**South Carolina General Assembly**

119th Session, 2011-2012

**A17, R37, S692**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Jackson, Courson, Scott and Lourie

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Introduced in the Senate on March 15, 2011

Introduced in the House on April 6, 2011

Last Amended on April 5, 2011

Passed by the General Assembly on April 14, 2011

Governor's Action: May 9, 2011, Signed

Summary: Richland County Election Commission and Board of Registration to merge

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/15/2011 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h%3A%5Csj%20archive%5C2011%5C03-15-11.docx))

 3/15/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 3](file:///h%3A%5Csj%20archive%5C2011%5C03-15-11.docx))

 3/30/2011 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 16](file:///h%3A%5Csj%20archive%5C2011%5C03-30-11.docx))

 3/31/2011 Senate Read second time ([Senate Journal‑page 17](file:///h%3A%5Csj%20archive%5C2011%5C03-31-11.docx))

 3/31/2011 Senate Roll call Ayes‑6 Nays‑0 ([Senate Journal‑page 17](file:///h%3A%5Csj%20archive%5C2011%5C03-31-11.docx))

 4/5/2011 Senate Amended ([Senate Journal‑page 26](file:///h%3A%5Csj%20archive%5C2011%5C04-05-11.docx))

 4/5/2011 Senate Read third time and sent to House ([Senate Journal‑page 26](file:///h%3A%5Csj%20archive%5C2011%5C04-05-11.docx))

 4/6/2011 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 11](file:///h%3A%5Chj%20archive%5C2011%5C04-06-11.docx))

 4/13/2011 House Read second time ([House Journal‑page 38](file:///h%3A%5Chj%20archive%5C2011%5C04-13-11.docx))

 4/13/2011 House Roll call Yeas‑59 Nays‑0 ([House Journal‑page 38](file:///h%3A%5Chj%20archive%5C2011%5C04-13-11.docx))

 4/14/2011 House Read third time and enrolled ([House Journal‑page 13](file:///h%3A%5Chj%20archive%5C2011%5C04-14-11.docx))

 5/5/2011 Ratified R 37

 5/9/2011 Signed By Governor

 5/13/2011 Effective date 05/09/11

 5/17/2011 Act No. 17

**VERSIONS OF THIS BILL**

[3/15/2011](file:///p%3A%5Cpprever%5C2011-12%5C692_20110315.docx)

[3/30/2011](file:///p%3A%5Cpprever%5C2011-12%5C692_20110330.docx)

[4/5/2011](file:///p%3A%5Cpprever%5C2011-12%5C692_20110405.docx)

[4/6/2011](file:///p%3A%5Cpprever%5C2011-12%5C692_20110406.docx)

(A17, R37, S692)

**AN ACT TO AMEND SECTION 7‑27‑405, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION INTO A SINGLE ENTITY.**

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

**Board of Elections and Voter Registration established**

SECTION 1. Section 7‑27‑405 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

 “Section 7‑27‑405. Notwithstanding another provision of law:

 (A)(1) There is established the Board of Elections and Voter Registration of Richland County, to be composed of five members appointed by a majority of the Richland County Legislative Delegation.

 (2) Two of the initial appointees shall serve two‑year terms, and three of the initial appointees shall serve four‑year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

 (3) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

 (4) A majority of senators representing the county and a majority of members of the House of Representatives representing the county shall appoint the board’s chairman. The chairman shall serve a term of four years and may be reappointed to that office for any number of successive terms without limitation.

 (5) The board may choose to elect a vice chair, a secretary, and other officers the board considers appropriate. The initial director must be employed by a majority of the Richland County Legislative Delegation. Subsequently, the board shall employ the director, determine the compensation, and determine the number and compensation of other staff positions. Salaries must be consistent with the compensation schedules established by the county for similar positions.

 (6) The director is responsible for hiring and management of the staff positions established by the board that report to the director. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

 (B) The Richland County Legislative Delegation shall notify the State Election Commission in writing of the appointments made pursuant to subsection (A).

 (C) The Board of Elections and Voter Registration of Richland County shall notify the State Election Commission in writing of the name of the person elected as chairman of the board pursuant to subsection (A).

 (D) A member who misses three consecutive meetings of the board is considered to have resigned his office, and a vacancy on the board exists, which must be filled in the manner provided in subsection (A). This section does not apply to a member who presents a verifiable doctor’s certificate that illness prevented his attendance at a meeting.

 (E) Except as otherwise specifically provided in subsections (A), (B), (C), and (D), the provisions of law contained in Title 7, relating to county boards of voter registration and county election commissions, apply to the Board of Elections and Voter Registration of Richland County, mutatis mutandis.

 (F)(1) The Richland County Board of Voter Registration is abolished effective within sixty days after this section is approved by the Governor, and its functions, duties, and powers are devolved upon the Board of Elections and Voter Registration of Richland County, as established pursuant to subsection (A).

 (2) The Richland County Election Commission is abolished effective within sixty days after this section is approved by the Governor, and its functions, duties, and powers are devolved upon the Board of Elections and Voter Registration of Richland County, as established pursuant to subsection (A).

 (G)(1) The terms of the members of the Richland County Board of Voter Registration, regardless of when these members were appointed to office, or when their current terms would otherwise have expired, expire for all purposes upon the abolishment of that board pursuant to subsection (F)(1).

 (2) The terms of the members of the Richland County Election Commission, regardless of when these members were appointed to office, or when their current terms would otherwise have expired, expire for all purposes upon abolishment of that commission pursuant to subsection (F)(2).

 (3) Notwithstanding items (1) and (2) of this subsection or another provision of law, a person serving as a member of the Richland County Board of Voter Registration or the Richland County Election Commission may not be removed from office, and neither the board nor the commission may be abolished until this section has been given final approval by the United States Department of Justice.

 (H) The annual budget for the Board of Elections and Voter Registration of Richland County may not be less than the average of the two annual budgets for the Charleston County and Greenville County Boards of Election and Voter Registration for the prior fiscal year.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 5th day of May, 2011.

Approved the 9th day of May, 2011.

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