

NO. 58

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, APRIL 20, 2022

Wednesday, April 20, 2022
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M. the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 11:29

Our Lord says to us:“ ‘Take my yoke upon you and learn from me, for I am gentle and humble in heart, and you will find rest for your souls.’ ”

Bow in prayer with me, if you will: Holy God, how significant is education -- gaining knowledge, understanding worthwhile things, mastering realms we otherwise would likely never comprehend. New discoveries enrich our lives and often make the world better. So today, Lord, we applaud every individual in our State who is involved in education -- teachers, professors, administrators, support personnel and caring parents. What incredibly grand contributions do all of these women and men make in creating a better and more successful life for our citizens. So, gracious Lord, lead each of these Senators and their staff members as they also do all they can to support the very best education opportunities for every South Carolinian. And as always, O loving Lord, to You be the glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpoottlian	Hembree

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Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Martin
Massey	McElveen	Peeler
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2020, and to expire April 1, 2025

At-Large:

Robert W. Bagley, 3110 Moffitt Creek Road, Blackstock, SC 29014-8606 *VICE* Jerry Michael Griffin (resigned)

Referred to the Committee on Education.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2021, and to expire May 3, 2024

At-large, Governor:

Cynthia C. Mosteller, 574 Needlerush Parkway, Mt. Pleasant, SC 29646-6246

Referred to the Committee on Education.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

3rd Congressional District:

George E. Jones, Jr., P. O. Box 2205, Greenwood, SC 29646-0205 *VICE* Daniel R. Bracken, Jr.

Referred to the Committee on Family and Veterans' Services.

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REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5060

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Contested Case Hearing

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Judiciary

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted April 20, 2022

Document No. 5061

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Denial of Certification for Misconduct

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Judiciary

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted April 20, 2022

Document No. 5062

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Final Decision by Law Enforcement Training Council

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Judiciary

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted April 20, 2022

Document No. 5064

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Withdrawal of Certification of Law Enforcement Officers

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Judiciary

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted April 20, 2022

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Leave of Absence

On motion of Senator SABB, at 4:45 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 4:45 P.M., Senator MATTHEWS was granted a leave of absence until 6:15 P.M.

Leave of Absence

On motion of Senator SABB, at 6:49 P.M., Senator MALLOY was granted a leave of absence until 7:30 P.M.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator VERDIN, with unanimous consent, the remarks of Senator MASSEY, when reduced to writing and made available to the Desk, would be printed in the Journal.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 302 Sen. Reichenbach

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1268 -- Senators Scott, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimpson, Loftis, Malloy, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PASTOR ANTHONY AU DWIN DICKS, SR., AND TO

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CONGRATULATE HIM, UPON THE OCCASION OF HIS FORTIETH ANNIVERSARY AS PASTOR OF FRIENDSHIP BAPTIST CHURCH IN COLUMBIA, AND TO SALUTE HIM FOR HIS EXTENSIVE AND MEANINGFUL MINISTRY IN HIS CITY AND COMMUNITY.

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The Senate Resolution was adopted.

S. 1269 -- Senators Alexander, Goldfinch, Turner, Shealy, Setzler and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-250 SO AS TO CREATE THE "PALMETTO AUTISM TRUST FUND", TO DESIGNATE AN ADMINISTERING BOARD, TO PROVIDE FOR THE PURPOSE OF THE TRUST FUND, AND TO PROVIDE FOR DUTIES AND RESPONSIBILITIES OF THE BOARD.

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Read the first time and referred to the Committee on Finance.

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1271 -- Senator Peeler: A BILL TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1272 -- Senator Kimpton: A SENATE RESOLUTION TO RECOGNIZE APRIL 28, 2022 AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1273 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF ARCHITECTURAL EXAMINERS, RELATING TO ARCHITECTURAL EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5082, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1274 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO LICENSE RENEWAL; RETAIL DEALER SALES TRANSACTIONS; INSTALLERS; REPAIRERS; AND CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5089, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1275 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO ENGINEERS AND LAND SURVEYORS, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 5076, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1276 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5100, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1277 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBER EXAMINERS; MOBILE BARBERS; AND SANITARY RULES GOVERNING BARBERS, BARBERSHOPS AND BARBER COLLEGES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5073, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1278 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LIONS CLUBS FOR THEIR MANY CONTRIBUTIONS TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1279 -- Senator Climer: A BILL TO AMEND ARTICLE 5, CHAPTER 39, TITLE 15 OF THE 1976 CODE BY ADDING SECTION 15-39-625, TO PROVIDE FOR THE SALE OF PROPERTY BY A PRIVATE SELLING OFFICER; AND TO AMEND SECTIONS

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15-39-630, 15-39-640, 15-39-650, 15-39-660, 15-39-680, 15-39-700, 15-39-710, 15-39-770, AND 15-39-850 TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Judiciary.

S. 1280 -- Senators Martin and Talley: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE NORTH TYGER RIVER BRIDGE ON HWY 296, ALSO KNOWN AS REIDVILLE ROAD, BETWEEN SHENANDOAH DRIVE AND NICHOLS DRIVE IN SPARTANBURG COUNTY "KEEGAN ISAAH JOHNSON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1281 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MARCH 2022 AS "THEATRE IN OUR SCHOOLS MONTH" IN SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Education.

S. 1282 -- Senators Grooms, Verdin, Massey, Campsen, Kimbrell, Alexander, Adams, Garrett, Rice, Corbin, Turner, Hembree, Bennett, Talley, Loftis, Senn, Gustafson, Goldfinch, Gambrell, Shealy, Cromer, M. Johnson, Climer, Reichenbach, Peeler, Cash, Martin, Davis and Rankin: A SENATE RESOLUTION TO EXPRESS THE SENSE OF THE SENATE THAT CLEMSON UNIVERSITY AND OTHER PUBLIC COLLEGES AND UNIVERSITIES MUST MAINTAIN A COMMITMENT TO FREE SPEECH AND OPEN INQUIRY.

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The Senate Resolution was introduced and referred to the Committee on Education.

H. 4617 -- Reps. Jones, Willis, Gilliam and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME LAKE STREET (S-30-145) IN LAURENS COUNTY "BILL RAMEY WAY" AND ERECT

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APPROPRIATE SIGNS OR MARKERS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4755 -- Reps. B. Newton, McGarry and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 9 BYPASS AND GILLSBROOK ROAD IN THE CITY OF LANCASTER IN LANCASTER COUNTY "C.D. 'BUBBER' GREGORY, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5046 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT AN APPROPRIATE SIGN AT THE EASTBOUND EXIT RAMP ONTO SOUTH CAROLINA HIGHWAY 341 FROM INTERSTATE HIGHWAY 20 IN LEE COUNTY CONTAINING THE WORDS "IN MEMORY OF SERGEANT MIKKOS L. NEWMAN".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5047 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE AN APPROPRIATE SIGN AT THE WESTBOUND ENTRANCE RAMP TO INTERSTATE HIGHWAY 20 IN LEE COUNTY AT EXIT

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120 CONTAINING THE WORDS "IN MEMORY OF THE HONORABLE DAVID ADDISON".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5048 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 154 IN LEE COUNTY FROM ITS INTERSECTION WITH LOWER LEE SCHOOL ROAD TO ITS INTERSECTION WITH MANVILLE - ST. CHARLES ROAD "TONEY AND THELMA SLATER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5052 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF WASHINGTON LANE AND MARTIN AVENUE IN THE TOWN OF ESTILL IN HAMPTON COUNTY "LOUISE G. HOPKINS INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 5250 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS(r) FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2022 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

RECALLED

H. 5017 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 PARK ROAD IN THE CITY OF LEXINGTON IN LEXINGTON COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT CHIEF WARRANT OFFICER 4 HAROLD EDWARD WILSON, UNITED STATES MARINE CORPS RESERVE.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

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H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN

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STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY

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ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3788 -- Reps. G.M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3939 -- Reps. Pope, Hyde, McCravy, McGarry, Bryant, Wheeler, Wooten, Hixon, B. Newton, Blackwell and Weeks: A BILL TO AMEND SECTION 42-1-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT IN THE LINE OF DUTY FROM CERTAIN LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT

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THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4601 -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT

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LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2024

At-Large:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Melody L. James, 152 Golden Pond Drive, Lexington, SC 29073

Received as information.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Cynthia C. Dooley, 1522 Counts Ferry Road, Lexington, SC 29072-8376 *VICE* Susan S. Barden

Received as information.

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Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Housing Finance, and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

James G. Fleshman II, 516 Windsong Point, Columbia, SC 29212
VICE Mr. Kenneth F. Ormand, Jr.

Received as information.

Initial Appointment, South Carolina State Housing Finance, and Development Authority, with the term to commence August 15, 2021, and to expire August 15, 2025

At-Large:

Karl A. Haslinger, 330 Woods Point Road, Gilbert, SC 29054-9471
VICE Mary L. Siek

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, APRIL 20, 2022

**S. 203--REPORT OF COMMITTEE OF CONFERENCE
ENROLLED FOR RATIFICATION**

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 20, 2022

WEDNESDAY, APRIL 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Very respectfully,
Speaker of the House

Received as information.

**S. 1090--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

On motion of Senator MASSEY, the Senate insisted upon its amendments to S. 1090 and asked for a Committee of Conference.

Whereupon, Senators MASSEY, BENNETT and K. JOHNSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

WEDNESDAY, APRIL 20, 2022

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

WEDNESDAY, APRIL 20, 2022

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3524 -- Reprs. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3773 -- Reprs. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

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Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4319 -- Reps. Calhoun, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5159 -- Reps. G.R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

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Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1231 -- Senator Fanning: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 17, 2022, FROM 11:30 A.M. TO 1:00 P.M. HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILLS

S. 1264 -- Senator Hutto: A BILL TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

On motion of Senator HUTTO.

S. 1267 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, AS AMENDED, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN

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SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

On motion of Senator HUTTO.

HOUSE BILLS RETURNED

The following Bill and Resolution were read the third time and ordered returned to the House with amendments.

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN

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ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley:
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3606R003.KMM.TD), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 19 - 20 and inserting:

/ from building permit application requirements and an owner of residential property who makes these improvements is not required to have a residential /

Amend the bill, as and if amended, on page 4, by striking lines 8 - 14 and inserting:

/ (l) ~~painters~~ and wall paperers;
(m) solar panel installers.

Plumbers, electricians, and heating and air conditioning installers and repairers must be issued specialty contractor licenses after passing the required examination, if the other requirements of this article are met. Vinyl and aluminum siding installers, masons, dry wall installers, carpenters, stucco installers, painters and wall paperers, and solar panel installers must be issued specialty contractor registrations, if the other requirements of this article are met. /

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE

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OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (3037R002.KMM.TC), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 21 - 24 and inserting:

/ (9) include a statement that certain driver's license and driver's record information may be released, upon request, to law enforcement, emergency services personnel, or hospital personnel pursuant to subsection (B). /

Re-number sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

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Stephens
Williams

Talley
Young

Turner

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Resolution.

Senator Davis proposed the following amendment (PH\4831C001.JN.PH22), which was carried over:

Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A. The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

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(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand

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its existing establishment; and such location or expansion results in the addition of a minimum of:

- (a) 500 kilowatts at one point of delivery;
- (b) one hundred new employees; and
- (c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by, or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time; provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

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(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase;
and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. In compliance with federal and state law, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, with unanimous consent, the amendment was carried over.

Senator MARTIN proposed the following amendment (4831R003.KMM.SRM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately new numbered SECTION to read:

/SECTION _. The provisions of this act are repealed on June 30, 2024. /

Re-number sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Resolution was carried over.

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AMENDED, READ THE SECOND TIME

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

The Senate proceeded to a consideration of the Bill.

Senators SETZLER and PEELER proposed the following amendment (5075R001.SP.NS), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting the following:

/SECTION 1. A. Section 12-6-3795 of the 1976 Code, as added by Act 137 of 2020, is amended to read:

“Section 12-6-3795. (A) As used in this section:

(1) ‘Eligibility statement’ means a statement authorized and issued by the South Carolina State Housing and Finance Development Authority certifying that a given project qualifies for the South Carolina housing tax credit, including any preliminary determination thereof.

(2) ‘Federal housing tax credit’ means the federal tax credit as provided in Section 42 of the Internal Revenue Code of 1986, as amended.

(3) ‘Median income’ means those incomes that are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size.

(4) ‘Project’ means a housing project that has restricted rents that do not exceed thirty percent of income for at least forty percent of its units occupied by persons or families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income.

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(5) 'Qualified project' means a qualified low-income building as that term is defined in Section 42 of the Internal Revenue Code of 1986, as amended, that is located in South Carolina and receives approval for tax credits from the South Carolina Housing and Finance Development Authority provided pursuant to this section.

(6) 'Taxpayer' means a sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity that is subject to South Carolina taxes pursuant to Section 12-6-510, Section 12-6-530, Chapter 11, Title 12, or Chapter 7, Title 38.

(7) 'Federal 9 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(i) of the Internal Revenue Code.

(8) 'Federal 4 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(ii) of the Internal Revenue Code.

