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S. 113 TESTIMONY BEFORE SENATE JUDICIARY SUBCOMMITTEE

March 16, 2021

Voting is the fundamental right and responsibility of citizens in our representative democracy. The League of Women Voters believes that our elections must be both secure and equally accessible to all qualified electors. S. 113 makes one very positive change, but also makes several changes that we do not believe are needed to achieve secure elections and that may impair access for many voters.

Beginning with the positive aspect, the provision in §6-15-320 that would extend absentee voting when the elector's place of residence is in an area under emergency declaration is excellent and would limit the need for additional legislative action in such cases. We applaud that change.

The most problematic provision of S. 113 is the change in §7-15-385 (B)(3) that would allow return of absentee ballots only by mail or by the voter or an immediate family member, eliminating the potential return by unrelated authorized persons. Emergency declarations are rarely in effect, so this change in the majority of cases would only affect those qualifying for excused absentee voting under the excused conditions listed in §7-15-320(A). Many of the people who routinely need absentee ballot access are restricted in their mobility and are confined to residential care facilities or are in the care of unrelated persons at home. With this change, the only voting option for the majority of these persons would be reliance on increasingly slow and even uncertain mail service. This would substantially impair their access to the vote and is not necessary to maintain election security. Other conditions associated with authorized persons, which include limitations on who can fulfill this role and an oath confirming eligibility, are sufficient to protect the integrity of the election.

The addition of the word "only" to §6-15-385(B) eliminates the potential for ballot drop boxes in secure locations. These boxes have been successfully and securely employed by some South Carolina counties and in other states for many years. Prohibiting their use is an unnecessary restriction.

We also question the need for the change in §6-15-330(B)(1) that mandates submission of applications for absentee ballots 10 days, rather than 4 days, before the election. We believe that election offices are very capable of handling applications in a timely way up to 4 days before elections.

Finally, there is a problematic step in the absentee process that is not altered in this bill but deserves attention. This involves initial requests for an application to receive an absentee ballot. We learned in 2020 that many voters fail to understand that the request form can be filled out on-line but must be printed and either mailed or hand delivered to the election office. Further, some voters use mobile devices for access to on-line resources and have no access to a personal printer. When the full sequence of events in absentee voting is considered, it is clear that security would not be impaired and election efficiency would be improved by allowing on-line submission of the form to request an application for an absentee ballot.

I would be happy to respond to any questions about our testimony. Thank you.

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