
Understanding a Change in Methods of Election in

SOUTH CAROLINA

The method of election in Southern states, like South Carolina, may directly impact a community's ability to elect their preferred candidate of choice. Methods of election describe the type of districts that voters use to elect members of a governing body, like at-large, residency, or single-member districts. Historically, methods of election, in particular at-large elections, were used as a tool to undermine or suppress Black political power. Before advocating changing the method of election, it is important to examine the voting patterns and the geographical landscape in your municipality.¹

In South Carolina, changing the methods of election for (1) City Government, (2) County Government, or (3) Local Board of Education have different processes and may vary depending on your municipality. Below is information about how to change the method of election.

City Government

The City Council decides how voters will elect its members, which is found in the ordinance code.² There are five methods of election: (1) at-large, (2) single-member districts, (3) hybrid at-large and single-member district system, (4) residential wards with at-large elections, or (5) hybrid residential ward and at-large election system.³ The Mayor of the municipality is usually elected at-large.

There are two options to change the method of election. A petition executed by 15% of eligible voters with signatures no older than six months is one option.⁴ The council will call a referendum after the voter petition is certified and delivered to the election commission. Another option is a majority of council members can call a referendum.⁵ The referendum election must occur between 30 to 90 days after either of

¹ For more information about the differences between at-large and single-member districts visit: <https://www.naacpldf.org/wp-content/uploads/At-Large-Voting-Frequently-Asked-Questions-1.pdf>.

² S.C. Code Ann. § 5-15-20.

³ *Id.*

⁴ S.C. Code Ann. § 5-15-30.

⁵ *Id.*

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these events.⁶ A majority of votes are required to change the method of election.⁷

County Government

The county decides its method of election by referendum; however, some counties are subject to legislative oversight and control when changing their method of election.⁸ There are three ways to initiate a referendum: (1) an act of the General Assembly, (2) a resolution by the governing body, and (3) a petition executed by no less than 10% of eligible voters in the county.⁹ Once the initial referendum is adopted, the method of election cannot be changed for two years, and then only by referendum.¹⁰

After a petition by voters is delivered to the county board of registration, the board has 60 days to certify or deny the petition.¹¹ The referendum election must occur within 90 days of the certification by either a general or a special election. For four years after this election, no other referendums can happen.

Local Board of Education

In South Carolina, 35 school districts are single-member districts, 21 are at-large, and 16 use a combination of the two.¹² School districts are usually under the management and control of the board of trustees, subject to oversight from the county board of education.¹³ The only way to change the method of election for school districts and school boards is through a local act of the General Assembly.¹⁴

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⁶ *Id.* ("A petition must be certified as valid or rejected by the municipal election commission within sixty days after it has been delivered to the commission. There may be only one question framed by the municipal governing body for the referendum in a format similar to that provided by Section 5-5-40, and no other election on the same question may be held for two years after that time.")

⁷ *Id.*

⁸ S.C. Code Ann. § 4-9-10(a), (b).

⁹ *Id.* at (a).

¹⁰ *Id.* at (c).

¹¹ *Id.*

¹² For a complete list of information on South Carolina's Board of Education districts and method of election visit:

<https://scsba.org/general/aboutus/schoolboardfacts/bdmemberselection.pdf>

¹³ S.C. Code Ann. § 59-19-10.

¹⁴ S.C. Code Ann. §§ 59-15-10, 59-19-20.

