**A** **BILL**

TO AMEND SECTION 7‑25‑100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST A VOTER ALLOWING HIS BALLOT TO BE SEEN BY ANOTHER PERSON AND OTHER VOTING OFFENSES, SO AS TO CLARIFY THAT A VOTER MAY DISTRIBUTE OR SHARE AN ELECTRONIC OR DIGITAL IMAGE OF THE VOTER’S OWN MARKED BALLOT VIA SOCIAL MEDIA OR OTHER MEANS.

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

SECTION 1. Section 7‑25‑100 of the 1976 Code, as last amended by Act 184 of 1993, is further amended to read:

“Section 7‑25‑100. (A) It is unlawful in any election for a voter to:

(1) allow his ballot to be seen by a person, except as provided by law;

(2) take, remove, or attempt to take or remove a ballot from the polling place before the close of the polls;

(3) place a mark upon his ballot by which it may be identified;

(4) take into the election booth a mechanical device to enable him to mark his ballot; or

(5) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth.

(B) It is unlawful for a person to:

(1) interfere with a voter who is inside of the polling place or is marking his ballot;

(2) unduly influence or attempt to influence unduly a voter in the preparation of his ballot;

(3) endeavor to induce a voter to show how he marks or has marked his ballot; or

(4) aid or attempt to aid a voter by means of any mechanical device in marking his ballot.

(C) A voter may distribute or share an electronic or digital image of the voter’s own marked ballot via social media or other means regardless of how the voter acquired the image; provided that a person may not use this subsection as a defense for any crimes or offenses against the election laws of this State.

(D) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than one year.”

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

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