

SOUTH CAROLINA
ELECTION COMMISSION

SC MCTI – March 16, 2017

Duties of the SEC & Conducting Successful Municipal Elections

Chris Whitmire
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EVERY VOTE MATTERS. EVERY VOTE COUNTS.

SOUTH CAROLINA
ELECTION COMMISSION

Duties of the State Election Commission

Election Administration at the State Level

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ELECTION COMMISSION

State Election Commission (SEC)

- Independent state agency
- Five commissioners
 - At least one from each major political party
 - Serve for four years
 - Meet monthly
- Executive Director

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SEC

- State Board of Canvassers
 - Certifies election results
 - Hears protests and appeals
- State Board of Voting Machine Commissioners
 - Certifies voting systems for use in state

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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SEC Mission

The mission of the State Election Commission is to ensure every eligible citizen has the opportunity to register to vote, participate in fair and impartial elections, and have the assurance that their votes will count.

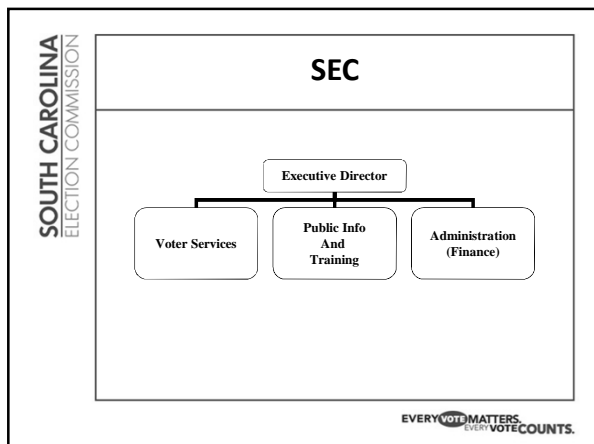
EVERY VOTE MATTERS
EVERY VOTE COUNTS.

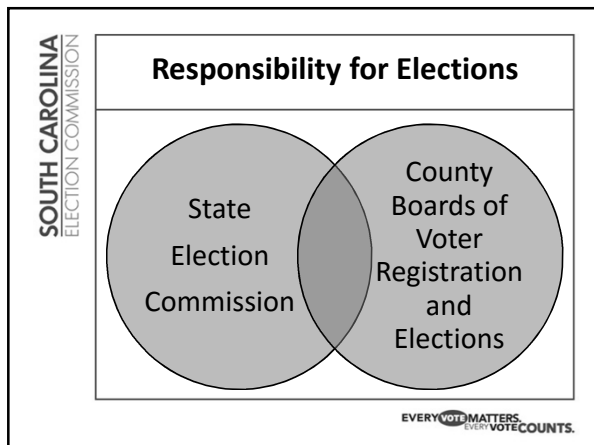
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SEC Duties

- Maintain statewide database of all registered voters
- Support statewide electronic voting system
- Conduct Training and Certification Program
- Conduct a county compliance and audit program

EVERY VOTE MATTERS
EVERY VOTE COUNTS.





- SOUTH CAROLINA**
ELECTION COMMISSION
- 46 counties**
- 46 County Boards of Voter Registration and Elections
 - Register voters
 - Conduct candidate filing
 - Prepare ballots
 - Conduct absentee voting
 - Determine polling places
 - Hire & Train poll managers
- EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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How Elections Work in S.C.

- Voter Registration
- Precincts & Polling Places
- Candidates
- Ballots
- Voting
- Results
- Protests

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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Voter Registration

- At least 18 years old
- Resident of SC & the county in which they wish to register
- Not confined in any public prison
- Not under a court order declaring mental incompetence
- Never been convicted of a felony (or served probation/parole/unless sooner pardoned)
- Citizen of the United States

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EVERY VOTE COUNTS.

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Voter Registration

- Complete voter registration application
 - Online at scVOTES.org
 - By mail, email, and fax
 - In person
 - County board of registration and elections
 - Department of Motor Vehicles
 - Public Assistance agencies
 - Voter outreach events

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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Voter Registration

- 3.1 million registered voters in SC
- Voter registration is closed for 30 days prior to every election
- The SEC produces voter registration lists that contain the names of every voter eligible to vote in the election

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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Voter Registration Lists

- Electronic Voter Registration List (EVRL)
 - New Standard
 - Voter records in database on a laptop
 - Faster and more accurate
 - Additional Functionalities
- Paper Voter Registration List
 - Old Standard
 - Paper

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EVERY VOTE COUNTS.

