The information provided here is for informational and educational purposes and current as of the date of publication. The information is not a substitute for legal advice and does not necessarily reflect the opinion or policy position of the Municipal Association of South Carolina. Consult your attorney for advice concerning specific situations.

State Election Commission

July 16, 2022

every vote matters.
every vote counts.

Topics

- Agency overview
- Changes to election law
- Election security
- Municipal Election Day

SOUTH CAROLINA
ELECTION COMMISSION

State Election Commission (SEC)

SOUTH CAROLINA
ELECTION COMMISSION

SEC Overview

- State Election Commission (SEC)
- 5 commission members
- Appointed by the Governor
- Serves 4-year term or until successor is appointed
- At least one member of the majority political party
- At least one member of the largest minority political party

SOUTH CAROLINA
ELECTION COMMISSION

SEC Mission Statement

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

SOUTH CAROLINA
ELECTION COMMISSION

SEC Overview

- **Supervises** county boards of registration & elections to ensure compliance with state and federal law
  - Performs audits and post-election review
  - Advises county boards with day-to-day operations

- Maintains **statewide voter registration system**
  - Database contains information on all registered voters in the state
  - Used to produce voter registration lists and jury rolls
  - Approximately 250 elections held every year

SOUTH CAROLINA
ELECTION COMMISSION

SEC Overview

- Supports county boards in the use of the **statewide voting system**
  - Creates election databases used to produce electronic and paper ballots
  - Certifies voting systems for use
  - Commission served as evaluation panel
- Administers **training and certification program** for county registration and election officials and municipal election commissioners
  - Classes held throughout each year for county certification in various locations statewide
- Conducts **candidate filing**

SOUTH CAROLINA
ELECTION COMMISSION

Recent Updates

February 2020

- New voting system used in first statewide election

May 2020

- Absentee voting temporarily expanded to all voters

September 2020

- Absentee voting temporarily expanded again to all voters for November GE

November 2, 2021

- Municipal Election Day

December 31, 2021

- Remaining temporary election rules from 2020 legislation end

Also in 2021

- Legislative Oversight Committees, FOIA requests, SEC Executive Director search

January 2022

- Redistricting process begins
- Howie Knapp named new SEC Director

May 13, 2022

- Act 150 signed by Governor McMaster

May 31, 2022

- Early voting began for June Primaries in every county

June 2022

- Statewide Primaries and Runoffs

SOUTH CAROLINA
ELECTION COMMISSION

Act 150 of 2022 (Early Voting Bill)

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ELECTION COMMISSION

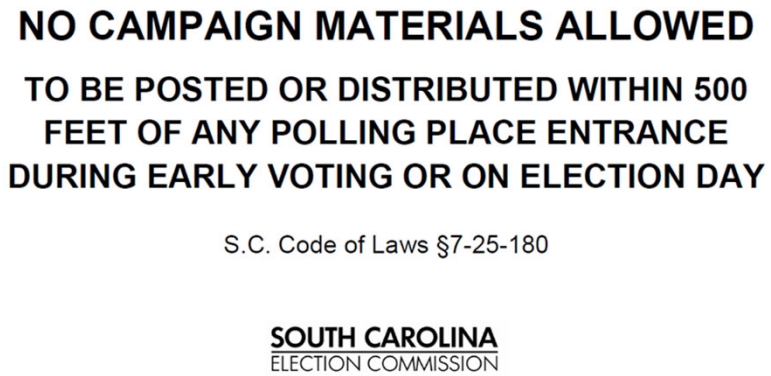
Act 150 of 2022

- Signed into law on May 13
- Major changes:
  - Established early voting
  - Significantly changed absentee procedures
  - Increased penalties for crimes against election law
  - Other minor changes for candidates and election officials

