**South Carolina General Assembly**

118th Session, 2009-2010

**S. 106**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Alexander, Leventis, Elliott and Hayes

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Companion/Similar bill(s): 82

Introduced in the Senate on January 13, 2009

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

Summary: Absentee ballots

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Judiciary**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑120

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑120

3/13/2009 Senate Referred to Subcommittee: Campsen (ch), Cleary, Scott

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\106_20081210.docx)

**A** **BILL**

TO AMEND SECTION 7‑15‑320 OF THE 1976 CODE, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, TO PROVIDE THAT QUALIFIED ELECTORS MAY CAST AN ABSENTEE BALLOT AT THE ABSENTEE VOTING PRECINCT IN THEIR COUNTY OF RESIDENCE WITHOUT BEING REQUIRED TO MEET THE STATUTORY REQUIREMENTS TO OTHERWISE OBTAIN AN ABSENTEE BALLOT; AND TO AMEND SECTION 7‑15‑410, TO PROVIDE FOR THE AVAILABILITY OF ABSENTEE BALLOTS TO ELECTORS THAT WANT TO CAST A BALLOT PRIOR TO AN UPCOMING ELECTION IN PERSON AT THE ABSENTEE VOTING PRECINCT IN THEIR COUNTY OF RESIDENCE.

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

SECTION 1. Section 7‑15‑320 of the 1976 Code is amended to read:

“Section 7‑15‑320. (A) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person except that physically disabled persons, certified poll watchers, poll managers, county voter registration board members and staff, and county election commission members and staff working on election day, a person admitted to a hospital as an emergency patient on the day of an election or within a four‑day period before an election, and persons whose employment obligations required that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board, and persons confined to a jail or pre‑trial facility pending disposition of arrest or trial may vote by absentee ballot whether or not absent from their county of residence:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(4) persons in employment;

(5) physically disabled persons;

(6) governmental employees, their spouses, and dependents residing with them;

(7) electors with a death or funeral in the family within a three‑day period before the election;

(8) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day);

(9) certified poll watchers, poll managers, county voter registration board members and staff, county election commission members and staff working on election day;

(10) overseas citizens;

(11) persons attending sick or physically disabled persons;

(12) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;

(13) persons who will be serving as jurors in a state or federal court on election day;

(14) persons sixty‑five years of age or older;

(15) persons confined to a jail or pre‑trial facility pending disposition of arrest or trial.

(B) A qualified elector must be permitted to vote by absentee ballot if he casts his ballot at the absentee voting precinct located in his county of residence as provided in Section 7‑15‑410(B). A qualified elector voting pursuant to this subsection does not have to meet the requirements of subsection (A) and does not have to subscribe to the oath required by Section 7‑15‑370.”

SECTION 2. Section 7‑15‑410 of the 1976 Code is amended to read:

“Section 7‑15‑410. (A) In each county there must be established ~~an~~ one or more absentee voting ~~precinct~~ precincts. One absentee voting precinct must be located in the office of the county board of registration and any others absentee voting precincts may be located in suitable locations throughout the county by the county board of registration. The county election commission, municipal election commission, county committee for each political party, or executive committee of each municipal party in the case of primary elections is responsible for the tabulation and reporting of ballots at the absentee voting ~~precinct~~ precincts. The absentee ballots must remain in the custody of the county board of registration until transferred to the county election commission, 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.

(B) The absentee voting precincts in each county must make absentee ballots available for qualified electors who want to cast an absentee ballot at the precinct prior to an upcoming election. The absentee ballots required by this subsection must be available Monday through Friday during regular business hours for four weeks prior to the upcoming election.”

SECTION 3. This act takes effect upon approval by the Governor.

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