

**every
vote
matters.**
every vote counts.

South Carolina Elections

ACCURATE. SECURE. ACCESSIBLE. CREDIBLE.

SOUTH CAROLINA
ELECTION COMMISSION

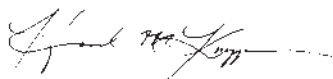
SOUTH CAROLINA ELECTION COMMISSION

Since its creation as a British colony to the civil rights movement and beyond, South Carolina has had a long history of political involvement. As South Carolinians, we care about our state, our communities, our neighbors, and our children's future in this great state. Questioning the way our government works is not just patriotic, it's our way of life. Our elections are no different. Voters deserve to know how our elections work, how they are kept secure, and why they should trust the integrity of election results.

Any successful election system strikes the right balance between security and accessibility while also ensuring the public's trust in that system. Keeping this balance is not easy, but as the state's election officials, it's our job to ensure our elections are accurate, secure, accessible, and credible.

Elections play a vital role in a free and fair society and are the cornerstone of our republic. We recognize the important link between the trust in our election process and the confidence South Carolinians place in all government functions. We want to provide transparency and accessibility to ensure every South Carolinian can understand and trust the election process, and we hope this first-of-its kind document helps in that effort.

Howard M. Knapp, J.D.
Executive Director



S.C. STATE ELECTION COMMISSION (SEC) MISSION

To ensure every eligible citizen has the opportunity to register to vote, participate in fair and impartial elections, and have the assurance that their vote will count.

Nothing is more important to this mission – and to the foundation of our democratic form of government – than ensuring the security and integrity of elections in South Carolina.



The Foundation of
Election Integrity is
Built on Four Main Pillars:

ACCURACY, SECURITY, ACCESSIBILITY, AND CREDIBILITY.

ACCURACY

The system must be able to get it right – voter registration lists, ballots, and the tabulation process must be accurate.

SECURITY

The system must have the necessary protections and resiliency to withstand any effort to undermine the democratic process.

ACCESSIBILITY

The system must be free of unnecessary barriers and provide every eligible citizen with a reasonable opportunity to vote.

CREDIBILITY

The public must have trust and confidence in the accuracy, security, and accessibility of the process.

Election Infrastructure Security & Integrity

Election infrastructure includes not only the voter registration and voting systems but all resources, cyber and physical, necessary for registering voters and conducting elections. The SEC's top priority is to take all reasonable measures to improve and protect the security and resilience of our state's election infrastructure.

The SEC has developed an unprecedented security partnership of state, federal and private cybersecurity professionals as well as state and federal law enforcement and intelligence agencies.

CYBER AND PHYSICAL SECURITY PARTNERS



These partnerships provide a multitude of resources and services including:

- Network scanning and monitoring
- Remediation
- Response support
- Advice on strengthening our security posture
- Cyber and physical risk and vulnerability assessments
- Information sharing
- Security training

These actions are designed to ensure a strong and resilient election infrastructure that will continue to serve citizens in the face of any adversity. We remain vigilant as the election environment changes and continue working to establish new layers of security to further build the resilience of our state's election infrastructure.

Accurately Maintaining South Carolina's List of Registered Voters

VOTER REGISTRATION IS PERMANENT

When a person registers to vote, the person remains registered until disqualified for one of the following reasons:

- Moving outside their county
- Being convicted of disqualifying crime
- Being ruled mentally incompetent by a court
- Requesting their name be removed from the list
- Death

The removal of voters from the voter registration list is regulated by state and federal law. The SEC works in compliance with those laws to remove disqualified voters from the voter registration list at various times based on various sources of information. Removal means the voter's status is changed from "Active" to "Inactive." Inactive records are eventually "Archived." All voter records remain in the statewide voter registration system database permanently.

REMOVING VOTERS WHO HAVE DIED

- On a monthly basis, the South Carolina Department of Health and Environmental Control (DHEC) provides the SEC an electronic file of people who have died in South Carolina. The SEC compares the data to the statewide voter registration list and makes voters inactive.
- On a monthly basis, the SEC receives Social Security Administration death data through the Electronic Registration Information Center (ERIC). The SEC compares the data to the statewide voter registration list and makes voters inactive.
- The SEC also receives information directly from immediate family members of those who have died, and the SEC makes those voters inactive.