(9) 'Credit period' has the meaning defined in Section 42(f)(1) of the Internal Revenue Code.

(10) 'State housing authority' means the South Carolina State Housing Finance and Development Authority.

(11) 'Department of Revenue' means the South Carolina Department of Revenue.

(B)(1) A state tax credit pursuant to this section may be claimed against income taxes imposed by Section 12-6-510 or 12-6-530, bank taxes imposed pursuant to Chapter 11, Title 12, corporate license fees imposed pursuant to Chapter 20, Title 12, and insurance premium and retaliatory taxes imposed pursuant to Chapter 7, Title 38, to be termed the South Carolina housing tax credit, and is allowed with respect to each qualified project placed in service after January 1, 2020, and before December 31, 2030, in an amount ~~equal~~ not to exceed the federal housing tax credit allowed with respect to such qualified project, subject to the limitations of item (5). In computing a tax payable by a taxpayer pursuant to Section 38-7-90, the credit allowed pursuant to this section must be treated as a premium tax paid pursuant to Section 38-7-20.

(2)(a) If under Section 42 of the Internal Revenue Code of 1986, as amended, a portion of any federal housing tax credit taken on a project is required to be recaptured, the taxpayer claiming any ~~state~~ South Carolina housing tax credit with respect to such project also is required to recapture a portion of any ~~state~~ South Carolina housing tax credit authorized by this section. The state recapture amount is equal to the proportion of the ~~state~~ South Carolina housing tax credit claimed by the taxpayer that equals the proportion the federal recapture amount bears to the original federal housing tax credit amount subject to recapture.

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(b) In the event that recapture of any South Carolina housing tax credit is required, any ~~amended~~ return submitted to the Department of Revenue, as provided in this section, shall include the proportion of the ~~state~~ the South Carolina housing tax credit required to be recaptured, the identity of each taxpayer subject to the recapture, and the amount of South Carolina housing tax credit previously allocated to such taxpayer. Any recapture of the South Carolina housing tax credit is reported in the same manner as any recapture of the federal housing tax credit.

(3) The total amount of the South Carolina housing tax credit allowed by this section for a taxable year may not exceed the taxpayer's income tax liability. Any unused South Carolina housing tax credit may be carried forward to apply to the taxpayer's next five succeeding years' tax liability. The taxpayer may not apply the credit against any prior tax years' tax liability.

(4) The South Carolina housing tax credit ~~allowed by this section~~, and any recaptured tax credit, must be allocated among some or all of the partners, members, or shareholders of the entity owning the project in any manner agreed to by such persons, regardless of whether such persons are allocated or allowed any portion of the federal housing tax credit with respect to the project.

(5)(a) The South Carolina housing tax credit allowed for any project must supplement but not supplant the federal housing tax credit and must be limited to an amount necessary only to achieve financial feasibility of the project.

(b) The total amount of all South Carolina housing tax credits that may be allocated in any calendar year must not exceed twenty million dollars, plus the total of all unallocated tax credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated.

(c) Of the dollar limitation prescribed in subitem (b), the total amount of South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit must not exceed forty percent of the dollar limitation prescribed in subitem (b). Of the South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit, not less than fifty percent of the South Carolina housing tax credits must be allocated to qualified projects located in an eligible rural area as designated by the United States Department of Agriculture, with the remainder allocated to (i) qualified projects serving older persons or persons with special needs, irrespective of rural eligibility criteria; (ii) qualified projects supporting workforce

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development as certified by the South Carolina Department of Commerce, irrespective of rural eligibility criteria; and (iii) other qualified projects, irrespective of rural eligibility criteria.

(d) Compliance with the dollar limitations of subitems (b) and (c) must be determined by the total amount of South Carolina housing tax credits allocated for one full year of the credit period applicable to each qualified project, and not the total amount of South Carolina housing tax credits allocated for the entire credit period applicable to each qualified project. Compliance with the dollar limitations of subitems (b) and (c) must be determined within each calendar year at the time the state housing authority makes a preliminary determination of any qualified project's eligibility for the South Carolina housing tax credit.

(e) In addition to the dollar limitation of subitem (b), allocation of any South Carolina housing tax credit to any qualified project utilizing the federal 4 percent tax credit is conditioned on among other things availability and allocation to the extent necessary for the qualified project of any state ceiling made pursuant to Article 3, Chapter 11, Title 1.

(C)(1) The state housing authority shall promulgate rules establishing criteria upon which the eligibility statements are issued which must include consideration of evidence of local support for the project. The eligibility statement must specify the amount of the South Carolina housing tax credit allowed, and must include: (i) the annual amount of South Carolina housing tax credit allocated to the qualified project for each year of credit period; and (ii) the total amount of South Carolina housing tax credit allocated to the qualified project for the entire credit period.

(2) The state housing authority may not issue an eligibility statement until the taxpayer provides a report to the state housing authority detailing how the state South Carolina housing tax credit authorized by this section will benefit the tenants of the project, once placed in service, including, but not limited to, including without limitation reduced rent, or and why the state South Carolina housing tax credit authorized by this section is necessary to undertake essential to the financial feasibility of the project.

(3) The state housing authority must establish uniform criteria for allocating the South Carolina housing tax credit to eligible projects pursuant to a competitive process that promotes highest value and greatest public benefit. The state housing authority must establish the criteria required by this section as part of any qualified allocation plan

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adopted to administer the federal housing tax credit, which must include without limitation an opportunity for public comment at a public hearing conducted by the state housing authority. The criteria established pursuant to this section, and any qualified allocation plan are subject to the prior review and comment of the Joint Bond Review Committee.

(4) The state housing authority must furnish no later than January thirty-first of each year an annual report of South Carolina housing tax credits allocated pursuant to this section, which must include for the preceding calendar year the total amount of South Carolina housing tax credits allocated, and for each project, the project name and location, the amount of the South Carolina housing tax credits allocated to the project, project ownership, total number of units assisted, and the public benefit achieved by the project. The annual report must be furnished to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority.

(D) The Department of Revenue, in consultation with the ~~South Carolina State Housing Finance and Development Authority~~ state housing authority, may adopt rules and policies necessary to implement and administer the provisions of this section; provided, however, that the state housing authority has the responsibility for: (i) allocation and administration of the South Carolina housing tax credit; and (ii) ensuring that the limits prescribed by subsections (B)(5)(b) and (B)(5)(c) are not exceeded.

(E) Notwithstanding any other provision of law, the provisions of this section and administration thereof are subject to the oversight, and review and comment as appropriate, of the Joint Bond Review Committee.”

B.1. Notwithstanding the limitations prescribed by Section 12-6-3795(B)(5)(b), (c), and (d) in SECTION 1.A., the General Assembly hereby provides a one-time authorization of South Carolina housing tax credits in an amount necessary but not exceeding one hundred million dollars for qualified projects approved before December 31, 2021, by the State Fiscal Accountability Authority or the South Carolina State Housing and Finance Development Authority, as applicable. Any allocations of South Carolina housing tax credits made pursuant to this provision are subject to the review and comment of the Joint Bond Review Committee. Not later than thirty days following enactment hereof, the South Carolina State Housing and Finance Development Authority must identify and report to the President of the

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Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority all qualified projects to which this one-time authorization of South Carolina housing tax credits is proposed to apply. The report must be made in such form and substance as may be directed by the Joint Bond Review Committee. Nothing in this provision grants any rights to, or in the processes used in the determination of, allocation of this one-time authorization of South Carolina housing tax credits. Decisions made pursuant to this provision are final and are not subject to judicial or administrative review.

2. This subsection B takes effect upon approval by the Governor.

C. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2021.

SECTION 2. Article 3, Chapter 11, Title 1 of the 1976 Code is amended to read:

“Article 3

Allocation of State Ceiling on Issuance of Private Activity Bonds

Section 1-11-500. The state ceiling on the issuance of private activity bonds as defined in Section 146 of the Internal Revenue Code of 1986 (~~the Code~~) established in the act must be certified annually by the Secretary of the State Fiscal Accountability Authority ~~secretary~~ (the state authority) based upon the provisions of the act. The ~~board~~ secretary of the state authority shall make this certification as soon as practicable after the estimates of the population of the State of South Carolina to be used in the calculation are published by the United States Bureau of the Census but in no event later than February first of each calendar year.

Section 1-11-510. (A) The private activity bond limit for all issuing authorities must be allocated by the ~~board~~ state authority in response to authorized requests as described in Section 1-11-530 by the issuing authorities, or as otherwise provided in Section 1-11-520(G).

(B) The aggregate private activity bond limit amount for all South Carolina issuing authorities is allocated initially to the State for further allocation within the limits prescribed herein.

(C) ~~Except as is provided in Section 1-11-540, all allocations must be made by the board on a first come, first served basis, to be determined by the date and time sequence in which complete authorized requests are received by the board secretary~~ Nothing in this article or the State Ceiling Allocation Plan adopted pursuant to this article grants any rights to, or in the processes used in the allocation or disposition of, state ceiling.

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Decisions made pursuant to this article are final and are not subject to judicial or administrative review.

Section 1-11-520. (A) ~~The private activity bond limit for all state government issuing authorities now or hereafter authorized to issue private activity bonds as defined in the act, to be known as the "state government pool", is forty percent of the state ceiling less any amount shifted to the local pool as described in subsection (B) of this section or plus any amount shifted from that pool~~ No later than September thirtieth of the year preceding the calendar year to which the state ceiling applies, and subject to review and comment by the Joint Bond Review Committee, the state authority must publish a State Ceiling Allocation Plan that assigns percentages of the state ceiling to categories of any of the permitted purposes prescribed by the Internal Revenue Code. Without limitation, categories of permitted purposes may include industrial and economic development bonds; single family housing bonds; multifamily housing bonds; student loan bonds; and any other bonds eligible for tax exemption as a private activity bond pursuant to the Internal Revenue Code. No initial assignment to any single category may exceed forty percent of the state ceiling, and no minimum assignment is required for any category.

(B) ~~The private activity bond limit for all issuing authorities other than state government agencies, to be known as the "local pool", is sixty percent of the state ceiling plus any amount shifted from the state government pool or less any amount shifted to that pool~~ Further, the allocation plan must provide for a process of periodic allocations of the state ceiling within each category, which for any period generally may not exceed an amount of the state ceiling allocated to that category equally divided among the number of periods in the year during which allocations are to be made; provided, however, that the state authority may, upon findings of exceptional and compelling circumstances, amend the annual allocation plan following review and comment by the committee.

(C) ~~The board, with review and comment by the Joint Bond Review Committee, may shift unallocated amounts from one pool to the other at any time~~ Notwithstanding the assigned percentages set forth in the allocation plan, the state authority may but need not reassign any state ceiling unused in prior periods as a supplement to and means to address demand for ceiling allocation in a subsequent period. Such re-assignment may be made for any allocation category, notwithstanding its original assignment.

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(D) Unless otherwise approved in writing by the state authority following justification and substantial findings of significance, no authorized request may receive an allocation of state ceiling applicable to that calendar year exceeding ten percent of the total state ceiling in the case of an industrial or economic development project, or five percent of the total state ceiling for any other allocation category.

(E) The allocation plan must establish competitive criteria for allocation of state ceiling to authorized requests. Competitive criteria may be unique to each category but must be uniform within each category and established to achieve highest value and greatest public benefit. Discussions of matters related to the periodic evaluation of authorized requests may be conducted in executive session. The state authority may utilize the services of the South Carolina Department of Commerce, the South Carolina State Housing Finance and Development Authority, any other state agency, and any other public or private resources to inform and provide services for the development of the allocation plan, including the evaluation and competitive criteria; and the periodic evaluation of authorized requests. The Department of Commerce and the State Housing Finance and Development Authority are directed to provide to the state authority such assistance as may be requested or required to accomplish the purposes of this article.

(F) Allocations of state ceiling to authorized requests must be made in accordance with the provisions of the allocation plan and policies and procedures adopted by the state authority.

(G) The state authority must determine the disposition of any remaining, unused state ceiling during the final period of the calendar year pursuant to a petition submitted in accordance with Section 1-11-530(D).

Section 1-11-530. (A) For private activity bonds proposed for issue by other than state government issuing authorities, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a copy of the Inducement Contract, Inducement Resolution, or other comparable preliminary approval entered into or adopted by the issuing authority, if any, relating to the bonds. ~~The board shall forward promptly to the committee a copy of each petition received, and~~ (ii) such other supporting documentation as the state authority may by policy prescribe.

(B) For private activity bonds proposed for issue by any state government issuing authority, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state

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ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a bond resolution or comparable action by the issuing authority authorizing the issuance of the bonds. The board shall forward promptly to the committee a copy of each petition received, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(C) Each authorized request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

(D) An issuing authority seeking an allocation of any remaining unused state ceiling for carry-forward designation must submit to the state authority a petition identifying the types of tax-exempt bonds to which the carry-forward designation will apply. The petition must be accompanied by such other supporting documentation as the state authority may by policy prescribe. Such allocations are not subjected to the provisions of Section 1-11-520(D), (E), and (F).

