**South Carolina General Assembly**

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**S. 135**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Sheheen

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Summary: Election Commission and Board of Registration

**HISTORY OF LEGISLATIVE ACTIONS**

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12/18/2012 Senate Referred to Committee on **Judiciary**

1/8/2013 Senate Introduced and read first time ([Senate Journal‑page 89](file:///h:\SJ%20Archive\2013\01-08-13.docx))

1/8/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 89](file:///h:\SJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/18/2012](file:///p:\pprever\2013-14\135_20121218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑27‑115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

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

SECTION 1. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑115. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the Executive Director of the State Election Commission, working in conjunction with the appropriate county entities or officials, shall have general supervisory authority over the directors of the county boards of registration and elections. Specifically, the county entity or official with immediate supervisory authority over a county director of registration and elections, shall consult with the Executive Director of the State Election Commission prior to:

(1) conducting a job performance evaluation of a county director of registration and elections; or

(2) taking a personnel action that affects the compensation or employment status of a county director of registration and elections.

(B)(1) Notwithstanding another provision of law, within twelve months of the date this section becomes law, the State Election Commission shall promulgate regulations that establish and mandate:

(a) minimum qualifications for a person to be hired, employed, or to serve as a county director of registration and elections;

(b) a basic registration and elections training certification program for all persons serving as a director of a county registration and elections board;

(c) a continuing registration and elections education program for directors of county registration and elections boards.

(2) County directors of registration and elections hired for the first time after the date this section becomes law shall satisfactorily complete the training program within six months of the date the State Election Commission publishes notice of the training and certification program.

(C) Notwithstanding another provision of law, county boards of registration and elections shall conduct meetings at least four times each calendar year.”

SECTION 2. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ Notwithstanding another provision of law, all counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.”

SECTION 3. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260. ~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 4. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 5. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 6. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 7. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 8. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 9. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 10. This act takes effect upon approval by the governor.

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