South Carolina Legislature

H3556 found 1 time.

H*3556

Session 126 (2025-2026)

View Vote History | View Fiscal Impact

H 3556 {Rat #177, Act #213 of 2026} General Bill, By B. Newton, Schuessler, Guest, Taylor and Hixon

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-17-560, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO HEAR CERTAIN PRIMARY PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEE TO ALSO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS, LESS THAN COUNTY OFFICERS, AND MUNICIPAL OFFICERS, AND TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO ADOPT A RESOLUTION TO REQUIRE THE FILING OF ANY PROTEST OR CONTEST TO BE ACCOMPANIED BY A REFUNDABLE DEPOSIT; BY AMENDING SECTION 7-17-570, RELATING TO HEARINGS OF PRIMARY PROTESTS AND CONTESTS, SO AS TO EXTEND THE TIME IN WHICH THE STATE EXECUTIVE COMMITTEE MUST CONDUCT SUCH HEARINGS, AND TO PROVIDE FOR APPEALS FROM DECISIONS BY THE STATE EXECUTIVE COMMITTEE; BY AMENDING SECTION 5-15-80, RELATING TO MUNICIPAL PRIMARY PROTESTS AND CONTESTS, SO AS TO PROVIDE THAT SUCH PROTESTS AND CONTESTS ARE TO BE FILED, HEARD, AND DECIDED IN THE MANNER PROVIDED IN SECTIONS 7-17-560 AND 7-17-570; BY REPEALING SECTIONS 7-17-520, 7-17-530, 7-17-540, 7-17-550, 7-17-580, AND 7-17-590 ALL RELATING TO PRIMARY PROTESTS AND CONTESTS FOR CERTAIN OFFICES; BY AMENDING SECTION 5-15-120, RELATING TO THE COUNTING OF VOTES IN MUNICIPAL ELECTIONS, SO AS TO ALLOW A MUNICIPAL GOVERNING BODY TO DETERMINE BY ORDINANCE WHEN THE TERMS OF ITS NEWLY ELECTED OFFICERS BEGIN; BY AMENDING SECTION 7-3-25, RELATING TO THE DUTY OF THE STATE ELECTION COMMISSION TO DETERMINE AND CERTIFY RESULTS WHEN A COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FAILS TO DO SO, SO AS TO REQUIRE THE SAME WHEN A MUNICIPAL ELECTION COMMISSION FAILS TO DETERMINE AND CERTIFY RESULTS; BY ADDING SECTION 5-15-45 SO AS TO PROVIDE WHEN THE TERMS OF MUNICIPAL COUNCILMEMBERS IN OFFICE AS OF JANUARY 1, 2027 EXPIRE; BY AMENDING SECTION 5-15-50, RELATING TO THE ESTABLISHMENT OF THE TIME FOR GENERAL AND SPECIAL ELECTIONS WITHIN A MUNICIPALITY, SO AS TO REQUIRE MUNICIPAL GOVERNING BODIES TO CHOOSE ONE OF TWO DATES FOR SUCH ELECTIONS IN ODD-NUMBERED YEARS; BY AMENDING SECTION 5-15-60, RELATING TO MUNICIPALITIES ADOPTING METHODS OF NOMINATING CANDIDATES AND DETERMINING RESULTS OF ELECTIONS, SO AS TO ONLY PERMIT PARTISAN ELECTIONS IN MUNICIPALITIES WITH POPULATIONS UNDER A CERTAIN AMOUNT; BY AMENDING SECTION 5-15-100, RELATING TO THE FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO REMOVE CERTAIN FUNCTIONS, POWERS, AND DUTIES; BY AMENDING SECTION 5-15-130, RELATING TO PROCEDURES FOR CONTESTING RESULTS OF MUNICIPAL ELECTIONS, SO AS TO EXTEND THE DEADLINES FOR FILING A NOTICE OF CONTEST AND FOR CONDUCTING A HEARING ON THE CONTEST; BY AMENDING SECTION 5-15-140, RELATING TO APPEALS FROM DECISIONS ON MUNICIPAL ELECTION CONTESTS, SO AS TO DELETE LANGUAGE PROVIDING THE NOTICE OF APPEAL ACTS AS A STAY OF FURTHER PROCEEDINGS; AND BY ADDING SECTION 5-15-175 SO AS TO PROVIDE THAT MUNICIPAL ELECTION COMMISSIONS ONLY MAY BE ESTABLISHED FOR MUNICIPALITIES WITH POPULATIONS OVER A CERTAIN AMOUNT. - RATIFIED TITLE