While these processes remove most voters who die, the system is not perfect. Some voters who die are not always included in the data, and sometimes, the provided data cannot be matched definitively to a voter in the system. Furthermore, these processes can take weeks or months to complete. This means there will always be some number of deceased voters who remain active in the system at any given time. It is important to understand that the fact some deceased voters remain on the voter registration list does NOT equate to voter fraud.

REMOVING VOTERS WHO HAVE MOVED

- Approximately every two years, confirmation cards requesting voters to confirm their registration status are mailed to voters who have not voted in the last two general election cycles.
 - › Voters who return the card indicating they have moved, voters whose cards are returned undeliverable by the U.S. Postal Service, and voters who do not respond are made inactive.
- When any mail from election officials (e.g., polling place change notice) is returned undeliverable by the U.S. Postal Service, the voter is made inactive.
- The SEC receives information through ERIC identifying South Carolina voters who have registered in another state. The SEC then sends the voter a postcard to confirm their status.
 - › This includes information from 30 participating states and the District of Columbia.
 - › Voters who return the card indicating they have moved, voters whose cards are returned undeliverable by the U.S. Postal Service, and voters who do not respond are made inactive.
- On a monthly basis, the Department of Motor Vehicles (DMV) notifies the SEC of South Carolinians who have surrendered their S.C. Driver's License in another state, and the voters are made inactive.
- On a regular basis, state and local jurisdictions throughout the country notify the SEC if a voter indicates on their voter registration application that they were previously registered in South Carolina, and the voter is made inactive.
- Voters are also made inactive based on information received from the courts including undeliverable jury summonses, returned jury summonses indicating the voter has moved, and court orders regarding a person's registration or residency.

REMOVING VOTERS CONVICTED OF DISQUALIFYING OFFENSES

When a person is convicted of a felony or certain offenses against the election laws, the person loses the right to register and vote. The SEC is responsible for removing voters convicted of disqualifying crimes from the statewide voter registration list. On a monthly basis, the SEC receives information from the state and federal courts about people convicted of such crimes and makes any voters convicted inactive. Once a person completes their sentence, they regain their voting rights and can register to vote again.



PROTECTING VOTER'S ACCESS

Maintaining the integrity of South Carolina's voter registration list is not only about removing disqualified voters but also about protecting qualified voters from erroneous removal and ensuring qualified voters are not prevented from voting. The following safeguards are in place to ensure qualified voters are not disenfranchised:

- Notices are sent to voters when they are made inactive giving voters a chance to let us know if the removal was in error.
- While voters whose mail was returned undeliverable are made inactive, their names continue to be printed on voter registration lists through the next general election. And, voters who failed to respond to a confirmation mailing continue to be printed on voter registration lists through the next two general election cycles.
 - › In these cases, we only know the voter moved, not where they moved. If the voter moved within the county, they are still qualified to vote.
 - › All voters are asked to confirm their address before voting.
- Voters who have moved within their county but failed to update their address can update their address, even on election day, and vote.
- A voter's name not being on the voter registration list at the polling place does not necessarily mean the person cannot vote. Whether any individual person is qualified to vote in any election is determined by the facts of their circumstance not by whether their name is on the list. Procedures are in place at polling places for poll managers and county election officials to determine whether a voter whose name is not on the list should be allowed to vote or not.
- If there is ever any question about a voter's qualifications to vote, the voter can always cast a provisional ballot. This allows county election officials time to research the facts specific to the voter so the county board of voter registration and elections can decide whether to count the ballot.



VOTER RESPONSIBILITY

While these protections are vital to ensuring every South Carolinian's right to vote, some of them can be confusing and cause delays on election day. Each individual voter can do their part to ensure their opportunity to vote by taking responsibility for their own voter registration. You should check your registration at **scVOTES.gov** on a regular basis, and if you move or change your name, you should update your registration immediately and at least 30 days prior to any upcoming elections.



Protecting Our Voting System

South Carolina has a statewide, paper-based voting system featuring ballot-marking devices (BMDs) and scanners for in-person voting and hand-marked paper ballots for absentee by mail. Using BMDs helps make voting more accessible while also creating a paper record of every ballot cast. Having a paper record means that even if our security was thwarted and a ballot scanner was somehow tampered with, there is still a voter-verified paper record of every single vote and how it was cast. Scanners count the votes on the paper ballots and record an image of every ballot. Ballots scanned at polling places are automatically fed into a locked and sealed ballot box below the scanner.