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EVRL

Voter Participation

Name: SMITH, ALEXANDRA M. **Status:** Active - Active
Address: 432 Stonewort Ln Gaffney, SC 29343
Registration #: 470487263 **Birth Date:** 09/05/1990 **Precinct:** 003 Gaffney Ward No. 4

Districts:
 Congr: 05 Senate 14 House 030 County Council01 School 01 City Council 04
 PSD: 000 Munic 135

| Volting | Election Name | Ballot Style | Provisional | Authorized | Signature Page & Line | Manager's Initials |
|-------------------------------------|---------------------------------|--------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | City of Gaffney General Electio | 8011 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

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Paper Voter Registration List

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Voter Participation Lists & Stats

- VR lists are used to give voters credit for voting in an election within the statewide voter registration system
- Allows for production of demographic statistics on voter participation
- Allows for production of lists of voters who participated in a certain election

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Precincts & Polling Places

- Each county is split into precincts
- Precinct is a geographical area determined by the General Assembly
- Each precinct has approximately 1,300 voters on average
- Each precinct has a polling place where voters cast their vote on Election Day
- County boards determine polling places

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Candidates

- Partisan candidates file in March of election year with SEC or county board
- Parties nominate candidates by primary or convention
- Independent candidates may file by petition
- Nonpartisan candidate filing by Aug. 15
- All candidates certified by Aug. 15

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EVERY VOTE COUNTS.

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Ballots

- SEC builds most voting system databases and sends to county
- County prints ballots, prepares machines
- Paper ballots ready by late September
- In-office absentee machines by 30 days before election
- Machines for polls ready approximately one week prior to election

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EVERY VOTE COUNTS.

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Types of Ballots

- Electronic ballots are used on voting machines at polling places
- Paper ballots are used for absentee voting (by mail)

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EVERY VOTE COUNTS.

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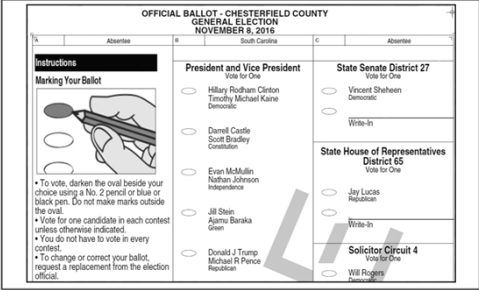
Voting Machines



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Optical Scan Paper Ballots



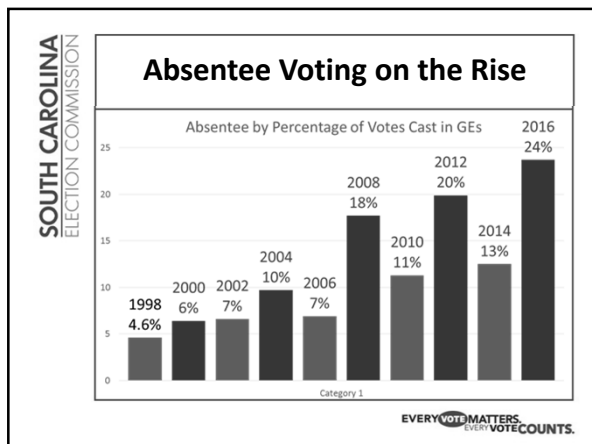
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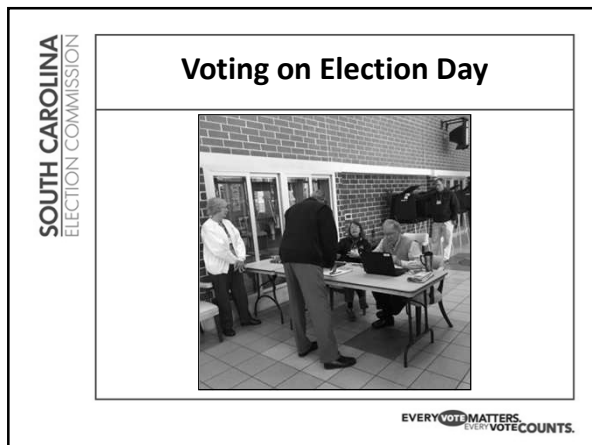
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Absentee Voting

- Absentee vs. Early Voting
- By Mail or In-Person
- 17 Reasons
- Process:
 1. Request Application
 2. Complete & Return Application
 3. Vote & Return Ballot

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EVERY VOTE COUNTS.





