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**H. 3628**

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Summary: Secure, Accurate, and Verifiable Elections Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

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2/5/2025 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[12/12/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3628_20241212.docx)

[02/05/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3628_20250205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “SECURE, ACCURATE, AND VERIFIABLE ELECTIONS ACT” OR THE “SAVE ACT”; BY AMENDING SECTION 7‑3‑20, RELATING TO THE DUTIES OF THE STATE ELECTION COMMISSION EXECUTIVE DIRECTOR, SO AS TO REQUIRE SEPARATE LISTS FOR ACTIVE, INACTIVE, AND ARCHIVED VOTER REGISTRATIONS AND PROVIDE A LIST TO QUALIFIED ELECTORS FOR FREE; BY AMENDING SECTION 7‑5‑160, RELATING TO VOTER REGISTRATION, SO AS TO PROVIDE FOR A VOTER REGISTRATION PERIOD OF TEN YEARS, REQUIRE VALID IDENTIFICATION TO REGISTER TO VOTE, AND FOR THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS TO ISSUE A VOTER IDENTIFICATION CARD FOR EACH REGISTRATION; BY ADDING SECTION 7‑5‑200 SO AS TO PERMIT ONLY PAPER POLL BOOKS AT VOTING LOCATIONS; BY ADDING SECTION 7‑7‑715 SO AS TO PROVIDE FOR THE MAXIMUM POPULATION OF EACH PRECINCT, REQUIRE A NEW PRECINCT WITHIN ONE YEAR OF POPULATION EXCEEDING THE MAXIMUM AMOUNT AND PROVIDE FOR A PENALTY FOR VIOLATION; BY AMENDING SECTION 7‑13‑72, RELATING TO MANAGERS OF ELECTIONS, SO AS TO REQUIRE FOUR ELECTION MANAGERS FOR EACH TWO HUNDRED FIFTY REGISTERED VOTERS; BY ADDING SECTION 7‑13‑700 SO AS TO REQUIRE ONLY QUALIFIED ELECTORS WHO COMPLY WITH ALL CONSTITUTIONAL AND STATUTORY REQUIREMENTS TO VOTE IN AN ELECTION; BY AMENDING SECTION 7‑13‑730, RELATING TO THE DELIVERY, MARKING, AND DEPOSIT OF BALLOTS, SO AS TO REQUIRE THE INITIALS OF TWO POLL MANAGERS ON EACH BALLOT; BY ADDING SECTION 7‑13‑870 SO AS TO PROVIDE REQUIREMENTS FOR PAPER BALLOTS AND HAND COUNT OF THOSE BALLOTS; BY ADDING SECTION 7‑13‑880 SO AS TO REQUIRE CHAIN OF CUSTODY REQUIREMENTS FOR ALL VOTING SYSTEM COMPONENTS; BY AMENDING SECTION 7‑13‑1110, RELATING TO COUNTING BALLOTS AND RESULTS DECLARATIONS, SO AS TO PROVIDE THE PUBLIC HAS ACCESS TO VIEW THE BALLOT COUNT PROCESS PROVIDED THERE IS NO INTERFERENCE WITH THE PROCESS; BY AMENDING SECTION 7‑13‑1160, RELATING TO COUNTY REPORTING OF ELECTION RESULTS TO THE STATE ELECTION COMMISSION, SO AS TO REQUIRE EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS TO POST ITS ELECTION RESULTS BEFORE NOTIFICATION OF UNOFFICIAL RESULTS TO THE STATE ELECTION COMMISSION; BY AMENDING SECTION 7‑15‑320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO REQUIRE ONLY U.S. CITIZENS WITH A CURRENT AND VALID VOTER REGISTRATION BE PERMITTED TO VOTE AND AMEND CIRCUMSTANCES FOR WHICH A PERSON MAY VOTE ABSENTEE; BY AMENDING SECTION 7‑15‑330, RELATING TO ABSENTEE BALLOT APPLICATIONS, SO AS TO REQUIRE AN APPLICATION REQUEST TO INCLUDE THE SIGNATURE OF THE REQUESTOR AND A WITNESS; BY AMENDING SECTION 7‑15‑420, RELATING TO RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO REQUIRE ABSENTEE BALLOTS BE TRANSPORTED TO THE PRECINCT ON ELECTION DAY, PERMIT ABSENTEE BALLOT COUNTS AFTER THE POLLS CLOSE, AND RENDER AN ABSENTEE BALLOT NULL AND VOID IF THE VOTER VOTED IN‑PERSON FOR THAT ELECTION; AND BY AMENDING SECTION 53‑5‑10, RELATING TO LEGAL HOLIDAYS, SO AS TO ADD GENERAL ELECTION DAY AS A LEGAL HOLIDAY.