SOUTH CAROLINA
ELECTION COMMISSION

Changes for Candidates

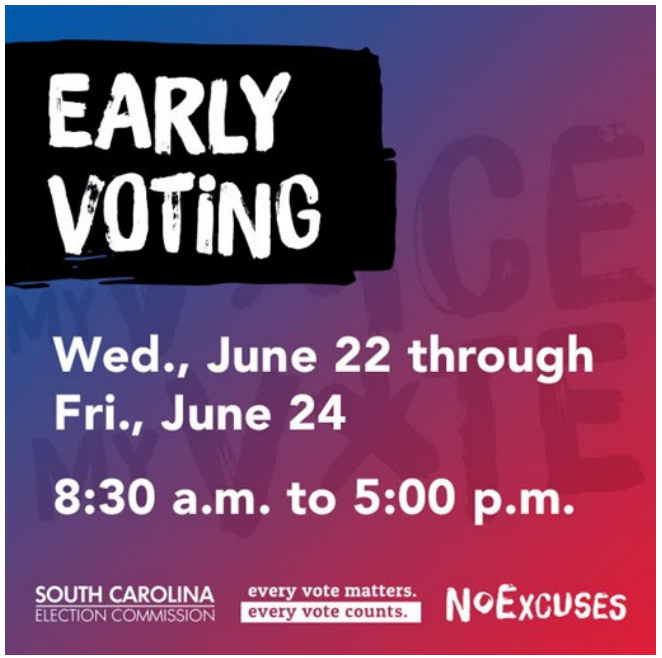
- Candidates cannot be nominated by more than one political party for a single office for the same election (Fusion candidates) *(starting January of 2023)*
- Campaign staff, **including volunteers**, are not allowed to request or return absentee ballots for other voters (exception for immediate family members)



SOUTH CAROLINA
ELECTION COMMISSION

Early Voting Established

- Same voting process as polling places on election day
  - Arrive during voting hours
  - Show Photo ID
  - Vote
- Statewide General Elections:
  - Monday – Saturday for two weeks before election
  - Closed Sundays and holidays
  - 8:30 a.m. – 6:00 p.m.
- All other elections and primaries:
  - Monday – **Friday**
  - 8:30 a.m. – **5:00** p.m.



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ELECTION COMMISSION

Early Voting Established

- Locations selected by county, submitted to the SEC, and posted on county websites and scVOTES.gov
- Number of early voters expected to increase as voter education improves
- Turnout for 2022 June Primaries:
  - Total – 565,538
  - Early voting – 100,450

Early Voting Dates:

2022 Primaries

- Tuesday, May 31 – Friday, June 10. Closed Saturday and Sunday, June 4 - 5.
- 8:30 a.m. – 5:00 p.m.

2022 Runoffs

- Wednesday, June 22 – Friday, June 24.
- 8:30 a.m. – 5:00 p.m.

Early Voting Centers:

Abbeville

County Voter Registration and Elections Office: 903 West Greenwood Street, Abbeville, SC 29620

Aiken

County Voter Registration and Elections Office: 1930 University Parkway, Suite 1200, Aiken, SC 29801

Allendale

County Voter Registration and Elections Office: 158 McNair Street, Allendale, SC 29810

Anderson

County Voter Registration and Elections Office: 301 N Main Street, Anderson, SC 29621

Powdersville Branch Library: 4 Civic Court, Powdersville, SC 29642

Bamberg

County Voter Registration and Elections Office: 1234 North Street, Bamberg, SC 29003

SOUTH CAROLINA
ELECTION COMMISSION

Changes to Absentee Voting

- Absentee voting allows qualified voters to cast a ballot by mail
  - No in-person absentee voting (replaced by early voting)
- Overview of absentee process:
  - Voter requests an absentee application
  - County office sends voter an absentee application
  - Voter completes and returns application to county office
  - County office mails a ballot to voter
  - Voter completes and returns ballot to county office
  - County tabulates ballots on election day

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ELECTION COMMISSION

Changes to Absentee Reasons

- Persons with physical disabilities
- Persons 65 years of age or older
- Members of the Armed Forces /Merchant Marines
- Emergency hospital patients admitted within 4 days of election
- Persons prevented from voting for the duration of the early voting period and election day for the following reasons:
  - Employment obligations
  - Attending a person who is disabled
  - Confined to a jail or pretrial facility pending disposition of arrest or trial
  - Absent from county of residence