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- ### Voting on Election Day
- Voters must vote at the polling place in their precinct
 - Polling places are staffed by poll managers
 - Voter must show Photo ID to vote
 - Poll manager verifies voter's eligibility
 - Voter signs poll list
 - Poll manager provides voter with ballot
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EVERY VOTE COUNTS.

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Photo ID

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Photo ID

- Have Photo ID = Ready to vote
- Don't have Photo ID = Need to get one
- Forget to bring Photo ID = Vote provisional ballot
- Can't get a Photo ID = Bring non-photo voter registration card, claim reasonable impediment

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EVERY VOTE COUNTS.

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Poll Lists

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EVERY VOTE COUNTS.

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Election Results – Step 1

- Results are tallied on the precinct level and posted at the polling place


| | |
|-----------------------------------|------------|
| STATE SENATE DIST 46 SENO046 | |
| (Vote For 1) | Total: 188 |
| REP-10 CATHERINE CEJPS | 160 |
| LIB-20 GREG GRAZIANI | 6 |
| DEM-30 TERRY THOMAS | 12 |
| >Write-ins in above contest: | 0 |
| UnderVotes For Above contest: | 0 |
| Time/Date: [8:04:27 PM/03/20/2007 | |
| Signature: <i>Catherine Cejps</i> | |
| Signature: <i>Greg Graziani</i> | |
| Signature: <i>Terry Thomas</i> | |

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EVERY VOTE COUNTS.

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Election Results – Step 2

- Managers deliver electronic media from polling places to county board




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Election Results – Step 3

- County board tallies all votes (electronic & paper), transmits results to the SEC

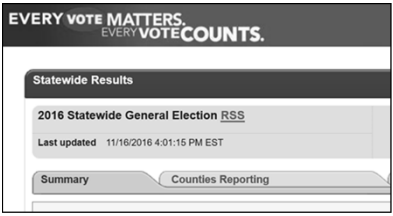


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Election Results – Step 4

- SEC tallies results from each county and posts to scVOTES.org



EVERY VOTE MATTERS.
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Statewide Results

2016 Statewide General Election RSS

Last updated 11/16/2016 4:01:15 PM EST

Summary Counties Reporting

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EVERY VOTE COUNTS.

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Election Results


- SEC conducts statewide audit of all voting system data
- Counties hold provisional ballot hearings
- Counties certify election results
- SEC certifies election results

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Protests

- Candidates may protest election results
- Election officials hear protests
- Can be appealed to state and S.C. Supreme Court



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Voter Education and Outreach

- Goals:
 - Ensuring public understand how to register and vote
 - Ensuring public has trust and confidence in the election process

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SCVotes.org

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2016 Election Information

ONLY 43 DAYS UNTIL THE 2016 GENERAL ELECTION.

Candidate Tracking System - Find out who has filed for office and get details about each candidate's filing.

Blue States Need to Know About Checks 20 - Get the details on SC's Photo ID Law.

2016 Election Calendar - Important dates and deadlines for voters, candidates, and political parties.

My eVOTED

- Online Voter Registration
- Check My Voter Registration
- Update My Voter Registration
- Get My Sample Ballot
- Get My Public Check
- Get My Absentee Application
- Check My Absentee Ballot
- Check My Provisional Ballot

Voter Registration Deadline

12 DAYS LEFT TO REGISTER TO VOTE IN THE 2016 ELECTION

Download & Print: 2016 64 Voter Checklist

State Senate District 20 Special Filing & Primary

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Social Media

South Carolina Votes

@scvotes

South Carolina Votes @scvotes


State Election Comm @scvotes

TWEETS 491 FOLLOWING 175 FOLLOWERS 1,352

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My scVOTES Mobile App



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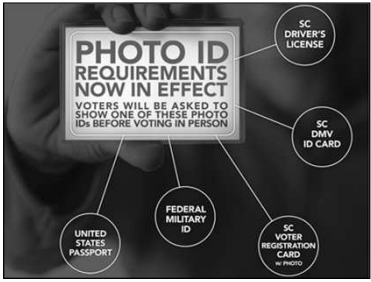
Posters & Handouts