12/5/2024 House Prefiled

12/5/2024	House	Referred to Committee on Judiciary
1/14/2025	House	Introduced and read first time (House Journal-page 243)
1/14/2025	House	Referred to Committee on Judiciary (House Journal-page 243)
3/20/2025	House	Committee report: Favorable with amendment Judiciary (House J
3/26/2025	House	Member(s) request name added as sponsor: Schuessler, Guest, Taylor, Hixon
3/26/2025	House	Amended (House Journal-page 19)
3/26/2025	House	Requests for debate-Rep(s). Pace, Edgerton, Magnuson, Frank, White, Beach, Cromer, Huff, Gilreath, Terribile, Morgan, Jordan, B Newton, Lowe, Ligon, Caskey, Oremus (House Journal-page 19)
3/26/2025	House	Read second time (House Journal-page 47)
3/26/2025	House	Roll call Yeas-91 Nays-15 (House Journal-page 48)
3/27/2025	House	Read third time and sent to Senate (House Journal-page 31)
3/27/2025		Scrivener's error corrected
4/1/2025	Senate	Introduced and read first time (Senate Journal-page 8)
4/1/2025	Senate	Referred to Committee on Judiciary (Senate Journal-page 8)
2/18/2026	Senate	Committee report: Favorable with amendment Judiciary (Senate
3/3/2026	Senate	Amended (Senate Journal-page 14)
4/1/2026	Senate	Read second time (Senate Journal-page 35)
4/1/2026	Senate	Roll call Ayes-41 Nays-4 (Senate Journal-page 35)
4/15/2026	Senate	Read third time and returned to House with amendments (Senate
4/21/2026	House	Debate adjourned (House Journal-page 30)
4/22/2026	House	Debate interrupted by adjournment (House Journal-page 156)
4/23/2026	House	Senate amendment amended (House Journal-page 134)
4/23/2026	House	Returned to Senate with amendments (House Journal-page 134)
5/5/2026	Senate	Concurred in House amendment and enrolled (Senate Journal-page
5/6/2026		Scrivener's error corrected
5/14/2026		Ratified R 177
5/19/2026		Signed By Governor
6/5/2026		Effective date See Act for Effective Date
6/2/2026		Act No. 213

H 3556 General Bill, By B. Newton, Schuessler, Guest, Taylor and Hixon

(Text matches printed bills. Document has been reformatted to meet World Wide Web speci

(A213, R177, H3556)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-17-560 THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO HEAR C PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEE TO ALS PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS, LESS THAN COUNTY OFFI(MUNICIPAL OFFICERS, AND TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO ADOPT A REQUIRE THE FILING OF ANY PROTEST OR CONTEST TO BE ACCOMPANIED BY A REFUNDAI AMENDING SECTION 7-17-570, RELATING TO HEARINGS OF PRIMARY PROTESTS AND CONTI EXTEND THE TIME IN WHICH THE STATE EXECUTIVE COMMITTEE MUST CONDUCT SUCH HE/ PROVIDE FOR APPEALS FROM DECISIONS BY THE STATE EXECUTIVE COMMITTEE; BY AMEI 15-80, RELATING TO MUNICIPAL PRIMARY PROTESTS AND CONTESTS, SO AS TO PROVIDE T PROTESTS AND CONTESTS ARE TO BE FILED, HEARD, AND DECIDED IN THE MANNER PROV 7-17-560 AND 7-17-570; BY REPEALING SECTIONS 7-17-520, 7-17-530, 7-17-540, 7-17-550, 7-17-5 ALL RELATING TO PRIMARY PROTESTS AND CONTESTS FOR CERTAIN OFFICES; BY AMEND 120, RELATING TO THE COUNTING OF VOTES IN MUNICIPAL ELECTIONS, SO AS TO ALLOW A GOVERNING BODY TO DETERMINE BY ORDINANCE WHEN THE TERMS OF ITS NEWLY ELECT BEGIN; BY AMENDING SECTION 7-3-25, RELATING TO THE DUTY OF THE STATE ELECTION C(

