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Subject: S. 2 - Summary

On floor yesterday afternoon the Senate made some significant changes to S. 2 compared to what passed in Committee. As passed by the Senate, S. 2 does the following:

- Requires candidates to submit the Statement of Intention of Candidacy (SIC), party pledge and filing fee to the appropriate election commission rather than the executive party official.
- Requires the election commission to then submit the SIC, pledge and receipt of payment of filing fee to the executive party committee within 2 days after the March 30 deadline.
- Provides that an error or omission by the candidate (unless it's related to constitutional or statutory qualifications for that office) must be construed in a manner favoring the candidate's access to the ballot.
- Allows a party chairman to observe the filings made at the election commission.
- Parties are still required to certify to the election commission that the candidate meets qualifications for the office before the candidate is placed on the ballot but mistakes in the filing process would not prevent the person from getting on the ballot.
- Statements of Economic Interest must be filed electronically only by all candidates for the preceding calendar year and by public officials annually.
- SEIs must be filed by the candidate electronically before the close of the filing period.
- Failure to file on time will result in a civil penalty assessed by the appropriate ethics supervisory office (which is how it is handled in any other situation).
- A candidate can't take the oath of office until he/she has filed the SEI.

Overall, this bill is a strong improvement in that now the election commissions, rather than party officials, are in charge of the election filings (simplifying the process); filing the SEI is treated in the same manner for any candidate/public official in that they all must file in the same manner and the Ethics Commission must assess a penalty rather than filing be a condition of being on the ballot; failure to file the SEI is, however, a condition of taking office.

Some may say the elections commissions are also not fully capable of handling the filings, ie. Richland County mess. I still say it's an improvement.

I spoke with Senate staff about some concerns along the way and all were fixed.

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