SYSTEM FEATURES

- Prevents overvotes (voters can't select more candidates than allowed).
- Warns voters if an office is missed or if they voted for fewer candidates than allowed.
- Prevents hand-marking errors that can cause votes not to count.
- Makes voting accessible for all voters. Every voter can vote independently using the same equipment. Every BMD features an audio ballot and headphones, a braille-embossed controller, and an input for other assistive switches.
- Requires voters to review their ballot multiple times before it is cast:
 - While making selections for each office or question
 - On the review screen before printing the ballot card
 - On the ballot card before inserting it in the scanner



ACCESS CONTROL

- The SEC works with the Department of Homeland Security to regularly assess the security of each location in all 46 counties to identify potential vulnerabilities and improve security.
- County election offices keep detailed logs of where voting equipment is stored along with information about who, when and where someone may have accessed a storage facility.
- The voting system is never connected to the internet. Computers used to tabulate votes, BMDs, and ballot scanners used in South Carolina are not even capable of being connected to the internet.

BEFORE EVERY ELECTION

- Logic and accuracy tests are publicly performed to demonstrate the voting system is counting ballots accurately. Counties notify the public of dates and times for testing. Tests use pre-marked ballots so everyone knows the expected outcome and can ensure it matches the scanner results. This is done on every ballot scanner being used in the election.
- Voting equipment is protected through policies and procedures using a system of locks, security seals, and chain-of-custody logs. For example, tamperproof seals on the equipment must be verified before polls are opened and must remain locked and sealed throughout election day.
- No single person performs these procedures. The public can observe as equipment is prepared for the election.
- BMDs and scanners are locked and sealed before being transported to polling places, and seals are verified by poll managers before the polls are opened.



Election Day Transparency

From opening the polls in the morning to reporting results at night, the election process is open for public observation.



The public and media can observe the election process at polling places from opening the polls to closing the polls and vote tabulation.



The public and media can observe the return of ballots and equipment and tabulation of votes on election night.



Candidates and political parties can appoint poll watchers to observe at polling places.



The public and media can observe the opening of absentee ballot envelopes and the tabulation of absentee ballots.



Poll Managers

Poll managers are regular people – your family, friends and neighbors – who are willing to step up for their community and play a vital role in conducting secure elections.

- Required to take oaths swearing to defend the S.C. and U.S. Constitutions and to prevent unlawful voting.
- Must be a registered South Carolina voter.
- Must be trained on election procedures, rules, security, and best practices before every election.
- Poll Clerks (the lead poll manager for the polling place) are required to go through additional training.
- Poll managers work in groups. Even the smallest polling places have at least three managers. And managers are required to perform key processes, like closing the scanner, in groups of at least three.
- The SEC regularly updates the rules and procedures in the Poll Manager's Handbook and makes it available to the public through [scVOTES.gov](https://www.scvotes.gov).

Voter Verification

01. PHOTO IDENTIFICATION

When voting in person voters are asked to present one of the following valid Photo IDs:

- **SC Driver's License**
 - Includes standard license and REAL ID
- **SC Department of Motor Vehicles ID Card**
 - Includes standard ID card and REAL ID
 - Includes SC Concealed Weapons Permit
- **SC Voter Registration Card with Photo**
- **Federal Military ID**
 - Includes all Department of Defense Photo IDs and Veterans Affairs Benefits Card
- **US Passport**
 - Includes US Passport ID Card

Voters can get a free Photo ID from their county elections office or the DMV.

If a voter doesn't have an acceptable Photo ID, they may sign an affidavit stating they have a reasonable impediment to obtaining Photo ID and vote a provisional ballot that will count unless the affidavit is proved to be false.

If a voter forgets to bring their Photo ID, they can vote a provisional ballot and have their vote count by showing their Photo ID to the county elections office prior to certification of the election.



**POLL
MANAGERS
HANDBOOK**

SOUTH CAROLINA
ELECTION COMMISSION

every vote matters.
every vote counts.

scVOTES.gov

02. REGISTRATION LISTS

Poll managers use voter registration lists at polling places to help verify a voter's eligibility to vote and record which voters were issued a ballot. Every polling place uses electronic poll books (EPBs) as the primary voter registration list and have a paper voter registration list as a backup.