SOUTH CAROLINA
ELECTION COMMISSION

Changes to Absentee Voting

- Application can be requested by phone, mail, or in person at county office
  - Cannot be requested online or by fax/email
- Application can be returned by mail or in person
  - Cannot be returned by email or fax
  - Return deadline: **11** days before election day
- Visit scVOTES.gov to see rules for requesting and returning another person's ballot

SOUTH CAROLINA
ELECTION COMMISSION

Changes to Absentee Voting

- Witness Requirements:
  - Must sign, **print name** and provide address
  - Must be age 18 or older
- Photo ID now required to return absentee ballot in person:
  - Not required for returning ballot by mail
  - Types of Photo ID
    - Driver's license or DMV ID issued by a state within the US
    - Passport
    - Military ID
    - South Carolina voter registration card with photo

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ELECTION COMMISSION

Family Members and Authorized Representatives

- Family members:
  - Spouse, Parent, Child, Brother, Sister, Grandparent, Grandchild, Mother-in-law, Father-in-law, Brother-in-law, Sister-in-law, Son-in-law, Daughter-in-law
- Authorized Representatives
  - Person who has been asked by another voter to request an absentee ballot application on their behalf due to illness or disability
  - May **NOT** include candidate, campaign staff, or volunteers

SOUTH CAROLINA
ELECTION COMMISSION

Family Members and Authorized Representatives

- Family Members and Authorized Representatives:
  - Limited to 5 requests per election (in addition to their own)
  - Limited to 5 ballot returns per election (in addition to their own)
  - Violations = felony, up to $1,000 and 5 years in prison

SOUTH CAROLINA
ELECTION COMMISSION

Crimes Against Election Law

- Felonies
  - Providing, offering to provide, or accepting anything of value in exchange for requesting, collecting, or delivering an absentee ballot
  - Requesting more than five absentee applications or returning more than five absentee ballots in addition to your own.
  - Fraudulent voting or attempt to fraudulently vote, aiding in fraudulent voting or attempt to fraudulently vote, voting more than once, or impersonating a voter
  - Willful violation of duties, fraud, or corruption by a poll manager
  - Willful neglect of duties or corruption by any election official

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ELECTION COMMISSION

Crimes Against Election Law

- Penalties have increased to up to a $5,000 fine and up to 5 years in prison
- Complete details of crimes and penalties: Title 7, Chapter 25 of SC Code of Laws
- SLED Election-Crime Hotline: (coming soon)

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Election Security

SOUTH CAROLINA
ELECTION COMMISSION

every
vote
matters.
every vote counts.

South Carolina Elections

ACCURATE. SECURE. ACCESSIBLE. CREDIBLE.

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Cyber and Physical Security Partners

admin
THE SOUTH CAROLINA DEPARTMENT of ADMINISTRATION

Elections Infrastructure ISAC™

Homeland Security

CISA
CYBER+INFRASTRUCTURE

- Network scanning and monitoring
- Remediation
- Response support

- Cyber and physical risk assessments
- Information sharing
- Security training

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Statewide Voting System

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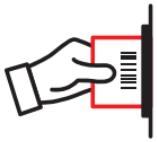
In-Person Voting Process

1 Insert Your Blank Ballot

2 Make Your Selections

3 Review & Print Your Ballot

4  Review & Cast Your Ballot

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What is a Ballot Marking Device?

- A ballot marking device is a voting machine that allows voters to make ballot selections using a touchscreen
- The ballot marking device prevents the voter from over voting and prompts them if an office is left blank
- The voter then prints the ballot, reviews it, and places it in the scanner for tabulation
- A ballot marking device <u>does not tabulate</u>

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ELECTION COMMISSION

What is a Scanner?

- After printing ballot, voter reviews ballot
- Voter inserts ballot into scanner
- Scanner scans ballot (tabulates vote and saves ballot image)
- Ballot drops into a sealed, secure ballot bin
- At close of polls, scanner prints “results tape”
- Results saved in an encrypted thumb drive

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ELECTION COMMISSION

What is an E-Poll Book?