(E) Notwithstanding any other provision of this article, the state authority may disapprove, reduce, or defer any authorized request or petition for carry forward.

(F) The state authority must periodically furnish to the Joint Bond Review Committee a report of petitions received, along with their dispositions.

Section 1-11-540. ~~(A) The board, with review and comment by the committee, may disapprove, reduce, or defer any authorized request. If it becomes necessary to exercise this authority, the board and the committee shall take into account the public interest in promoting economic growth and job creation.~~

~~(B) Authorized requests for state ceiling allocations of more than ten million dollars for a single project are deferred until after July first unless the board, after review and comment by the committee, determines in any particular instance that the positive impact upon the State of approving an allocation of an amount greater than ten million dollars is of such significance that approval of the allocation is warranted~~
Reserved.

Section 1-11-550. (A) An allocation of the state ceiling approved by the ~~board~~ state authority is made formal initially by a certificate which allocates tentatively a specific amount of the state ceiling to the bonds for which the allocation is requested. This tentative allocation certificate must specify the state ceiling amount allocated, the issuing authority and the project involved, and the time period during which the tentative

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allocation is valid. This certificate must remind the issuing authority that the tentative allocation is made final after the issuing authority chairman or other duly authorized official or agent of the issuing authority, before the issue is made, certifies the issue amount and the projected date of issue, as is required by subsection (B) of this section. It also may include other information considered relevant by the ~~board~~ secretary of the state authority.

(B) The chairman or other authorized official or agent of an issuing authority issuing any private activity bond for which a portion of the state ceiling has been allocated tentatively shall execute and deliver to the ~~board~~ secretary of the state authority an issue amount certificate setting forth the exact amount of bonds to be issued and the projected bond issue date which date must not be more than ten business days after the date of the issue amount certificate and it must be before the state ceiling allocation involved expires. The issue amount certificate may be an executed copy of the appropriate completed ~~Internal Revenue Service~~ form to be submitted to the Internal Revenue Service on the issue or it may be in the form of a letter which certifies the exact amount of bonds to be issued and the projected date of the issue.

(C) In response to the issuing authority's issue amount certificate required by subsection (B) of this section, the ~~board~~ secretary of the state authority is authorized to issue and, as may be necessary, to revise a certificate making final the ceiling allocation ~~approved~~ approved previously approved by the ~~board~~ state authority on a tentative basis, if the secretary of the state authority determines that:

(1) the issuing authority's issue amount certificate specifies an amount not in excess of the approved tentative ceiling allocation amount;

(2) the issue amount certificate was received prior to the issue date projected and that the certificate is dated not more than ten days prior to the issue date projected; provided, however, that if an issue amount certificate is dated more than ten days prior to the date of issue of the bonds, such certificate shall be void, and a new request must be provided to the secretary of the state authority prior to issuance of the bonds;

(3) the issue date projected is within the time period approved previously for the tentative ceiling allocation; and

(4) the bonds when issued and combined with the total amount of bonds requiring a ceiling allocation included in issue amount certificates ~~submitted~~ submitted to the ~~board~~ state authority by issuing authorities do not exceed the state ceiling for the calendar year. Except under extraordinary circumstances, the ~~board~~ secretary of the state

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authority shall issue this certificate within two business days following the date the issue amount certificate is received.

(D) In accordance with Section 149(e)(2)(F) of the Internal Revenue Code, the secretary of the ~~State Fiscal Accountability Authority~~ state authority is designated as the state official responsible for certifying, if applicable, that certain bonds meet the requirements of Section 146 of the Internal Revenue Code relating to the volume cap on private activity bonds.

(E) Any tentative or final state ceiling allocation granted by the ~~board~~ state authority before the effective date of this act remains valid as an allocation of a portion of the volume cap for South Carolina provided under Section 146 of the Internal Revenue Code. The allocations expire in accordance with the ~~regulations law~~ law under which they were granted or extended and their validity may be extended or reinstated in accordance with the provisions of Sections 1-11-500 through 1-11-570.

Section 1-11-560. (A) Any state ceiling allocation approved by the ~~board~~ state authority is valid only for the calendar year in which it is approved, unless eligible and approved for carry-forward election or unless specified differently in the ~~board~~ certificates required by Section 1-11-550.

(B) Unless eligible and approved for carry-forward election or unless specified differently in ~~board~~ certificates required by Section 1-11-550, each state ceiling allocation expires automatically if the bonds for which the allocation is made are not issued within ninety consecutive calendar days from the date the allocation is approved by the ~~board~~ state authority.

(C) In response to a written request by the chairman or other duly authorized official or agent of an issuing authority, the ~~board~~ state authority, acting during the period an approved allocation is valid, may but need not extend the period in which an allocation is valid in a single calendar year by thirty-one consecutive calendar days to a total of not more than one hundred twenty-one consecutive calendar days.

(D) In response to a written request by the chairman or other authorized official or agent of an issuing authority, the ~~board~~ state authority may but need not reinstate for a period of not more than thirty-one consecutive calendar days in any one calendar year part or all of an allocation approved but not extended previously in accordance with subsection (C) of this section in that same calendar year which has expired. The reinstatement request must certify that the authorized request ~~submitted~~ previously submitted is still true and correct or a new authorized request must be submitted.

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(E) A tentative ceiling allocation is canceled automatically if the chairman or other authorized official or agent of the issuing authority ~~involved~~ fails to deliver the issue amount certificate required by Section 1-11-550 to the ~~board~~ secretary of the state authority before the bonds for which the allocation is made are issued.

(F) The chairman or other authorized official or agent of an issuing authority shall advise the ~~board~~ secretary of the state authority in writing as soon as is practicable after a decision is made not to issue bonds for which a portion of the state ceiling has been allocated. All notices of relinquishment of ceiling allocations must be entered promptly in the ~~board's~~ state authority's records by the ~~board~~ secretary of the state authority.

(G) Ceiling allocations which are eligible and approved for carry-forward election are not subject to the validity limits of this section. The ~~board~~ state authority shall join with the issuing authorities involved in carry-forward election statements to meet the requirements of the Internal Revenue Service.

~~Section 1-11-570. The State Fiscal Accountability Authority, after review and comment by the committee, state authority may adopt the policies and procedures it considers necessary for the equitable to implement and administer the provisions of this article. All such policies and effective administration of Sections 1-11-500 through 1-11-570 procedures, and any changes thereto, are subject to review and comment by the Joint Bond Review Committee.~~

Section 1-11-580. The State Fiscal Accountability Authority shall make quarterly payments on insurance contracts where the annual premium exceeds fifty thousand dollars. The board shall undertake necessary negotiations to implement this requirement. Where fees may be incurred for quarterly rather than annual payments, the State Fiscal Accountability Authority shall determine whether the investment income opportunity is greater or less than proposed fees and shall make the decision which best benefits South Carolina.”

SECTION 3. Section 1-11-370 of the 1976 Code is repealed.

SECTION 4. The provisions of Article 3, Chapter 11, Title 1 of the 1976 Code relating to the allocation of state ceiling on issuance of private activity bonds, as amended in this act, shall control if there is any conflict with any other provision of law or regulation, specifically including Regulation 19-103.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the

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constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. The provisions of this act are effective for allocations of state ceiling beginning January 1, 2022, and thereafter. For the first year of implementation, the state authority may adopt such special procedures as may be necessary to effect the requirements of this act.

Re-number sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--44

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

ADOPTED

H. 5101 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2022, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:12 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

H. 4919 -- Reps. Lucas, B. Newton, Jordan, Simrill, Pope, Hixon, W. Newton, Erickson, Allison, Bailey, Ballentine, Brittain, Bennett, Blackwell, Burns, Bustos, B. Cox, Crawford, Daning, Elliott, Felder, Forrest, Gagnon, Gatch, Hardee, Hewitt, Hiott, Huggins, J.E. Johnson, Ligon, Long, Magnuson, McCravy, McGarry, V.S. Moss, Murphy, Nutt, Sandifer, G.R. Smith, M.M. Smith, G.M. Smith, West, White, Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney, May, Jones and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTIONS 7-15-220 AND 7-15-380, BOTH RELATING TO ABSENTEE BALLOT OATHS, BOTH SO AS TO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE CERTAIN REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED AND ADD A NEW REASON FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO REQUIRE THE VOTER'S DRIVER'S LICENSE NUMBER OR OTHER PERSONAL OR UNIQUE IDENTIFYING NUMBER ASSOCIATED WITH A GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND

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SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SUNDAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; BY ADDING SECTION 7-15-325 SO AS TO PROVIDE THAT ANY VOTER WHO IS DESIGNATED AS HAVING PREVIOUSLY VOTED ABSENTEE MAY CAST A PROVISIONAL BALLOT ON ELECTION DAY TO BE COUNTED ONLY IF THE VOTER'S ABSENTEE BALLOT IS NOT RECEIVED; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1

Senators CAMPSER, HUTTO, MASSEY, SABB and SCOTT proposed the following amendment (JUD4919.011), which was adopted:

Amend the bill, as and if amended, strike all after the enacting language and inserting:

/ SECTION 1. A. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7-13-25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of voter registration and elections must establish at least one early voting center and may establish up to seven early voting centers. Each early voting center must be supervised by employees of the county board of voter registration and elections or the State Election Commission.

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(E) The early voting period shall be from Monday through Saturday for the two-week period immediately preceding an election.

(F) The county board of voter registration and elections shall provide the hours of operation for the early voting center or centers in accordance with the following:

(1) for statewide general elections, the early voting centers must be open for the Saturdays within the early voting period and the early voting centers must be open at least from 8:30 a.m. until 6:00 p.m. on each date of the early voting period. However, the county board of voter registration and elections may choose to extend hours from 7:00 a.m. until 7:00 p.m. for any of those dates;

(2) for any election that is not a general election, the early voting centers must be open from at least 8:30 a.m. until 5:00 p.m., but the county board of voter registration and elections shall determine whether to open the early voting centers on Saturday during the early voting period;

(3) for a primary run-off for which timing would not permit an early voting period as prescribed in subsection (E), the Executive Director of the State Election Commission may establish a period of time for an early voting period; and

(4) for any election, the early voting centers must not be open on Sundays.

(G)(1) Each county board of voter registration and elections must determine locations for its early voting centers. In selecting locations for early voting centers, the county board of voter registration and elections must consider geography, population, and ADA compliant accessibility. The county board of voter registration and elections must distribute the locations throughout the county to maximize accessibility for all voters in the county to the greatest extent possible.

(2) Each county board of voter registration and elections must identify locations it intends to utilize as early voting centers for a statewide primary and a statewide general election by March 10 before that primary election.

(3) The Executive Director of the State Election Commission must approve the addition or relocation of early voting centers after March 10, and may, at his discretion, direct the move of early voting centers to ensure proper distribution throughout each county.

(H) The county board of voter registration and elections must publish the location and hours of each early voting center at least fourteen days before the early voting period begins. Publication of the schedule must be made, at a minimum, to a website or webpage managed by, or on

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behalf of, each respective county board of voter registration and elections.

(I) Each early voting center must have available every ballot style in use in the particular county for that election.

(J) Upon the daily closure of each early voting center, all ballots must be transported to the county board of voter registration and elections and stored in a secure location.

(K) A sign must be posted prominently in each early voting center and shall have printed on it: 'VOTING MORE THAN ONCE IS A FELONY AND, UPON CONVICTION, A PERSON MUST BE FINED NOT LESS THAN ONE THOUSAND DOLLARS NOR MORE THAN FIVE THOUSAND DOLLARS AND IMPRISONED NOT MORE THAN FIVE YEARS'.

(L) The provisions of this section do not apply to presidential preference primaries held pursuant to Section 7-11-20."

SECTION 2. A. Section 7-11-10 of the 1976 Code is amended to read:

"Section 7-11-10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; however, a person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ must not have his name placed on the ballot for the ensuing general or special election, except that this section does not prevent a defeated candidate from later becoming his party's nominee for that office in that election if the candidate first selected as the party's nominee dies, resigns, is disqualified, or otherwise ceases to become the party's nominee for that office before the election is held.

(B) A candidate must not file more than one statement of intention of candidacy for a single office for the same election.

(C) A candidate must not be nominated by more than one political party for a single office for the same election."

B. Section 7-13-320(D) of the 1976 Code is amended to read:

"(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate's name must not appear on the ballot more than once for any single office for the same election."

SECTION 3. A. Section 7-15-220(A) of the 1976 Code is amended to read:

"(A) The oath, a copy of which is required by Section 7-15-200(2) to be sent each absentee ballot applicant and which is required by Section

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7-15-230 to be returned with the absentee ballot applicant's ballot, shall be signed by the absentee ballot applicant and witnessed by a person who is at least eighteen years of age. The oath shall be in the following form:

'I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots with which this oath is enclosed is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.'

