

1974 WL 28075 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 22, 1974

*1 Mr. Ferdinand Q. Epps
1303 Fulton Avenue
Kingstree, South Carolina 29556

Dear Mr. Epps:

Thank you for your letter of October 15, 1974, in which you requested information concerning the election laws.

Specifically you have inquired whether or not the requirements, as set out in the South Carolina Code of Laws, 1962, as amended, Section 23-400.51:1 for determining the right to vote where a prospective voter's name does not appear on the registration books have the force of law. This section was repealed in 1974. However, a new provision, Section 23-400.60 provides the procedure to be followed when a person's name is not on the precinct list. I am enclosing in this letter a copy of this law. The requirements set forth in this section do have the force of law.

Additionally, you have inquired about the procedures to be followed when a voter receives assistance. Sections 23-400.54, 23-400.56, and 23-400.57 deal with assistance to voters. Only those persons who are unable to read or write or who are physically unable or incapacitated from preparing a ballot may receive assistance. In such a case, the chairman of the managers shall appoint one of the managers and a bystander to accompany the voter into the voting booth and assist him in the preparation of his ballot. In lieu of this assistance, the voter may choose his spouse to assist him in voting. The ballot should be marked in exact accordance with the instructions given by the voter; and after the ballot has been prepared, the bystander should immediately leave the vicinity of the guard rail.

Sincerely,

Treva G. Ashworth

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