



FEBRUARY 26, 2021

MAKING DEMOCRACY WORK IN SC: REDISTRICTING, VOTING AND ELECTIONS

REDISTRICTING

The process of drawing new boundaries for state legislature, U. S. House, and local government districts has hit a significant delay. The U. S. Census has announced that there will be a substantial delay in delivery of the necessary data, until September 30, 2021.¹ The original deadline for release of these data was March 31. The primary cause cited by the U. S. Census Bureau has been COVID-19 related delay in obtaining basic data. There is also work underway to review and ensure the quality of the data before release.²

Ohio's Attorney General has sued the Biden administration over the delay, which creates a problem regarding dates built into their state constitution for completion of redistricting. If this or other efforts are unsuccessful in forcing an earlier release, it is likely that the S. C. General Assembly will be in special session, probably in October, to draw new boundaries for themselves and for U. S. House districts.

VOTING RIGHTS:

VOTING RIGHTS SYMPOSIUM OPEN TO ALL, MARCH 1, 2021

The League of Women Voters of the Charleston Area is sponsoring, in cooperation with other local Leagues and the state League, an important public educational opportunity, the "Good Governance Symposium Series." The series will kick off this coming Monday, March 1, with a session on Voting Rights. The Keynote Speaker will be Leah Aden, Deputy Director of Litigation at the NAACP Legal Defense and Education Fund (LDF), with a panel of Susan Dunn of the ACLU of South Carolina and Lynn Teague of the LWVSC of South Carolina. This is free and open to the public. More information and a registration link is available at <https://my.lwv.org/south-carolina/charleston-area/event/good-governance-symposium-series-voting-rights>.

LEGISLATION

The League has given the issues around H.3444 careful consideration and has a modest proposal. The General Assembly needs a study committee on election administration and organization before voting on statutory change.

H.3444, a bill to restructure the State Election Commission (SEC) and expand its powers (<https://www.scstatehouse.gov/billsearch.php?billnumbers=3444>), remains on the House calendar, debate having been adjourned this past week. The League agrees with bill sponsors that we need statewide conformity in interpretation of state law regarding elections. However, we continue to be very concerned that this bill currently

¹ <https://www.census.gov/newsroom/press-releases/2021/statement-redistricting-data-timeline.html>

² <https://www.census.gov/newsroom/blogs/random-samplings/2021/02/data-quality-analysis-2020-census.html>

represents an unfortunate mix of increased state authority with strong partisanship and a serious imbalance between authority and responsibility.

The League sees some important conditions needed in a measure that would give the SEC more power over county election offices:

- The composition of the SEC should be one that ALL voters in South Carolina can have confidence in, whether they are Republicans, Democrats, independents, or members of a smaller party. This was accommodated in the initial bill but was lost upon amendment in the House Judiciary Committee.
- Whatever their number, members should be appointed by the Governor. Administering the SEC is not a legislative function.
- Authority and responsibility should be in balance. This bill provides the state with more comprehensive control of county elections without any adjustment of operational or fiscal responsibility. This should be addressed through careful consideration of the role (if any) of county commissions to balance authority with operational and fiscal responsibility.

We believe that increased SEC statutory power should be contingent on addressing these issues. In 2020 the SEC simply didn't realize that there was significant variation in absentee ballot handling. Once the variation was identified, they instructed the counties on a single interpretation of the law and the counties complied. Therefore we believe that the SEC can continue to work for increased statewide consistency under its existing statutory authority while these important issues are explored.

We believe that the best answer lies in a legislative study committee. Election administration is too important to get wrong.

Lynn

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

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