03. ELECTRONIC POLL BOOKS (EPB)

A secure internet connection allows poll managers to process voters more efficiently, which reduces wait times. EPBs offer several key security and integrity features:

- + A cellular internet connection allows the EPBs to synchronize with each other in real time so that when a voter is checked in at one station, all poll books used at the polling place are updated. **EPBs are NOT part of, or connected to, the voting system. The voting system is NOT connected to the internet.**
- + Absentee voters are automatically updated on election morning, instead of relying on poll managers to manually update lists, preventing an absentee voter from casting another ballot on election day. Without EPBs, election officials rely on poll managers to manually update absentee voters on the paper lists before the polls open.
- + EPBs ensure voters receive the correct ballot style. Because precincts can be split by district lines, not every voter in a polling place is qualified to vote the same ballot. It is critical to the integrity of the election that voters receive the correct ballot style and are not voting for any office for which they are not qualified. Voter registration lists tell poll managers which ballot a voter should receive. Using an attached printer, EPBs print the voter's ballot style on the voter's ballot eliminating the possibility of errors that exist when poll managers manually select ballot styles.
- + EPBs allow election officials to monitor turnout, help poll managers assist voters when there are questions about their eligibility, and more quickly create publicly available participation lists following the election.

Absentee Voting

Absentee voting provides certain voters with the option of voting before election day. Voters must sign an application under penalty of law swearing they meet one of 18 reasons for voting absentee. All absentee ballots are subject to challenge by any other voter.

IN-PERSON ABSENTEE

- Qualified voters vote in person at the voter registration office or a satellite office as early as 30 days prior to an election.
- Historically, nearly 70% of absentee ballots have been cast in person.
- The same Photo ID rules for voting on election day apply to voting absentee in person.
- In-person absentee voting ends at 5:00 p.m. on the day before the election.

BY-MAIL ABSENTEE

- Voting absentee by mail is a multi-step, multi-check process.
- Unlike other states, South Carolina does **NOT** have “vote-by-mail.”
 - › In vote-by-mail states, every registered voter is automatically mailed an absentee ballot.
 - › In South Carolina, the voter must initiate the process by first requesting an application.
 - › The voter must complete and return the application before the voter is mailed a ballot.
- The SEC records every transaction:
 - › Date application requested.
 - › Date application issued.
 - › Date application returned.
 - › Date ballot issued.
 - › Date ballot returned.
- Voters must sign the voter’s oath on the ballot return envelope in front of a witness and have the witness sign the envelope and provide their address.
If the return envelope is not properly signed and witnessed, the absentee ballot does not count.
- Absentee-by-mail ballots must be returned by 7:00 p.m. on election day, except those from military

and overseas voters, which are accepted until 5:00 p.m. on the day before certification of the election.

If a ballot is returned late, it does not count.

- The envelopes are opened publicly by county election officials at a predetermined time and location.
- Once the envelopes are opened, county election officials begin publicly scanning the ballots.
- No results can be produced or reported until 7:00 p.m. on election day.

Voter Ballot Application
I am a South Carolina citizen and a qualified and registered voter for an official ballot, to be voted by me at the election(s) on _____.

Voter's Registration Information:

Last Name _____ First Name _____

Street Address _____

City _____

Email Address _____ Zip _____

Select election(s)

Closing the Polls

Once the polls close at 7:00 p.m. and after the last voter has voted, the same trained staff who opened each polling place publicly carry out the closing procedure.

- Any emergency ballots are removed from the emergency ballot bin and placed in the scanner.
- The ballot scanner is closed, and two copies of the results tape are printed. Three managers sign each copy of the results tape. One copy is posted publicly at the polling place, and the other copy is returned to the county election office.
- Any provisional ballots are removed from the provisional ballot bin and are locked and sealed in a ballot box or container.
- The ballot box containing the scanned ballot cards is removed, locked and sealed.
- The flash drive containing the results and scanned images of the ballot cards is removed and placed in a locked and sealed ballot box or container.
- The managers return the ballots, flash drive, results tape and other documents and materials to the county election office on election night.

