

Executive Order No. 2017-12

WHEREAS, on June 27, 2017, the Spartanburg County Board of Voter Registration and Elections (“County Board of Elections”) held a special referendum election (“Referendum”) for the Pelham–Batesville Fire District (“Fire District”) within those areas of Spartanburg County that comprise a portion of the Fire District; and

WHEREAS, on July 10, 2017, the Spartanburg County Board of Canvassers (“County Board of Canvassers”) conducted a hearing to consider and decide a protest filed by the Fire District challenging votes cast in connection with the Referendum due to voting irregularities; and

WHEREAS, on July 11, 2017, the Chairman of the County Board of Canvassers advised the undersigned of its finding that the Fire District presented evidence of voting irregularities and discrepancies that rendered doubtful the result of the Referendum and its resultant decision to uphold the protest and declare that the result of the Referendum is void; and

WHEREAS, the time period prescribed by section 7-17-60 of the South Carolina Code of Laws, as amended, for appealing the decision of the County Board of Canvassers has expired, and the County Board of Elections has requested that the undersigned order a new special referendum election be held on September 19, 2017; and

WHEREAS, section 7-13-1170 of the South Carolina Code of Laws, as amended, provides: “[w]hen any election official of any political subdivision of this State charged with ordering, providing for, or holding an election has neglected, failed, or refused to order, provide for, or hold the election at the time appointed, or if for any reason the election is declared void by competent authority, and these facts are made to appear to the satisfaction of the Governor, he shall, should the law not otherwise provide for this contingency, order an election or a new election to be held at the time and place, and upon the notice being given which to him appears adequate to insure the will of the electorate being fairly expressed. To that end, he may designate the existing election official or other person as he may appoint to perform the necessary official duties pertaining to the election and to declare the result.”

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby Order that a new special referendum election be held on September 19, 2017, and designate and appoint the County Board of Elections to perform the necessary official duties pertaining to the new special referendum election, in accordance with the applicable constitutional and statutory provisions/requirements, and to declare the result thereof. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF SOUTH
CAROLINA, THIS 19th DAY OF JULY,
2017.**

**HENRY MCMASTER
Governor**