**South Carolina General Assembly**

122nd Session, 2017-2018

**S. 130**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Campsen

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Introduced in the Senate on January 10, 2017

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

Summary: Amendment to the S.C. Code of Laws

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2016 Senate Prefiled

12/13/2016 Senate Referred to Committee on **Judiciary**

1/10/2017 Senate Introduced and read first time ([Senate Journal‑page 76](file:///h:\sj\20170110.docx))

1/10/2017 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 76](file:///h:\sj\20170110.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=130&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/13/2016](file:///p:\pprever\2017-18\130_20161213.docx)

**A** **JOINT RESOLUTION**

TO AMEND SECTION 7‑5‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO REQUIRE THAT THE CHAIRMAN BE APPOINTED BY THE GOVERNOR UPON RECOMMENDATION OF THE COUNTY LEGISLATIVE DELEGATION; AND TO PROVIDE THAT THE APPOINTED CHAIRMAN SHALL CONTINUE TO SERVE UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.

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

SECTION 1. Section 7‑5‑10 of the 1976 Code, as last amended by Act 196 of 2014, is further amended to read:

“Section 7‑5‑10. (A)(1) The Governor shall appoint, upon the recommendation of the legislative delegation of the counties, competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of \_\_\_\_\_\_\_\_\_ County’. The total number of members on the board must not be less than five nor more than nine persons. At least one appointee on the board ~~shall~~ must be a member of the majority political party represented in the General Assembly and at least one appointee ~~shall~~ must be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members ~~must~~ shall take and subscribe, before ~~any~~ an officer authorized to administer oaths, the following oath of office prescribed by Section 26, 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 elected (or appointed), and that I ~~will~~, to the best of my ability, will discharge the duties ~~thereof~~ of the office, and preserve, protect and defend the Constitution of this State and of the United States. So help me God.’

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two‑year terms, and the remaining 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.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall ~~then~~ remove the member from office.

(4) 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.

(5) The ~~board~~ legislative delegation of the counties shall ~~elect from among its members~~ recommend a chairman ~~and such other officers as it may consider desirable~~ of the board. The ~~board~~ Governor shall ~~then~~ notify the State Election Commission in writing of the name of the ~~persons elected as~~ chairman ~~and officers of the board~~ upon the chairman’s appointment as a board member. ~~Each officer shall be elected for a term of two years.~~ The chairman shall continue serving until the chairman’s successor is appointed and qualified.

(6) The board may elect from among its members any officers as it may consider desirable, other than the chairman recommended by the legislative delegation and appointed by the Governor. If the board elects officers, it shall notify the State Election Commission in writing of the names of the persons elected as officers.

~~(6)~~(7) The board must hire a director. The director is responsible for hiring and managing the staff. 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. A member of the board must not be hired or serve as a member of the staff while serving as a board member.

~~(7)~~(8) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member’s initial appointment or his reappointment following a break in service, or within eighteen months after a staff person’s initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

(3) Following completion of the training and certification program required in item (1), each board member, and each staff person designated by the board or commission, must take at least one training course each year.”

SECTION 2. This act takes effect for any recommendations of persons to the County Boards of Voter Registration and Elections, to be made by the County Legislative Delegation, thirty days after approval of the Governor.

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