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**S. 36**

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**HISTORY OF LEGISLATIVE ACTIONS**

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 12/11/2024 Senate Referred to Committee on **Judiciary**

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 1/15/2025 Scrivener's error corrected

 1/16/2025 Senate Referred to Subcommittee: Campsen (ch), Johnson,
 Kimbrell, Devine, Blackmon, Sutton, Zell

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/36_20241211.docx)

[12/11/2024-A](https://www.scstatehouse.gov/sess126_2025-2026/prever/36_20241211a.docx)

[01/15/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/36_20250115.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7‑7‑10, RELATING TO VOTING PRECINCTS, SO AS TO REQUIRE THE POLLING PLACES FOR THE VOTING PRECINCTS TO BE ESTABLISHED BY THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS IN ACCORDANCE WITH CERTAIN CRITERIA; BY AMENDING SECTION 7‑7‑710, RELATING TO A REPORT BY THE STATE ELECTION COMMISSION OF POLLING PRECINCTS WITH GREATER THAN ONE THOUSAND FIVE HUNDRED REGISTERED ELECTORS, SO AS TO REVISE THE PRECINCTS THAT MUST BE LISTED IN THE REPORT; BY AMENDING SECTION 7‑7‑720, RELATING TO THE NOTICE TO PERSONS WHOSE REGISTRATION IS TRANSFERRED, SO AS TO CONFORM THE SECTION TO AMENDMENTS TO SECTION 7‑7‑710; BY AMENDING SECTION 7‑7‑910, RELATING TO ALTERNATIVE POLLING PLACES, SO AS TO REVISE THE NOTIFICATION PROCEDURES WHEN AN ALTERNATIVE POLLING PLACE IS SELECTED; BY AMENDING SECTION 7‑7‑920, RELATING TO PLACES WHERE ELECTORS SHALL VOTE IN MUNICIPAL ELECTIONS, SO AS TO AUTHORIZE A CITY OR TOWN WITH A POPULATION UNDER THREE THOUSAND TO VOTE AT ONE POLLING PLACE IN MUNICIPAL ELECTIONS; BY AMENDING SECTION 7‑7‑1000, RELATING TO POLLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THE SECTION ONLY APPLIES TO ELECTIONS CONDUCTED BY MUNICIPAL ELECTION COMMISSIONS; AND BY REPEALING SECTION 7‑7‑730, RELATING TO THE DIVISION OF PRECINCTS HAVING MORE THAN 750 ELECTORS.

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

SECTION 1. Section 7‑7‑10 of the S.C. Code is amended to read:

 Section 7‑7‑10. (A) For the purpose of holding any general, primary, or special election in this State, the voting precincts and voting places in the several counties of the State shall be designated, fixed, and established by the General Assembly.

 (B) The polling places for the precincts must be established by the county boards of voter registration and elections and located in accordance with the following:

 (1) at lease one polling place must be located within each precinct unless a county board of voter registration and elections determines no suitable location for a polling place is within a precinct; and

 (2) a polling place located outside of a precinct must be within five miles of the precinct boundary unless a waiver is received from the executive director of the State Election Commission or his designee.

 (C) Nothing in this chapter prohibits a county board of voter registration and elections from establishing multiple polling places within a precinct, provided that voters are assigned to these polling places alphabetically or geographically as determined by the county board of voter registration and elections and approved by a majority of that county's legislative delegation a polling place for a precinct at the polling place of another precinct if the establishment is in accordance with subsection (B).

 (D) A voter must be notified in writing of his transfer to a new polling place and the location of the new polling place.

SECTION 2. Section 7‑7‑710 of the S.C. Code is amended to read:

 Section 7‑7‑710. The State Election Commission shall report the names of all polling precincts by county that have more than one three thousand five hundred registered electors as of January first to the General Assembly not later than the fourth Tuesday of each odd‑numbered year. If, by April first of the same year, the General Assembly has failed to alter the precincts so that no precinct shall have more than one thousand five hundred qualified electors the State Election Commission shall notify the respective county boards of voter registration and elections which shall make such alterations as necessary to conform all precincts to such limitations. Provided, that precincts isolated by water shall not be required to meet minimum requirements.