DETERMINE AND CERTIFY RESULTS WHEN A COUNTY BOARD OF VOTER REGISTRATION AN FAILS TO DO SO, SO AS TO REQUIRE THE SAME WHEN A MUNICIPAL ELECTION COMMISSIOI DETERMINE AND CERTIFY RESULTS; BY ADDING SECTION 5-15-45 SO AS TO PROVIDE WHEN MUNICIPAL COUNCILMEMBERS IN OFFICE AS OF JANUARY 1, 2027 EXPIRE; BY AMENDING S RELATING TO THE ESTABLISHMENT OF THE TIME FOR GENERAL AND SPECIAL ELECTIONS MUNICIPALITY, SO AS TO REQUIRE MUNICIPAL GOVERNING BODIES TO CHOOSE ONE OF TW SUCH ELECTIONS IN ODD-NUMBERED YEARS; BY AMENDING SECTION 5-15-60, RELATING T ADOPTING METHODS OF NOMINATING CANDIDATES AND DETERMINING RESULTS OF ELECT ONLY PERMIT PARTISAN ELECTIONS IN MUNICIPALITIES WITH POPULATIONS UNDER A CER AMENDING SECTION 5-15-100, RELATING TO THE FUNCTIONS, POWERS, AND DUTIES OF MU ELECTION COMMISSIONS, SO AS TO REMOVE CERTAIN FUNCTIONS, POWERS, AND DUTIES; SECTION 5-15-130, RELATING TO PROCEDURES FOR CONTESTING RESULTS OF MUNICIPAL TO EXTEND THE DEADLINES FOR FILING A NOTICE OF CONTEST AND FOR CONDUCTING A H CONTEST; BY AMENDING SECTION 5-15-140, RELATING TO APPEALS FROM DECISIONS ON M ELECTION CONTESTS, SO AS TO DELETE LANGUAGE PROVIDING THE NOTICE OF APPEAL A FURTHER PROCEEDINGS; AND BY ADDING SECTION 5-15-175 SO AS TO PROVIDE THAT MUN COMMISSIONS ONLY MAY BE ESTABLISHED FOR MUNICIPALITIES WITH POPULATIONS OVEF AMOUNT.

Be it enacted by the General Assembly of the State of South Carolina:

Election protests heard by state executive committee

SECTION 1. Section 7-17-560 of the S.C. Code is amended to read:

Section 7-17-560. (A) The state executive committee must meet in Columbia at such place as may b chairman to hear and decide protests and contests that may arise in the case of federal officers, state Senate, State House of Representatives, officers involving more than one county, partisan county offic than county officers, and partisan municipal officers. Any protest or contest must be filed in writing with committee, together with a copy for each candidate in the race, not later than noon on Monday followin the votes for these officers. However, service upon the chairman may be perfected by depositing at the of the State Law Enforcement Division a copy of the protest, together with a copy for each candidate ir must take immediate steps to deliver these copies to the chairman. The protest must contain each grou separately and concisely. The chairman of the committee must forthwith serve upon each candidate in copy of the protest and serve a notice of the time and place of the meeting of the committee for the pur protest.

(B) The state executive committee may, by resolution adopted at least sixty days prior to the conduct o the filing of any protest or contest to be accompanied by a refundable deposit for hearing costs, not to hundred fifty dollars. The amount of the deposit must be refunded to a candidate who files a protest or

(1) the state executive committee upholds the protest or contest; or

(2) a petition to the Supreme Court under Section 7-17-570(D) is granted.

Procedures for hearing protests

SECTION 2. Section 7-17-570 of the S.C. Code is amended to read:

Section 7-17-570. (A) The executive committee shall hear the protest or contest within two weeks of the same. Testimony at the hearing shall be limited to the grounds stated in the written protest.

(B) The protestant and each other candidate in the protested race shall have the right to be present at represented by counsel, to examine and cross-examine witnesses and to produce evidence relevant to protest. The chairman of the committee shall provide for and conduct the hearing as nearly as possible the procedures and rules of evidence observed by the circuit courts of this State. The chairman shall h administer oaths and subpoena witnesses. Upon the conclusion of the hearing of the protest the comm

all issues by majority vote and forthwith certify the results of the election. The State Election Commissi costs of the court reporter and the transcript of the hearing.

(C) The committee shall remain in session until a conclusion has been reached. All candidates in the p contested race shall be immediately notified of the committee's decision.

