**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3556**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. B. Newton

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

Summary: Political parties and primaries

**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/3556_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7‑17‑560, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO HEAR CERTAIN PRIMARY PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEE TO ALSO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS, LESS THAN COUNTY OFFICERS, AND MUNICIPAL OFFICERS, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO ADOPT A RESOLUTION TO REQUIRE THE FILING OF ANY PROTEST OR CONTEST TO BE ACCOMPANIED BY A BOND WITH SURETY, AND TO PROVIDE FOR APPEALS FROM DECISIONS BY THE STATE EXECUTIVE COMMITTEE; BY AMENDING SECTION 7‑17‑570, RELATING TO HEARINGS OF PRIMARY PROTESTS AND CONTESTS, SO AS TO EXTEND THE TIME IN WHICH THE STATE EXECUTIVE COMMITTEE MUST CONDUCT SUCH HEARINGS; BY AMENDING SECTION 5‑15‑80, RELATING TO MUNICIPAL PRIMARY PROTESTS AND CONTESTS, SO AS TO PROVIDE THAT SUCH PROTESTS AND CONTESTS ARE TO BE FILED, HEARD, AND DECIDED IN THE MANNER PROVIDED IN SECTIONS 7‑17‑560 AND 7‑17‑570; AND BY REPEALING SECTIONS 7‑17‑520, 7‑17‑530, 7‑17‑540, 7‑17‑550, 7‑17‑580, AND 7‑17‑590 ALL RELATING TO PRIMARY PROTESTS AND CONTESTS FOR CERTAIN OFFICES.

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

SECTION 1. Section 7‑17‑560 of the S.C. Code is amended to read:

 Section 7‑17‑560. (A) The state executive committee must meet in Columbia at such place as may be designated by the chairman to hear and decide protests and contests that may arise in the case of federal officers, state officers, State Senate, State House of Representatives, and officers involving more than one county, county officers, less than county officers, and municipal officers. Any protest or contest must be filed in writing with the chairman of the committee, together with a copy for each candidate in the race, not later than noon on Monday following the canvassing of the votes for these officers by the committee. However, service upon the chairman may be perfected by depositing at the office of the Chief of the State Law Enforcement Division a copy of the protest, together with a copy for each candidate in the race. The chief must take immediate steps to deliver these copies to the chairman. The protest must contain each ground thereof stated separately and concisely. The chairman of the committee must forthwith serve upon each candidate in the protested race a copy of the protest and serve a notice of the time and place of the meeting of the committee for the purposes of hearing the protest.

 (B) The state executive committee may, by resolution adopted prior to the conduct of a primary, require the filing of any protest or contest to be accompanied by a bond with surety as payment for the reasonable costs of hearing the protest in the event the election challenge is denied. However, the amount may not exceed seven hundred and fifty dollars. If a protestant or contestant’s election challenge is granted, he shall receive a refund of the amount of the surety bond.

 (C) Appeals from decisions by the state executive committee must be taken directly to the Supreme Court on petition for a writ of certiorari only based on record of the state executive committee hearing and must be granted first priority of consideration by the court. Notice of appeals must be served within ten days of the state executive committee’s decision.

SECTION 2. Section 7‑17‑570 of the S.C. Code is amended to read:

 Section 7‑17‑570. The executive committee shall hear the protest or contest on Thursday following within two weeks of the deadline for filing the same. Testimony at the hearing shall be limited to the grounds stated in the written protest.

 The protestant and each other candidate in the protested race shall have the right to be present at the hearing, to be represented by counsel, to examine and cross‑examine witnesses and to produce evidence relevant to the grounds of the protest. The chairman of the committee shall provide for and conduct the hearing as nearly as possible in accordance with the procedures and rules of evidence observed by the circuit courts of this State. The chairman shall have authority to administer oaths and subpoena witnesses. Upon the conclusion of the hearing of the protest the committee shall determine all issues by majority vote and forthwith certify the results of the election. The State Election Commission shall pay for the costs of the court reporter and the transcript of the hearing.

 The committee shall remain in session until a conclusion has been reached. All candidates in the protested or contested race shall be immediately notified of the committee’s decision.

SECTION 3. Section 5‑15‑80 of the S.C. Code is amended to read:

 Section 5‑15‑80. The results of any political party primary shall be declared by the party conducting the election. Protests and contests shall be filed, heard, and decided in the manner set forth in Sections 7‑17‑560 and 7‑17‑570. writing with the municipal party chairman within two days after the day of the declaration of the results of the election and the municipal party executive committee shall determine such protests within five days after the filing thereof. From the decision of the municipal party committee an appeal may be made to the Board of State Canvassers of Municipal Primaries as provided in § 7‑17‑580. Notice and grounds of appeal must be filed in writing with the chairman of the Board of State Canvassers of Municipal Primaries within five days following the date on which the decision of the municipal committee is declared.

 Any appeal thereafter shall be to the court of common pleas of the county in which the municipality is situate. Notice and grounds of appeal shall be served on the opposing parties or their attorneys within ten days following the decision of the Board of State Canvassers of Municipal Primaries.

SECTION 4. Sections 7‑17‑520, 7‑17‑530, 7‑17‑540, 7‑17‑550, 7‑17‑580, and 7‑17‑590 of the S.C. Code are repealed.

SECTION 5. This act takes effect upon approval by the Governor.

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