**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3398**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. King

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Prefiled in the House on December 5, 2024

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

Summary: Qualifications to register to vote

**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/3398_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7‑5‑120, RELATING TO PERSONS DISQUALIFIED FROM REGISTERING OR VOTING, SO AS TO DELETE LANGUAGE DISQUALIFYING PERSONS CONVICTED OF A FELONY OR OFFENSE AGAINST THE ELECTION LAWS; BY AMENDING SECTION 7‑5‑170, RELATING TO INFORMATION CONTAINED ON VOTER REGISTRATION FORMS, SO AS TO DELETE THE REQUIREMENT THAT AN APPLICANT AFFIRM, AMONG OTHER THINGS, HE HAS NEVER BEEN CONVICTED OF A FELONY OR OFFENSE AGAINST THE ELECTION LAWS; AND BY AMENDING SECTION 7‑5‑185, RELATING TO ELECTRONIC APPLICATIONS FOR VOTER REGISTRATION, SO AS TO MAKE CONFORMING CHANGES.

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

SECTION 1. Section 7‑5‑120(B) of the S.C. Code is amended to read:

 (B)(1) A person is disqualified from being registered or voting if he:

 (1)(a) is mentally incompetent as adjudicated by a court of competent jurisdiction; or

 (2)(b) is serving a term of imprisonment resulting from a conviction of a crime; or

 (3) is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

 (2) Upon release from prison, any disqualification pursuant to subitem (b) above is automatically removed.

SECTION 2. Section 7‑5‑170 of the S.C. Code is amended to read:

 Section 7‑5‑170. (1) Written application required. A person may not be registered to vote except upon written application or electronic application pursuant to Section 7‑5‑185, which shall become a part of the permanent records of the board to which it is presented and which must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

 (2) Form of application. The application must be on a form prescribed and provided by the executive director and shall contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, or confined in any public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must take the following oath: “I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence, that I claim no other place as my legal residence, and that, to my knowledge, I am neither registered nor intend to register to vote in another state or county.” Any applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

 (3) Date stamp voter registration applications. The county board of voter registration and elections shall date stamp all voter registration applications delivered in person, electronically, or by mail as of the date received.

 (4) Administration of oaths. Any member of the county board of voter registration and elections, deputy registrar, or any registration clerk must be qualified to administer oaths in connection with the application.

 (5) Decisions on applications. Any member of the county board of voter registration and elections, deputy registrar, or registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application.

SECTION 3. Section 7‑5‑185(B) of the S.C. Code is amended to read:

 (B)(1) An application submitted pursuant to this section is effective upon receipt of the application by the State Election Commission if the application is received thirty days before an election to be held in the precinct of the person submitting the application.

 (2) The applicant shall attest to the truth of the information provided in the application.

 (3) For voter registration purposes, the applicant shall assent to the use of his signature from his driver’s license or state identification card issued by the Department of Motor Vehicles.

 (4) For each electronic application, the State Election Commission shall obtain an electronic copy of the applicant’s signature from his driver’s license or state identification card issued by the Department of Motor Vehicles directly from the Department of Motor Vehicles with no fee.

 (5) An application submitted pursuant to this section must contain the applicant’s name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, or confined in a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must attest to the following: “I do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence and that I claim no other place as my legal residence.” An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

SECTION 4. This act takes effect upon approval by the Governor.

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