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

SECTION 1. This act may be cited as the “Secure, Accurate, and Verifiable Elections Act” or the “SAVE Act.”

SECTION 2.Section 7‑3‑20(D) of the S.C. Code is amended to read:

(D) The executive director shall:

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

(2) supervise the conduct of the county boards of voter registration and elections, as established pursuant to Article 1, Chapter 5, which administers 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;

(3) conduct reviews, audits, or other postelection analysis of the county boards of voter registration and elections, 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, procedures, or standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

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

(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;

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

(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;

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

(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;

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

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

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

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

(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;

(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.;

(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;

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

(19) 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. Once completed, audit reports must be published on the commission’s website;

(20) establish and continuously update lists of voter registrations for active voter registrations, inactive voter registrations, and archived voter registrations; each list must be maintained in a separate database; and

(21) furnish a list of active, inactive, or archived voter rolls to a qualified elector requesting them for free.

SECTION 3. Section 7‑5‑160 of the S.C. Code is amended to read:

Section 7‑5‑160. Effective July 1, 1976, any person who is registered to vote according to law shall remain permanently registered and entitled to all rights and privileges of such registration unless his name is removed from the registration list for cause. The provisions of this section shall not be construed to modify or repeal any of the provisions of this title or acts of the General Assembly which establish registration procedures and prescribe the causes for termination of registration or purging of registration rolls except those which require re‑registration at ten‑year intervals.

A person who meets the requirements for voter registration pursuant to Section 7‑5‑120 may apply for voter registration that is valid for a term of ten years. A person registering to vote must provide valid identification to confirm his residency and citizenship to the county board of voter registration and elections prior to the completion of the voter registration process. The county board of voter registration and elections must issue a new voter identification card each time a person successfully registers to vote.

SECTION 4.Article 3, Chapter 5, Title 7 of the S.C. Code is amended by adding:

Section 7‑5‑200. Only paper poll books may be used at voting locations in any election throughout this State. The purchase of electronic poll books, or the use of electronic poll books during an election, is prohibited.

SECTION 5.Article 3, Chapter 7, Title 7 of the S.C. Code is amended by adding:

Section 7‑7‑715. Each precinct shall have one thousand five hundred to two thousand qualified voters, plus an allowance of ten percent overage. Once the maximum number of qualified voters is met within a precinct, a plan for a new precinct must be established and implemented within one year. Any director of a county board of voter registration and elections that violates this section shall be guilty of a felony.

SECTION 6. Section 7‑13‑72 of the S.C. Code is amended to read:

Section 7‑13‑72. For the general election held on the first Tuesday following the first Monday in November in each even‑numbered year, the members of the county board of voter registration and elections must appoint threefour managers of election for each polling place in the county for which they must respectively be appointed for each five hundredtwo hundred fifty electors, or portion of each five hundredtwo hundred fifty electors, registered to vote at the polling place.

For primary elections held on the second Tuesday in June of each general election year, the members of the county board of voter registration and elections must appoint threefour managers of election for each polling place in the county for which they must respectively be appointed for the first five hundredtwo hundred fifty electors registered to vote in each precinct in the county, and may appoint threefour additional managers for each five hundredtwo hundred fifty electors registered to vote in the precinct above the first five hundredtwo hundred fifty electors, or portion thereof. The members of the county board of voter registration and elections must also appoint from among the managers a clerk for each polling place in the county, and none of the officers may be removed from office except for incompetence or misconduct. All clerks appointed from among the managers must be residents and registered electors of the respective counties in which they are appointed to work or in an adjoining county.