(D) Appeals from decisions by the state executive committee must be taken directly to the Supreme Cc writ of certiorari based only on the record of the state executive committee hearing. Notice of appeal m ten days of the state executive committee's decision. The Supreme Court may impose filing fees for ap pursuant to this subsection.

Municipal primary results and protests

SECTION 3. Section 5-15-80 of the S.C. Code is amended to read:

Section 5-15-80. The results of any political party primary shall be declared by the party conducting t and contests shall be filed, heard, and decided in the manner set forth in Sections 7-17-560 and 7-17-5

Repeal

SECTION 4. Sections 7-17-520, 7-17-530, 7-17-540, 7-17-550, 7-17-580, and 7-17-590 of the S.C. C

Commencement of terms

SECTION 5. Section 5-15-120 of the S.C. Code is amended to read:

Section 5-15-120. (A) Immediately upon the closing of the polls at any municipal election, the manag publicly the votes cast and make a statement of the whole number of votes cast in such election togeth of votes cast for each candidate for mayor and councilman and transmit this information to the municip commission. In partisan elections the person securing the highest number of votes for mayor shall be c the councilmen shall be selected by the following methods:

(1) When all councilmen are to be elected at large, the persons receiving the highest number of votes i the number to be chosen shall be declared elected.

(2) When the councilmen are to be elected from each ward and are required to be residents of that wai receiving the highest number of votes in that ward shall be declared elected.

(3) When some councilmen are to be elected from each ward and required to be residents of that ward of the councilmen to be elected at large, those persons receiving the highest number of votes in each v declared elected and those persons running at large who receive the highest number of votes in numb number to be chosen at large shall be declared elected.

(4) When all councilmen are to be elected at large, but required to reside in a particular ward, the perso highest number of votes for the seat to be filled shall be declared elected.

(5) When all councilmen are to be elected at large, but some are required to be residents of particular v councilmen may not be so required, the person receiving the highest number of votes for the seat to be declared elected.

(B) A municipal governing body may by ordinance determine when the terms of its newly elected office the terms must begin no earlier than forty-eight hours after the certification of the election results and n days after the day of the election. If a municipality does not have an ordinance determining when the te elected officers begin, then the terms of the newly elected officers in the municipality begin at the start meeting of its council in the month following the election.

(C) A candidate who is declared elected by certification of the election results has the right to take the c perform the duties of the office pending the outcome of a contest unless a court of competent jurisdicti

Failure to certify results of municipal elections

SECTION 6. Section 7-3-25(B) of the S.C. Code is amended to read:

(B) If a county board of voter registration and elections or a municipal election commission does not or and certify the results of an election or referendum for which it is responsible by the time set for certific law, the responsibility to determine and certify the results is devolved upon the State Election Commiss

Expiration of terms of current municipal council members

SECTION 7.A. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5-15-45. (A) Notwithstanding Section 5-15-40, if the unexpired four-year term of a mayor or r began following a general election held:

(1) in 2023, then the term expires on the date terms begin for newly elected officers in the municipality general election to be held on April 6, 2027, or November 2, 2027, as applicable;

(2) in 2024 or 2025, then the term expires on the date terms begin for newly elected officers in the mur the general election to be held on April 3, 2029, or November 6, 2029, as applicable; or

(3) in 2026, then the term expires on the date terms begin for newly elected officers in the municipality general election to be held on April 8, 2031, or November 4, 2031, as applicable.

(B) Notwithstanding Section 5-15-40, if the unexpired two-year term of a mayor or member of council b general election held:

(1) in 2025, then the term expires on the date terms begin for newly elected officers in the municipality general election to be held on April 6, 2027, or November 2, 2027, as applicable; or

(2) in 2026, then the term expires on the date terms begin for newly elected officers in the municipality general election to be held on April 3, 2029, or November 6, 2029, as applicable.

(C) The provisions of this section do not apply to a municipality whose general elections are held on th the first Monday in April in even-numbered years or the first Tuesday after the first Monday in Novembe years, as provided in Section 5-15-50(E).

B. This SECTION takes effect on January 1, 2027.

Time for municipal general elections

SECTION 8.A. Section 5-15-50 of the S.C. Code is amended to read:

Section 5-15-50. (A) Each municipal governing body may by ordinance establish municipal ward line general elections.

(B) The time for general elections within a municipality must be established in odd-numbered years as

(1) on the first Tuesday after the first Monday in April; or

(2) on the first Tuesday after the first Monday in November.

