**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3318**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Gilliard

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Prefiled in the House on December 5, 2024

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

Summary: Special primary runoffs

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2024 House Prefiled

12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3318_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7‑13‑190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ELIMINATE RUNOFFS FOR SPECIAL PRIMARY ELECTIONS.

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

SECTION 1. Section 7‑13‑190(B) of the S.C. Code is amended to read:

(B)(1) In partisan elections, whether seeking nomination by political party primary or political party convention, filing by these candidates shall open for the office at twelve o’clock noon on the third Friday after the vacancy occurs for a period to close eight days later at twelve o’clock noon. If seeking nomination by petition, the petitions must be submitted not later than twelve o’clock noon, sixty days prior to the election. Verification of these petitions must be made not later than twelve o’clock noon forty‑five days prior to the election. If seeking nomination by political party primary or political party convention, filing with the appropriate official is the same as provided in Section 7‑11‑15 and if seeking nomination by petition, filing with the appropriate official is the same as provided in Section 7‑11‑70.

(2) A primary must be held on the eleventh Tuesday after the vacancy occurs. A runoff primary must be held on the thirteenth Tuesday after the vacancy occurs. The candidate receiving the most votes must be named the party’s nominee, and no runoff primary may be held. The special election must be on the twentieth Tuesday after the vacancy occurs. If the twentieth Tuesday after the vacancy occurs is no more than sixty days prior to the general election, the special election must be held on the same day as the general election. If the filing period closes on a state holiday, then filing must be held open through the succeeding weekday. If the date for an election falls on a state holiday, the election must be set for the next succeeding Tuesday. For purposes of this section, state holiday does not mean the general election day.

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

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