



PO BOX 8453, COLUMBIA, SC, 29202, (803) 606-0431, WWW.LWVSC.ORG

20 Feb 2025

## LWVSC Testimony, House Constitutional Laws Subcommittee, H.3459

H.3459 addresses two areas of election administration: third party voter registration drives and the definition of "domicile" for purposes of voter registration.

The League of Women Voters routinely conducts voter registration drives and has for most of our 105 years in existence. We have very serious concerns about this bill, but they do not relate to our own compliance. The League could easily comply with the requirements as written. Our concern is for the many smaller, less experienced, and less formally organized voter registration efforts that are a crucial part of citizen-to-citizen outreach in our nation. To the best of our knowledge these citizen groups provide a very positive service in voter registration and have no documented pattern of abuse requiring correction. They instead provide an important opportunity for citizens, both partisan and non-partisan, to engage with representative democracy. Having been present at both House and Senate hearings on election law for more than a decade, we have heard very few reports of problems arising from their performance.

The only third-party group registering voters about whom we have heard frequent serious complaints is the Department of Motor Vehicles (DMV), not citizen groups. The DMV has a legal obligation to offer voter registration and submit applications to the State Election Commission in a timely manner. Given testimony heard at years of hearings, they have often failed. For instance, last year the DMV illegally rejected hundreds of voter registrations from qualified electors who were 17 years old and would be 18 by Election Day due to a flawed computer algorithm. The consequences are serious; the young people affected in 2024 did not have their legitimate rights restored and could not vote in the general election. Should the DMV be fined \$1000 for each voter disenfranchised by their actions?

Also, the fines listed in this bill for untimely performance could have unintended consequences. For example, if several forms were inadvertently not submitted within the specified time and were later found, wouldn't there be a substantial temptation to simply destroy the registrations rather than pay high fines? What would be the recourse if they did so? What evidence would the wronged applicant have? (The exception would be DMV registrations, which leave a trace in public records.)

A final concern regarding this aspect of the bill is the potential for group registration fees. Agencies often charge fees to cover the cost of maintaining registration lists. For example, the State Ethics Commission charges \$100 plus credit card processing cost to register lobbyist principles and lobbyists. A similar fee to cover costs of registering voter registration groups could be prohibitive for smaller groups.

We do not find serious problems with the amendments in this bill associated with establishing domicile. We agree that property ownership should not be sufficient to establish domicile since many individuals own property in multiple counties or states. However, ownership of property identified as a primary residence for tax purposes could be a meaningful criterion.

Overall, the problems that third-party voter registration provisions of this bill are intended to address are rare among citizen groups and the potential negative consequences of the bill are many. H.3459 should not be forwarded with a positive recommendation.

Contact: Lynn S. Teague, VP for Issues and Action, LWVSC  
803 556-9802 teaguelynn@gmail.com