(C) If the first Tuesday after the first Monday in November of odd-numbered years is the time for gener municipality on or after the effective date of this subsection, then the municipal governing body must n different time for its general elections.

(D) If within ninety days of the effective date of this subsection a municipal governing body fails to esta time for its general elections as provided in subsection (B), then the time for the general elections withi

the first Tuesday after the first Monday in November in odd-numbered years unless subsection (E) app

(E) Notwithstanding another provision of this section, if the most recent general elections within a muni the effective date of this subsection were held on the first Tuesday after the first Monday in April in eve or on the first Tuesday after the first Monday in November in even-numbered years, then the municipal first Tuesday after the first Monday in April in even-numbered years, or the first Tuesday after the first M in even-numbered years, as applicable, for the date for its general elections.

B. This SECTION takes effect on January 1, 2027.

Partisan municipal elections

SECTION 9.A. Section 5-15-60 of the S.C. Code is amended to read:

Section 5-15-60. (A) Each municipality in this State shall adopt by ordinance one of the following alte nominating candidates for and determining the results of its nonpartisan elections:

(1) The nonpartisan plurality method prescribed in Section 5-15-61;

(2) The nonpartisan election and runoff election method prescribed in Section 5-15-62;

(3) The nonpartisan primary election and general election method prescribed in Section 5-15-63.

(B)(1) If nonpartisan elections are not provided for, nomination of candidates for municipal offices may party convention or by petition only in municipalities with populations under thirty-nine thousand accorc recent official United States census.

(2) Municipal party primaries, party conventions, and petition nominations must be conducted in accorc provisions of this chapter, the applicable provisions of the state election laws, and the rules of municipa organizations not in conflict therewith.

B. A municipality with a population over thirty-nine thousand according to the most recent official Unit that provides for the partisan nomination of candidates for municipal offices on the effective date of this April 1, 2027, adopt by ordinance a method of nominating candidates prescribed in Section 5-15-61, 5- the municipality does not adopt a new method by that date, then the method prescribed in Section 5-1 revised by ordinance.

C. This SECTION takes effect on January 1, 2027.

Duties of municipal election commissions

SECTION 10. Section 5-15-100 of the S.C. Code is amended to read:

Section 5-15-100. The municipal election commission shall ensure proper books of registration are p ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of electi place, and otherwise supervise and conduct all municipal elections. The commission shall certify the re three days following the election.

Protesting municipal election results

SECTION 11. Section 5-15-130 of the S.C. Code is amended to read:

Section 5-15-130. (A) A candidate may contest the result of the election by filing a written notice of su with a concise statement of the grounds therefor, with the Municipal Election Commission not later thar Monday following the certification of the results. If the deadline falls on a legal holiday, then the time fo noon on the next day that is not a legal holiday. The Municipal Election Commission shall, after due no concerned, conduct a hearing on the contest not later than the Saturday following the deadline for filing commission must decide the issues raised, file its report together with all recorded testimony and exhit

court of the county in which the municipality is situated, notify the parties concerned of the decisions m decision invalidates the election the council shall order a new election as to the parties concerned.

(B) Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any c a party.

Protest appeals

SECTION 12. Section 5-15-140 of the S.C. Code is amended to read:

Section 5-15-140. Within ten days after notice of the decision of the municipal election commission, a thereby may appeal from such decision to the court of common pleas. Notice of appeal shall be servec parties or their attorneys and filed in the office of the clerk of court within ten days.

Municipal election commissions

SECTION 13.A. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5-15-175. (A) Notwithstanding another provision of this chapter, a municipal election commis established for municipalities with a population of ten thousand or more, according to the most recent c census.

(B) Elections for municipalities with a population of less than ten thousand, according to the most recer States census, must be conducted and certified by the county boards of voter registration and election:

(1) If a municipality is located within only one county, its municipal elections must be conducted and ce board of voter registration and elections of the county in which the municipality is located.

(2) If a municipality is located within more than one county:

(a) its municipal elections must be conducted jointly by each county board of voter registration and elec portion of registered electors in the municipality; and

(b) its municipal elections must be certified by the county board of voter registration and elections of th main office is located.

(C) A municipality whose elections are conducted and certified pursuant to this section must reimburse voter registration and elections for the reasonable costs incurred in conducting and certifying its electio with a reimbursement schedule provided by the State Election Commission.

