**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3298**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Lucas, Delleney, Ballentine, Brannon, Clemmons, Hixon, Huggins, Long, McCoy, Murphy, Nanney, Pitts, Sottile, Thayer, Harrell, Bales, Loftis and Kennedy

Document Path: l:\council\bills\ggs\22499zw13.docx

Introduced in the House on January 10, 2013

Introduced in the Senate on February 28, 2013

Last Amended on February 27, 2013

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

Summary: Election commission and board of registration

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/10/2013 House Introduced and read first time ([House Journal‑page 813](file:///h:\HJ%20Archive\2013\01-10-13.docx))

1/10/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 813](file:///h:\HJ%20Archive\2013\01-10-13.docx))

1/31/2013 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 3](file:///h:\HJ%20Archive\2013\01-31-13.docx))

2/4/2013 Scrivener's error corrected

2/5/2013 House Member(s) request name added as sponsor: Harrell

2/5/2013 House Requests for debate‑Rep(s). Lucas, Delleney, Quinn, Spires, Kennedy, Bingham, GR Smith, Stringer, VS Moss, Bedingfield, Nanney, Clemmons, JR Smith, Ryhal, Brannon, Hiott, Hosey, RL Brown, Skelton, Weeks, McEachern, Howard, Sellers, Sabb, Daning, Bernstine, JE Smith ([House Journal‑page 15](file:///h:\HJ%20Archive\2013\02-05-13.docx))

2/6/2013 House Debate adjourned until Wed., 2‑20‑13 ([House Journal‑page 31](file:///h:\HJ%20Archive\2013\02-06-13.docx))

2/20/2013 House Debate adjourned until Thur., 2‑21‑13 ([House Journal‑page 40](file:///h:\HJ%20Archive\2013\02-20-13.docx))

2/21/2013 House Member(s) request name added as sponsor: Bales, Loftis, Kennedy

2/21/2013 House Amended ([House Journal‑page 31](file:///h:\HJ%20Archive\2013\02-21-13.docx))

2/21/2013 House Debate adjourned until Tues., 2‑26‑13 ([House Journal‑page 31](file:///h:\HJ%20Archive\2013\02-21-13.docx))

2/27/2013 House Amended ([House Journal‑page 94](file:///h:\HJ%20Archive\2013\02-27-13.docx))

2/27/2013 House Read second time ([House Journal‑page 94](file:///h:\HJ%20Archive\2013\02-27-13.docx))

2/27/2013 House Roll call Yeas‑111 Nays‑1 ([House Journal‑page 98](file:///h:\HJ%20Archive\2013\02-27-13.docx))

2/28/2013 House Read third time and sent to Senate

2/28/2013 Scrivener's error corrected

2/28/2013 Senate Introduced and read first time ([Senate Journal‑page 12](file:///h:\SJ%20Archive\2013\02-28-13.docx))

2/28/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 12](file:///h:\SJ%20Archive\2013\02-28-13.docx))

**VERSIONS OF THIS BILL**

[1/10/2013](file:///p:\pprever\2013-14\3298_20130110.docx)

[1/31/2013](file:///p:\pprever\2013-14\3298_20130131.docx)

[2/4/2013](file:///p:\pprever\2013-14\3298_20130204.docx)

[2/21/2013](file:///p:\pprever\2013-14\3298_20130221.docx)

[2/27/2013](file:///p:\pprever\2013-14\3298_20130227.docx)

[2/28/2013](file:///p:\pprever\2013-14\3298_20130228.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

February 27, 2013

**H. 3298**

Introduced by Reps. Lucas, Delleney, Ballentine, Brannon, Clemmons, Hixon, Huggins, Long, McCoy, Murphy, Nanney, Pitts, Sottile, Thayer, Harrell, Bales, Loftis and Kennedy

S. Printed 2/27/13--H. [SEC 2/28/13 1:34 PM]

Read the first time January 10, 2013.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

*A Cost to the General Fund (See Below)*

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

*State Election Commission*

*The Election Commission indicates that this bill will have a non-recurring cost to the General Fund of the State of approximately $200,000. These costs include modifications to the voter registration and election management system, changes to SCVotes.org website, and training and equipment for counties.*

State Ethics Commission

The commission estimates this bill will have no fiscal impact on the state general fund or on federal and/or other funds.

**LOCAL GOVERNMENT IMPACT:**

Pursuant to Section 2-7-76, the State Budget Division surveyed counties to access the impact of this bill. One county reported minimal costs and three counties indicated there would be no fiscal impact with the adoption of this bill.