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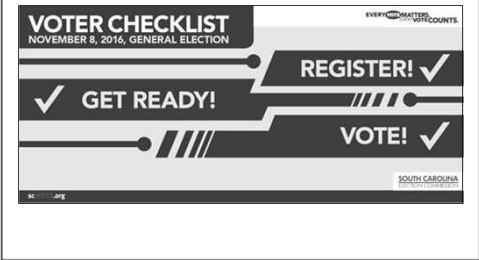
Posters and Handouts



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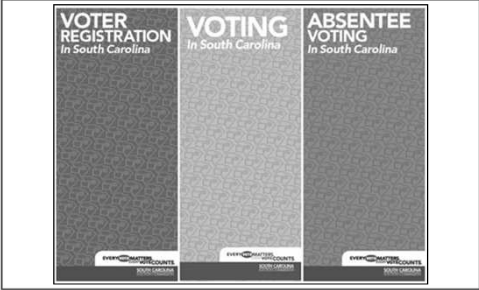
Posters & Handouts



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EVERY VOTE COUNTS.

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Posters & Handouts



EVERY VOTE MATTERS.
EVERY VOTE COUNTS.

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Voter Education Bus



EVERY VOTE MATTERS.
EVERY VOTE COUNTS.

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Voter Education



EVERY VOTE MATTERS.
EVERY VOTE COUNTS.

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Voter Education and Outreach



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EVERY VOTE COUNTS.

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Duties of the State Election Commission

Conducting Successful
Municipal Elections

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Municipal Election Commissions

- S.C. Code 5-15-90
- 3 members, must be electors
- 6 year terms, 1 member up every 2 years
- Appointed by council
- Political activity not allowed
 - Cannot participate in campaign
 - Cannot contribute \$ or attend fundraiser

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Transfer of Election Authority

- S.C. Code 7-15-145
- City & county governing bodies pass ordinance transferring/accepting authority
- Ordinance identifies duties transferred
- If total responsibility is transferred, MEC is abolished
- County board plays role of MEC

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Election Ordinances

- Provides specific details on how elections are conducted in the municipality
 - Election dates
 - Method of Election
 - Method of Filing
 - Filing Period & Fees
 - Other
- Must comply with state law

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Changing Election Dates

- 123 (45%) municipal elections are currently held in November of the odd year
- 113 (42%) municipal elections are held at various dates throughout a two-year period
- 35 (13%) municipal elections are held with the Statewide General Election

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Changing Election Dates

- Trend is moving toward conducting the election to November of the odd year
- SEC supports that trend
- Moving the date of the election requires:
 - changing the municipal ordinance
 - changing election date
 - shorten or lengthen the office terms

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Changing Election Dates Benefits Voters

- Voters will know when their election will be held
- November of odd years will become a statewide election day resulting in more media coverage of municipal elections
- The common election date should result with greater voter participation
- Odd year election day should result in improving voter education on the process, issues, and the candidates

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Changing Election Dates Benefits Election Officials

- Municipal election calendar will mirror general election calendar simplifying the administration of elections
- Simplifies training of local election officials
- Cost benefit of combination of legal notices
- Saves election officials time and resources by eliminating the duplication of efforts associated with variable election dates.

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Changing Election Dates Benefits Municipalities

- Municipal elections that stand alone don't garner much attention from the public. Those that are held with the General Election are overshadowed by the higher offices on the ballot
- Would prevent municipal offices and candidates appearing on the Statewide General Election from being buried at end of the ballot after all federal, state, and county offices and questions.
- Jurisdictions would no longer be alone in managing their election process

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Training & Certification

- MEC and "staff" must complete certification program within 18 months
- 3 classes required
 - Duties of MEC (online)
 - Poll Manager Training (online)
 - Protests (was in person, coming online)
 - Available by Summer 2017

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Training & Certification

- Clerk sends request for usernames/passwords to: elections@elections.sc.gov
- MEC Resources at scVOTES.org, under "General" in menu
 - Link to MEC Handbook
 - T&C Program Requirements
- Other resources under "Poll Workers"