SECTION 3. Section 7‑7‑720(A) of the S.C. Code is amended to read:

 (A) A person whose registration is transferred to another precinct by virtue of the provisions of this article must be notified by mail by the county board of voter registration and elections of the transfer.

SECTION 4. Section 7‑7‑910 of the S.C. Code is amended to read:

 Section 7‑7‑910. (A) Subject to the provisions of Section 7‑7‑920 and Section 7‑5‑440 and except as provided in subsection (B) of this section, each elector must be registered and, unless otherwise specified on his voting certificate,Unless otherwise provided in this title, each registered elector shall vote at the designated polling place within for the precinct of his residence, but in incorporated municipalities in which officers are elected by wards or other municipal subdivisions, electors must be registered and shall vote at their designated polling places.

 (B)(1) For purposes of this subsection, an “emergency situation” means the designated polling place is not available for use as a polling place on the election day after the first notice of the election is published.

 (2) If a designated polling place in a precinct is unavailable for use during an election as a result of an emergency situation, the authority charged by law with conducting the election shall designate an alternative polling place to be used for the electors in that precinct for any election occurring during the emergency situation and it must notify the members of the appropriate county legislative delegation. An alternative polling place for an emergency situation must be approved by the majority of the legislative delegation if the designation occurs more than seven days prior to the election. If an alternative polling place for an emergency situation is designated seven days or less prior to the election, the authority charged by law with conducting the election must notify the members of the legislative delegation of the alternative polling place.

 (3) The alternative polling place is not required to be within the precinct of the elector's residence; however, the authority charged by law with conducting the election may designate an alternative polling place outside the precinct only if no other location within the precinct is available for use as a polling place. If an alternative polling place is outside the precinct, it must be located in an adjoining precinct. The alternative polling place must be selected with consideration of the distance the electors would be required to travel in order to vote.

 (4) Every attempt must be made to notify electors of the alternative polling place before the election and on the day of the election through the media, on the website of the State Election Commission, on the website of the appropriate county board of voter registration and elections, if any, and by posted notice at the designated polling place.

 (C) If an alternative polling place outside of the precinct is selected pursuant to subsection (B) of this section, the authority charged by law with conducting the election shall certify in writing to the State Election Commission that no other location within the precinct is available for use as a polling place and that the selection of a polling place was made with consideration of the distance electors would have to travel to vote.

SECTION 5. Section 7‑7‑920 of the S.C. Code is amended to read:

 Section 7‑7‑920. In all municipal elections when the aldermen or councilmen are elected by wards, the electors shall vote at the voting place within their ward nearest their residences, and in all municipal elections when the aldermen, councilmen or other officials are elected by a vote at large within the municipality, the electors shall vote at the voting place in the precinct within which they reside which is nearest their residences.

 In all municipal elections when the ward lines and the precinct lines coincide within the city limits of the municipality, electors shall vote at the nearest voting place within the ward or precinct.

 InIf any city or town with a population under three thousand, according to the most recent official United States census, has having not more than one polling precinctplace, established by ordinance, for municipal elections, then all duly qualified electors shall be permitted to vote in municipal elections at such the voting polling place if such electors are authorized to vote at any voting precinct within such city or town.

SECTION 6. Section 7‑7‑1000 of the S.C. Code is amended by adding:

 (C) The provisions of this section only apply to elections conducted by municipal election commissions. Municipal elections conducted by the county boards of voter registration and elections must be held at the polling places for the respective precincts as established by the county boards of voter registration and elections unless one polling place is designated by a municipality for its elections pursuant to Section 7‑7‑920.

SECTION 7. Section 7‑7‑730 of the S.C. Code is repealed.

SECTION 8. This act takes effect upon approval by the Governor.

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