**A** **BILL**

TO AMEND SECTION 7‑5‑170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NECESSITY OF WRITTEN VOTER REGISTRATION APPLICATIONS, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO AMEND THE SOUTH CAROLINA VOTER REGISTRATION APPLICATION FORM BY ADDING APPROPRIATELY SIZED CHECK BOXES IN WHICH REGISTRANTS VOLUNTARILY MAY DISCLOSE THEIR POLITICAL PARTY AFFILIATION; TO REQUIRE THE STATE ELECTION COMMISSION TO MAINTAIN A RECORD OF THE VOLUNTARY, SELF‑IDENTIFIED POLITICAL PARTY AFFILIATIONS DISCLOSED PURSUANT TO THIS ACT, AND TO PROVIDE THAT THIS RECORD IS SUBJECT TO DISCLOSURE PURSUANT TO THE FREEDOM OF INFORMATION ACT; AND TO PROVIDE THAT THE VOLUNTARY, SELF‑IDENTIFICATION OF ONE’S POLITICAL PARTY AFFILIATION PURSUANT TO THIS ACT MAY NOT BE USED TO RESTRICT PRIMARY VOTING.

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

SECTION 1. Section 7‑5‑170(2) of the 1976 Code, as last amended by Act 90 of 1993, is further amended to read:

“(2)(a) Form of application. — The application must be on a form prescribed and provided by the executive director and shall contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in ~~any~~ a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must take the following oath: ‘I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence.’ ~~Any~~ An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(b)(1) In addition to the requirements delineated in item (a), the State Election Commission shall amend the South Carolina voter registration application form by adding appropriately sized check boxes in which a registrant voluntarily may disclose his political party affiliation as ‘Democrat’, ‘Republican’, ‘Independent’, or ‘other’. Adjacent to the ‘other’ box, the State Election Commission also shall include a line on which the registrant may specify his political party affiliation.

(2) The State Election Commission shall maintain a record of all voluntary, self‑identified political party affiliations disclosed pursuant to this item. These records are subject to disclosure pursuant to the Freedom of Information Act.

(3) The voluntary, self‑identification of one’s political party affiliation pursuant to this item may not be used to restrict or limit a voter’s full discretion to participate in the primary election of his choosing.”

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

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