B. On the effective date of this SECTION, municipal election commissions for municipalities under te according to the most recent official United States census, are abolished. Their duties, responsibilities, devolved upon the county boards of voter registration and elections.

C. This SECTION takes effect on January 1, 2027.

Time effective

SECTION 14. Except as otherwise provided in this act, this act takes effect upon approval by the Go

Ratified the 14th day of May, 2026.

Approved the 19th day of May, 2026.

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Session 126 (2025-2026)

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H 3557 {Rat #178, Act #137 of 2026} General Bill, By B. Newton, Pedalino, Taylor, Guest, Crawford, Schuessler and Hixon

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-11-15, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO SHORTEN THE CANDIDATE FILING PERIOD, TO PROVIDE FILING FEES FOR CANDIDATES SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR CONVENTION, TO ALLOW POLITICAL PARTIES TO CHARGE CANDIDATES A CERTIFICATION FEE, AND TO PROVIDE PROCEDURES FOR A STATE OR COUNTY COMMITTEE TO ALLOW ENTRY OF OTHER CANDIDATES IN CERTAIN CIRCUMSTANCES AFTER A CANDIDATE HAS DIED OR WITHDRAWN; BY AMENDING SECTION 7-11-210, RELATING TO THE FILING OF PARTY PLEDGES BY CANDIDATES, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 7-13-40, RELATING TO THE CONDUCT OF PARTY PRIMARIES, SO AS TO DELETE LANGUAGE REGARDING THE TRANSMISSION AND USE OF CANDIDATE FILING FEES; AND BY AMENDING SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO AMEND THE APPLICABLE DATES FOR CANDIDATE FILING AND THE CONDUCT OF SPECIAL PRIMARIES, SPECIAL RUNOFF PRIMARIES, AND SPECIAL ELECTIONS. - RATIFIED TITLE

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3/31/2026	Senate	Amended (Senate Journal-page 27)
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3/31/2026	Senate	Roll call Ayes-40 Nays-1 (Senate Journal-page 27)
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4/1/2026		Scrivener's error corrected
4/15/2026	House	Concurred in Senate amendment and enrolled (House Journal-pag
4/15/2026	House	Roll call Yeas-85 Nays-22 (House Journal-page 82)

(C) Political parties may charge a certification fee of up to one hundred dollars to candidates seeking n general election. To implement a certification fee, a political party's state executive committee must not Director of the State Election Commission of its decision to charge the fee, and the amount of the fee, December first of the year preceding a general election. A certification fee must be submitted with the f retained by the applicable political party. A lieutenant governor candidate is not required to pay a certifi

(D) Except as provided in this section, the State Election Commission and county boards of voter regis elections must provide a copy of all statements of intention of candidacy, the party pledge, receipt, and appropriate political party executive committee within two days following the deadline for filing. If the se Saturday, Sunday, or a legal holiday, the statement of intention of candidacy, party pledge, and filing fe noon the following day that is not a Saturday, Sunday, or legal holiday. A candidate's name may not ap election ballot, convention slate of candidates, general election ballot, or special election ballot, except provided by law, if (1) the candidate's statement of intention of candidacy and party pledge has not bee county board of voter registration and elections or State Election Commission, as the case may be, as fee, by the deadline and (2) the candidate has not been certified by the appropriate political party as re 7-13-40 and 7-13-350, as applicable. The candidate's name must appear if the candidate produces the copy of his timely filed statement of intention of candidacy. An error or omission by a person seeking to candidate pursuant to this section who is not directly related to a constitutional or statutory qualificatior be construed in a manner that favors the person's access to the ballot.

(E) The statement of intention of candidacy required in this section and in Section 7-13-190(B) must be designed and provided by the State Election Commission. This form, in addition to all other informatior affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise re qualifications for the office sought. The candidate or his agent must file a signed statement of intention the election commission with whom it is filed must stamp the statement with the date and time receivec statement, provide a copy to the candidate, and provide a copy to the appropriate political party execut

(F) The candidate or his agent must file a signed party pledge, as required pursuant to Section 7-11-21 commission with which it is filed must stamp the party pledge with the date and time received, provide candidate, and provide a copy to the appropriate political party executive committee.