BALLOT RECONCILIATION

- Ballot reconciliation helps ensure the principle of one person, one vote is upheld and that every voter's vote is being counted.
- As part of the polling place closing procedure, poll managers compare the number of voters checked in, the number of ballots used, the number of blank ballots remaining, and the number of ballots cast to ensure the numbers match.
- In the absentee precinct, ballot reconciliation occurs daily and again at the end of the process.

TABULATION AND RESULTS REPORTING

- No results can be produced or reported before 7:00 p.m. on election night.
- The results from the absentee precinct are usually the first to be reported since they are on site and are being processed throughout election day.
- The proprietary, encrypted flash drives are read into the election management computer as they arrive.
- The election management computer operates in a locked down, closed and hardened system environment that is not exposed to the internet.
- The system will only recognize drives specifically prepared for the election.
- Results from flash drives are compared against paper tapes.
- County election offices report results locally.
- Results are taken from the election management computer through a secure process to a separate locked down and hardened system for uploading to the SEC's online Election Night Results Reporting System (ENR).
- ENR is not part of the voting system. Even if ENR was hacked, the results of the election cannot be changed. Results recorded and reported at the precinct and county levels, as well as the paper ballots, would be unaffected.
- Results are unofficial prior to final certification.

We Don't Stop After Election Night

HAND-COUNT AUDITS

The SEC requires hand-count audits to be conducted in all counties before certification of any federal or state-level election. Voters verify their votes on their paper ballot before casting it. The hand-count audit is designed to ensure the votes recorded by the scanners match what was verified by the voters.

In a hand-count audit:

- Precincts and offices are selected for the audit
 - › The SEC selects the precincts and offices for each county in federal and state-level elections.
 - › Local election officials select the precincts and offices for local elections.
- Election officials publicly open the ballot box for the selected precinct(s) and hand count the votes for the selected office on the voter-verified paper ballots.

Hundreds of hand-count audits conducted since the implementation of the paper-based voting system in 2019 confirm our voting system counts votes accurately. Out of the thousands of ballots that have been counted during these audits, there has never been a single discrepancy between the scanner and hand counts.

PROVISIONAL VOTING

When there are any doubts about a voter's qualifications, the voter votes a provisional ballot, and the ballot is placed in a provisional ballot envelope. Provisional ballots are not counted on election night. The county board of voter registration and elections decides whether these ballots count at the provisional ballot hearing, which is held either two or three days after the election, depending on the type of election. The boards make their decision based on the requirements of state and federal law and the facts of each situation. After the provisional ballot hearing, the envelopes containing any ballots that are determined to count are opened and counted. The votes are then added to the vote totals. The envelopes containing ballots determined not to count are never opened and are stored with the records of the election.

CERTIFICATION

After the provisional ballot hearing and once all audits are complete, the county boards of voter registration and elections certify the results of the election. Certification means the board is satisfied that all votes have been counted accurately and completely. Once certified, the results are official.

PROTESTS



If any candidate believes an irregularity or illegality in the conduct of the election has caused the results of the election to be doubtful, the candidate can file a protest. In a protest, the burden is on the protesting candidate to prove the irregularity or illegality had an impact on the outcome of the election. County boards hear local protests, which can be appealed to the SEC and further to the S.C. Supreme Court. The SEC hears federal and state-level protests, which can be appealed to the S.C. Supreme Court, or the State Senate or State House of Representatives in the case of their members. Generally, the result of a protest is either the election results stand or the election results are overturned and a new election is held.




Continued Success

The challenges to securing and protecting our election system never end, and we relentlessly continue to add layers of protection. In fact, it would be unconscionable to rest on those successes. The SEC continues looking for additional safeguards to enhance election and voting security, integrity, and accessibility.

The SEC is working to establish an independent, third-party results verification program:

-  A third-party vendor, not affiliated with the voting system manufacturer, uses images of all the ballots cast in an election to perform a separate count of every ballot cast to verify the results produced by the voting system.
-  This count, in addition to the limited, hand-count audits, would be conducted prior to certification of the election.

In addition, the SEC is working to establish some level of risk-limiting audits (RLAs):

-  An RLA uses a statistically significant, random sample of voted ballots and manually examines the ballots to determine if the votes were counted correctly.

We believe these additional programs will provide voters and election officials even greater confidence in the integrity of our future elections.

