



HENRY DARGAN McMASTER
GOVERNOR

May 18, 2026

The Honorable Thomas C. Alexander
President of the South Carolina Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-127, S. 238, which seeks to amend section 2-1-180 of the South Carolina Code of Laws regarding the General Assembly's *sine die* adjournment.

This legislation violates the Constitution. Under the Constitution, the General Assembly must "convene at the State Capitol Building in the City of Columbia on the second Tuesday of January of each year." S.C. Const. art. III, § 9. Once the General Assembly adjourns *sine die* each year, the Governor "may" "convene the General Assembly in extra session" for "extraordinary occasions." *Id.* art. IV, § 19. What constitutes an "extraordinary occasion" "must be left to the discretion of the Governor," and the Supreme Court has declared that it "may not review that decision." *McConnell v. Haley*, 393 S.C. 136, 138, 711 S.E.2d 886, 887 (2011).

Section 2-1-180 requires the General Assembly to "adjourn *sine die* each year not later than five o'clock p.m. on the second Thursday in May." S.C. Code Ann. § 2-1-180. That statute establishes three circumstances when the date of the *sine die* adjournment may be *extended*. *Id.* § 2-1-180(a)-(c). S. 238 does not add a fourth circumstance for an *extension* of the *sine die* adjournment date. Instead, S. 238 would amend section 2-1-180 to allow the President of the Senate and the Speaker of the House of Representatives to "call their respective bodies into session at any time *after the date of sine die adjournment*" until June 30 each year to complete the appropriations bill, Capital Reserve Fund resolution, and conference committee reports. R-127, S. 238, § 1, 126th Gen. Assemb. (S.C. 2026) (emphasis added). The power to convene the General Assembly in an extra session after it adjourns *sine die* belongs exclusively to the Governor. *See* S.C. Const. art. IV, § 19. This power cannot be shared with the legislative branch. *See* S.C. Const. art. I, § 8 ("In the government of this State, the legislative, executive, and judicial powers of the government shall be forever separate and distinct from each other, and no person or persons

The Honorable Thomas C. Alexander

Page 2

May 18, 2026

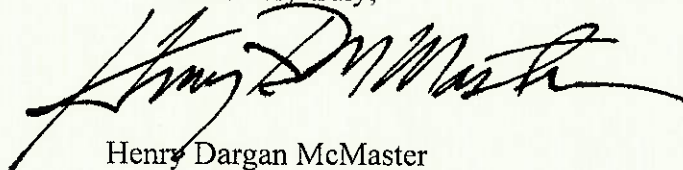
exercising the functions of one of said departments shall assume or discharge the duties of any other.”).

Moreover, S. 238 wrongly grants the General Assembly a preemptive extension every year to complete its work. South Carolinians in myriad jobs have deadlines at work that they must meet, and they work hard to meet those deadlines without knowing ahead of time that they will have an extra month and a half to complete their jobs if they do not finish on time. The People’s representatives should strive to complete their work by the statutory deadline.

Completing the budget by mid-May every year also allows government agencies to plan effectively for the coming fiscal year. When the budget process drags into late June, agencies face uncertainty and are not as prepared to serve the citizens of this State.

For the foregoing reasons, I am respectfully vetoing R-127, S. 238 and returning the same without my signature.

Yours very truly,

A handwritten signature in black ink, appearing to read "Henry D. McMaster", written in a cursive style.

Henry Dargan McMaster