South Carolina General Assembly
123rd Session, 2019-2020

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A143, R149, H5305

STATUS INFORMATION

General Bill
Sponsors: Reps. Norrell, B. Newton, Yow and Lucas
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Introduced in the House on February 27, 2020
Introduced in the Senate on March 10, 2020
Last Amended on September 2, 2020
Passed by the General Assembly on September 15, 2020
Governor's Action: September 16, 2020, Signed

Summary: Absentee ballots

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
2/27/2020	House	Introduced and read first time (House Journal-page 20)
2/27/2020	House	Referred to **Lancaster Delegation** (House Journal-page 20)
3/3/2020	House	Delegation report: Favorable **Lancaster Delegation** (House Journal-page 5)
3/4/2020	House	Read second time (House Journal-page 31)
3/4/2020	House	Roll call Yeas-105 Nays-0 (House Journal-page 32)
3/5/2020	House	Read third time and sent to Senate (House Journal-page 14)
3/10/2020	Senate	Introduced and read first time (Senate Journal-page 11)
3/10/2020	Senate	Referred to Committee on **Judiciary** (Senate Journal-page 11)
3/12/2020	Senate	Recalled from Committee on **Judiciary** (Senate Journal-page 4)
9/2/2020	Senate	Amended
9/2/2020	Senate	Read second time (Senate Journal-page 13)
9/2/2020	Senate	Roll call Ayes-xxx Nays-xxx (Senate Journal-page 13)
9/2/2020	Senate	Unanimous consent for third reading on next legislative day (Senate Journal-page 39)
9/3/2020	Senate	Read third time and returned to House with amendments (Senate Journal-page 1)
9/3/2020		Scrivener's error corrected
9/15/2020	House	Concurred in Senate amendment and enrolled (House Journal-page 100)
9/15/2020	House	Roll call Yeas-93 Nays-1 (House Journal-page 100)

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9/16/2020          Ratified R  149
9/16/2020          Signed By Governor
9/23/2020          Effective date  09/16/2020
9/23/2020          Act No.  143
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VERSIONS OF THIS BILL

2/27/2020
3/3/2020
3/12/2020
9/2/2020
9/3/2020

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

(A143, R149, H5305)

AN ACT TO ESTABLISH COVID-19 VOTING-RELATED PROCEDURES FOR THE 2020 GENERAL ELECTION; TO AUTHORIZE ABSENTEE VOTING FOR ALL QUALIFIED ELECTORS RESIDING OR VOTING IN AN AREA SUBJECT TO A DECLARED STATE OF EMERGENCY; TO ESTABLISH A TIMELINE FOR THE RECEIPT OF COMPLETED ABSENTEE BALLOT APPLICATIONS; TO DELINEATE HOW QUALIFIED ELECTORS MAY SUBMIT COMPLETED ABSENTEE BALLOTS TO THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS; TO ESTABLISH A START DATE FOR IN-OFFICE ABSENTEE VOTING; TO ESTABLISH A TIMELINE FOR THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES AND THE TABULATION OF ABSENTEE BALLOTS; TO REQUIRE THAT CERTAIN INFORMATION BE INCLUDED IN THE PUBLIC NOTICE REQUIRED PURSUANT TO SECTION 7-13-35; TO REQUIRE THE STATE ELECTION COMMISSION TO DEVELOP RECOMMENDATIONS TO REDUCE THE SPREAD OF COVID-19 DURING THE 2020 GENERAL ELECTION; TO REQUIRE THE STATE ELECTION COMMISSION TO DEVELOP A VOTER EDUCATION PROGRAM; AND TO PROVIDE THE PROVISIONS OF THIS ACT SHALL APPLY ONLY TO THE 2020 GENERAL ELECTION AND THE PROCESSES NECESSARY TO FINALIZE THE RESULTS.

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

2020 General Election COVID-19 voting procedures

SECTION 1. Due to the significant health threat and risks associated with 2019 Novel Coronavirus, also referred to as COVID-19, the following SECTIONS are changes for the 2020 General Election.

Absentee voting authorized for all qualified electors residing or voting in an area subject to a declared state of emergency

SECTION 2. A qualified elector must be permitted to vote by absentee ballot in an election if the qualified elector's place of residence or polling place is located in an area subject to a state of emergency declared by the Governor and there are fewer than forty-six days remaining until the date of the General

Election to be held on November 3, 2020.

