

SOUTH CAROLINA LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within the South Carolina Code of Laws, within Title 7 and other relevant sections of the South Carolina Statutes.

- Threatening, intimidating, or abusing voters is a felony.
- Tampering with a voting machine is a misdemeanor.
- Willfully carrying a firearm into a polling place on election day is a misdemeanor.

VOTING HOURS

Election Day — 7 a.m. to 7 p.m.
Early Voting — Two weeks prior to
Election Day

2023 ELECTION DATES

**No statewide or federal elections
in 2023**
Municipal Election Day — 11/7/23
Other Local elections on varying
dates throughout the year.

REPORT SUSPICIOUS BEHAVIOR TO

Your county election office:
[https://scvotes.gov/contact/county-
voter-registration-election-offices/](https://scvotes.gov/contact/county-voter-registration-election-offices/)
South Carolina Election Commission
803-734-9060
**Potential violations may also be
reported to:**
833-4SC-VOTE or 4SCVote@sled.sc.gov

Maintenance of order

S.C. Code §7-13-140

Managers of election are clothed with such police powers as may be necessary to carry out the provisions of this article. The managers shall possess full authority to maintain good order at the polls and to enforce obedience to their lawful commands during an election and during the canvass and counting of the votes. All peace officers shall answer all such calls for help in preserving the peace as may be made by the managers of election. [Pursuant to S.C. Code § 7-13-72, at least three managers of election shall be appointed in every precinct by the county board of voter registration and elections or other applicable authority.]

Penalty for failure to assist in maintaining order

S.C. Code §7-13-150

Any person who, when summoned or called upon by peace officers shall fail or refuse to assist him in maintaining the peace and good order at the polls shall be fined in a sum not to exceed one hundred dollars or imprisoned not to exceed thirty days.

Peace officers shall enter polling place only on request or to vote

S.C. Code §7-13-160

No sheriff, deputy sheriff, policeman or other officers shall be allowed to come within the polling place except to vote unless summoned into it by a majority of the managers. On failure of any sheriff, deputy sheriff, policeman or other officer to comply with the provisions of the preceding sentence, the managers of election, or one of them, shall make affidavit against such sheriff, deputy sheriff, policeman or other officer for his arrest.

Unlawful distribution of campaign literature

S.C. Code §7-25-180

(A) It is unlawful for a person to distribute any type of campaign literature or place any political posters within

five hundred feet of any entrance used by the voters to enter the polling place, during polling hours on an election day and during the early voting period. The poll manager shall use every reasonable means to keep the area within five hundred feet of any such entrance clear of political literature and displays, and the county and municipal law enforcement officers, upon request of a poll manager, shall remove or cause to be removed any material within five hundred feet of any such entrance distributed or displayed in violation of this section.

- (B) A candidate may wear within five hundred feet of the polling place a label no larger than four and one-fourth inches by four and one-fourth inches that contains the candidate's name and the office he is seeking. If the candidate enters the polling place, he may not display any of this identification including, but not limited to, campaign stickers or buttons.

Delivery of vote recorders; duties of officials at polling places

S.C. Code §7-13-1400

- (b) The county election officials shall provide ample protection against molestation of and injury to the vote recorder and, for that purpose, shall call upon any law-enforcement officer to furnish such assistance as may be necessary, and it shall be the duty of the law-enforcement officer to furnish such assistance when so requested by such officials.

Issuance of permits

S.C. Code §23-31-215

- (M) A [concealed weapon] permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a . . .
- (3) polling place on election days; . . .
- A person who wilfully violates a provision of this subsection is guilty of a misdemeanor . . .

[Pursuant to **S.C. Code § 23-31-210**, a "concealable weapon" means "a firearm having a length of less than twelve inches measured along its greatest dimension that may be carried openly on one's person or in a manner that is hidden from public view in normal wear of clothing except when needed for self defense, defense of others, and the protection of real or personal property."]

Carrying a concealable weapon into a polling location on election day will remain unlawful under the South Carolina Constitutional Carry Act of 2023, if passed.