The Risk is Not Worth the Punishment

The penalties for offenses against SC voting and election laws can range up to **\$10,000 in fines** and up to **10 years in prison**.

In addition to the SEC's security policies and partnerships, state and federal laws protect the election process by making fraud and other violations of election law a crime. Some examples of election crimes include:

- **Vote Buying**
A person seeks to buy the vote of a voter.
- **Voter Intimidation**
Intimidating, threatening, or coercing someone to vote or not vote for a particular candidate or intimidating, threatening, or coercing someone to vote or not vote at all.
- **Voter Impersonation**
A person not eligible to vote in an election who does so by voting under the name of an eligible voter, or a person eligible to vote in an election votes more than once by voting under the name of another eligible voter.

ELECTION CRIMES AND PENALTIES

- **False swearing in applying for registration.** Misdemeanor – Fine in discretion of court and/or up to three years prison.
- **Fraudulent registration or voting.** Misdemeanor – \$100-\$500 fine and/or up to one year prison.
- **Bribery at elections.** Felony – Up to \$5,000 fine and/or up to ten years prison.
- **Procuring or offering to procure votes by bribery.** Felony – Fine in discretion of court and up to ten years prison.
- **Procuring or offering to procure votes by threats.** Misdemeanor – \$100-\$500 fine and/or up to three years prison.
- **Threatening, intimidating, or abusing voters.** Felony – Fine in discretion of court and/or up to ten years prison.
- **Allowing ballot to be seen, removing ballot from voting place, improper assistance, and related offenses.** Misdemeanor – Up to \$100 fine and/or up to one year prison.
- **Voting more than once at elections.** Misdemeanor – Fine in discretion of court or up to three years prison.
- **Impersonating a voter.** Misdemeanor – \$300-\$1,200 fine and/or up to three years prison.
- **Swearing falsely at elections or taking oath in another’s name.** Misdemeanor – Fine in discretion of court and/or up to six months prison.
- **Willful neglect or corrupt conduct on part of poll managers.** Misdemeanor – Up to \$500 fine and/or up to three years prison.
- **Willful neglect or corrupt conduct by officers other than managers.** Misdemeanor – Up to \$500 fine and/or up to three years prison.
- **Illegal conduct at elections generally.** Felony – \$100-\$1,000 fine and/or up to five years prison.
- **Unlawful inducement to file for or withdraw from candidacy for election.** Up to \$10,000 fine or up to one year prison.
- **Vandalizing or removing political campaign sign.** Misdemeanor – Up to \$100 fine and/or 30 days prison.

Protecting Our Democratic Process

The American electoral system is being questioned and challenged unlike ever before. That's why, as always, from both within the SEC and outside the SEC (including the 46 county election offices), it's so vital to maintain and enhance the safety and integrity of the Palmetto State's voting system – as well as the public's trust and confidence that the system works.

It is important to remember that with any system, the concepts of security and accessibility generally contradict each other. The more secure a system is, the less accessible it is, and vice versa. While a system lacking good security would certainly undermine election integrity, so would a system that presents barriers to full citizen participation. A good election system strikes the right balance between security and accessibility. The SEC will continue to be vigilant in following our state's election laws and rely on the prerogative of the legislature to strike that delicate balance.

It's also important to recognize the dedication of our poll workers. These everyday citizens are the vanguards of democracy, and we as a state owe them a debt of gratitude. At nearly 20,000 strong, they serve their communities, their state and their country by volunteering their time to train and work on election days to preserve your opportunity to participate in this most fundamental of democratic processes.

The South Carolina Election Commission has a proud and successful history of running elections. The fortified security of checks, balances and redundancies ensure security, accuracy and accessibility in which every citizen and voter in South Carolina can have faith and trust. Considering these significant measures, we hope every South Carolina voter can cast their ballot knowing their vote matters and their vote counts.

For more information and to learn more about how the South Carolina Election Commission is protecting your vote, visit **scVOTES.gov**.



STATE ELECTION COMMISSION MEMBERS

John Wells, Chairman
JoAnne Day
Clifford J. Edler
Linda McCall
Scott Moseley

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EXECUTIVE DIRECTOR

Howard M. Knapp

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SOUTH CAROLINA STATE ELECTION COMMISSION

1122 Lady Street, Suite 500
Columbia, SC 29201
Phone: 803-734-9060
scVOTES.gov

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