For all other primary, special, or municipal elections, the authority charged by law with conducting the primary, special, or municipal elections must appoint threefour managers of election for the first five hundredtwo hundred fifty electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each five hundredtwo hundred fifty electors registered to vote in the precinct above the first five hundredtwo hundred fifty electors. The authority responsible by law for conducting the election must also appoint from among the managers a clerk for each polling place in a primary, special, or municipal election. All clerks appointed from among the managers must be residents and registered electors of the respective counties in which they are appointed to work or in an adjoining county.

Forty‑five days prior to any primary, except municipal primaries, each political party holding a primary may submit to the county board of voter registration and elections a list of prospective managers for each precinct. The county board of voter registration and elections must appoint at least one manager for each precinct from the list of names submitted by each political party holding a primary. However, the county board of voter registration and elections may refuse to appoint any prospective manager for good cause.

No person may be appointed as a manager in a primary, general, or special election who has not completed a training program approved by the State Election Commission concerning his duties and responsibilities as a poll manager and who has not received certification of having completed the training program. The training program and the issuance of certification must be carried out by the county board of voter registration and elections. After their appointment, the managers and clerks must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26 of Article III of the Constitution: “I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God.”.

The oath must be immediately filed in the office of the clerk of court of common pleas of the county in which the managers and clerks are appointed, or if there is no clerk of court, in the office of the Secretary of State. Before opening the polls, the managers of election must take and subscribe the oath provided for in Section 7‑13‑100. Upon the completion of the canvassing of votes, this oath must be filed with the members of the county board of voter registration and elections along with the ballots from that election precinct.

SECTION 7.Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

Section 7‑13‑700. Only qualified electors who comply with all constitutional and statutory requirements to vote may be permitted to vote in an election.

SECTION 8. Section 7‑13‑730 of the S.C. Code is amended to read:

Section 7‑13‑730. If the managers are reasonably sure that the person is entitled to vote, they shall then deliver a ballot to such person. A ballot must contain the initials of two poll managers before handing the ballot to the voter. , and thereupon the Upon receipt of the ballot, the voter shall immediately go to the booth and mark his ballot preparatory to depositing it in the ballot box. After the voter has marked his ballot, he shall fold it so as to leave the stub remaining attached thereto visible in such position that it can be detached without unfolding. When the ballot is returned, one of the managers shall detach and retain the stub, and the voter shall then deposit his folded ballot in the box. Any marked ballot without the initials of two poll managers shall be null and void.

SECTION 9. Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

Section 7‑13‑870. (A) For each statewide primary, general, and special election conducted in the State, all votes cast within each county must be on hand‑marked, paper ballots and counted by hand at each precinct. The ballots must be printed on paper employing reasonable anti‑copy features, which may include, but not be limited to, watermarks, micro‑letters, guilloches, ultraviolet ink, or integrated security holograms.

(B) Each precinct within each county must hand count all ballots within the precinct in a manner that can be observed by the public, both in‑person and online via streaming high‑definition video. Provided, the secrecy of the casting of the ballot must be maintained at all times such that the identity of a voter cannot be tied to a ballot cast.

(C) Nothing in this section may be construed as precluding the purchase of a voting system with features or components necessary to ensure compliance with other federal and state law requirements including, without limitation, at least one accessible voting system per polling place equipped for individuals with disabilities in accordance with 52 U.S.C. Section 21081 of the “Help America Vote Act of 2002.”

SECTION 10. Article 7, Chapter 13, Title 7 of the S.C. Code is amended by adding:

Section 7‑13‑880. (A)(1) Any and all parts and components of the voting system, as well as any other systems, equipment, hardware, materials, and devices used to conduct election‑related processes, must be accounted for throughout the time and place of their use.

(2) The provisions of this section apply to any off‑the‑shelf equipment or components used to conduct elections.

(3) The types of election equipment, components, and other items subject to the provisions of this subsection specifically include, but are not limited to, machines, ballots, poll books, internet connectivity devices or hardware, ballots, tamper‑evident seals, flash drives, and printers.

