



State of South Carolina Office of the Governor

NIKKI R. HALEY
GOVERNOR

1205 PENDLETON STREET
COLUMBIA 29201

May 11, 2011

The Honorable Darrell Jackson
612 Gressette Building
Columbia, South Carolina 29201

Dear Senator Jackson,

I am writing to let you know that, today, I signed into law S.692, R-37, a bill which you and other members of the Richland County Delegation sponsored to merge the Richland County Election Commission and Voter Registration Board.

In signing this bill, I want to make clear that while S.692 affects only Richland County, I do not believe it violates the Home Rule or Special Laws provisions of the South Carolina Constitution – Article VIII, Section 7 and Article III, Section 34(IX) and (X), respectively – because the bill relates to the traditional state function of conducting elections and registering voters, not a local home rule function, and is codified into general law in the state's Code of Laws. Therefore, I do not believe this bill is clearly unconstitutional.

In 2008, the General Assembly recognized that local acts relating to election laws may be considered unconstitutional special legislation and, accordingly, enacted Act 312 of 2008 which codified these local acts in Article 2, Chapter 27 of Title 7. Act 312 intended to both codify special election acts into general permanent statutes to satisfy Article III, Section 34(X) and to make clear that the conduct of elections and registering voters is a state function to satisfy Article VIII, Section 7.

For the reasons stated above, I have signed S.692, R-37 into law today.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nikki R. Haley".

Nikki R. Haley

cc: Members of the Richland County Delegation