**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3588**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bowers and Hiott

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Prefiled in the House on December 12, 2024

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

Summary: Uncontested municipal primary elections

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/12/2024 House Prefiled

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

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**VERSIONS OF THIS BILL**

[12/12/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3588_20241212.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 5-15-112 SO AS TO PROVIDE THAT A PERSON SEEKING ELECTION FOR CERTAIN MUNICIPAL OFFICES BY WRITE-IN VOTES MUST TIMELY FILE A DECLARATION OF WRITE-IN CANDIDACY IN ORDER FOR WRITE-IN VOTES TO BE COUNTED IN HIS FAVOR; AND BY ADDING SECTION 5-15-115 SO AS TO PROVIDE THAT AN UNCONTESTED CANDIDATE FOR A MUNICIPAL OFFICE IS DEEMED ELECTED, AND SUCH OFFICE IS NOT REQUIRED TO APPEAR ON THE GENERAL OR SPECIAL ELECTION BALLOT, AS APPLICABLE.

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

SECTION 1. Chapter 15, Title 5 of the S.C. Code is amended by adding:

 Section 5-15-112. (A) A person seeking election by write-in votes to any municipal office under this chapter must, no later than fourteen days after the closing of the candidate filing period for that office, file a declaration with the appropriate authority which includes the following information:

 (1) legal name;

 (2) name or names by which he is commonly known, if different from his legal name;

 (3) the office he is seeking;

 (4) his intention to seek election as a write-in candidate.

 (B) No write-in votes for a municipal office, the election of which is provided for in this chapter, may be counted for any person who does not timely meet the filing requirements of this section.

SECTION 2. Chapter 15, Title 5 of the S.C. Code is amended by adding:

 Section 5‑15‑115. (A) A municipal office is not required to appear on any general or special election ballot if fourteen days have elapsed since the candidate filing period for that office closed and:

 (1) only one person has filed for the office; and

 (2) no person has filed a declaration to be a write‑in candidate pursuant to Section 5-15-112.

 (B) In such an event, the candidate who filed for the office is deemed elected and shall take office on the Monday following certification of the election results.

 (C) When no person has filed a declaration to be a write‑in candidate pursuant to this section, the candidate who filed for the office must be declared the winner by the authority charged by law with conducting the election, and the votes for the election must not be counted or otherwise tabulated. If no other contested office is on the ballot for the general or special election, as applicable, no election may be held. Nothing in this section requires a ballot containing the name of a person who has been declared the winner pursuant to this section to be reprinted to delete the winning candidate’s name or candidates’ names from the ballot.

SECTION 3. This act takes effect upon approval by the Governor.

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