**SPECIAL NOTES:**

*The italicized portion of this impact indicates the items that have been revised. For this impact, the revised constitutes information that was not available in the original impact.*

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑13‑46 SO AS TO IMPOSE REQUIREMENTS REGARDING THE ACKNOWLEDGMENT OF STATEMENTS OF CANDIDACY AND PUBLICATION OF FILING PERIODS; BY ADDING SECTION 8‑13‑1115 SO AS TO REQUIRE STATEMENTS OF ECONOMIC INTERESTS TO BE FILED ONLINE NO LATER THAN APRIL FIFTEENTH FOR ALL CANDIDATES; TO AMEND SECTION 7‑11‑10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO DELETE REFERENCES TO POLITICAL PARTY CONVENTION; TO AMEND SECTION 7‑11‑15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN A GENERAL ELECTION, SO AS TO REVISE THE PROCEDURES FOR FILING STATEMENTS OF INTENTION OF CANDIDACY TO BE FILED WITH THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑11‑210, AS AMENDED, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REVISE THE PROCEDURES FOR NOTICE SUBMISSIONS, CANDIDATE SIGNATURES, AND OFFICER ACKNOWLEDGMENTS; TO AMEND SECTION 7‑13‑40, AS AMENDED, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES’ QUALIFICATIONS, AND THE FILING FEE, SO AS TO REVISE THE PROCEDURES FOR CERTIFYING AND COMPILING THE NAMES OF CANDIDATES TO BE PLACED ON PRIMARY BALLOTS; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 8‑13‑365, AS AMENDED, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO PROVIDE THAT A DISCLOSURE FORM FILED PURSUANT TO THIS SECTION IS DEEMED TO SATISFY ANY OTHER FILING REQUIREMENT MANDATED BY LAW; TO AMEND SECTION 8‑13‑1110, AS AMENDED, RELATING TO PERSONS REQUIRED TO FILE STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO FURNISH A WEBSITE ON WHICH ALL STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE AND TO DESIGNATE AN ANNUAL DEADLINE BY WHICH STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE; TO REPEAL SECTION 7‑11‑30, RELATING TO CONVENTION NOMINATION OF CANDIDATES; AND TO REPEAL SECTION 7‑11‑220, RELATING TO NOTICE OR PLEDGE BY CANDIDATES FOR STATE SENATOR.

Amend Title To Conform

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

SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑46. (A) In every general election year the county board of registration and elections shall:

(1) designate a specified place, other than a private residence, where a person may file as a candidate;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which some person authorized by law must be present at the designated place to accept filings;

(3) place an advertisement at least five by seven inches in size to appear two weeks before the filing period begins in a newspaper of general circulation in the county which notifies the public of the dates of the filing periods, the location and hours for signing the statement of intention of candidacy, and the notice of candidacy and pledge set by the party executive committees, the offices that may be filed for, the place and street address where filings must be turned in to the county board of registration and elections, and the hours that an authorized person will be present to receive filings, paid for at the rates prescribed by law for legal notices;

(4) allow for a single designee, selected by the county chair, for each recognized political party within the county to be present at the place selected by the board to accept election filings at all times filings are to be accepted; and

(5) transmit, in writing, to each political party in the county a listing of all candidates who have filed for the various offices that the county board accepts filings for. If a particular party requests, and the county board has the ability, the county board will provide daily electronic mail updates to an identified party designee.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. Notwithstanding another provision of law, individual counties, by ordinance, may alter the number of members serving on their board of registration and elections.”

SECTION 3. Article 11, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1115. (A) All candidates for public office must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.

(B) An individual, who becomes a candidate other than by filing, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.”

SECTION 4. Section 7‑11‑10 of the 1976 Code, as last amended by Act 419 of 1982, is further amended to read:

“Section 7‑11‑10. Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; ~~provided~~ however, ~~no~~ a person who was defeated as a candidate for nomination to an office in a party primary or party convention shall not have his name placed on the ballot for the ensuing general or special election, except that this proviso ~~shall~~ does not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for ~~such~~ that office before the election is held.”

SECTION 5. Section 7‑11‑15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~

(A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the State Election Commission;

(2) obtain the signature of the appropriate State Election Commission official on the statement of intention of candidacy; and

(3) file the signed statement of intention of candidacy and the notice of candidacy and pledge with the State Election Commission along with the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the state Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county in which they reside;

(2) obtain the signature of the appropriate county board of registration and elections official in the county in which the candidate resides on the statement of intention of candidacy; and

(3) file the signed statement of intention of candidacy and the notice of candidacy and pledge with the county board of registration and elections in the county in which the candidate resides, along with the filing fee for office pursuant to this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from either the State Election Commission or the county board of registration and elections in the county the office serves;

(2) obtain the signature of the appropriate county board of registration and elections official in the county on the statement of intention of candidacy; and

(3) file the signed statement of intention of candidacy and the notice of candidacy and pledge with the county board of registration and elections, along with the filing fee for office pursuant to this section.

(E) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the State Election Commission.

(F) The county board of registration and elections or the State Election Commission, where appropriate, must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(G) A candidate’s name may not appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy, notice of candidacy and pledge, and filing fee have not been filed with the county board of registration and elections or State Election Commission, as appropriate, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy and proof that his filing fee was received by the appropriate body.

(H) Copies of the filing documents showing the time and date filed, the candidate’s signature, and the signature of the election official must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(I) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater, and must be made by check payable to the State Election Commission. A candidate whose check is returned to the State Election Commission for insufficient funds may not have his name placed on a ballot.

(J) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be available to the public at the offices of the State Election Commission, the office of the Clerk of Court in each county, and available for printing from a website maintained by the State Election Commission and must be filed in duplicate by the candidate. The county board or State Election Commission, as appropriate, with which it is filed must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate.

