Code, as last amended by Act 507 of 1988, is further amended to read:

“Section 7‑5‑125. Any person who applies for registration to vote and is found to be qualified by the county board of registration to whom application is made must be issued a written notification of registration. This notification must be on a form prescribed and provided by the State Election Commission and must include a photograph of the person pursuant to Section 7‑5‑200.”

SECTION 2. Article 3, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7‑5‑200. Each elector registered pursuant to the provisions of this title must be furnished by the board of registration a certificate containing the information provided for in this section. The certificate must contain a photograph of the elector and other information as the State Election Commission requires. The commission may use photographs taken by other state agencies for use on the certificate and establish a procedure for taking photographs of electors when they register to vote.”

SECTION 3. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7‑13‑710. When any person presents himself to vote, he shall produce his valid South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles, ~~if he is not licensed to drive,~~ or the written notification of registration provided for by Sections 7‑5‑125, ~~and~~ 7‑5‑180, and 7‑5‑200 if the notification has been signed by the elector. If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail. After presentation of the required identification, his name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before any ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.”

SECTION 4. This act takes effect July 1, 2009.

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