(G) The election commission with which the filing fee is filed must issue a receipt for the filing fee, stam the date and time the filing fee was received, provide a copy to the candidate or his agent, and provide appropriate political executive party. The filing fee must be made payable to the appropriate political pa

(H) If, after the closing of the time for filing the documents required pursuant to this section, there are n candidates for any one office and one or more of the candidates dies or withdraws, then the state or cc applicable, may afford an opportunity for the entry of other candidates for the office involved, provided Director of the State Election Commission confirms there is sufficient time for other candidates to be pl

(1) In order for a state or county committee to allow entry of other candidates for the office, the commit

(a) hold a public hearing within forty-eight hours of the death or withdrawal of the candidate or candida

(b) publicly vote to allow reopening of the time to file for the office.

(2) The additional filing period for the office shall consist of three business days following the vote auth of the time to file.

(3) Any withdrawal must be in writing to the director of the county board of voter registration and electic candidate filed, or to the Executive Director of the State Election Commission if the candidate filed with Commission.

(I) The county chairman of a political party and the chairman of the state executive committee of a polit designate a person to observe the filings made at the election commission pursuant to this section.

(J) The provisions of this section do not apply to nonpartisan school trustee elections in a school distric provisions provide for other dates and procedures for filing statements of candidacy or petitions, and tc provisions of this section and the local law provisions conflict, the local law provisions control.

B. This SECTION takes effect on January 1, 2027.

Party pledge

SECTION 2.A. Section 7-11-210 of the S.C. Code is amended to read:

Section 7-11-210. (A) Every candidate for selection as a nominee of any political party for any state c Senator, member of Congress, or solicitor, to be voted for in any party primary election or political part file, pursuant to Section 7-11-15, a party pledge in the following form, the blanks being properly filled in pledge signed by the candidate: "I hereby file my notice as a candidate for the nomination as _____ election or convention to be held on _____ . I affiliate with the _____ Party, and I hereb abide by the results of the primary or convention. I shall not authorize my name to be placed on the ge by petition and will not offer or campaign as a write-in candidate for this office or any other office for wh nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as should I violate this pledge by offering or campaigning in the ensuing general election for election to thi other office for which a nominee has been elected in the party primary election, unless the nominee for become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm meet by the time of the general or special election, or as otherwise required by law, the qualifications fc

(B) Every candidate for selection in a primary election as the nominee of any political party for member member of the House of Representatives, and all county and township offices shall file, pursuant to Se like party pledge.

(C) The party pledge required by this section to be filed by a candidate in a primary must be signed pe candidate, and the signature of the candidate must be signed in the presence of an individual authorize commission director. Any party pledge of any candidate signed by an agent on behalf of a candidate sh

(D) In the event that a person who was defeated as a candidate for nomination to an office in a party's shall thereafter offer or campaign as a candidate against any nominee for election to any office in the e election, the state chairman of the party which held the primary (if the office involved is one voted for ir election by the electors of more than one county), or the county chairman of the party which held the p of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order en from so offering or campaigning in the general election, and the court is hereby empowered upon proo issue an order.

B. This SECTION takes effect on January 1, 2027.

Party primaries

SECTION 3.A. Section 7-13-15 of the S.C. Code is amended to read:

Section 7-13-15. (A) This section does not apply to municipal primaries.

(B) Except as provided in subsection (A) or unless otherwise specifically provided for by statute or ordi following primaries must be conducted by the State Election Commission and the county boards of vot elections on the second Tuesday in June of each general election year:

(1) primaries for federal offices, excluding a presidential preference primary for the Office of President as provided pursuant to Section 7-11-20(B); and

(2) primaries for:

(a) state offices;

(b) offices including more than one county;

(c) countywide and less than countywide offices, specifically including, but not limited to, all school boa trustees; and

(d) special purpose district offices, which include, but are not limited to, water, sewer, fire, soil conserva similar district offices.

B. This SECTION takes effect on January 1, 2027.

Certification of candidates

SECTION 4.A. Section 7-13-40 of the S.C. Code is amended to read:

Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary mu party and conducted by the State Election Commission and the respective county boards of voter regis elections on the second Tuesday in June of each general election year, and a second and third primary successively thereafter, if necessary. Written certification of the names of all candidates to be placed o must be made by the political party chairman, vice chairman, or secretary to the State Election Commi board of voter registration and elections whichever is responsible under law for preparing the ballot, no o'clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o'clock noc Monday. Political parties nominating candidates by party primary must verify the qualifications of those certification to the appropriate election commission of the names of candidates to be placed on primary written verification required by this section must contain a statement that each candidate certified meet the time of the general election, or as otherwise required by law, the qualifications for office for which h political party must not certify any candidate who does not or will not by the time of the general electior required by law, meet the qualifications for the office for which the candidate has filed, and such candic not be placed on a primary ballot.

