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## H. 4919 TESTIMONY BEFORE THE SC HOUSE OF REPRESENTATIVES ELECTION LAWS SUBCOMMITTEE

February 9, 2022

The League supports the two-week early in-person voting period in H.4919. In-person early voting has been shown not to provide an advantage to any political party. Statistical study indicates that it may not even increase total turnout.<sup>1</sup> The advantages are simply those of badly needed convenience for busy voters. However, this bill also includes some very problematic provisions.

### REMOVAL OF IN-PERSON EXCUSED ABSENTEE VOTING

The existing longer excused absentee in-person voting period has worked well for years. The League sees no reason to remove voter access provisions that have proven useful and not problematic.

### MULTI-PARTY CANDIDATES [FUSION VOTING]

The League has no specific position on multi-party candidates but does not understand why it should be an issue. Shouldn't each party be able to support their choice of candidate?

### EARLY IN-PERSON VOTING FOR MANY ELECTIONS UNCLEAR

This bill provides early in-person voting for general elections but not for other elections. This and the end of in-person excused absentee voting leaves the status of any opportunity early voting in special, primary and municipal elections unclear. This should be resolved in favor of providing in-person early voting for the full range of elections.

### MICRO-MANAGING POLLING PLACES

In this bill the General Assembly is trying to micro-manage local government by dictating the location of early polling places. The formula establishing the overall number of polling places in a county based on both population and geography is not needed, but acceptable. However, the bill also requires that early polling places include the county election office and that no early polling location be within 10 miles of another.

This 10-mile limit would lead to very disproportionate numbers of voters attempting to use single polling places in urban centers. [Maps showing the approximate range of the 10-mile boundary around county election offices for our largest urban counties are attached in the Appendix.] Richland County, for example, would be forced to accommodate an outrageous number of voters in Columbia's one location – the Harden Street election office where space, parking, and access are problematic. The 2020 U. S. Census shows that the voting age population within that 10-mile radius in Charleston is 248,439, in Richland is 215,992, and in Greenville is 288,323. These figures represent from 76% to 66% of the voters in those counties.<sup>2</sup> Alternative early polling places would be as far away as Hopkins is from central Columbia. While some urban voters might migrate out

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<sup>1</sup> Alan I. Abramowitz, "Why Voter Suppression Probably Won't Work," *Sabato's Crystal Ball*, UVA Center for Politics, February 3, 2022, <https://centerforpolitics.org/crystalball/>.

<sup>2</sup> Figures derived by selecting the census blocks within 10.0 miles of the block in which the Election Commissions are situated.

to Hopkins or Hollywood or Fountain Inn to avoid the crush in the county seat, many would not or could not and central urban locations would be badly stressed.

Some of the state's largest minority communities would be within the areas most affected by overcrowding and its attendant impediments to voting. There are also serious issues around voting by persons with disabilities. They already face unresponsive curbside voting in many locations and those who wish to vote in person would very likely suffer impediments and delays at overcrowded polling places.

The bill should be amended to remove provisions dictating polling place placement. Let county election boards do their jobs. County election commissions can do this significantly better than the General Assembly, with reasonable consideration for everything from population distribution to transportation issues.

#### VOTER IDENTIFICATION

The bill requires that applications for absentee ballots include voter identification numbers that can be taken from a range of government issued photo identifications, from passports to military identifications. However, election offices have no access to the databases of most of these numbers so they cannot be verified by election officials. This provision would not lead to confirmation of voter identity, only to many ballots being discarded if the number is completely absent. It is a "gotcha" for voters, without a legitimate purpose.

On the other hand, Texas has attempted to implement a badly designed system to require and verify ID numbers on absentee ballot applications. It has led to discarding high percentages of applications (20-50%).<sup>3</sup> It is important that South Carolina not follow in Texas' footsteps. In the absence of any evidence that there is a real problem to be solved, this provision should be deleted. It would harm qualified electors without providing any added election security. If some form of ID number is mandated, the system should be designed very carefully in consultation with election officials and with public input. The state, not counties, should cover the cost of additional county workers to handle the resulting workload. Furthermore, notice and cure would be essential.