(K) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as appropriate, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of state House of Representatives or state Senator, the discretion must be exercised by the state committee.

(L) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.”

SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7‑11‑30. ~~If a party nominates candidates by conventions, the state convention shall nominate the party's candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party's candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention, except the office of state Senator and of member of the House of Representatives. The nomination of the party's candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks' published notices of the calls. Any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.~~

(A) A party may choose to nominate candidates for all offices, including but not limited to Governor, Lieutenant Governor, United States Senator, United States House of Representatives, circuit solicitor, state Senator, and members of the state House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 7. Section 7‑11‑210 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑11‑210. Every candidate for selection as a nominee of ~~any~~a political party for ~~any~~a state office, United States Senator, member of Congress, or solicitor, to be voted for in ~~any~~a party primary election or political party convention, shall file with and place in the possession of the ~~treasurer of the state committee~~ State Election Commission by twelve o’clock noon on March thirtieth a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate and by the appropriate filing official: ‘I hereby file my notice as a candidate for the nomination as \_\_\_\_\_\_\_\_\_\_ in the primary election or convention to be held on \_\_\_\_\_\_\_\_\_\_. I affiliate with the \_\_\_\_\_\_\_\_\_\_ Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write‑in candidate for this office or any other office for which the party has a nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office.’

Every candidate for selection in a primary election as the nominee of ~~any~~a political party for member of the Senate, member of the House of Representatives, and all county and township offices shall file with and place in the possession of the county ~~chairman or other officer as may be named by the county committee of the county in which they reside~~ board of registration and elections of the county in which they reside by twelve o’clock noon on March thirtieth a like notice and pledge.

~~The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be signed in the presence of the county chairman or other officer as may be named by the county committee with whom the candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.~~ The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate. A notice of candidacy of a candidate signed by an agent on behalf of a candidate is not valid.

~~In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the state chairman of the party which held the primary (if the office involved is one voted for in the general election by the electors of more than one county), or the county chairman of the party which held the primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining the person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of these facts to issue an order.~~”

SECTION 8. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. ~~In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ninth, or if April ninth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and such candidate’s name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.~~ In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county board of registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be compiled by the State Election Commission and forwarded to the respective state executive committees not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.”

SECTION 9. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) All counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.

(B) Notwithstanding the provisions of subsection (A), a county by affirmative vote of its county council may choose not to combine its existing board of registration and board of elections provided this vote occurs within one calendar year of the effective date of this act. If a county council fails to conduct the vote described in this subsection, then the provisions of subsection (A) shall apply. If a county chooses not to combine its existing boards of registration and elections pursuant to this subsection, the existing board of elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county as required by Title 7.”

SECTION 10. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260.~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 11. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 12. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 13. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 14. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 15. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 16. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~

(A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 17. Section 8‑13‑365 of the 1976 Code, as last amended by Act 190 of 2010, is further amended to read:

“Section 8‑13‑365.(A) The ~~commission~~ State Ethics Commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 from all persons and entities subject to its jurisdiction. These disclosures and reports must be filed using an Internet‑based filing system as prescribed by the ~~commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system.~~ State Ethics Commission, which shall forward these reports to the appropriate supervisory office. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.

(B) ~~The Ethics Commission must submit to the General Assembly a report no later than one year after implementation of subsection (A), concerning the effectiveness of mandatory electronic filing, and must make recommendations as to the implementation of mandatory filing for all other candidates and entities.~~ Notwithstanding another provision of law, a disclosure form filed pursuant to this section must be deemed to satisfy any other filing requirement required by law.”

SECTION 18. Section 8‑13‑1110 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 8‑13‑1110. (A) ~~No public official, regardless of compensation, and no public member, or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office.~~ The State Ethics Commission must furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, a candidate who is not an incumbent public official and who must otherwise file a statement of economic interests is subject to the same disclosure requirements as an incumbent public official. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect ~~with the appropriate supervisory office~~. All disclosure statements are matters of public record open to inspection upon request.

(B) ~~Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided~~ All public officials must file a Statement of Economic Interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last. This includes elected officials, and the following:

(1) a person appointed to fill the unexpired term of an elective office;

(2) a salaried member of a state board, commission, or agency;

(3) the chief administrative official, or employee, and the deputy or assistant administrative official, or employee, or director of a division, institution, or facility of ~~any~~ an agency or department of state government;

(4) the city administrator, city manager, or chief municipal administrative official, or employee, by whatever title;

(5) the county manager, county administrator, county supervisor, or chief county administrative official, or employee, by whatever title;

(6) the chief administrative official, or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

(7) a school district and county superintendent of education;

(8) a school district board member and a county board of education member;

(9) the chief finance official, or employee, and the chief purchasing official, or employee, of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

(10) a public official;

(11) a public member who serves on a state board, commission, or council; and

(12) Department of Transportation District Engineering Administrators.”

SECTION 19. Section 7‑11‑220 of the 1976 Code is repealed.

SECTION 20. Section 8‑13‑1356 of the 1976 Code is repealed.

SECTION 21. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