

1980 WL 120976 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 21, 1980

*1 Mr. Ladson F. Howell
Attorney for Beaufort County
Post Office Box 40
Beaufort, South Carolina 29902

Dear Mr. Howell:

Mr. McLeod has referred your recent letter to me for reply. You have stated that a poll manager observed a voter passing a list to another voter within the voting area in a precinct. You have further informed me that the list contains sequential numbers that correspond to numbers on the election ballot. You have inquired if this procedure violates the election law.

There is nothing in the election law which would expressly prohibit a person carrying in a sample ballot or notes concerning which candidate they desire to vote for. Likewise, there is no direct prohibition against one voter giving these notes or sample ballots to another voter. This procedure often occurs between members of the same family.

The only time this procedure would appear to come within the prohibition of [Section 7-25-190 of the Code](#) is if one voter was in some manner forcing another voter to accept this list against that voter's will. If this was the case in the incident you related, then I believe you may have a violation of [Section 7-25-190](#). Otherwise, there would appear to be no violation of the election laws.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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