**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4221**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pendarvis, Taylor, Hixon, Williams and Gilliard

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Introduced in the House on March 29, 2023

Currently residing in the House

Summary: Parolee voting

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/29/2023 House Introduced and read first time (House Journal‑page 72)

 3/29/2023 House Referred to Committee on **Judiciary** (House Journal‑page 72)

 4/20/2023 House Member(s) request name added as sponsor: Taylor, Hixon

 2/8/2024 House Member(s) request name added as sponsor: Williams

 2/13/2024 House Member(s) request name added as sponsor: Gilliard

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**VERSIONS OF THIS BILL**

[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4221_20230329.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7‑5‑120, RELATING TO QUALIFICATIONS FOR REGISTRATION AND DISQUALIFICATIONS FROM REGISTERING OR VOTING, SO AS TO, AMONG OTHER THINGS, ALLOW PERSONS ON PROBATION, PAROLE, OR OTHER OFFENDER SUPERVISION PROGRAMS TO REGISTER AND VOTE; AND BY AMENDING SECTION 7‑15‑320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO ADD PERSONS INCARCERATED WHO REGISTER TO VOTE AFTER SUCCESSFUL COMPLETION OF A COURSE REQUIREMENT.

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

SECTION 1. Section 7‑5‑120 of the S.C. Code is amended to read:

 Section 7‑5‑120. (A) Every citizen of this State and the United States who applies for registration must be registered if he meets the following qualifications:

 (1) meets the age qualification as provided in Section 4, Article II of the Constitution of this State;

 (2) is not laboring under disabilities named in the Constitution of 1895 of this State; and

 (3) is a resident in the county and in the polling precinct in which the elector offers to vote.

 (B) A person is disqualified from being registered or voting if he:

 (1) is mentally incompetent as adjudicated by a court of competent jurisdiction; or

 (2) is serving a term of imprisonment resulting from a conviction of a crime unless the disqualification has been removed by successful completion of a civics course required under the provisions of this section ; or

 (3) is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

 (C) Notwithstanding any other provision of law, a person is not disqualified from being registered or voting by virtue of:

 (1) probation, parole, or other offender supervision program; or

 (2) legal financial obligations, whether criminal or civil in nature, including restitution.

 (D)(1) The civics course referenced in subsection (B) must be developed by the South Carolina Department of Corrections for instruction in all jails, prisons, and corrective institutions within this State.

 (2) The civics course must include, without limitation, instruction on basics in government, politics, and civics, and must be accompanied by daily access to appropriate informative newscasts which are sufficiently lacking in bias.

 (3) Inmates who have not been convicted of a violent crime as defined in Section 16‑1‑60 or a criminal sexual conduct offense pursuant to Article 7, Chapter 3, Title 16, may be employed as assistant instructors to earn minimum wage if they have a record of clean conduct for the prior year and complete the civics course with a score of ninety‑percent or higher.

SECTION 2. Section 7‑15‑320(A) of the S.C. Code is amended to read:

 (A) Qualified electors in 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 an election:

 (1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections;

 (2) persons who will be attending sick or physically disabled persons;

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

 (4) persons incarcerated due to conviction of a crime who have registered to vote after successful completion of the course requirement pursuant to Section 7‑5‑120;

 (5) persons who are going to be absent from their county of residence.

SECTION 3. On the effective date of this act, all prior convictions for offenses related to voting or registering to vote which are no longer criminal as a result of SECTION 2 of this act are pardoned and the pardoned convictions must be automatically expunged upon petition to the South Carolina Law Enforcement Division. No fee may be charged for expungement pursuant to this SECTION.

SECTION 4. This act takes effect upon approval by the Governor.

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