



MARCH 12, 2021 (AFTERNOON EDITION)

MAKING DEMOCRACY WORK IN SC: ELECTION BILLS SCHEDULED FOR MARCH 16 IN SENATE, ADDING NEW BILLS TO MIX

Things are moving fast. The Senate has scheduled a subcommittee meeting on a group of election-related bills for Tuesday, March 16, following Senate adjournment. Subcommittee members are senators Campsen (chair), Hutto, Young, McLeod, Garrett.

The bills are as follows:

- S. 113 (Absentee Ballots)
- S. 174 (Independent Expenditure Committee)
- S. 187 (Interest on Campaign Account)
- S. 236 (Municipal Precinct Pooling from 500 to 3000 Voters)
- S. 499 (S.C. Election Commission Restructuring Act)
- H. 3262 (3rd Party Candidates Filing Fee; Certification Fee)
- H. 3263 (Candidate Primary Protests to State Executive Committee)
- H. 3264 (Newspaper Ad Requirement for County Conventions)

Note that H.3444 is not listed for consideration. That is excellent news. The last three bills are basically partisan housekeeping. The League is not addressing those. All of the bills originating in the Senate are of interest.

S.499 (<https://www.scstatehouse.gov/billsearch.php>)

We discussed this bill earlier today in the previous update. The League supports it as a reasonable measure to broaden input into appointment of the SEC Director through Senate advice and consent.

S.113 (<https://www.scstatehouse.gov/billsearch.php?billnumbers=113>)

South Carolina's procedures to vote absentee by mail are more convoluted than necessary to maintain election security. They even seem to have confused the General Assembly, as the SEC found when trying to interpret special provisions for 2020 elections during the pandemic. This bill perpetuates existing problems and adds a few new ones. It should be possible to file a request for an application to vote absentee by mail (not the actual ballot) on-line. Instead, one can fill out the form on-line, but must then print the form out and deliver it in person or by mail. This confuses voters and is at best an additional impediment for the many voters who can access the online webpages but do not own printers to produce a hard copy to mail or deliver in person. Also, S. 113 would amend §7-15-385(B)(3) to provide that the only legal methods of returning ballots are by mail or by personal delivery, either by the voter or by a member of the applicant's immediate family. The bill therefore eliminates the return of ballots by authorized persons who are not family members. This will be an obstacle for homebound persons who rely on unrelated caretakers, either in their homes or in group residencies. Finally, in stating that only the specified means of ballot return are permitted, S. 113 would prevent the use of ballot boxes in secure locations for return of ballots, which have been used successfully in South Carolina's counties.

S. 174 (<https://www.scstatehouse.gov/billsearch.php>)

This bill is an attempt to address the longstanding deficiencies regarding dark money disclosures in South Carolina, in this case for groups not organized for the primary purpose of influencing elections. The League supports addressing this serious problem. We note that federal court decisions have clarified this to some extent in recent years and has established that it is not a restriction on free speech to require basic disclosures. However, this bill will face strong opposition.

S. 187 (https://www.scstatehouse.gov/sess124_2021-2022/bills/187.htm)

S. 187 would greatly assist in the transparency of campaign bank accounts and at the same time help to fund more consistent oversight of campaign filings.

S. 236 (<https://www.scstatehouse.gov/billsearch.php>)

For purposes of municipal elections only, this bill would increase the number of voters that must have their own voting place from 500 to 3000. It also would increase the permissible distance of voters from a pooled municipal polling place from three to five miles. This could present significant obstacles for voters without easy access to transportation. Turnout is usually low in local government elections, but there remains an increased potential for long lines and delays, which can make voting difficult or impossible for those with work and family obligations.

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