Signature of Voter

Dated on this _____ day of _____ 20 __

Signature of Witness

Printed Name of Witness

Address of Witness"

SECTION 4. Section 7-15-320 of the 1976 Code is amended to read:

Section 7-15-320. (A) Qualified electors in ~~any of~~ the following categories who are unable to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day, must be permitted to vote by absentee ballot in all elections an election when they are absent from their county of residence on election day during the hours the polls are open, to an extent that it prevents them from voting in person:

(1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections students, their spouses, and dependents residing with them;

(2) persons who will be attending sick or physically disabled persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(3) persons confined to a jail or pretrial facility pending disposition of arrest or trial governmental employees, their spouses, and dependents residing with them; or

(4) persons who are going to be absent from their county of residence on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or

(5) overseas citizens.

(B) Qualified electors in the following categories must be permitted to vote by absentee ballot in an election, regardless of whether the elector

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is able to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open all elections, whether or not they are absent from their county of residence on election day:

- (1) physically disabled persons;
- (2) persons sixty-five years of age or older ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county board of voter registration and elections;~~
- (3) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them ~~certified poll watchers, poll managers, county board of voter registration and elections members and staff, county and state election commission members and staff working on election day; or~~
- (4) ~~attending sick or physically disabled persons;~~
- (5) persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election, as provided in Section 7-15-330;
- (6) ~~persons with a death or funeral in the family within a three-day period before the election;~~
- (7) ~~persons who will be serving as jurors in a state or federal court on election day;~~
- (8) ~~persons sixty-five years of age or older;~~
- (9) ~~persons confined to a jail or pretrial facility pending disposition of arrest or trial; or~~
- (10) ~~members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them.~~

SECTION 5. Section 7-15-330 of the 1976 Code, as last amended by Act 133 of 2020, reads:

“Section 7-15-330. To vote by absentee ballot, a qualified elector or a member of his immediate family must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the board of voter registration and elections 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 request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of

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voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate or a member of a candidate's paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family. 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. However, completed applications must be returned to the county board of voter registration and elections in person or by mail before 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320. 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 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 voter registration and elections. The board of voter registration and elections shall serially number each absentee ballot application form 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; the date upon which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election. A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170."

SECTION 6. Section 7-15-340 of the 1976 Code is amended to read:

"Section 7-15-340. (A) The application required in Section 7-15-330 to be submitted to these election officials must be in a form prescribed and distributed by the State Election Commission; except that persons listed in Section 7-15-320(2), (3), (6), and (10) may use Standard Form 76, or any subsequent form replacing it, provided by the federal

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government as a simultaneous request for registration and an absentee ballot or a request for an absentee ballot if already registered.

(B)(1) The application must contain the following information: name, registration certificate number, address, absentee address, election of ballot request, election date, runoff preference, party preference, reason for request, oath of voter, and voter’s signature.

(2) The application also must contain the last four digits of the voter’s social security number.

(C) The oath must be as follows: ‘I do swear or affirm that I am a qualified elector, that I am entitled to vote in this election, and that I will not vote again during this election. The information above is true in all respects, and I hereby apply for an absentee ballot for the reason indicated above.’ Any person who fraudulently applies for an absentee ballot in violation of this section, upon conviction, must be punished in accordance with Section 7-25-20.”

SECTION 7. Section 7-15-380(A) of the 1976 Code is amended to read:

“(A) The oath, which is required by Section 7-15-370 to be imprinted on the return-addressed envelope, furnished each absentee ballot applicant, must be signed by the absentee ballot applicant and witnessed by a person who is at least eighteen years of age. The address, printed name, and signature of the witness shall appear on the oath. In the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The oath must be in the following form:

‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots contained in this envelope is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.’

Signature of Voter

Dated on this _____ day of _____ 20 ____

Signature of Witness

Printed Name of Witness

Address of Witness”

SECTION 8. Section 7-15-385 of the 1976 Code is amended to read:

“Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to

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vote and place each ballot in the single envelope marked 'Ballot Herein' which in turn must be placed in the return-addressed envelope. The applicant must then return the return-addressed envelope to the board of voter registration and elections by mail, by personal delivery, or by authorizing another person to return the envelope for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of voter registration and elections at the time the envelope is returned. The voter must sign the form, or in the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The authorization form prescribed by the State Election Commission must include a designated space in which the appropriate elections official or employee shall record the specific form of government-issued photo identification presented by the authorized returnee. The authorization must be preserved as part of the record of the election, and the board of voter registration and elections must note the authorization, and the name of the authorized returnee, and the authorized returnee's form of government-issued photo identification in the record book required by Section 7-15-330. A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board. The board must securely store the envelopes in a locked box within the office of the board of voter registration and elections.

(B)(1) When an authorized returnee presents himself to the board of voter registration and elections to deliver a return-addressed envelope in person pursuant to subsection (A), he shall produce a valid and current:

- (a) South Carolina driver's license;
- (b) other form of identification containing a photograph issued by the Department of Motor Vehicles;
- (c) passport;
- (d) military identification containing a photograph issued by the federal government; or
- (e) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-675.

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(2) The appropriate elections official or employee who receives a return-addressed envelope from an authorized returnee shall:

(a) compare the photograph contained on the required identification with the person presenting himself as an authorized returnee; and

(b) verify that the photograph is that of the person personally delivering the return-addressed envelope.”

SECTION 9. Section 7-15-420 of the 1976 Code, as last amended by Act 133 of 2020, reads:

“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 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 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.”

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SECTION 10. Section 7-15-430 of the 1976 Code is amended to read:

(A) Prior to the distribution of voter registration lists to the various precincts, the county board of voter registration and elections shall note, opposite the name of each registered voter, who is provided an absentee ballot ~~has voted by absentee ballot the fact of such voting or that an absentee ballot has been issued to a voter, as the case may be.~~

(B) No voter whose name is so marked on the registration list as having returned his absentee ballot ~~voted~~ shall be permitted to vote in person in his resident precinct or at an early voting center in his county. ~~and no~~ A voter who has not returned his ~~been issued an~~ absentee ballot may cast a provisional ballot at his resident precinct or at an early voting center in his county that must only be counted if the absentee ballot is not received by the time for the closing of the polls on election day ~~vote whether such ballot has been cast or not, unless he shall furnish to the officials of his resident precinct a certificate from the county board of voter registration and elections that his absentee ballot has been returned to the board unmarked.~~

(C) Should any voter be issued an absentee ballot after the board has released the registration books to be used in the election to the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll managers, the board of voter registration and elections shall immediately notify in writing the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll manager, as the case may be, of the name, address, and certificate number of each voter who has since been issued an absentee ballot and the registration books must be appropriately marked that the voter has been issued an absentee ballot.

SECTION 11. Section 7-15-470 of the 1976 Code is repealed.

SECTION 12. Section 7-5-170 of the 1976 Code is amended to read:

“Section 7-5-170. (1) Written application required.—A person may not be registered to vote except upon written application or electronic application pursuant to Section 7-5-185, which shall become a part of the permanent records of the board to which it is presented and which must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

(2) 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

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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 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, and that, to my knowledge, I am neither registered nor intend to register to vote in another state or county.’ Any applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(3) Date stamp voter registration applications. — The county board of voter registration and elections shall date stamp all voter registration applications delivered in person, electronically, or by mail as of the date received.

~~(3)~~(4) Administration of oaths. — Any member of the county board of voter registration and elections, deputy registrar, or any registration clerk must be qualified to administer oaths in connection with the application.

~~(4)~~(5) Decisions on applications. — Any member of the county board of voter registration and elections, deputy registrar, or registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application.”

SECTION 13. A. Section 7-5-186 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“() The State Election Commission shall ensure that voter registration information, the voting system, and electronic poll books are protected by security measures that meet or exceed current best practices for protecting data integrity. To do so, the State Election Commission shall consider security standards and best practices issued by federal security and intelligence services, including, but not limited to, the Department of Homeland Security and the Election Assistance

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Commission. The State Election Commission shall certify on an annual basis to the Governor, the President of the Senate, and the Speaker of the House of Representatives that the agency has substantially complied with the requirements of this subsection.”

SECTION 14. Section 7-13-320(A) of the 1976 Code is amended to read:

“(A) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall be of such size and color as directed by the State Election Commission. If more than one ballot is to be used in any election, each such ballot shall be printed upon different colored paper;”

SECTION 15. Section 7-13-610(C) of the 1976 Code is amended to read:

“(C) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot must be printed on paper of a thickness so that the printing cannot be distinguished from the back and must be of a size and color as directed by the State Election Commission. If more than one ballot is to be used in a primary, each ballot must be printed on different colored paper. The ballot must contain a voting square opposite the name of each candidate, and the voter shall vote by putting a mark in the voting square opposite the name of the candidate of his choice. The State Election Commission may establish, under Chapter 23 of Title 1, such rules and regulations as are necessary for the proper administration of this section.”

SECTION 16. Section 7-13-1330 of the 1976 Code is amended to read:

“Section 7-13-1330. (A) Before a decision is made to procure a statewide voting system, the State Election Commission must provide a public comment period of not less than thirty days. The input must be considered in the procurement of a statewide voting system.

(B) Before any kind of optical scan voting system is used at any election, it must be approved by the State Election Commission, which

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shall examine the optical scan voting system and make and file in the commission's office a report, attested by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of optical scan voting system examined may be accurately and efficiently used by electors at elections, as provided by law. An optical scan voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended less than thirty-six months prior to an election, then the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards.

~~(B)~~(C) No kind of vote recorder not approved pursuant to this section shall be used at any election and if, upon the reexamination of any type vote recorder previously approved, it appears that the vote recorder so reexamined can no longer be accurately and efficiently used by electors at elections as provided by law, the approval of the vote recorder must immediately be revoked by the State Election Commission, and no such type vote recorder shall thereafter be purchased for use or used in this State.

~~(C)~~(D) If a vote recorder, including an optical scan voting system, which was approved for use before July 1, 1999, is improved or otherwise changed in a way since its approval that does not impair its accuracy, efficiency, or capacity, the vote recorder may be used in elections. However, if the software, hardware, or firmware of the system is improved or otherwise changed, the system must comply with the requirements of subsection ~~(A)~~ (B).

~~(D)~~(E) Any person or company who requests an examination of any type of vote recorder or optical scan voting system shall pay a nonrefundable examination fee of one thousand dollars for a new voting system and a nonrefundable examination fee of five hundred dollars for an upgrade to any existing system to the State Election Commission. The State Election Commission may at any time, in its discretion, reexamine any vote recorder or optical scan voting system when evidence is presented to the commission that the accuracy or the ability of the system to be used satisfactorily in the conduct of elections is in question.

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~~(E)~~(F) Any person or company who seeks approval for any vote recorder or optical scan voting system in this State must file with the State Election Commission a list of all states or jurisdictions in which the system has been approved for use. This list must state how long the system has been used in the state; contain the name, address, and telephone number of that state or jurisdiction's chief election official; and must disclose any reports compiled by state or local government concerning the performance of the system. The vendor is responsible for filing this information on an ongoing basis.

~~(F)~~(G) Any person or company who seeks approval for any vote recorder or optical scan voting system must file with the State Election Commission copies of all contracts and maintenance agreements used in connection with the sale of the voting system. All changes to standard contracts and maintenance agreements must be filed with the State Election Commission.

~~(G)~~(H) Any person or company who seeks approval for any vote recorder or optical scan voting system must conduct, under the supervision of the State Election Commission and any county board of voter registration and elections, a field test for any new voting system, as part of the certification process. The field test shall involve South Carolina voters and election officials and must be conducted as part of a scheduled primary, general, or special election. This test must be held in two or more precincts, and all costs relating to the voting system must be borne by the vendor. The test must be designed to gauge voter reaction to the system, problems that voters have with the system, and the number of voting units required for the efficient operation of an election. The test must also demonstrate the accuracy of votes cast and reported on the system.

~~(H)~~(I) Before an optical scan voting system may be used in elections in the State, all source codes for the system must be placed in escrow by the manufacturer, at the manufacturer's expense, with the authority approved by the Federal Election Assistance Commission. These source codes must be available to the State Election Commission in case the company goes out of business, pursuant to court order, or if the State Election Commission determines that an examination of these source codes is necessary. The manufacturer shall place all updates of these source codes in escrow, and notify the State Election Commission that this requirement has been met.

~~(I)~~(J) After a vote recorder or optical scan voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section; however, this

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requirement does not apply to the technical capability of a general purpose computer ~~or reader to electronically count and record votes~~ or ~~to a printer to accurately reproduce vote totals.~~

~~(J)~~(K) If the State Election Commission determines that a vote recorder or optical scan voting system that was approved no longer meets the requirements set forth in subsections ~~(A)~~ (B) and ~~(C)~~ (D) or Section 7-13-1340, the commission may decertify that system. A decertified system shall not be used in elections unless the system is reapproved by the commission under subsections ~~(A)~~ (B) and ~~(C)~~ (D).

~~(K)~~(L) Neither a member of the State Election Commission, any county board of voter registration and elections or custodian, nor a member of a county governing body shall have any pecuniary interest in any vote recorder, or in the manufacture or sale of the vote recorder.

(M) An optical scan voting system must maintain an image of each ballot that is cast in a manner that protects the integrity of the data and the anonymity of each voter.

(N) All electronic records for a statewide election must be preserved for not less than twenty-four months following the election.”

