

**STATE ELECTION COMMISSION  
MEETING MINUTES  
February 16, 2022  
10:00 a.m.**

1122 Lady Street, 5th Floor  
Columbia, SC 29201

Present: Mr. John Wells, Chairman; Mr. Scott Moseley; Ms. JoAnn Day (via teleconference); Ms. Linda McCall (via teleconference); and Mr. Cliff Edler (via teleconference)

Others Present: Howard Knapp, Executive Director; Thomas W. Nicholson, General Counsel; Chris Whitmire, Director of Public Information and Training; Barbara Pittelli, Administrative Coordinator; Travis Alexander, Agency Area Representative and one member of the public

**COMMISSIONERS**

JOHN WELLS  
Chairman

JOANNE DAY

CLIFFORD J. EDLER

LINDA MCCALL

SCOTT MOSELEY

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HOWARD M. KNAPP  
Executive Director

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Chairman Wells called the meeting to order. Mr. Knapp advised all notices of the meeting had been posted as required by the Freedom of Information Act.

**New Business**

The first item under new business was the review and testing of EVS 6.2.0.0 voting system. Mr. Knapp advised this is the newest version of software for our statewide voting system which will enable ballots to be encrypted when scanned. He stated EVS 6.2.0.0 has already received mandated third-party lab verification and certification from the U.S. Election Assistance Commission and that the State Election Commission (SEC) would begin testing and security assessments this month.

Legislative update was the next item under new business. Mr. Knapp informed the Commissioners of the following two bills:

**H.4919**

- Abolishes the current in-person absentee process and establishes an early voting period two weeks prior to an election, Monday- Saturday, 8:30a.m. to 6:00p.m. The number of early voting centers will be determined either by square miles or the number of registered voters, whichever is greater.
- Attempts to do away with fusion candidates.
- Removes vacation and employment as reasons for voting absentee but adds out of jurisdiction during the early voting period and election day.
- Absentee ballot application must include a South Carolina Driver's License number or the last four digits of the voter's Social Security number.

1122 Lady Street  
Suite 500  
Columbia, SC 29201

P.O. Box 5987  
Columbia, SC 29250

803.734.9060  
Fax: 803.734.9366  
www.sevotes.gov

## **H.3444**

- Counties will have to follow the SEC's standardized election processes. Codifies the agency's election audit process.
- Mandates all party candidates to pay a filing fee, regardless if the party is a primary or convention party.
- Mandates the Executive Director of the SEC report all suspected election law violations to the S.C. Attorney General and law enforcement.
- Clarifies the definition of a person's "domicile."
- Removes the authority and responsibilities of Municipal Election Commissions of holding their own elections and gives that authority and responsibility to the county boards of voter registration and elections.
- Mandates the state political parties hear primary protests.

The next item under new business was the candidate filing period. Mr. Knapp advised that, barring a court or legislative change, the filing period will still open March 16<sup>th</sup> at noon and close March 30<sup>th</sup> at noon.

Special Elections update was the last item under new business. Mr. Knapp stated all dates for the Senate District 31, State House District 97, and State House District 18 special elections are posted on the agency website.

## **Old Business**

Statement of Economic Interests was the first item under old business. Mr. Knapp advised the reports are due by noon on March 30, 2022.

The second item under old business was the voter list maintenance confirmation card mailing update. Mr. Knapp stated 272,500 cards were mailed, and 13,688 were returned and processed. As the 90-day return period ended on February 10, 2022, the status of the remaining 258,902 voters will be amended to Inactive Failed to Respond.

Redistricting/Reapportionment was the next item under old business. Mr. Knapp advised the SEC that the counties began the redistricting process, moving voters at the local level first (if those changes were already approved by county councils), followed by the Congressional, House and then Senate districts.

The next item under old business was the House and Senate Legislative Oversight Committee(s) (HLOC) and (SLOC) reviews. Mr. Knapp stated there was nothing new to report.

The FY2022/23 budget was the next item under old business. Mr. Knapp advised the SEC budget was presented to the House Way and Means Constitutional Subcommittee on February 1, 2022; and that the Senate Finance Subcommittee hearing is scheduled for March 10, 2022.

The next item under old business was the election infrastructure security update. Mr. Knapp stated Easy Vote, an election services vendor used by six SC counties, suffered a data breach which has since been secured. Mr. Knapp emphasized the breach had nothing to do with our statewide voting

system, statewide voter registration system, or the statewide e-pollbook system. Mr. Knapp advised that Easy Vote is working closely with the U.S. Department of Homeland Security, the FBI, the E-ISAC, and the S.C. State Law Enforcement Division to investigate the breach and remediate any existing and future vulnerabilities.

The last item under old business was the legal updates of; S.C. NAACP, et al v. Governor Henry McMaster, et al; Scharr, et al v. Whitmire, et al, and Osborne, et al v. S.C. State Election Commission, et al. Chairman Wells asked for a motion to go into executive session to receive and discuss legal advice. Mr. Moseley made said motion, seconded by Ms. Day. The motion passed by unanimous vote and the board went into executive session. No votes were taken during executive session.

Upon returning to open session, Chairman Wells reminded the Commission members the next SEC meeting would be held on March 16, 2022.

With no further business to discuss, Mr. Moseley made a motion to adjourn, seconded by Ms. Day. The motion was passed unanimously.

Respectfully submitted,

Barbara Pittelli