

1975 WL 29601 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 19, 1975

\*1 Mr. Jerome Moskow  
Chairman  
Andrews Democratic Club  
P. O. Box 265  
Andrews, South Carolina 29510

Dear Mr. Moskow:

We are in receipt of your letter of March 14, 1975, in which you inquired whether or not people residing in one precinct may vote in another precinct.

The South Carolina Constitution, Article 2, Section 4 and the South Carolina Code of Laws, 1962, as amended, Sections 23-211 and 23-213 require each person to vote in the precinct where he lives. Voting in a precinct where the voter does not live is therefore prohibited by law. See 29 C.J.S. Elections, § 199, 26 Am. Jur.2d Elections, § 229.

Therefore, it is the opinion of this office that as the laws of this State and general election law would prohibit authorizing a voter to vote in a precinct in which he does not live, such a procedure cannot be authorized without specific legislation. Additionally, any change in a location would require approval by the United States Department of Justice under the provisions of the Voting Rights Act of 1965.

Very truly yours,

Treva G. Ashworth  
Assistant Attorney General

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