SECTION 17. Section 7-13-1340(k) of the 1976 Code is amended to read:

~~“(k) if approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1330 (C), is able to electronically transmit vote totals for all elections to the State Election Commission in a format and timeframe specified by the commission~~ disables, at all times while utilized in a current election, the following:

(1) a connection to the Internet or an external network;

(2) the capability to establish a wireless connection to an external network;

(3) the establishment of a connection to an external network through a cable, a wireless modem or any other mechanism or process;
and

(4) automatic resolution functionality for ballots flagged for further review.”

SECTION 18. Sections 7-13-1620(A) and (G) of the 1976 Code are amended to read:

“(A) Before any kind of voting system, including an electronic voting system, is used at an election, it must be approved by the State Election Commission, which shall examine the voting system and make and file in the commission’s office a report, attested to by the signature of the commission’s executive director, stating whether, in the commission’s

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opinion, the kind of voting system examined may be accurately and efficiently used by electors at elections, as provided by law. A voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended less than thirty-six months prior to an election, then the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards.”

“(G) After a voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section. This requirement does not apply to the technical capability of a general purpose computer, reader, or printer used for election preparation or ballot ~~tallying~~ tally reporting.”

SECTION 19. Section 7-13-1640(C) of the 1976 Code is amended to read:

“(C) If approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1620(B), the voting system must be able to electronically transmit vote totals for all elections from the county board of voter registration and elections to the State Election Commission in a format and time frame specified by the commission.

(D) Anytime a voter is eligible to cast a ballot the voting machine and any counting device must have disabled:

(1) a connection to the Internet or an external network;

(2) the capability of establishing a wireless connection;

(3) the establishment of a connection to an external network through a cable, a wireless modem, or any other mechanism or process; and

(4) automatic resolution functionality for ballots flagged for further review.”

(E) All electronic records for a statewide election must be preserved for not less than twenty-four months following the election.”

SECTION 20. Section 7-13-440 of the 1976 Code is repealed.

SECTION 21. Section 7-3-40 of the 1976 Code is amended to read:

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“Section 7-3-40. The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age or older who have died in the State and all individuals eighteen years of age or older who have died out-of-state since making the previous report. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. The bureau must provide this information at no charge.”

SECTION 22. Section 7-5-186 of the 1976 Code is amended to read:

“Section 7-5-186. (A)(4) The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law. The executive director must conduct a general registration list maintenance program every year to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records in the statewide voter registration system. The program must be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965, the National Voter Registration Act of 1993, and the Help America Vote Act of 2002.

~~(2)(a)(B)~~ State agencies, including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

~~(b)(C) Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector only must be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both~~ The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. The executive director is authorized

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to cause, at his discretion, the official list of electors to be compared to the National Change of Address information supplied by the United States Postal Service through its licensees periodically for the purpose of identifying those electors whose addresses have changed. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the State providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

(e)(D) A county board of voter registration and elections shall ~~contact~~ send a notice to a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection (A)(2)(a) (B) and (C) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency. The notice as described in Section 7-5-330(F)(2) must be sent within seven days after identification of a discrepancy.

~~(3) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.”~~

SECTION 23. Section 7-5-330 of the Code is amended to read:

“Section 7-5-330. (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter

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registration agency no later than thirty days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file within seven days after receipt of the report from the county board of voter registration and elections and ~~may~~ shall remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) 'Notice', as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice

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and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

SECTION 24. Section 7-5-340 of the Code is amended to read:

Section 7-5-340. The State Election Commission shall:

(1) ensure that the name of a qualified elector ~~may not be~~ is removed from the official list of eligible voters ~~except~~ within seven days of receipt of information confirming:

(a) ~~at~~ the request of the qualified elector to be removed;

(b) ~~if~~ the elector is adjudicated mentally incompetent by a court of competent jurisdiction; ~~or~~

(c) ~~as provided under item (2);~~

~~(2) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:~~

~~(a)~~ the death of the qualified elector; or

~~(b)~~(d) a change in the residence of the qualified elector to a place outside the county in which the qualified elector is registered when such confirmation is received from the qualified elector in writing;

~~(3)~~(2) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:

(a) voter eligibility requirements; and

(b) penalties provided by law for submission of a false voter registration application;

~~(4)~~(3) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official lists of eligible voters in compliance with the provisions of Section 7-5-330(F); this ~~subitem~~ item may not be construed to preclude:

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(a) the removal of names from official lists of voters on a basis described in ~~items~~ item (1) ~~and (2)~~; or

(b) correction of registration records pursuant to this article.”

SECTION 25. Chapter 25, Title 7 of the 1976 Code is amended by adding:

“Section 7-25-30. The State Law Enforcement Division shall establish a public reporting hotline telephone number and email address for receiving reports of possible election fraud or other violations of the election laws of this State. It shall promptly review all reported violations and take action as it determines appropriate.”

SECTION 26. Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-350. The State Election Commission shall report to the General Assembly annually regarding the commission’s actions taken to maintain the accuracy of the statewide voter registration database and voter registration list maintenance. This report shall include, but is not limited to, the number of: (1) voters removed from the voter registration list and the reason for the removal; (2) voters placed on inactive status; (3) voters placed on archive status; (4) new voter registrations; and (5) voter registration updates, including elector address changes. This annual report must be delivered to the President of the Senate and the Speaker of the House of Representatives by January fifteenth of each year.”

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

“Section 7-1-110. (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an

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election is conducted is requested to allow the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) A request to intervene or the participation of the President of the Senate, on behalf of the Senate, or the Speaker of the House of Representatives, on behalf of the House of Representatives, as a party or otherwise, in an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted does not constitute a waiver of:

(1) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(2) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(E) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(F) In an action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(G) The Senate and the House of Representatives may employ attorneys other than the Attorney General to defend any action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

SECTION 28. Section 7-3-20(C) of the 1976 Code is amended by adding appropriately numbered items to read:

“() establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director.

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Once completed, audit reports must be published on the commission's website;"

SECTION 29. A. Section 7-25-20 of the 1976 Code is amended to read:

"Section 7-25-20. It is unlawful for a person to fraudulently:

- (1) procure the registration of a name on the books of registration;
- (2) offer or attempt to vote that name;
- (3) offer or attempt to vote in violation of this title or under any false pretense as to circumstances affecting his qualifications to vote; or
- (4) aid, counsel, or abet another in fraudulent registration or fraudulent offer or attempt to vote.

A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not less than one ~~hundred thousand~~ hundred thousand dollars nor more than five ~~hundred thousand~~ hundred thousand dollars ~~or and~~ imprisoned not more than one year, or both five years."

B. Section 7-25-110 of the 1976 Code is amended to read:

"Section 7-25-110. It is unlawful for a person qualified to vote at any general, special, or primary election for an office whether local, state, or federal to vote more than once at such election, for the same office. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined ~~in the discretion of the court or not less than one thousand dollars nor more than five thousand dollars~~ and imprisoned not more than three five years."

C. Section 7-25-120 of the 1976 Code is amended to read:

"Section 7-25-120. It is unlawful for a person to impersonate or attempt to impersonate another person for the purpose of voting in a general, special, or primary election, whether municipal or State. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be imprisoned not more than ~~three five~~ years or and fined not less than ~~three hundred one thousand~~ thousand dollars nor more than ~~twelve hundred five thousand~~ dollars, or both. When a person who violates the provisions of this section is placed under bond, the bond may not be less than six hundred dollars nor more than twelve hundred dollars."

D. Section 7-25-160 of the 1976 Code is amended to read:

"Section 7-25-160. A manager at any general, special, or primary election in this State who wilfully violates any of the duties devolved by law upon such position is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more less~~ less than five hundred one thousand dollars ~~or nor more than five thousand dollars~~ and imprisoned not more

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than ~~three~~ five years. A manager who commits fraud or corruption in the management of such election is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred one thousand~~ dollars ~~or nor more than five thousand dollars and~~ imprisoned not more than ~~three~~ five years, ~~or both.~~”

E. Section 7-25-170 of the 1976 Code is amended to read:

“Section 7-25-170. An officer, other than a manager at any election, on whom a duty is imposed by this title, except under Section 7-13-1170, Articles 1 and 3 of Chapter 17 and Chapters 19 and 23 of this title, who wilfully neglects such duty or engages in corrupt conduct in executing it is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred one thousand~~ dollars ~~or nor more than five thousand dollars and~~ imprisoned not more than ~~three~~ five years.”

SECTION 30. A. Section 7-3-10 of the 1976 Code is amended to read:

“Section 7-3-10. ~~(a)~~(A) There is hereby created the State Election Commission composed of five members, to be appointed by the Governor, upon the advice and consent of the Senate, at least one of whom shall be a member of the majority political party represented in the General Assembly, and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. In considering appointments to the commission, race, gender, and other geographic and demographic factors must be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State.

(B)(1) The terms of the members of the State Election Commission shall be for four years and until their successors are appointed and qualify, provided, however, that a member may not serve in holdover status for more than one year.

(2) If a member who has been reappointed and who is serving in holdover status is not confirmed by the Senate on or before the sine die adjournment of the General Assembly following the expiration of the member’s term, then the member’s seat is vacated, and he is ineligible to serve on the State Election Commission as a recess or interim appointee.

(3) If a person appointed to serve as a commissioner is rejected by a vote of the Senate, then, if the appointment was an initial appointment, the person cannot take office and is ineligible to serve as an interim

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appointee to the State Election Commission and, if the appointment was a reappointment, the person may serve the remainder of his term in office, if any, his seat is vacated upon the expiration of his term, and the person is ineligible to serve as a recess or interim appointee to the State Election Commission.

(4) Any vacancy on the ~~Commission~~ commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.

~~(b)~~(C) The Governor shall appoint one of the members to serve as chairman for a term of two years and until his successor has been appointed and qualifies. The ~~Commission~~ commission shall select such other officers from among its members as it may deem necessary.

~~(e)~~(D) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.

~~(d)~~(E) The ~~Commission~~ commission shall have the powers and duties as enumerated in this title.

~~(e)~~(F) No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal by the Governor.

(G) The commission shall promulgate regulations to establish standardized processes for the administration of elections and voter registration, which must be followed by county boards of voter registration and elections, as established pursuant to Article 1, Chapter 5, Title 7. The standards established by the commission must comply with federal and state statutory, regulatory, and constitutional standards. The commission is prohibited from promulgating emergency regulations pursuant to Section 1-23-130. The standardized processes promulgated pursuant to this subsection must take into account unique circumstances around the State, including, but not limited to, population and geographic disparities among the various counties.

(H) The commission shall provide for the supervision of the conduct of county boards of voter registration and elections, as established pursuant to Article 1, Chapter 5, Title 7, which administer elections and voter registration in the State. The commission is ultimately responsible for ensuring those boards' compliance with the requirements of

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applicable state or federal law and State Election Commission policies, procedures, and standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process.”

B. On January 10, 2023, the terms of the members of the State Election Commission are expired, and a new State Election Commission must be established pursuant to Section 7-3-10(A), as amended by this act. In order to stagger the terms of the members of the State Election Commission, the initial terms are as follows, regardless of when a member is appointed and qualifies:

(1) the initial appointment of one member of the majority political party represented in the General Assembly and the initial appointment of one member of the largest minority political party represented in the General Assembly are for terms expiring on July 1, 2025; and

(2) the initial appointments of three members are for terms expiring on July 1, 2027.

C. A member whose term expires on January 10, 2023 may continue to serve in the seat in holdover status until a successor is appointed and qualifies, provided that if no successor has received the advice and consent of the Senate by May 9, 2023, or by the deadline for the confirmation of appointments in a sine die resolution that is passed in 2023, whichever is later, then the member’s seat is vacated on the later of the two dates and is ineligible to serve as an interim appointment to the State Election Commission. If a member who is serving in holdover status is rejected by a vote of the Senate, then the member’s seat is vacated on the date the member is rejected by a vote of the Senate and the member is ineligible to serve as an interim appointment to the State Election Commission.

SECTION 31. A. Section 7-3-20 of the 1976 Code is amended to read:

“Section 7-3-20. (A) The State Election Commission shall ~~elect~~ appoint an executive director, upon the advice and consent of the Senate, who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission. In the event of a vacancy in the position of executive director, an interim director must be appointed by the State Election Commission, and an appointment for a permanent executive director must be submitted to the Senate as soon as practicable. If a person is appointed by the State Election Commission to be executive director and is not confirmed by the Senate by the date for the sine die adjournment of the General

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Assembly following the appointment, then the person must not serve as an interim or permanent executive director.

(B) The executive director shall receive such compensation and employ such staff, subject to the approval of the State Election Commission, as may be provided by law.