Timeline for receipt of completed absentee ballot applications

SECTION 3. Completed applications for absentee ballots must be received by the county board of elections and voter registration before: (a) 5:00 p.m. on Saturday, October 24, 2020, if submitted by mail; (b) 5:00 p.m. on Friday, October 30, 2020, if submitted in-person, or by the qualified elector's authorized representative; or (c) 5:00 p.m. on Monday, November 2, 2020, for a qualified elector who appears in person. In addition, if a qualified elector is admitted to a hospital as an emergency patient from Friday, October 30, 2020, through Tuesday, November 3, 2020, an immediate family member of the qualified elector may obtain an application from the board on the day of the election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and the immediate family member personally carry the ballot back to the board of voter registration and elections.

Submission of absentee ballots

SECTION 4. A qualified elector must submit an absentee ballot to the county board of elections and voter registration either: (a) by mail; or (b) by returning the sealed envelope containing the ballot during office hours, either personally or by authorized representative with the appropriate form as required by law. If the envelope containing an absentee ballot is returned in person, the envelope must be submitted to staff or an official at the county board of elections and voter registration or at a satellite office where the election staff or officials receive the envelope at the time of delivery and examine the envelope, and the authorization form, if applicable. The county board of elections and voter registration shall ensure that returned absentee ballots are secured in a locked box within the office in accordance with Section 7-15-385.

Start date for in-office absentee voting

SECTION 5. Beginning on October 5, 2020, each county board of elections and voter registration must provide for in-office absentee voting for the November 3, 2020, General Election.

Timeline for examination of return-addressed envelopes and tabulation of absentee ballots

SECTION 6. (A) The process of examining the return-addressed envelopes containing absentee ballots, in accordance with the requirements of Section 7-15-420, may begin at 7:00 a.m. on Sunday, November 1, 2020, at a place designated in the notice by the authority charged with conducting the election.

(B) After all return-addressed envelopes have been emptied, but no earlier than 7:00 a.m. on November 3, 2020, the managers shall remove the ballots contained in the envelopes marked "Ballot Herein", placing each ballot in the ballot box provided for the applicable contest.

(C) Beginning at 7:00 a.m. on November 3, 2020, the absentee ballots may be tabulated.

(D) Results of the absentee ballot tabulation must not be publicly reported until after the polls are closed.

Public notice requirements

SECTION 7. The authority charged by law with conducting an election must include in the public notice pursuant to Section 7-13-35 that the process of examining the return-addressed envelopes containing absentee ballots may begin at 7:00 a.m. on Sunday, November 1, 2020.

State Election Commission to develop recommendations to reduce the spread of COVID-19 during 2020 General Election

SECTION 8. The State Elections Commission is encouraged to develop recommendations for local county offices to reduce the spread of COVID-19 during in-person absentee voting and personal delivery of absentee ballots prior to the November 3, 2020, election and with in-person voting on November 3, 2020. The personal delivery of absentee ballots prior to November 2, 2020, must, to the extent practicable, be physically segregated from the in-person absentee voting process.

State Election Commission to establish voter education program

SECTION 9. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning the items in this legislation in a conspicuous location at each county board of elections and voter registration, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers to answer questions by electors concerning the changes in this legislation.

(3) Coordinate with local media outlets to disseminate information concerning the changes in the legislation.

(4) Post requests that registered electors ensure their current contact information including, but not limited to, at least one phone number and an email address, is provided to the appropriate county board of elections and voter registration. This request, and instructions on how qualified electors can check or update contact information, must be posted in a conspicuous location at each county board of elections and voter registration, each satellite office, the State Elections Commission office, and their respective websites, as well as coordinate with local media outlets.

(5) The State Elections Commission may implement additional educational programs in its discretion.

Exclusive applicability to 2020 General Election and time effective

SECTION 10. (A) The provisions of this act only apply to the 2020 General Election, scheduled for November 3, 2020, and the processes to finalize the results of the 2020 General Election. The provisions of this act must not be applied to any other election or election process other than the 2020 General Election.

(B) The provisions of this act take effect upon approval by the Governor.

Ratified the 16th day of September, 2020.

Approved the 16th day of September, 2020.

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This web page was last updated on October 12, 2020 at 9:55 AM