**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3143**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on January 13, 2009

Currently residing in the House Committee on **Judiciary**

Summary: Absentee ballot

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2008 House Prefiled

12/16/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑63

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑63

**VERSIONS OF THIS BILL**

[12/16/2008](file:///p:\pprever\2009-10\3143_20081216.docx)

**A** **BILL**

TO AMEND SECTION 7‑15‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO PROVIDE THAT A QUALIFIED ELECTOR MEETING CERTAIN REQUIREMENTS MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT BY MAIL, AND THAT A QUALIFIED ELECTOR MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT IN AN ELECTION IN WHICH HE IS ENTITLED TO VOTE FOR ANY REASON IF THE QUALIFIED ELECTOR APPEARS IN PERSON TO CAST AN ABSENTEE BALLOT AS PROVIDED BY LAW.

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

SECTION 1. Section 7‑15‑320 of the 1976 Code, as last amended by Act 25 of 1997, is further amended to read:

“Section 7‑15‑320. (A) A qualified elector in any of the following categories must be permitted to vote by absentee ballot by mail in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person, except that physically disabled persons, certified poll watchers, poll managers, county voter registration board members and staff, ~~and~~ county election commission members and staff working on election day, a person admitted to a hospital as an emergency patient on the day of an election or within a four‑day period before an election, ~~and persons~~ a person whose employment obligations required 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 registration board, and ~~persons~~ a person confined to a jail or pre‑trial facility pending disposition of arrest or trial may vote by absentee ballot whether or not absent from their county of residence:

(1) students, their spouses, and dependents residing with them;

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

(3) 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;

(4) persons in employment;

(5) physically disabled persons;

(6) governmental employees, their spouses, and dependents residing with them;

(7) electors with a death or funeral in the family within a three‑day period before the election;

(8) persons on vacation, who by virtue of vacation plans will be absent from their county of residence on election day;

(9) certified poll watchers, poll managers, county voter registration board members and staff, and county election commission members and staff working on election day;

(10) overseas citizens;

(11) persons attending sick or physically disabled persons;

(12) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;

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

(14) persons sixty‑five years of age or older;

(15) persons confined to a jail or pre‑trial facility pending disposition of arrest or trial.

(B) A qualified elector must be permitted to vote by absentee ballot in an election in which he is entitled to vote for any reason if the qualified elector appears in person to cast an absentee ballot as provided by law.”

SECTION 2. This act takes effect January 1, 2010.

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