(C) The executive director shall:

(1) direct and supervise the implementation of the standardized processes established by the commission pursuant to Section 7-3-10(G);

(2) supervise the conduct of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(2)~~(3) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(3)~~(4) maintain a complete master file of all qualified electors by county and by precincts;

(4)(5) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

~~(5)~~(6) enter names on the master file as they are reported by the county boards of voter registration and elections;

~~(6)~~(7) furnish each county board of voter registration and elections with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

~~(7)~~(8) maintain all information furnished to his office relating to the inclusion or deletion of names from the master file for four years;

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~~(8)~~(9) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

~~(9)~~(10) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

~~(10)~~(11) obtain information from any other source which may assist him in carrying out the purposes of this section;

~~(11)~~(12) perform such other duties relating to elections as may be assigned him by the State Election Commission;

~~(12)~~(13) furnish at reasonable price any precinct lists to a qualified elector requesting them;

~~(13)~~(14) serve as the chief state election official responsible for implementing and coordinating the state's responsibilities under the National Voter Registration Act of 1993;

~~(14)~~(15) serve as the chief state election official responsible for implementing and enforcing the state's responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq.; ~~and~~

~~(15)~~(16) establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law;

(17) promulgate regulations for voter registrations performed by private entities; and

(18) enter into the master file a separate designation for each voter casting an absentee ballot or an early ballot in an election."

(D) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by state or local governments. State and local governments shall file notice of all changes in voting procedures, including, but not limited to, changes to precincts with the State Election Commission within five days after adoption of the change or thirty-five days prior to the implementation, whichever is earlier. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election, then the changes shall remain on the commission's website through the date of the following general election."

B. The commission must provide an appointment for executive director to the Senate for advice and consent no later than January 10, 2023. This appointment must be made even if there is not a vacancy in

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the position at that time and the commission desires that the executive director continue to serve as the agency's executive director.

SECTION 32. Section 7-3-25 of the 1976 Code is amended to read:

“Section 7-3-25. (A) In the event that the State Election Commission, acting through its executive director, determines that a county board of elections and voter registration has failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of the election or voter registration process, the State Election Commission, acting through its executive director or other designee, must supervise, pursuant to Section 7-3-20(C)(1) and (2), the county board to the extent necessary to:

(1) identify the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes;

(2) establish a plan to correct the failure; and

(3) implement the plan to correct the failure. The officials and employees of the State Election Commission and the county board must work together, in good faith, to remedy the failure of the county board to adhere to state or federal law or State Election Commission policies, procedures, or standardized processes. In the event of a difference of policy or opinion between a county election official or employee and the State Election Commission or its designee, pertaining to the manner in which particular functions must be performed, the policy or opinion of the State Election Commission shall control.

(B) If a county board of voter registration and elections does not or cannot determine and certify the results of an election or referendum for which it is responsible by the time set for certification by applicable law, the responsibility to determine and certify the results is devolved upon the State Election Commission.

(C) If the State Election Commission determines that an official or an employee of a county board of voter registration and elections has negligently failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the election or voter registration process or fails to comply with or cooperate with the corrective plan established by the State Election Commission or its designee under the provisions of subsection (A), the commission may order the decertification of that official or employee and if decertified the commission shall require that official to participate in a retraining program approved by the commission prior to recertification. If the commission finds that the failure to comply with state or federal law or State Election Commission

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policies, ~~and~~ procedures, or standardized processes by an official is wilful, it shall recommend the termination of that official to the Governor or it shall recommend termination of a staff member to the director of the appropriate county board of voter registration and elections.”

SECTION 33. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-50. (A)(1) The State Election Commission must not accept any funds, grants, or gifts from any source other than the State or federal government to prepare for or to conduct elections unless:

(a) the receipt of the funds is unconditional; and

(b) the funds are distributed by the State Election Commission on a per capita basis to each county board of voter registration and elections based on county population data from the last United States Government census.

(2) If the State Election Commission accepts funds in accordance with the provisions of item (1), it must provide information regarding the amount and source of the funding on its website, and must provide a report to the General Assembly.

(B) No county board of voter registration and elections shall accept or expend any funds other than public funds to prepare for or to conduct elections. For purposes of this section, public funds include funds received from the State Election Commission pursuant to subsection (A).”

SECTION 34. A. Section 7-17-560 of the 1976 Code is amended to read:

“Section 7-17-560. The state executive committee must meet in Columbia at such place as may be designated by the chairman to hear and decide protests and contests that may arise in the case of federal officers, state officers, State Senate, State House of Representatives, ~~and county officers, involving more than one county and less than county officers~~. Any protest or contest must be filed in writing with the chairman of the committee, together with a copy for each candidate in the race, not later than noon on Monday following the canvassing of the votes for these officers by the committee. However, service upon the chairman may be perfected by depositing at the office of the Chief of the State Law Enforcement Division a copy of the protest, together with a copy for each candidate in the race. The chief must take immediate steps to deliver these copies to the chairman. The protest must contain each ground thereof stated separately and concisely. The chairman of the committee must forthwith serve upon each candidate in the protested race a copy of

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the protest and serve a notice of the time and place of the meeting of the committee for the purposes of hearing the protest.”

B. Sections 7-17-520, 7-17-530, 7-17-540, and 7-17-550 are repealed.

SECTION 35. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held from the effective date of this act until October 21, 2022.

(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to September 16, 2022.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than June 20, 2022.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

In addition to the items above, the State Elections Commission may implement additional educational programs in its discretion.

SECTION 36. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of election reform as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

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SECTION 37. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 38. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 39. EFFECTIVE DATE. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator KIMPSON spoke the amendment.

Senator CAMPSEN spoke the amendment.

Senator MALLOY spoke the amendment.

The amendment was adopted.

Amendment No. 2A

Senator CAMPSEN proposed the following amendment (JUD4919.015), which was adopted:

Amend the bill, as and if amended, by striking Section 7-3-40 and inserting:

/ “Section 7-3-40. The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age or older who have died in the State and all individuals eighteen years of

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age or older who have died out-of-state. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. The bureau must provide this information at no charge.”/

Amend the bill, as and if amended, by striking Section 7-5-186 and inserting:

/ “Section 7-5-186. (A)(1) The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law. The executive director must conduct an annual general registration list maintenance program to maintain accurate voter registration records in the statewide voter registration system.

~~(2)(a)(B)~~ State agencies, including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

~~(b) Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector only must be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~

~~(c) A county board of voter registration and elections shall contact a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection (A)(2)(a) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency.~~

~~(3)(C)~~ The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter

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registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

(D) A county board of voter registration and elections shall send a notice, as described in Section 7-5-330(F)(2), to a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if a discrepancy exists between information provided under this section and information that is maintained in the statewide voter registration database.

(E) Information provided under this section for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector must only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.”/

To amend the bill further, by adding an appropriately new SECTION to amend Chapter 5, Title 7 of the 1976 Code by adding:

/ SECTION __. Chapter 5, Title 7 of the 1976 Code of Laws is amended by adding:

“Section 7-5-190. The State Election Commission shall ensure that voter registration information, the voting system, and electronic poll books are protected by security measures that meet or exceed current best practices for protecting data integrity. To do so, the State Election Commission shall consider security standards and best practices issued by federal security and intelligence services, including, but not limited to, the Department of Homeland Security and the Election Assistance Commission. The State Election Commission shall certify on an annual basis to the Governor, the President of the Senate, and the Speaker of the House of Representatives that the agency has substantially complied with the requirements of this subsection.” /

To amend the bill further, by striking Section 7-5-330 of the 1976 Code and inserting:

/ “Section 7-5-330. (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.

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(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of ~~this item~~ item (1) is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file within seven days after receipt of the report from the county board of voter registration and elections and ~~may~~ shall remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) 'Notice', as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

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(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the official list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct ~~an~~ the official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

To amend the bill further, by striking SECTION 35 and inserting:

/ "SECTION 35. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held from the effective date of this act until October 21, 2022.

(4) Coordinate with each county board of voter registration and elections so that at least one seminar is conducted with each county's election officials prior to September 16, 2022.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

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(6) Send a media release describing the changes in this legislation in South Carolina newspapers of general circulation by no later than June 20, 2022.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

In addition to the items above, the State Election Commission may implement additional educational programs in its discretion.”/

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator CAMPSEN proposed the following amendment (JUD4919.009), which was adopted:

Amend the bill, as and if amended, by striking Section 7-5-50 and inserting:

/ SECTION __. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-50. (A)(1) The State Election Commission must not accept any funds, grants, or gifts from any source other than the State or federal government to prepare for, or to conduct, elections unless:

(a) the receipt of the funds is unconditional; and

(b) the funds are distributed by the State Election Commission on a per capita basis to each county board of voter registration and elections based on county population data from the last United States Government census.

(2) If the State Election Commission accepts funds in accordance with the provisions of item (1), it must provide information regarding the amount and source of the funding on its website, and must provide a report to the General Assembly.

(B) No county board of voter registration and elections shall accept or expend any funds other than public funds to prepare for or to conduct elections. For purposes of this section, public funds include funds received from the State Election Commission pursuant to subsection (A).

(C) A county board of voter registration and elections that is offered funds other than public funds must forward the offer to the Executive Director of the State Election Commission within twenty-four hours of receipt of the offer.” /

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Renumber sections to conform.
Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Amendment No. 4

Senator CAMPSSEN proposed the following amendment (JUD4919.013), which was adopted:

Amend the bill, as and if amended, by striking Section 7-5-340 and inserting:

/ Section 7-5-340. (A) The State Election Commission shall:

(1) ensure that the name of a qualified elector ~~may not be~~ is removed from the official list of eligible voters ~~except~~ within seven days of receipt of information confirming:

(a) ~~at~~ the request of the qualified elector to be removed;

(b) ~~if~~ the elector is adjudicated mentally incompetent by a court of competent jurisdiction; ~~or~~

(c) ~~as provided under item (2);~~

(2) ~~conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:~~

(a) the death of the qualified elector; ~~or~~

(d) the elector is not a citizen of the United States; or

(b)(e) a change in the residence of the qualified elector to a place outside the county in which the qualified elector is registered when such confirmation is received from the qualified elector in writing;

(3)(2) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:

(a) voter eligibility requirements; and

(b) penalties provided by law for submission of a false voter registration application;

(4)(3) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official ~~lists~~ list of eligible voters in compliance with the provisions of Section 7-5-330(F); this ~~subitem~~ item may not be construed to preclude:

(a) the removal of names from the official lists list of eligible voters on a basis described in ~~items~~ item (1) ~~and (2);~~ or

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(b) correction of registration records pursuant to this article.”

/

Amend the bill further by adding an appropriately new SECTION to read:

/ SECTION ____. A. Section 7-3-70 of the 1976 Code is amended by adding:

“(c) The Department of Motor Vehicles must furnish the executive director a monthly report of all non-United States citizens who are issued a driver’s license or identification card. All reports must contain the name of the driver or identification cardholder, social security number, if any, and date of birth. The department must provide this information at no charge.

B. The first monthly report provided by the Department of Motor Vehicles pursuant to this SECTION must include every non-United States citizen in this State with a driver’s license or identification card.”/

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Amendment No. 5

Senator CAMPSSEN proposed the following amendment (JUD4919.014), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION before the effective date to read:

/ SECTION ____. A. Section 7-15-310(7) of the 1976 Code is amended to read:

“(7) ~~“Authorized representative”~~ “Caregiver” means a registered elector who; (a) provides medical or healthcare assistance to a voter; and (b) with the voter's permission, acts on behalf of, and at the request of, a voter who is unable to go to the polls because of illness or disability resulting in his confinement in a hospital, sanatorium, nursing home, or place of residence, nursing care facility, hospice facility, assisted living facility, residential care facility, or adult daycare facility or a voter unable because of a physical handicap to go to his polling place or because of a handicap is unable to vote at his polling place due to existing architectural barriers that deny him physical access to the polling place, voting booth, or voting apparatus or machinery. Under no circumstance shall a candidate or a member of a candidate's paid campaign staff or

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volunteers reimbursed for the time they expend on campaign activity be considered an ~~"authorized representative"~~ a "caregiver" ~~of an elector desiring to vote by absentee ballot.~~ /

To further amend the bill by striking Section 7-15-330 and inserting:

/ "Section 7-15-330. (A) To vote by absentee ballot,:

(1) a qualified elector or a member of his immediate family, as defined in Section 7-15-310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the county board of voter registration and elections as established by the county governing body, for the county of the voter's residence; or

(2) ~~A person requesting an application for a qualified elector as the a qualified elector's caregiver, as defined in Section 7-15-310(7), authorized representative~~ must request an application to vote by absentee ballot in person or by mail ~~only and must himself be a registered voter~~ and must sign an oath to the effect that he fits the statutory definition of a ~~caregiver representative~~. ~~This~~ The signed oath must be kept on file with the county board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. ~~A candidate or a member of a candidate's paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.~~

(B)(1) 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.

(2) A person who makes a request for an application to vote by absentee ballot, either for himself or on behalf of another elector as permitted by this section, must provide, at a minimum, the following:

(a) for the elector for whom the request is being made, the elector's:

(i) name;

(ii) date of birth; and

(iii) last four digits of his social security number; and

(b) if someone is making a request on behalf of an elector, the requestor's:

(i) name;

(ii) address;

(iii) date of birth; and

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(iv) relation to the elector, as required by subsection (A).

(3) The county board of voter registration and elections must verify the information required in this section for the elector for whom the absentee ballot is being requested, and must record the information provided for the individual who makes a request on behalf of an elector before providing an absentee ballot application.