Procuring or offering to procure votes by threats

S.C. Code §7-25-70

It is unlawful for a person, by threats or any other form of intimidation, to procure, offer, or promise to endeavor to procure another to vote for or against any particular candidate in any election. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than five hundred dollars or imprisoned not more than three years, or both.

Threatening, intimidating, or abusing voters

S.C. Code §7-25-80

A person who, at any of the elections, general, special, or primary, in any city, town, ward, or polling precinct, threatens, mistreats, or abuses a voter with a view to control or intimidate him in the free exercise of his right of suffrage, is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both.

Allowing ballot to be seen, removing ballot from voting place, improper assistance, and related offenses

S.C. Code §7-25-100

- (A) It is unlawful in any election for a voter to:
- (1) allow his ballot to be seen by a person, except as provided by law;
 - (2) take, remove, or attempt to take or remove a ballot from the polling place before the close of the polls;
 - (3) place a mark upon his ballot by which it may be identified;
 - (4) take into the election booth a mechanical device to enable him to mark his ballot; or
 - (5) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth.
- (B) It is unlawful for a person to:
- (1) interfere with a voter who is inside of the polling place or is marking his ballot;
 - (2) unduly influence or attempt to influence unduly a voter in the preparation of his ballot;
 - (3) endeavor to induce a voter to show how he marks or has marked his ballot; or
 - (4) aid or attempt to aid a voter by means of any mechanical device in marking his ballot.
- (C) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than one year.

Watchers; appointment, qualifications, identification, and conduct

S.C. Code §7-13-860

Each candidate who is not unopposed in a primary and each nonpartisan candidate, including announced write-in

candidates in a general or special election, may appoint a watcher for any voting place where his name appears on the ballot. However, in any general or special election, all candidates who are certified by a political party must be jointly represented at each polling place by not more than two watchers from the party for each one thousand registered voters or fraction thereof registered at the polling place. . . .

After qualification, watchers must be placed in an area designated by the poll managers where the watchers can observe the entire election process at that polling place. No watcher may conduct himself in a manner that will interfere in the orderly conduct of the election or influence any voter in the casting of his ballot.

Tampering with voting machine

S.C. Code §7-13-1920

Any person who willfully tampers with or attempts to tamper with, disarrange, deface or impair, in any manner whatsoever, or destroy any such voting machine while it is in use at any election or who shall, after such machine is locked in order to preserve the registration or record of any election made by it, tamper with or attempt to tamper with such machine or who instigates, aids or abets any other person in any case herein mentioned, with intent to destroy or change the record of votes on a voting machine, shall be guilty of a misdemeanor and, upon conviction thereof, shall be imprisoned for not less than three months nor more than three years.

Willful neglect or corrupt conduct on part of poll managers

S.C. Code §7-25-160

A manager at any general, special, or primary election in this State who willfully violates any of the duties devolved by law upon such position is guilty of a felony and, upon conviction, must be fined not less than

one thousand dollars nor more than five thousand dollars and imprisoned not more than five years. A manager who commits fraud or corruption in the management of such election is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

Willful neglect or corrupt conduct by officers other than managers

S.C. Code §7-25-170

An officer, other than a manager at any election, on whom a duty is imposed by this title ... who willfully neglects such duty or engages in corrupt conduct in executing it is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

Illegal conduct at elections generally

S.C. Code §7-25-190

A person who votes at any general, special, or primary election who is not entitled to vote, or who by force, intimidation, deception, fraud, bribery, or undue influence obtains, procures, or controls the vote of any voter to be cast for any candidate or measure other than as intended or desired by such voter, or who violates any of the provisions of this title in regard to general, special, or primary elections is guilty of a felony. Upon conviction, the person must be fined not less than one hundred nor more than one thousand dollars or imprisoned not more than five years, or both.

Swearing falsely at elections or taking oath in another's name

S.C. Code §7-25-150

Any voter who shall swear falsely at any election, general, special or primary, in taking the prescribed oath or shall impersonate another person and take the oath in his name in order to vote shall be guilty of perjury and be punished, upon conviction, as for perjury.



Committee for

**SAFE AND SECURE
ELECTIONS**

