

## Session 123 - (2019-2020)

### **S\*0635 (Rat #0138, Act #0133 of 2020) General Bill, By Young**

**Summary:** Absentee ballot provisions for June 2020 primary

AN ACT TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO REQUIRE THE NOTICE TO STATE THAT THE PROCESS OF EXAMINING THE RETURN-ADDRESSED ENVELOPES CONTAINING THE ABSENTEE BALLOTS MAY BEGIN AT 9:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY; TO AMEND SECTION 7-15-420, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO PROVIDE THAT THE PROCESS OF EXAMINING THE RETURN-ADDRESSED ENVELOPES THAT HAVE BEEN RECEIVED BY THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS MAY BEGIN AT 9:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY; TO AMEND SECTION 7-15-470, RELATING TO ABSENTEE BALLOTS OTHER THAN PAPER BALLOTS, SO AS TO MODIFY THE REQUIREMENTS NEEDED TO OBTAIN THE STATE ELECTION COMMISSION CERTIFICATION BEFORE USING A NONPAPER-BASED VOTING MACHINE OR VOTING SYSTEM FOR IN-PERSON ABSENTEE VOTING; TO REQUIRE THE STATE ELECTION COMMISSION TO IMPLEMENT A SOFTWARE UPDATE TO ITS ELECTRONIC VOTING MACHINES TO ALLOW FOR CHALLENGES TO ABSENTEE VOTES CAST USING THE MACHINES IN AN EQUIVALENT MANNER TO CHALLENGES TO ABSENTEE VOTES CAST ON ELECTRONIC VOTING MACHINES IN THE 2018 GENERAL ELECTION; TO AMEND SECTION 7-15-330, RELATING TO THE TIME OF APPLICATION FOR ABSENTEE BALLOTS AND APPLICATIONS IN PERSON, SO AS TO REQUIRE THE BOARD OF VOTER REGISTRATION AND ELECTIONS TO KEEP A RECORD OF THE DATE AND METHOD UPON WHICH THE ABSENTEE BALLOT IS RETURNED; TO AMEND SECTION 7-15-440, RELATING TO THE LIST OF PERSONS ISSUED AND WHO MAY CAST ABSENTEE BALLOTS, SO AS TO CLARIFY THAT THE LIST IS IN ADDITION TO THE INFORMATION PROVIDED PURSUANT TO SECTION 7-15-330; BY ADDING SECTION 7-13-825 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION AND EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS MUST POST THE REQUIREMENTS TO CHALLENGE A BALLOT IN A CONSPICUOUS LOCATION IN THEIR RESPECTIVE OFFICES AND WEBSITES; TO REPEAL CERTAIN SUBSECTIONS OF SECTION 1 OF THE ACT ON DECEMBER 31, 2021; AND TO PROVIDE THAT A QUALIFIED ELECTOR MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT IN AN ELECTION IF THE QUALIFIED ELECTOR'S PLACE OF RESIDENCE OR POLLING PLACE IS LOCATED IN AN AREA SUBJECT TO A STATE OF EMERGENCY DECLARED BY THE GOVERNOR AND THERE ARE FEWER THAN FORTY-SIX DAYS REMAINING UNTIL THE DATE OF THE ELECTION AND PROVIDE THAT THIS PROVISION EXPIRES ON JULY 1, 2020. - ratified title

03/12/19	Senate	Introduced and read first time (Senate Journal-page 8)
03/12/19	Senate	Referred to Committee on Transportation (Senate Journal-page 8)
04/24/19	Senate	Committee report: Favorable Transportation (Senate Journal-page 7)
05/07/19	Senate	Read second time (Senate Journal-page 32)
05/07/19	Senate	Roll call Ayes-43 Nays-0 (Senate Journal-page 32)
05/08/19	Senate	Read third time and sent to House (Senate Journal-page 50)
05/08/19	House	Introduced and read first time (House Journal-page 89)
05/08/19	House	Referred to Committee on Education and Public Works (House Journal-page 89)
02/27/20	House	Committee report: Favorable with amendment Education and Public Works (House Journal-page 6)
03/04/20	House	Amended (House Journal-page 27)
03/04/20	House	Read second time (House Journal-page 27)
03/04/20	House	Roll call Yeas-106 Nays-2 (House Journal-page 29)
03/05/20	House	Read third time and returned to Senate with amendments (House Journal-page 14)
03/11/20		House amendment amended (Senate Journal-page 27)
03/11/20	Senate	Roll call Ayes-40 Nays-0 (Senate Journal-page 27)
03/11/20	Senate	Returned to House with amendments (Senate Journal-page 27)
05/12/20	House	Non-concurrence in Senate amendment
05/12/20	House	Roll call Yeas-10 Nays-106
05/12/20	Senate	Senate insists upon amendment and conference committee appointed Campsen, Hutto, and Massey (Senate Journal-page 24)
05/12/20	House	Conference committee appointed Simrill, Clary, Rutherford
05/12/20	Senate	Free conference powers granted (Senate Journal-page 25)

05/12/20	Senate	Free conference committee appointed Campsen, Hutto, Massey (Senate Journal-page 25)
05/12/20	Senate	Free conference report received and adopted (Senate Journal-page 25)
05/12/20	Senate	Roll call Ayes-37 Nays-0 (Senate Journal-page 25)
05/12/20	House	Free conference powers granted
05/12/20	House	Roll call Yeas-97 Nays-15
05/12/20	House	Free conference committee appointed Simrill, Clary, Rutherford
05/12/20	House	Free conference report adopted
05/12/20	House	Roll call Yeas-108 Nays-0
05/12/20	House	Ordered enrolled for ratification
05/12/20		Ratified R 138
05/13/20		Signed By Governor
05/14/20		Effective date See Act for Effective Date
05/14/20		Act No. 133