(4) A person must not request absentee applications for more than ten qualified electors per election, in addition to himself.

~~(C) However, completed~~ Completed applications must be returned to ~~the county board of voter registration and elections;~~

in person, by either the elector, a member of the elector's immediate family, or the elector's caregiver, or by mail, by the elector, to the county board of voter registration and elections no later than before 5:00 p.m. on the fourth eleventh day before the day of the election to vote by absentee ballot. Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320.

~~(D) A member of the immediate family of~~ Notwithstanding the provisions of subsection (C), if an elector is 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, then a member of the elector's immediate family may obtain an application from the 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 county board of voter registration and elections.

(E) The county board of voter registration and elections shall serially number each absentee ballot application form 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; the date upon which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(F) A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170." /

To amend the bill further, by striking Section 7-15-385 and inserting:

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/ “Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’ which in turn must be placed in the return-addressed envelope. The applicant must ~~then~~ return the return-addressed envelope ~~to the board of voter registration and elections~~ only by:

(1) mail; to the main office of the county board of voter registration and elections;

(2) by personal delivery; to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center; or

(3) by authorizing ~~another person~~ a member of the applicant’s immediate family, as defined in Section 7-15-310(8), or a caregiver, as defined in Section 7-15-310(7), to return the return-addressed envelope for him to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center.

(B) An applicant who authorizes a member of his immediate family or a caregiver to return the return-addressed envelope for him pursuant to this section must complete an ~~The authorization must be given in writing on a form prescribed by the State Election Commission and that must be turned in to the board of voter registration and elections by the~~ immediate family member or caregiver at the time the return-addressed envelope is returned. The voter applicant must sign the form, or in the event the voter applicant cannot write because of a physical handicap or illiteracy, then the voter applicant must make his mark and have the mark witnessed by someone designated by the voter applicant.

(C) The authorization form prescribed by the State Election Commission must include a designated space in which an election official must record the specific form of government-issued photo identification presented by the immediate family member or caregiver who is authorized by the applicant to deliver the return-addressed envelope. The authorization form must be preserved as part of the record of the election, and the county board of voter registration and elections must note the time and date of receipt of the authorization form, and the name of the ~~authorized returnee,~~ immediate family member or caregiver, his relationship to the applicant, and the immediate family member’s or caregiver’s form of government-issued photo identification in the record book required by Section 7-15-330.

(D)(1) When an applicant, or an applicant’s authorized immediate family member or caregiver, presents himself to deliver a

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return-addressed envelope pursuant to this section, he must produce a valid and current:

- (a) driver's license issued by a state within the United States;
- (b) another form of identification containing a photograph issued by the Department of Motor Vehicles or its equivalent by a state within the United States;
- (c) passport;
- (d) military identification containing a photograph issued by the federal government; or
- (e) South Carolina voter registration card containing a photograph of the voter.

(2) An election official must verify that the name and photograph on the identification is the applicant, or the applicant's authorized immediate family member or caregiver, as applicable.

(E) An election official must not accept a return-addressed envelope until the provisions of this section have been met.

(F) A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board. The board of voter registration and elections must securely store the return-addressed envelopes in a locked box boxes within the main office of the board of voter registration and elections as prescribed by the State Election Commission.

(G) It is unlawful for a person to return more than ten return-addressed envelopes in an election, in addition to his own. A person who violates this subsection, upon conviction, must be punished as provided in Section 7-25-190."/

To amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

"Section 7-15-400. No absentee ballot application or absentee ballot may be provided by an election official to a qualified elector unless pursuant to a provision of this article or Article 9 of this chapter." /

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Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION ___ Chapter 25, Title 7 of the 1976 Code is amended by adding:

“Section 7-25-65. (A) It is unlawful for a person to provide, offer to provide, or accept anything of value in exchange for requesting, collecting, or delivering an absentee ballot. A person who violates this section is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

(B) This section does not apply to an election official in the course and scope of the election official’s duties or a public or private mail service provider acting in the course and scope of the mail service provider’s duties to carry and deliver mail.”/

Amend the bill further, as and if amended, by striking Section 7-15-340.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

On motion of Senator HUTTO, the amendment was carried over.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was withdrawn.

Amendment No. 6

Senator MASSEY proposed the following amendment (JUD4919.016), which was adopted:

Amend the bill, as and if amended, by striking Section 7-15-420 and inserting:

/ “Section 7-15-420. (A) 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.

(B) ~~At 9:00 a.m.~~ Beginning no earlier than 7:00 a.m. on the second day immediately preceding election day, the managers appointed pursuant to Section ~~7-13-72~~ 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

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certain that each oath has been properly signed and witnessed and includes the printed name, signature and 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, and kept secure.

(C) After all return-addressed envelopes have been emptied ~~in this manner,~~ but no earlier than 7:00 a.m. on election day, 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.

(D) Beginning no earlier than at 7:00 ~~at 9:00~~ 7:00 a.m. on 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.

(E) Results of the absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

(F) The processes of examining the return-addressed envelopes, opening the sealed return-addressed envelopes to remove the 'Ballot Herein' envelopes, and removing the ballots from the 'Ballot Herein' envelopes for tabulation must be conducted in the presence of any candidate who elects to be present, and of any watchers who have been appointed pursuant to Section 7-13-860. Provided, any candidates or watchers present must be located a reasonable distance in order to maintain both the right to observe and the secrecy of the ballots." /

To further amend the bill, by adding an appropriately numbered SECTION to read:

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/ SECTION __. Section 7-13-35 of the 1976 Code is amended to read:

“Section 7-13-35. The authority charged by law with conducting an election must publish two notices of general, municipal, special, and primary elections held in the county in a newspaper of general circulation in the county or municipality, as appropriate. Included in each notice must be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of the precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return-addressed envelopes containing absentee ballots may begin at ~~2:00 p.m.~~ 7:00 a.m. on the second day immediately preceding election day at a place designated in the notice by the authority charged with conducting the election. The first notice must appear not later than sixty days before the election and the second notice must appear not later than two weeks after the first notice.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator MASSEY proposed the following amendment (JUD4919.017), which was tabled:

Amend the bill, as and if amended, by striking Section 7-15-320 and inserting:

/ “Section 7-15-320. (A) Qualified electors in ~~any~~ of the following categories who are unable to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day, must be permitted to vote by absentee ballot in ~~all elections~~ an election when they are absent from their county of residence on election day during the hours the polls are open, to an extent that it prevents them from voting in person:

(1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections ~~students, their spouses, and dependents residing with them;~~

(2) persons who will be attending sick or physically disabled persons serving with the American Red Cross or with the United Service

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Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

~~(3) persons confined to a jail or pretrial facility pending disposition of arrest or trial; governmental employees, their spouses, and dependents residing with them; or~~

~~(4) persons who are going to be absent from their county of residence on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(5) overseas citizens.~~

(B) Qualified electors in the following categories must be permitted to vote by absentee ballot in an election, regardless of whether the elector is able to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open ~~all elections, whether or not they are absent from their county of residence on election day:~~

~~(1) physically disabled persons;~~

~~(2) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county board of voter registration and elections;~~

~~(3) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them certified poll watchers, poll managers, county board of voter registration and elections members and staff, county and state election commission members and staff working on election day; or~~

~~(4) attending sick or physically disabled persons;~~

~~(5)~~(3) persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election, as provided in Section 7-15-330;

~~(6) persons with a death or funeral in the family within a three-day period before the election;~~

~~(7) persons who will be serving as jurors in a state or federal court on election day;~~

~~(8) persons sixty-five years of age or older;~~

~~(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or~~

~~(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them.” /~~

Renumber sections to conform.

Amend title to conform.

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Senator MASSEY explained the amendment.

Senator RANKIN spoke on the amendment.

Senator RANKIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 10

AYES

Adams	Allen	Climer
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Williams
Young		

Total--34

NAYS

Alexander	Bennett	Campsen
Cash	Corbin	Grooms
Hembree	Massey	Turner
Verdin		

Total--10

The amendment was laid on the table.

Amendment No. 8

Senators MARTIN, RICE, CASH and CORBIN proposed the following amendment (4919R001.KMM.SRM), which was tabled:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

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

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“Section 7-5-115. (A) Only an elector registered as a member of a certified political party may vote in a partisan primary election, partisan runoff election, or partisan advisory referendum of the certified political party with which that elector is registered, unless the political party has taken action to open its partisan primary election, partisan runoff election, or partisan advisory referendum to independent electors unaffiliated with a certified political party and has advised the State Election Commission, in writing, not more than one hundred eighty days and not less than sixty days in advance of the partisan primary election, partisan runoff election, or partisan advisory referendum of that action. In no event may an elector who is registered as a member of a certified political party vote in the partisan primary election, partisan runoff election, or partisan advisory referendum of a certified political party with which that elector is not registered.

(B) The State Election Commission shall assist each county’s board of voter registration and elections create and maintain a list of all electors registered by party affiliation. The State Election Commission shall indicate in the state voter file what selection an elector makes.”

SECTION __. Section 7-5-110 of the 1976 Code is amended to read:

“Section 7-5-110. (A) ~~No~~ A person shall be allowed to may not vote at any in a partisan primary election, partisan runoff election, or a partisan advisory referendum unless he shall be is registered as herein a member of that political party as required by the provisions of this chapter.

(B) The State Election Commission shall assist each county’s board of voter registration and elections with capturing the data and maintaining a list of all electors registered by party affiliation.”

SECTION __. Section 7-5-170 of the 1976 Code is amended to read:

“Section 7-5-170. ~~(1)(A)~~ Written application required. A person may not be registered to vote except upon written application or electronic application pursuant to Section 7-5-185, which shall become That application becomes a part of the permanent records of the board to which it is presented and which must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

~~(2)(B)~~ 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

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applicant, political party affiliation, if any, and location of prior voter registration. The applicant ~~must~~ shall 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~~ shall 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~~ on my application is my sole legal place of residence and that I claim no other place as my legal residence. I further swear (or affirm) that I hereby choose to: (a) register as a member of a certified political party, specifically the _____ Party; or (b) register as an independent voter, unaffiliated with a certified political party.’

(C) Fraudulent application. ~~Any~~ An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(D) Failure to select a party. The form to be signed by the elector may specifically list all of the certified political parties from which the elector may choose and must contain the option for the elector to register as an independent voter, unaffiliated with a certified political party. In an instance in which an elector fails, for whatever reason, to select membership in one of the certified political parties, that elector must be deemed to have chosen to be registered as an independent voter, unaffiliated with a certified political party.

(3)(E) Administration of oaths. ~~Any~~ A member of the registration board, a deputy registrar, or ~~any~~ a registration clerk must be qualified to administer oaths in connection with the application.

(4)(F) Decisions on applications. ~~Any~~ A member of the registration board, deputy registrar, or a registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application.”

SECTION ____ . Section 7-9-20 of the 1976 Code is amended to read:

“Section 7-9-20. (A) The qualifications for membership in a certified political party and for voting at a party primary election and the criteria

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for voting in a certified political party's partisan primary election, partisan runoff election, or partisan advisory referendum, unless the certified political party has taken action to open its partisan primary election, partisan runoff election, or partisan advisory referendum to independent electors unaffiliated with a certified political party pursuant to the requirements of Section 7-5-115, include the following: the applicant for membership, or voter, must be at least eighteen years of age or become so before the succeeding general election, and must be a registered elector and a citizen of the United States and of this State. A person may not vote in a primary unless he is a registered elector. The state convention of any political party, organization, or association in this State may add by party rules to the qualifications for membership in the party, organization, or association and for voting at the primary elections if the qualifications do not conflict with the provisions of this section or with the Constitution and laws of this State or of the United States include that the applicant for membership, or voter, must:

(1) be at least eighteen years of age before the succeeding general election; and

(2) be a registered elector, a citizen of the United States, and a resident of this State.

(B) A person may not belong to a party club or vote in a partisan primary election or partisan runoff election unless he is a registered elector and a member of that certified political party. The state convention of a certified political party, organization, or association in this State may add by party rules to the qualifications for membership in the certified political party, organization, or association and for voting at the primary elections and runoff elections if the additional qualifications do not conflict with the provisions of this section or with the Constitution and laws of this State or of the United States.

(C) The entity charged by law with conducting a primary or runoff shall allow an elector to change his certified political party affiliation by executing an affidavit not later than sixty days before the primary or runoff. During that time, an elector may execute an affidavit declaring that he desires not to be affiliated with a certified political party. The choice to affiliate with a certified political party or remain independent and unaffiliated with a certified party is valid until changed by the qualified elector pursuant to the provisions of this section. In an instance in which an elector fails, for whatever reason, to select membership in one of the certified parties, that elector must be deemed to have chosen to be registered as an independent voter, unaffiliated with a certified party.

