**South Carolina General Assembly**

121st Session, 2015-2016

**S. 538**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Scott, Johnson, Malloy and Hembree

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Introduced in the Senate on March 10, 2015

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

Summary: Absentee ballots

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/10/2015 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h:\SJ%20Archive\2015\03-10-15.docx))

3/10/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///h:\SJ%20Archive\2015\03-10-15.docx))

4/7/2015 Senate Referred to Subcommittee: Campsen (ch), Scott, Young

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**VERSIONS OF THIS BILL**

[3/10/2015](file:///p:\pprever\2015-16\538_20150310.docx)

**A** **BILL**

TO AMEND SECTION 7‑15‑420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 9:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY.

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

SECTION 1. Section 7‑15‑420 of the 1976 Code, as last amended by Act 284 of 2006, is further amended to read:

“Section 7‑15‑420. The county board of voter registration and elections, municipal election commission, or executive committee of each municipal party in the case of municipal primary elections is responsible for the tabulation and reporting of absentee ballots. At 9:00 a.m. on the calendar day immediately preceding election day, the managers appointed pursuant to Section 7‑5‑10, and in the presence of any watchers who have been appointed pursuant to Section 7‑13‑860, may begin the process of examining the return‑addressed envelopes that have been received by the county board of voter registration and elections making certain that each oath has been properly signed and witnessed and includes the address of the witness. All return‑ addressed envelopes received by the county board of voter registration and elections before the time for closing the polls must be examined in this manner. A ballot may not be counted unless the oath is properly signed and witnessed nor may any ballot be counted which is received by the county board of voter registration and elections after time for closing of the polls. The printed instructions required by Section 7‑15‑370(2) to be sent each absentee ballot applicant must notify him that his vote will not be counted in either of these events. If a ballot is not challenged, the sealed return‑addressed envelope must be opened by the managers, and the enclosed envelope marked “Ballot Herein” removed and placed in a locked box or boxes. After all return‑addressed envelopes have been emptied in this manner, the managers shall remove the ballots contained in the envelopes marked “Ballot Herein”, placing each one in the ballot box provided for the applicable contest. Beginning at 9:00 a.m. on the calendar day immediately preceding election day, the absentee ballots may be tabulated, including any absentee ballots received on election day before the polls are closed. If any ballot is challenged, the return‑addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7‑13‑830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot. Results of the tabulation must not be publicly reported until after the polls are closed.”

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

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