B. This SECTION takes effect on January 1, 2027.

Special elections

SECTION 5.A. Section 7-13-190 of the S.C. Code is amended to read:

Section 7-13-190. (A) Except as otherwise provided in this code as to specific offices, whenever a va office by reason of death, resignation, or removal and the vacancy in office is one which is filled by a sp complete the term of office, this section applies.

(B)(1) In partisan elections, whether seeking nomination by political party primary or political party conv these candidates shall open for the office at twelve o'clock noon on the third Friday after the vacancy o to close seven days later at twelve o'clock noon. If the filing period closes on a legal holiday, then the fi extended until noon on the next weekday that is not a legal holiday. If seeking nomination by petition, t be submitted not later than twelve o'clock noon, sixty days prior to the election. Verification of these pe made not later than twelve o'clock noon forty-five days prior to the election. If seeking nomination by p primary or political party convention, filing with the appropriate official is the same as provided in Sectic seeking nomination by petition, filing with the appropriate official is the same as provided in Section 7-

(2) A primary must be held on the first eligible date provided in subsection (D) that is on or following the after the vacancy occurs. A runoff primary, if necessary, must be held two weeks after the primary. A sp be held on the first eligible date provided in subsection (D) that is following the date of the primary.

(3) If there are more than twenty Tuesdays after a vacancy occurs in the office of House of Representa Congress of the United States to the date provided for an eligible special election in subsection (D), or than thirty-five days from the eleventh Tuesday after a vacancy occurs in the office of State Senate or S Representatives to the date provided for an eligible primary in subsection (D), then the schedule to fill a those offices must be in accordance with the following:

(a) a primary must be held on the eleventh Tuesday after the vacancy occurs;

(b) a runoff primary, if necessary, must be held two weeks after the primary;

(c) a special election must be held on the twentieth Tuesday after the vacancy occurs; and

(d) if the date for a primary, runoff primary, or special election conflicts with the holding of a statewide p general election, or presidential preference primary then the Governor, President of the Senate, or Spe of Representatives, as applicable, may establish a schedule to fill a vacancy in a manner that does not holding of a statewide primary, statewide general election, or presidential preference primary.

(C) If the office is not one for which there are partisan elections, then the filing must be opened at noor after the vacancy occurs for a period to close seven days later at noon. If the filing period closes on a h the filing period is extended until noon on the next weekday that is not a legal holiday. The filing must b same entity to which the nonpartisan officeholders would normally file for office in a general election ye must be set for the first eligible date provided in subsection (D) that is on or following the eleventh Tue: vacancy occurs.

(D) A special election for any office, a primary for a special election, or for any matter for which a speci unless otherwise provided in this section, must only be held on one of the following dates:

(1) the fourth Tuesday in January;

(2) the first Tuesday after the first Monday in April;

(3) the second Tuesday in June in even-numbered years only and for only primaries for special electio

(4) the fourth Tuesday in August; and

(5) the first Tuesday after the first Monday in November for only elections other than primaries for spec

(E) If the date for a primary for a special election, runoff primary, or special election falls on a legal holi primary, runoff primary, or special election, as applicable, must be set for the next succeeding Tuesday holiday.

(F) If the date for a special election to fill an unexpired term of office is one hundred days or less from t election is to be held for the office, then no special election or primary must be held for the office. The p subsection is not applicable to unexpired terms in the office of House of Representatives of the Congre States.

B. This SECTION takes effect on July 1, 2026, and is applicable to vacancies created on and after Ju

Special election

SECTION 6. Notwithstanding another provision of law, a special election required to fill a vacancy cre 2026, must be held on June 9, 2026.

Severability clause

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or va remaining portions of this act, the General Assembly hereby declaring that it would have passed this ac every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irres that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, ph hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 8. Except as otherwise provided in this act, this act takes effect upon approval by the Gov

Ratified the 14th day of May, 2026.

Approved the 15th day of May, 2026.

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