- Serves as an electronic version of the voter registration list
- Automates the ballot selection process
- Serves as a poll list and voter's oath
- Automatically updates absentee voters when connected to Wi-Fi device
- Allows counties to make and transmit changes to polling places from the office

SOUTH CAROLINA
ELECTION COMMISSION

Testing and Audits

- Public testing of voting system
  - Performed before every election
  - BMDs and scanners are locked and sealed before being transported to polling places
- Hand-Count Audits
  - SEC selects precincts and offices for audit
  - Conducted in every statewide election since 2020—to this day, no discrepancies
- Results-Verification Audits
  - Uses ballot images to determine vote totals
  - Retabulates entire election
  - Has been piloted in selected beginning in 2020

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ELECTION COMMISSION

County Compliance Audits

- Purpose: to ensure every voter and candidate is treated equally and the same in every county
- Have been conducted by SEC since 2014
- Currently developing Statewide Standardized Procedures
  - Based on federal law, state law, SEC policies and procedures
- FY 2022-2023 SEC budget request—new audit division
  - Will administer post-election audits
  - Will conduct county compliance audits based on standardized procedures

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ELECTION COMMISSION

Voter List Maintenance

- Voter Registration is permanent
  - Voters remain registered until they are disqualified for:
    - Moving outside their county
    - Being convicted of a disqualifying crime
    - Being ruled mentally incompetent by a court
    - Requesting their name be removed from the voter list
    - Death
- Removal means the voter's status is changed from "Active" to "Inactive"—Inactive voters are not on voter list on election day
- Inactive voters are eventually archived (usually within two years in "inactive" status)
- VR records are permanent state government records

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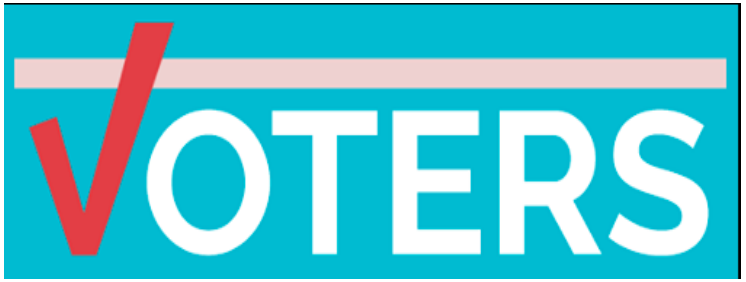
ELECTION COMMISSION