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MEC Duties

- Publish election notices
- Conduct candidate filing
- Determine candidate qualifications
- Hire and train poll managers
- Provide ABS ballots to county board
- Provide ballots for election day
- Provide VR list for election day

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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MEC Duties

- Supervise overall conduct of elections
- Conduct provisional ballot hearings
- Certify results of elections
- Conduct protest hearings and decide protests
- Conduct special elections

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Election Notices

- 2 notices required for all elections
- Published in newspaper of general circulation in municipality
- First notice published no later than 60 days before election
- Second notice published exactly 2 weeks after first notice
- Best practice to publish 90 days prior

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Election Notices

- Notices must contain:
 - Date of election
 - Last date to register to vote
 - Precincts and polling places involved
 - Date, time, location of provisional ballot hearing
 - Date, time, location of opening ABS ballots
- Should also include filing information

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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ELECTION COMMISSION

Candidate Filing

- Council may determine method of filing by ordinance
 - Statement of Intention of Candidacy (SIC)
 - Petition
- Council may set filing fee and filing period by ordinance
- Must determine location of filing
 - Most file with clerk

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

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ELECTION COMMISSION

Candidate Filing

Deadlines:

- SIC: No candidate may file later than 60 days prior to GE
 - Municipality can set earlier deadline or filing period by ordinance
- Petitions due 75 days prior to GE
- Special Election deadlines are 45 days (SIC), 60 days (petition)

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Candidate Filing

- Clerk no longer required to collect Statement of Economic Interests (SEI) or confirm filing of SEI
- Clerk should remind candidates of requirement to file online with State Ethics Commission
- <http://ethics.sc.gov>

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Candidate Qualifications

- MEC determines whether qualified
- Candidate must be qualified on election day
- Must reside in municipality for 30 days
- Must be registered voter
- Age 18
- Persons convicted of felony or specific offenses against elections laws not qualified until:
 - 15 years after completion of sentence, or pardoned

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Poll Manager Training

- MEC must ensure poll managers are trained before every election
- MEC must ensure poll managers are provided with updated materials:
 - PM Handbook
 - Provisional Ballot Envelope/Hearing Notice
 - VR List, Poll List, Ballots, Ballot Boxes
 - Posters, Pens, Pencils, Other Supplies

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Photo ID

- Voters must provide Photo ID to vote in person:
 - S.C. Driver's License
 - S.C. ID Card w/photo issued by DMV
 - S.C. Voter Registration Card with photo
 - Military ID issued by the Federal Government, including VA Benefits Card
 - U.S. Passport

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If voter has qualifying Photo ID

- They are ready to vote
- They do not need to obtain a voter registration card with a photo
- They should remember to bring one of the photo IDs to their polling place
- Also applies to in-person absentee voting

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If voter does not have qualifying Photo ID

- Should get one before going to the polls to vote
- DMV IDs are free
- Photo VR Cards are free from county voter registration office
 - “Verbal” ID required
 - Name, DOB, Last four digits of SSN

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Paper VR Card with Photo

You are now registered to vote in the state of South Carolina. Your official verification of registration is attached. To vote at your polling place, you must present one of the following types of photo identification:

- S.C. Driver's License
- ID Card issued by S.C. Department of Motor Vehicles
- S.C. Voter Registration Card with Photo
- Federal Military ID
- U.S. Passport

STATE OF S.C. VOTER REGISTRATION NOTIFICATION
 COUNTY: RICHLAND
 PRECINCT: Prosperity 2
 REG. NO: 49633753 REG. DATE: 1/15/1996

Jenkins, Eartha M.
 45 Long Charles Rd.
 Columbia, SC 29209


Eartha M. Jenkins
 FOLDED HERE

SEX: Female RACE: Black/African American DOB: 4/10/1953

VOTE AT:
 Ashby Memorial Methodist
 3897 Ashby Dr.
Shirley S. Ashby
 COUNTY/STATE ELECTION OFFICIAL

| Congressional District | Senate District | House District | County Council | City Council | Magistrate | Metropolitan Council | Metropolitan Council |
|------------------------|-----------------|----------------|----------------|--------------|------------|----------------------|----------------------|
| 02 | 20 | 078 | 11 | 14 | 06 | 302 | 01 |

This card along with the attached notification may be used as a VOTER REGISTRATION CARD with PHOTO. To use as a photo ID, DO NOT DETACH STUB.



