**South Carolina General Assembly**

120th Session, 2013-2014

**S. 811**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Courson, Lourie and Coleman

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Companion/Similar bill(s): 4421

Introduced in the Senate on January 14, 2014

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

Summary: County Boards of Registration and Election

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2013 Senate Prefiled

12/10/2013 Senate Referred to Committee on **Judiciary**

1/14/2014 Senate Introduced and read first time ([Senate Journal‑page 29](file:///H:\SJ%20Archive\2014\01-14-14.docx))

1/14/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 29](file:///H:\SJ%20Archive\2014\01-14-14.docx))

1/22/2014 Senate Referred to Subcommittee: Campsen (ch), Scott, Young

**VERSIONS OF THIS BILL**

[12/10/2013](file:///p:\pprever\2013-14\811_20131210.docx)

**A** **BILL**

TO AMEND SECTION 7-27-110 OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF COUNTY BOARDS OF REGISTRATION AND BOARDS OF ELECTION, TO PROVIDE THAT FOR THOSE COUNTIES THAT DO NOT HAVE A COMBINED BOARD OF REGISTRATION AND ELECTION, THE BOARDS MAY BE COMBINED UPON WRITTEN AGREEMENT OF THE COUNTY LEGISLATIVE DELEGATION AND THE COUNTY GOVERNING BODY; TO PROVIDE FOR THE NUMBER, TERMS, POWERS, AND DUTIES OF THE COMBINED BOARD, AND THE ABOLISHMENT OF THE SEPARATE BOARDS OF REGISTRATION AND ELECTION; AND TO PROVIDE THAT FOR THOSE COUNTIES THAT DO HAVE COMBINED BOARDS OF REGISTRATION AND ELECTION, THE POWER TO APPOINT OR RECOMMEND THE APPOINTMENT OF THE MEMBERS OF THE COMBINED BOARD MAY BE DEVOLVED TO THE COUNTY GOVERNING BODY UPON WRITTEN AGREEMENT OF THE COUNTY LEGISLATIVE DELEGATION AND THE COUNTY GOVERNING BODY.

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

SECTION 1. Section 7‑27‑110 of the 1976 Code is amended to read:

“Section 7‑27‑110. (A) Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.

(B)(1) Those counties that do not have combined boards of registration and election may combine the boards upon written agreement of a majority of the county governing body and a majority of the county legislative delegation. The written agreement combining the boards must be filed with the Secretary of State and the State Election Commission.

(2)(a) The combined board must be composed of five members appointed by a majority of the members of the county governing body. 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 combined board is four years, and until their successors are appointed and qualify. Members may succeed themselves. In the case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this subsection, for the unexpired term. A majority of the members of the county governing body must 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.

(b) 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 members of the county governing body. 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.

(c) 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.

(d) The county governing body shall notify the State Election Commission in writing of the appointments made pursuant to item (a).

(e) 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 item (a). This item does not apply to a member who presents a verifiable doctor’s certificate that illness prevented his attendance at a meeting.

(f) Except as otherwise specifically provided in this subsection, the provisions of law contained in Title 7, relating to county boards of voter registration and county election commissions, apply to a combined board established by this subsection.

(g) The separate county boards of registration and election are abolished upon the filing of the agreement combining the boards with the State Election Commission, and the functions, duties, and powers of the separate boards are devolved upon the combined board provided by item (a). The terms of the members of the separate county boards of registration and election, 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 this item.

(C) Notwithstanding any other provision of this chapter, the county legislative delegation of a county that has a combined board of registration and election provided in Article 2 of this chapter may devolve the power to appoint or recommend the appointment of the members of the combined board to the county governing body upon written agreement of a majority of the county governing body and a majority of the county legislative delegation. The written agreement combining the boards must be filed with the Secretary of State and the State Election Commission and applies to any subsequent appointment or recommendation of appointment made after the agreement is filed.”

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

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