**A** **BILL**

TO AMEND CHAPTER 3, TITLE 7 OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, BY ADDING SECTION 7–3–80, TO PROVIDE FOR THE CREATION AND MAINTENANCE OF A REGISTRATION SYSTEM WITHIN THE STATE ELECTION COMMISSION ALLOWING A PERSON WITH MENTAL OR PHYSICAL INFIRMITIES THE OPPORTUNITY TO REMOVE HIMSELF FROM JURY LISTS, TO PROVIDE FOR A CERTIFICATION PROCESS, AND TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL FURNISH JURY LISTS TO COUNTY JURY COMMISSIONERS ONLY AFTER IT REMOVES THE NAMES OF THOSE INDIVIDUALS WHO VOLUNTARILY REGISTER.

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

SECTION 1. Chapter 3, Title 7 of the 1976 Code is amended by adding:

“Section 7–3–80.(A) There is created a registration system within the State Election Commission whereby a person with a mental or physical infirmity may voluntarily remove his name from jury lists.

(B) As used in this section:

(1) ‘Jury list’ means the list furnished to county jury commissioners pursuant to Section 14–7–130.

(2) ‘Mental infirmity’ means a medically diagnosable, abnormal condition which is expected to continue for a considerable length of time, whether correctable or uncorrectable, which reasonably is expected to limit the person’s functional ability.

(3) ‘Physical infirmity’ means one of the following medically‑diagnosable conditions:

(a) an inability to ordinarily walk one hundred feet nonstop without aggravating an existing medical condition, including the increase of pain;

(b) an inability to ordinarily walk without the use of, or assistance from a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;

(c) a restriction by lung disease to the extent that the person’s forced expiratory volume for one second when measured by spirometry is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest;

(d) requires use of portable oxygen;

(e) a cardiac condition to the extent that the person’s functional limitations are classified in severity as Class III or Class IV according to standards established by the American Heart Association. If the person’s status improves to a higher level, for example as a result of bypass surgery or transplantation, he no longer meets this criteria; or

(f) a substantial limitation in the ability to walk due to an arthritic, neurological, or orthopedic condition, for example, coordination problems and muscle spasticity due to conditions that include Parkinson’s disease, cerebral palsy, or multiple sclerosis.

(C)(1) The commission must develop a standardized certification form designed to capture criteria related information relating to persons considered mentally or physically infirm. The form shall indicate whether the applicant meets one or more of the criteria, whether the condition is permanent or temporary, and if temporary, the expected duration.

(2) Certification pursuant to Section 56–3–1910 shall satisfy the physical infirmity requirements of subsection (D).

(D)(1) A person who is certified as being mentally or physically infirm by a licensed physician and provides a legible prescription order with a signature from the same physician may register with the commission to remove his name from jury lists.

(2) A person in the registry may voluntarily remove his name at any time.

(E) The State Election Commission shall remove the names of all registrants from jury lists prior to furnishing the jury list to county jury commissioners.

(F) The State Election Commission must keep and maintain a complete and accurate record of all names received, along with physician certifications.”

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

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