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Plastic VR Card with Photo

S.C. Voter Identification Card

NAME: Allison Jones

REG. NO: 321234567



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If Voter Forgets Photo ID

- If a voter has a Photo ID but forgets to bring it to the polls, he has two options:
 - Retrieve their Photo ID and return to vote
 - Vote a provisional ballot that will NOT count UNLESS they show their photo ID to the election commission by the time of the provisional ballot hearing
- MEC must have system in place to record who has provided Photo ID

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If Voter Does Not Have Photo ID

- If a voter does not have a photo ID due to some obstacle, they may vote a provisional ballot after:
 - Showing their paper voter registration card without a photo (old card), and
 - Signing an affidavit attesting to their identity and impediment

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Who Determines Reasonableness?

- Voter may claim any obstacle he finds reasonable, as long as it is true
- Only the voter determines what is reasonable
- Poll Managers and other election officials do not determine the reasonableness of the claimed impediment

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Reasonable Impediments

- Ballot will count if voter provides Photo ID prior to certification of the election
- Reasonable Impediment ballots will count unless someone proves the affidavit is false
- Would have to prove voter lied about:
 - His identity, or
 - About having the impediment

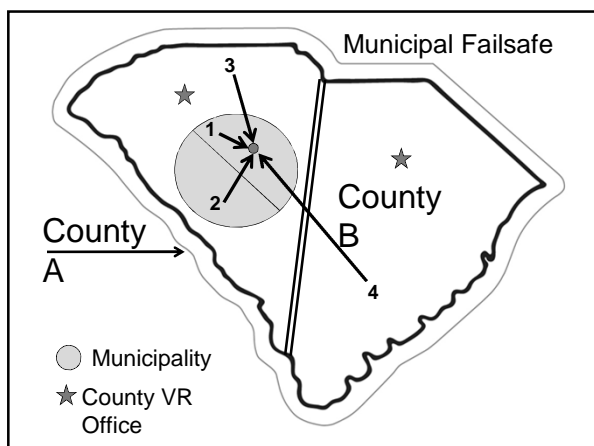
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Failsafe Voting

- Allows voters to vote at polls who have moved but did not update address
- Certain restrictions apply:
 - If voter moved from one county to another prior to the VR deadline, must have registered in new county by deadline
 - Voter must have resided in the municipality for 30 days

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Municipal Failsafe

1. Move inside city, inside precinct
 - update address
 - vote regular ballot
2. Move inside city, precinct to precinct
 - limited failsafe at previous precinct
 - full failsafe at VR office

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Municipal Failsafe

3. From outside municipality, within county
 - must ask when voter moved
 - If within 30 days, voter may not vote (did not meet 30-day residency requirement)
 - if outside 30 days, failsafe applies
 - Only option is to vote full ballot at VR office (no election at previous precinct)
4. From outside municipality, outside county
 - Voter may not vote
 - Date of move is insignificant

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EVERY VOTE COUNTS.

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Certification

- PMs report results to MEC within 24 hrs
- Must meet at date/time/place in notice (not later than 3 days following election)
- All results (except provisionals must have been tabulated prior to hearing)
- Provisional Ballot Hearing conducted first, votes added before certification
- After certification, results official

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ELECTION COMMISSION

Provisional Ballot Hearing

- Failsafe Provisional Ballots – Once change of address is confirmed, CEC must verify voter voted “failsafe” ballot with correct offices.
- Voter did not bring Photo ID - Ballots must be counted if the voter has shown Photo ID to CEC
- Voter has no Photo ID (Reasonable Impediment) – Must be counted if voter signed affidavit and no one presents evidence to prove voter lied about identity or having listed impediment to obtaining Photo ID

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

SOUTH CAROLINA
ELECTION COMMISSION

Provisional Ballot Hearing

- Read aloud name of voter, ask if the voter, challenger or witness is present.
- If no challenger, CEC examines envelope (or log) to determine if there is reason for an administrative challenge.
- If no challenger, ballot is no longer provisional, and must be counted.
- Ballot is removed from envelope and comingled with other ballots found to be valid.

