**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3139**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bedingfield, Stringer, Wylie, Littlejohn, M.A. Pitts, Hamilton and Millwood

Document Path: l:\council\bills\dka\3069dw09.docx

Introduced in the House on January 13, 2009

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

Summary: Absentee ballot

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2008 House Prefiled

12/16/2008 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)‑62

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑62

5/14/2009 House Member(s) request name added as sponsor: Millwood

**VERSIONS OF THIS BILL**

[12/16/2008](file:///p:\pprever\2009-10\3139_20081216.docx)

**A** **BILL**

TO AMEND SECTION 7‑15‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO PROVIDE THAT THE DEADLINE FOR ACCEPTING AN APPLICATION FOR AN ABSENTEE BALLOT FOR A QUALIFIED ELECTOR WHO APPEARS IN PERSON IS CHANGED FROM THE DAY BEFORE THE ELECTION TO SIX DAYS BEFORE THE ELECTION.

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

SECTION 1. Section 7‑15‑330 of the 1976 Code, as last amended by Act 193 of 1989, is further amended to read:

“Section 7‑15‑330. (A)(1) To vote by absentee ballot, a qualified elector or a member of his immediate family ~~must~~ shall request an application to vote by absentee ballot in person, by telephone, or by mail from the county registration board, or at an extension office of the board of registration as established by the county governing body, for the county of the voter’s residence. A person requesting an application for a qualified elector as the qualified elector’s authorized representative ~~must~~ shall request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and ~~must~~ shall sign an oath to the effect that he fits the statutory definition of a representative.

(2) This signed oath must be kept on file with the board of registration until the end of the calendar year or until ~~all contests~~ a contest concerning a particular election ~~have~~ has been finally determined, whichever is later. A candidate or a member of a candidate’s paid campaign staff, including ~~volunteers~~ a volunteer reimbursed for time expended on campaign activity, is not allowed to request ~~applications~~ an application for absentee voting for ~~any~~ a person designated in this section unless the person is a member of the immediate family.

(B) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held.

(1) ~~However,~~ A completed ~~applications~~ application must be returned to the county registration board in person or by mail before 5:00 p.m. on the fourth day before the day of the election.

(2) ~~Applications~~ An application must be accepted by the county board of registration until 5:00 p.m. on the sixth day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7‑15‑320.

(3) A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four‑day period before the election may obtain an application from the registration board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of registration.

(C) The board of registration shall ~~serially~~ number each absentee ballot application form serially and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; and the date upon which the form is issued.

(D) This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that ~~forms~~ a form issued for an emergency hospital ~~patients~~ patient must be made public by 9:00 a.m. on the day following an election.

(E) A person who violates the provisions of this section is subject to the penalties provided in Section 7‑25‑170.”

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

‑‑‑‑XX‑‑‑‑