#### LACK OF NOTICE AND CURE

Despite its multiple added requirements for voters, this bill unfortunately assumes that if an application or ballot is found defective, it is simply rejected. South Carolina should have "notice and cure" for absentee ballots, so that voters are notified if their absentee application or absentee ballot is found defective. Voters should be aware of and able to correct deficiencies so that their votes are counted. After all, this would simply allow the greatest number of qualified electors to fulfill their civic responsibility in the way dictated by the General Assembly. This and other important provisions could be drawn from H. 3822, which was in subcommittee in 2021 and deserves further consideration.

#### SUMMARY

This bill provides a needed convenience for voters but requires amendment to correct significant deficiencies.

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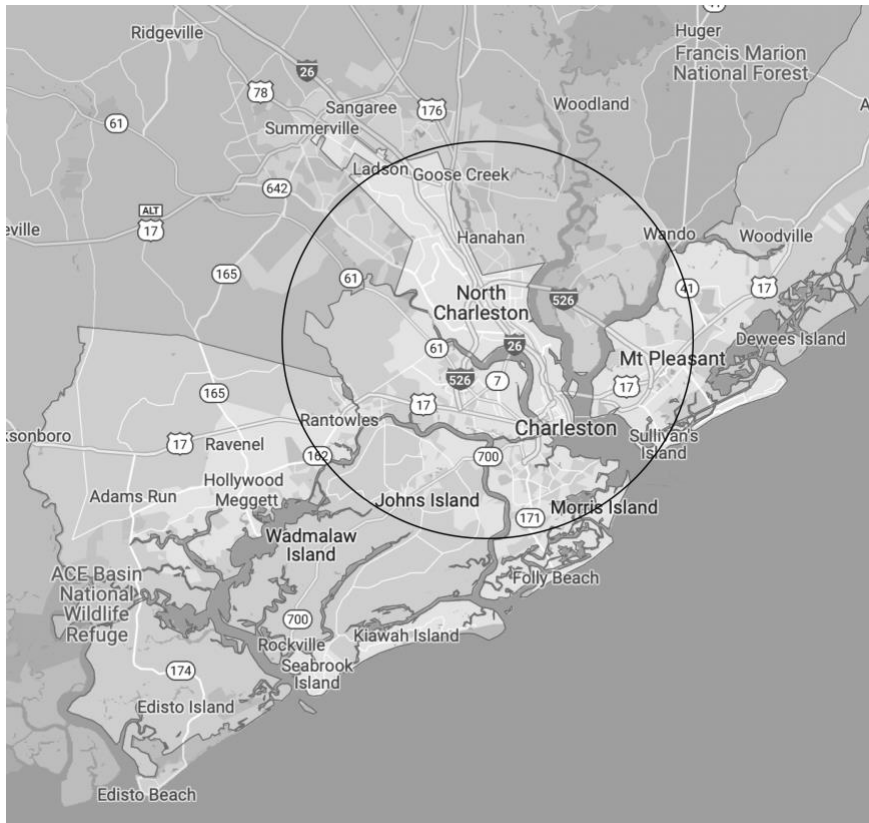
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<sup>3</sup> Alexa Ura, "Hundreds of mail-in ballot applications are being rejected under Texas' new voting rules." The Texas Tribune, January 13, 2022, <https://www.texastribune.org/2022/01/13/texas-voting-mail-rejections/>.

APPENDIX: APPROXIMATE 10 MILE RADIUS AROUND COUNTY ELECTION OFFICES IN MAJOR URBAN AREAS

	Total Population			Voting Age Population		
	Within 10 miles	Total	%	W/in 10 miles	Total	%
Charleston	307,644	408,235	75.4%	248,439	327,897	75.8%
Richland	267,118	416,147	64.2%	215,992	327,481	66.0%
Greenville	371,639	525,534	70.7%	288,323	406,243	71.0%

CHARLESTON



## GREENVILLE COUNTY



## RICHLAND COUNTY