Voter List Maintenance



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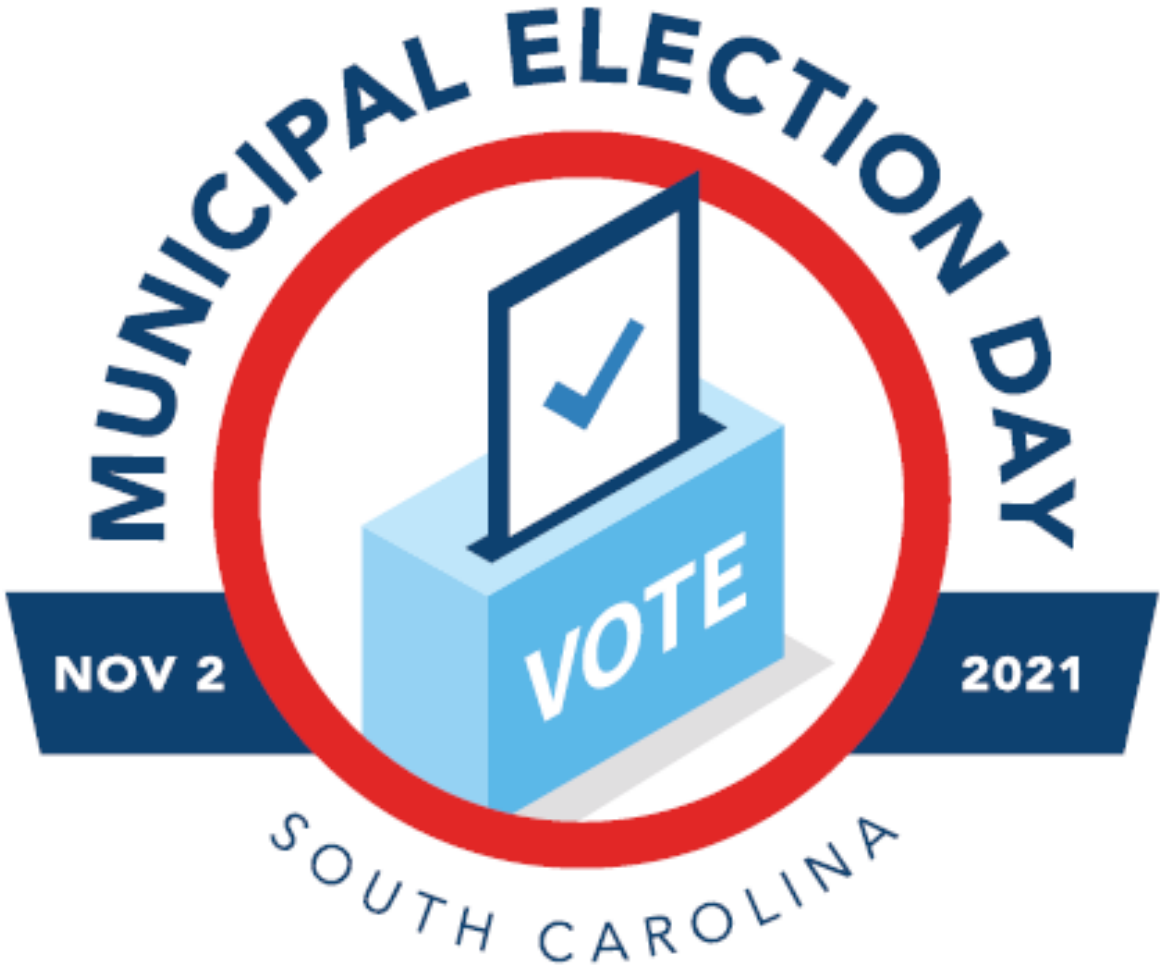
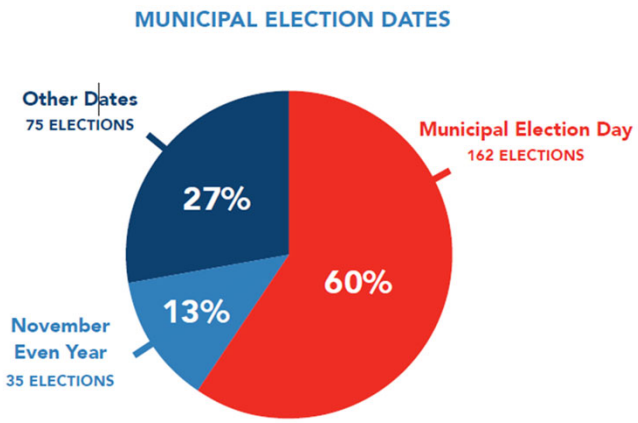

MUNICIPAL ELECTION DAY
NOV 2
VOTE
2021
SOUTH CAROLINA

Municipal Election Day



- Brings statewide focus to **you**
- Voters know when to vote
- Voter education improves with statewide focus
- Increases meaningful voter participation
- Raises profile of municipalities
- Mayor and council appear **first** on ballot
- Saves time and resources by simplifying election administration

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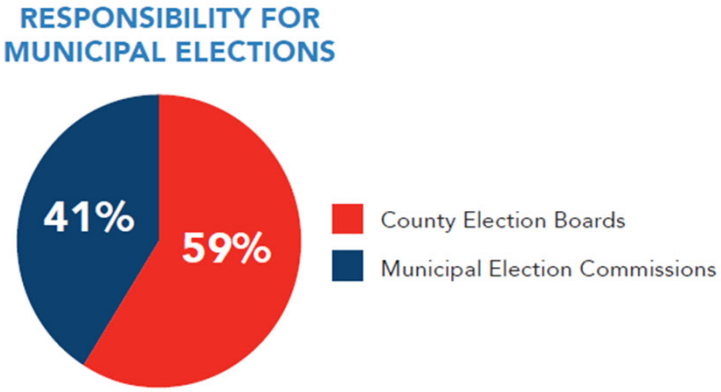
ELECTION COMMISSION

Municipal Election Commissions



- Want assistance with your elections?
- Contact your county voter registration office to transfer authority (SC Code of Laws 5-15-145)

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