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

SOUTH CAROLINA
ELECTION COMMISSION

Provisional Ballot Hearing

- If challenger present, challenger goes first
- Voter (if present) goes second
- May present evidence, be represented by atty.
- MEC may ask questions
- MEC must vote in public on each ballot
- If MEC declares ballot invalid, ballot must remain in envelope and retained
- MEC decisions on provisionals are final

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

SOUTH CAROLINA
ELECTION COMMISSION

Determining Mandatory Recounts

- Recount is mandatory if:
- Difference between winning candidate and losing candidate is 1 % or less
- In a multiple seats to fill election, difference between the lowest of the winners and highest of the losers is 1% or less
- Difference between yes and no is 1% or less
- Recounts apply to offices, not elections
- Recount can be waived by candidate in writing

EVERY VOTE MATTERS
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SOUTH CAROLINA
ELECTION COMMISSION

Determining Majority/Runoffs

- Applies to some municipal elections
- One seat to fill - Candidate has a majority if votes for candidate are greater than:
 $(\text{Votes Cast for Office}) \div 2$
- If no candidate has majority, runoff between two candidates remaining with most votes
- If dividend is fraction, don't round up
- No write-ins in runoffs

EVERY VOTE MATTERS
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SOUTH CAROLINA
ELECTION COMMISSION

Determining Majority/Runoffs

- Multiple Seats to Fill - Candidate has a majority if votes for candidate are greater than:
 $(\text{Votes Cast}) \div (\text{Seats to Fill}) \div 2$
- Ex: 5 candidates for 3 seats on town council
- Candidate A – 60 votes
- Candidate B – 55 votes
- Candidate C – 45 votes
- Candidate D – 30 votes
- Candidate E – 20 votes

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

Determining Majority/Runoffs

- Divide total votes cast (210) by seats to fill (3)
- $210 \div 3 = 70$
- Then divide by 2
- $70 \div 2 = 35$
- Any number in excess of 35 is majority
- A, B, C all have majorities and win 3 seats
- Not enough candidates with majority
- More than enough candidates with majority

Certification Summary

1. Motion on provisionals (if necessary)
2. Update results (if necessary)
3. Motion to certify results
4. Motion to call for recount (if necessary)
5. Conduct recount (if necessary)
6. Motion to certify recount (if necessary)
7. Motion to call for runoff (if necessary)

Protests

- Heard by MEC or CEC
- Rules don't change if heard by CEC
- Protest deadline is 48 hours after polls close (7 p.m. on Thursday)
- Only candidates have standing to protest
- Protest must be in writing, contain concisely stated grounds and copies provided for each candidate
- Must hold hearing 48 hrs after filing of protest

SOUTH CAROLINA
ELECTION COMMISSION

Preparing to Hear a Protest

- Set time, date and place for hearing
- Provide written notices to all candidates
- Provide copy of the protest to candidates
- Get a court reporter
- Notify county attorney
- Schedule hearing/meeting rooms
- Secure ballots, voter registration lists, etc
- Post meeting notice – 24 hours
- Issue/deliver subpoenas

EVERY VOTE MATTERS
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SOUTH CAROLINA
ELECTION COMMISSION

Appeals

- Must file within 10 days of MEC decision
- Filed with County Clerk of Court
- Court of Common Pleas (Circuit Court) hears protest
- May be appealed to S.C. Supreme Court
- The filing of a protest acts as a stay on any action related to the office protested until the protest/appeals process is over

EVERY VOTE MATTERS
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SOUTH CAROLINA
ELECTION COMMISSION

Special Elections

- No special if vacancy occurs within 180 days of regular election (5-7-200)
- SC Code 5-15-70 (filing)
- 7-13-190 (dates)
- SIC: 45 day minimum deadlines
- Petition: 60 day deadline
- Special Election on 13th Tuesday
- Election notices required

EVERY VOTE MATTERS
EVERY VOTE COUNTS.

SOUTH CAROLINA
ELECTION COMMISSION

Special Elections

- Cancelling municipal elections
 - SC Code 7-13-190(E)
 - If 14 calendar days has passed since close of filing
 - If only one candidate has filed
 - If no write-in candidate has declared
 - Then candidate must be declared winner
- Must certify “results” even if election is cancelled

EVERY VOTE MATTERS.
EVERY VOTE COUNTS.

SOUTH CAROLINA
ELECTION COMMISSION

Questions?

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