(B) Each county board of voter registration and elections shall maintain such chain of custody records throughout the twenty‑four‑month retention period. Chain of custody documentation must include, without limitation, the location, ballot container seal numbers, date, time, and ballot couriers for every transfer or change made with respect to the materials or information referenced in this section. These records shall be available pursuant to the South Carolina Freedom of Information Act. The name of any person who comes into contact with or modifies, moves, transfers, updates, or interacts with the materials referenced in this section must be recorded along with the reason for that person’s interaction. Any transfer of marked ballots must be done by two people who are not related to one another by blood or marriage.

SECTION 11. Section 7‑13‑1110 of the S.C. Code is amended to read:

Section 7‑13‑1110. (A)(1) At the close of the election the managers and clerk shall immediately proceed publicly to open the ballot boxes and count the ballots therein and shall continue such count, without adjournment or interruption, until it is completed. Any member of the public may have access to view the ballot count process, provided that no member of the public may conduct himself in a manner that will interfere in the orderly conduct of the ballot count process.

(2) TheyAfter the ballot count process, the managers and clerk shall then make and sign such statement of the result thereof as the nature of the election shall require. At the completion of the vote counting a duplicate of the statement and return of votes must be published by posting it in a conspicuous site at the polling places, except in counties where vote recorders are used for voting.

(B) Managers of election are authorized to use additional volunteer personnel in counting the ballots. None of such personnel shall be a candidate or watcher for a candidate for an office voted on in the election and shall be required to take the following oath prior to assuming their duties: “I do solemnly swear or affirm that I am not a candidate or watcher in this election, am a qualified elector of this county, that I will count the ballots entrusted to my care in a fair and impartial manner, and make to the best of my ability a correct tabulation of the results.” The managers shall be required to make a list of all such counters and turn such list in with other election material. The provisions of this section shall not apply to the counting of ballots at any precinct using vote recorders which require the ballot cards to be counted with the use of a tabulating machine.

SECTION 12. Section 7‑13‑1160 of the S.C. Code is amended to read:

Section 7‑13‑1160. Within twenty‑four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein. Each county board of voter registration and elections must post its election results on the board’s website or office before notification of its unofficial election results is sent to the State Election Commission.

SECTION 13. Section 7‑15‑320 of the S.C. Code is amended to read:

Section 7‑15‑320. (A) Only U.S. citizens with a current and valid voter registration shall be allowed to vote. 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 who are going to be absent from their county of residence.

(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 on election day:

(1) physically disabled persons;

(2) persons sixty‑five years of age or olderwomen expecting to give birth within three weeks of election day;

(3) homebound persons and nursing home occupants;

(3)(4) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them; or

(4)(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.

SECTION 14. Section 7‑15‑330(B) of the S.C. Code is amended to read:

(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 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

(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.

(5) Each request for an application to vote by absentee ballot must include the signature of the person requesting the application and a witness to that signature.

SECTION 15. Section 7‑15‑420(A) of the S.C. Code is amended to read:

(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. The county board of voter registration and election, municipal election commission, or municipal party’s executive committee that receives absentee ballots prior to an election must ensure that the absentee ballots are sorted by precinct and that the absentee ballots are securely transported to the appropriate precinct on election day. All absentee ballots must remain in their envelopes until the close of the polls on election day and must be counted, at their respective precinct, following the close of the polls. In the event that any voter who voted in‑person also submitted an absentee ballot, that absentee ballot shall be automatically null and void and must not be counted.

SECTION 16. Section 53‑5‑10 of the S.C. Code is amended to read:

Section 53‑5‑10. (A) The first day of January‑New Year’s Day, the third Monday of January‑Martin Luther King, Jr. Day, the third Monday in February‑George Washington’s birthday/President’s Day, the tenth day of May‑Confederate Memorial Day, the last Monday of May‑National Memorial Day, the fourth day of July‑Independence Day, the first Monday in September‑Labor Day, the eleventh day of November‑Veterans Day, National Thanksgiving Day and the day after, and the twenty‑fourth, twenty‑fifth, and twenty‑sixth days of December in each year are legal holidays.

(B) The holiday schedules of public colleges and universities, including technical colleges, shall not be in violation of this section so long as the number of holidays provided for in this section are not exceeded.

(C) General election day is a legal holiday in addition to the holidays provided in subsection (A).

SECTION 17. This act takes effect upon approval by the Governor.

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