**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3015**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bingham, G.R. Smith and M.S. McLeod

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Introduced in the House on January 13, 2015

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

Summary: Voting by absentee ballot

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2014 House Prefiled

12/11/2014 House Referred to Committee on **Judiciary**

1/13/2015 House Introduced and read first time ([House Journal‑page 64](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 64](file:///h:\HJ%20Archive\2015\01-13-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3015&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/11/2014](file:///p:\pprever\2015-16\3015_20141211.docx)

**A** **BILL**

TO AMEND SECTION 7‑15‑385, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OATH AND PROCEDURES REQUIRED FOR VOTING BY ABSENTEE BALLOT, SO AS TO PERMIT AN ABSENTEE BALLOT APPLICANT TO PHYSICALLY DELIVER HIS BALLOT OR BALLOTS IN THE RETURN‑ADDRESSED ENVELOPE MARKED “BALLOT HEREIN” TO HIS REGULARLY ASSIGNED VOTING PRECINCT ON ELECTION DAY.

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

SECTION 1. Section 7‑15‑385 of the 1976 Code, as last amended by Act 416 of 1996, is further amended to read:

“Section 7‑15‑385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant ~~must~~ shall mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’, which ~~in turn~~ then must be placed in the return‑addressed envelope. The applicant must then return the return‑addressed envelope to the board of voter registration and elections by mail, by personal delivery either to the board of voter registration and elections or to the applicant’s regularly assigned voting precinct on election day, or by authorizing another person to return the envelope to the board of voter registration and elections for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of voter registration and elections at the time the envelope is returned. The voter must sign the form, or ~~in the event~~ if the voter cannot write because of a ~~physical handicap~~ disability or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The authorization must be preserved as part of the record of the election, and the board of voter registration and elections must note the authorization and the name of the authorized returnee in the record book required by Section 7‑15‑330. A candidate or a member of a candidate’s paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not permitted to serve as an authorized returnee for ~~any~~ a person unless the person is a member of the voter’s immediate family as defined in Section 7‑15‑310. The oath set forth in Section 7‑15‑380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7‑15‑330 the date the return‑addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board. The board must securely store the envelopes in a locked box within the office of the board of voter registration and elections.

(B) The return‑addressed envelopes containing absentee ballots that applicants have physically returned to their regularly assigned voting precincts on election day must be transferred to the county board of voter registration and elections, municipal election commission, county committee for each political party, or executive committee of each municipal party for the purpose of tabulation and reporting as provided in Section 7‑15‑420.”

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

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