

EXECUTIVE ORDER NO. 2020-33

WHEREAS, on March 13, 2020, the undersigned issued Executive Order No. 2020-08, declaring a State of Emergency based on a determination that the 2019 Novel Coronavirus (“COVID-19”) posed an imminent public health emergency for the State of South Carolina; and

WHEREAS, on March 15, 2020, the undersigned issued Executive Order No. 2020-09, initiating certain emergency measures and taking additional proactive actions in connection with the evolving public health threat posed by COVID-19, to include directing that “any election, to include special, county, and municipal elections, scheduled to be held in this State or conducted by any agency, department, or political subdivision thereof, on or before May 1, 2020, shall be postponed and rescheduled” and instructing the State Election Commission (“SEC”) to “work with county boards of voter registration and elections to ensure that candidate filing period(s) continue as scheduled and that individuals may register to vote without interruption” and to “issue any necessary and appropriate guidance regarding the implementation of this directive”; and

WHEREAS, on April 27, 2020, the undersigned issued Executive Order No. 2020-29, declaring an additional, distinct State of Emergency—based on recent developments, new facts, changing conditions, and the previously unforeseen occurrence of a combination of extraordinary circumstances, such as the continued spread of COVID-19 and the significant economic consequences for individuals and businesses in this State—and implementing additional extraordinary measures to address the same, to include directing the postponement and rescheduling of any election scheduled to be held in this State on or before May 12, 2020; and

WHEREAS, as a collective result of the aforementioned directives set forth in Executive Order Nos. 2020-09 and 2020-29, certain general, special, and referendum elections were postponed, to include those previously scheduled to be held on the following dates: March 19, 2020; March 24, 2020; March 31, 2020; April 7, 2020; April 14, 2020; April 28, 2020; May 5, 2020; and May 12, 2020; and

WHEREAS, on May 6, 2020, the undersigned requested that the SEC confer with the corresponding county boards of voter registration and elections regarding those elections postponed pursuant to the above-referenced Orders and provide the undersigned's office with appropriate guidance and recommendations regarding the rescheduling of the same; and

WHEREAS, the SEC has since consulted with the relevant county boards of registration and elections regarding the rescheduling of elections postponed pursuant to the cited Orders and has recommended that such elections be rescheduled for Tuesday, July 14, 2020; and

WHEREAS, the SEC has provided a tentative list of elections postponed pursuant to Executive Order Nos. 2020-09 and 2020-29, a copy of which is attached hereto, along with the SEC's prior press releases related to the same; and

WHEREAS, section 7-13-1170 of the South Carolina Code of Laws, as amended, provides as follows: "When 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 any election postponed pursuant to the provisions of Executive Order Nos. 2020-09 and 2020-29 shall be held on Tuesday, July 14, 2020, to include those elections identified in the tentative list provided by the SEC, which is attached hereto for ease of reference. Pursuant to section 7-13-1170 of the South Carolina Code of Laws, I designate and appoint the existing elections officials to perform the necessary official duties pertaining to the elections, in accordance with the applicable constitutional and statutory provisions, and to declare the results thereof. I expressly authorize the SEC to issue any necessary and appropriate additional or supplemental guidance regarding the interpretation, application, or implementation of this Order or to otherwise provide clarification regarding the same, through appropriate means, without the need for further Orders. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 8th DAY OF
MAY, 2020.**

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May 8, 2020

HENRY MCMASTER

Governor

ATTEST:

MARK HAMMOND

Secretary of State