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(D) When a qualified elector presents himself at a polling place to vote in a partisan primary election, partisan runoff election, or partisan advisory referendum, each county's board of voter registration and elections or its representative shall require the qualified elector to sign an affidavit affirming that he is a member of the certified political party conducting the primary or runoff, or that he is an independent elector unaffiliated with a certified political party who meets the criteria established by that certified political party to vote in that particular partisan primary election, partisan runoff election, or partisan advisory referendum pursuant to the requirements of Section 7-5-115. If the qualified elector does not sign this affidavit, then he may not vote in the partisan primary election, partisan runoff election, or partisan advisory referendum."/>

Renumber sections to conform.
Amend title to conform.

Senator MARTIN explained the amendment.
Senator MALLOY spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 25; Nays 18

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Garrett	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Malloy	Massey
McElveen	McLeod	Rankin
Sabb	Scott	Senn
Setzler	Stephens	Williams
Young		

Total--25

NAYS

Adams	Cash	Climer
Corbin	Davis	Goldfinch
Grooms	Gustafson	<i>Johnson, Michael</i>

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Kimbrell	Martin	Peeler
Reichenbach	Rice	Shealy
Talley	Turner	Verdin

Total--18

The amendment was laid on the table.

Amendment No. 9A

Senator MARTIN proposed the following amendment (4919R015.KMM.SRM), which was adopted:

Amend the bill, as and if amended, by striking SECTION 33 in its entirety and inserting:

/ SECTION 33. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-50. Notwithstanding another provision of law, the State Election Commission and the county boards of voter registration and elections may not receive, accept, or expend gifts, donations, or funding from private individuals, corporations, partnerships, trusts, or any third party not provided through ordinary state or county appropriations.” /

Re-number sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 10

Senators KIMBRELL and ADAMS proposed the following amendment (4919R003.SP.JK), which was tabled:

Amend the bill, as and if amended, SECTION 30, by striking Section 7-3-10(a) and inserting:

/ Section 7-3-10. ~~(a)~~(A) There is hereby created the State Election Commission composed of five members, at least one of whom shall be a member of the majority political party represented in the General Assembly and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. Any vacancy on the Commission

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shall be filled for the unexpired portion of the term in the same manner as the original appointment. /

Re-number sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator MASSEY spoke on the amendment.

Remarks to be Printed

On motion of Senator CASH, with unanimous consent, the remarks of Senator MASSEY, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator MASSEY resumed speaking on the amendment.

Senator DAVIS spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 9

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Adams	Climer	Davis
Fanning	<i>Johnson, Michael</i>	Kimbrell
Loftis	Reichenbach	Shealy

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Total--9

The amendment was laid on the table.

Amendment No. 13

Senator DAVIS proposed the following amendment (4919R006.SP.TD), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Chapter 3, Title 7 of the 1976 Code is amended by adding:

“Section 7-3-45.Each county probate court must furnish to the executive director of the State Election Commission a monthly report of all persons eighteen years of age or older who have been declared mentally incapacitated by the county probate court. All reports must include the name, county of residence, social security number or other identification number, and date and place of birth of any incapacitated persons. The county probate court must provide the information to the executive director of the State Election Commission free of charge.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 17

Senators CASH, MASSEY, CORBIN, PEELER and VERDIN proposed the following amendment (HB\4919C001.BH.HB22), which was tabled:

Amend the bill, as and if amended, SECTION 1.A., by deleting Section 7-13-25(E) and inserting:

/ (E) The early voting period shall be for Monday through Saturday for the one-week period immediately preceding an election. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator RANKIN spoke on the amendment.

Senator RANKIN moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Alexander	Allen	Bennett
Campsen	Climer	Cromer
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Setzler
Stephens	Talley	Turner
Williams	Young	

Total--29

NAYS

Adams	Cash	Corbin
Davis	Garrett	Kimbrell
Loftis	Martin	Massey
Peeler	Reichenbach	Rice
Senn	Shealy	Verdin

Total--15

The amendment was laid on the table.

Amendment No. 22

Senator MICHAEL JOHNSON proposed the following amendment (4919R014.SP.MJ), which was adopted:

Amend the bill, as and if amended, SECTION 35, by striking the first sentence in its entirety and inserting:

/ The State Election Commission must establish a voter education program concerning the provisions contained in this legislation./

Re-number sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

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Amendment No. 24A

Senators RANKIN, JACKSON, CAMPSSEN, KIMBRELL, SETZLER and McELVEEN proposed the following amendment (JUD4919.022), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ Section 7-25-180 of the 1976 Code of Laws is amended to read:

(A) ~~It is unlawful on an election day within five hundred feet of any entrance used by the voters to enter the polling place, for a person to distribute any type of campaign literature or place any political posters.~~ It is unlawful for a person to distribute any type of campaign literature or place any political posters within five hundred feet of any entrance used by the voters to enter the polling place, during polling hours on an election day and during the early voting period. The poll manager shall use every reasonable means to keep the area within ~~two~~ five hundred feet of any such entrance clear of political literature and displays, and the county and municipal law enforcement officers, upon request of a poll manager, shall remove or cause to be removed any material within ~~two~~ five hundred feet of any such entrance distributed or displayed in violation of this section.

(B) A candidate may wear within ~~two~~ five hundred feet of the polling place a label no larger than four and one-fourth inches by four and one-fourth inches that contains the candidate's name and the office he is seeking. If the candidate enters the polling place, he may not display any of this identification including, but not limited to, campaign stickers or buttons. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Amendment No. 25

Senator CAMPSSEN and HUTTO proposed the following amendment (JUD4919.021), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION before the effective date to read:

/ SECTION ____. Section 7-15-310 “(7) ‘Authorized representative’ means a registered elector who, with the voter's permission, acts on behalf of a voter unable to go to the polls because of illness or disability

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resulting in his confinement in a hospital, sanatorium, nursing home, or place of residence, or a voter unable because of a physical handicap to go to his polling place or because of a handicap is unable to vote at his polling place due to existing architectural barriers that deny him physical access to the polling place, voting booth, or voting apparatus or machinery. Under no circumstance shall a candidate, ~~or~~ a member of a candidate's paid campaign staff, or a campaign volunteer ~~volunteers reimbursed for the time they expend on campaign activity~~ be considered an 'authorized representative' of an elector desiring to vote by absentee ballot." /

To further amend the bill by striking Section 7-15-330 and inserting:

/ "Section 7-15-330. (A) To vote by absentee ballot;

(1) a qualified elector or a member of his immediate family, as defined in Section 7-15-310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the county board of voter registration and elections as established by the county governing body, for the county of the voter's residence; ~~or~~

(2) A person requesting an application for a qualified elector as the qualified elector's authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of an authorized representative. ~~This~~ The signed oath must be kept on file with the county board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate, ~~or~~ a member of a candidate's paid campaign staff, or a including campaign volunteer ~~volunteers reimbursed for time expended on campaign activity~~, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.

(B)(1) 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.

(2) A person who makes a request for an application to vote by absentee ballot, either for himself or on behalf of another elector as permitted by this section, must provide, at a minimum, the following:

(a) for the elector for whom the request is being made, the elector's:

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- (i) name;
- (ii) date of birth; and
- (iii) last four digits of his social security number; and

(b) if someone is making a request on behalf of an elector, the requestor's:

- (i) name;
- (ii) address;
- (iii) date of birth; and
- (iv) relation to the elector, as required by subsection (A).

(3) The county board of voter registration and elections must verify the information required in this section for the elector for whom the absentee ballot is being requested, and must record the information provided for the individual who makes a request on behalf of an elector before providing an absentee ballot application.

(4) A person must not request absentee applications for more than five qualified electors per election, in addition to himself.

(C) However, completed Completed applications must be returned to the county board of voter registration and elections;

in person, by either the elector, a member of the elector's immediate family, or the elector's authorized representative, or by mail, by the elector, to the county board of voter registration and elections no later than before 5:00 p.m. on the fourth eleventh day before the day of the election to vote by absentee ballot. Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320.

(D) A member of the immediate family of Notwithstanding the provisions of subsection (C), if an elector is 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, then a member of the elector's immediate family may obtain an application from the 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 county board of voter registration and elections.

(E) The county board of voter registration and elections shall serially number each absentee ballot application form 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; the date upon

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which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

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

To amend the bill further, by striking Section 7-15-385 and inserting:

/ “Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’ which in turn must be placed in the return-addressed envelope. The applicant must ~~then~~ return the return-addressed envelope ~~to the board of voter registration and elections~~ only by:

(1) mail, to the main office of the county board of voter registration and elections;

(2) by personal delivery, to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center; or

(3) by authorizing ~~another person~~ a member of the applicant’s immediate family, as defined in Section 7-15-310(8), or an authorized representative, to return the return-addressed envelope for him to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center.

(B) An applicant who authorizes a member of his immediate family or an authorized representative to return the return-addressed envelope for him pursuant to this section must complete an ~~The authorization must be given in writing on a~~ form prescribed by the State Election Commission and that must be turned in to the board of voter registration and elections by the immediate family member or authorized representative at the time the return-addressed envelope is returned. The ~~voter applicant~~ applicant must sign the form, or in the event the ~~voter applicant~~ applicant cannot write because of a physical handicap or illiteracy, ~~then the voter applicant~~ applicant must make his mark and have the mark witnessed by someone designated by the ~~voter applicant~~ applicant.

(C) The authorization form prescribed by the State Election Commission must include a designated space in which an election official must record the specific form of government-issued photo identification presented by the immediate family member or authorized representative who is authorized by the applicant to deliver the return-

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addressed envelope. The authorization form must be preserved as part of the record of the election, and the county board of voter registration and elections must note the time and date of receipt of the authorization form, and the name of the authorized returnee, immediate family member or authorized representative, his relationship to the applicant, and the immediate family member's or authorized representative's form of government-issued photo identification in the record book required by Section 7-15-330.

(D)(1) When an applicant, or an applicant's authorized immediate family member or authorized representative, presents himself to deliver a return-addressed envelope pursuant to this section, he must produce a valid and current:

- (a) driver's license issued by a state within the United States;
- (b) another form of identification containing a photograph issued by the Department of Motor Vehicles or its equivalent by a state within the United States;
- (c) passport;
- (d) military identification containing a photograph issued by the federal government; or
- (e) South Carolina voter registration card containing a photograph of the voter.

(2) An election official must verify that the name and photograph on the identification is the applicant, or the applicant's authorized immediate family member or authorized representative, as applicable.

(E) An election official must not accept a return-addressed envelope until the provisions of this section have been met.

(F) A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board. The board of voter registration and elections must securely store the return-addressed envelopes in a locked box boxes within the main office of the board of voter registration and elections as prescribed by the State Election Commission.

(G) It is unlawful for a person to return more than five return-addressed envelopes in an election, in addition to his own. A person who

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violates this subsection, upon conviction, must be punished as provided in Section 7-25-190.” /

To amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION ____. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

"Section 7-15-400. No absentee ballot application or absentee ballot may be provided by an election official to a qualified elector unless pursuant to a provision of this article or Article 9 of this chapter." /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION __ Chapter 25, Title 7 of the 1976 Code is amended by adding:

“Section 7-25-65. (A) It is unlawful for a person to provide, offer to provide, or accept anything of value in exchange for requesting, collecting, or delivering an absentee ballot. A person who violates this section is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

(B) This section does not apply to an election official in the course and scope of the election official’s duties or a public or private mail service provider acting in the course and scope of the mail service provider’s duties to carry and deliver mail.” /

Amend the bill further, as and if amended, by striking Section 7-15-340.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 16

Senator MALLOY proposed the following amendment (JUD4919.020), which was adopted:

Amend the bill, as and if amended, by striking SECTION 34, concerning Sections 7-17-520 through 560.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

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The amendment was adopted.

Amendment No. 18A

Senator MALLOY proposed the following amendment (4919GM2sub), which was adopted:

Amend the bill, as and if amended, by striking 7-13-25(F) as contained in SECTION 1.A and inserting the following:

/ F) The county board of voter registration and elections shall provide the hours of operation for the early voting center or centers in accordance with the following:

(1) for statewide general elections, the early voting centers must be open for the Saturdays within the early voting period and the early voting centers must be open at least from 8:30 a.m. until 6:00 p.m. on each date of the early voting period.

(2) for any election that is not a general election, the early voting centers must be open from at least 8:30 a.m. until 6:00 p.m. on each date of the early voting period. The county board of voter registration and elections shall determine whether to open the early voting centers on Saturday during the early voting period;

(3) for a primary run-off for which timing would not permit an early voting period as prescribed in subsection (E), the Executive Director of the State Election Commission may establish a period of time for an early voting period. However, the early voting centers must be open from at least 8:30 a.m. until 6:00 p.m.; and

(4) for any election, the early voting centers must not be open on Sundays. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Recorded Vote

Senator CLIMER desired to be recorded as voting against the adoption of the amendment.

Amendment No. 19

Senator MALLOY proposed the following amendment (4919GM1), which was tabled:

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Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator CAMPSSEN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Talley
Turner	Verdin	Young

Total--30

NAYS

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy
Matthews	McElveen	McLeod
Scott	Setzler	Stephens
Williams		

Total--13

The amendment was laid on the table.

Senator SCOTT spoke on the Bill.

The question then was second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion to Ratify Adopted

At 8:09 P.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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ADJOURNMENT

At 8:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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