



FACT SHEET

South Carolina Policy Council

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Roll Call Voting in South Carolina

In 2008, the South Carolina Policy Council (SCPC) released research showing that the S.C. General Assembly passed bills with a recorded vote only 5 percent of the time.¹ In January 2009, both bodies adopted rules changes:

In the House, the rules change requires a roll call vote on:

- Second or third reading of a bill or joint resolution
- Each section of the state budget
- Conference committee reports
- Amended legislation returned from the Senate

The Senate rules do not require a recorded vote on each section of the budget, but do require a recorded vote on:

- Second reading of a bill or joint resolution
- Third reading of a bill or joint resolution if it was amended
- Bills or joint resolutions on the contested calendar
- Conference committee reports

Since those rules changes, the SCPC has tracked votes on all bills and joint resolutions that carry the force of law. Even with these rule changes, only 25 percent of votes were recorded in 2009. Although the House and Senate adopted requirements for more on-the-record voting, every 3 out of 4 votes are still taken off the record.

Constitutions in 37 states require lawmakers to hold a recorded vote on final passage of every bill they pass into law.

- 3 states that do not have any constitutional requirements have joint House and Senate rules which mandate recorded votes on final passage
- 6 states have either House or Senate rules which mandate recorded votes

Therefore, a total of 45 states have either a constitutional or procedural requirement that votes be recorded before a bill may become law.

Currently, the S.C. Constitution only mandates roll call voting on:

- Elections by the General Assembly
- Taking up the Governor's vetoes
- Contested Supreme Court elections
- Removal of officers
- Amendments to the state Constitution

¹ The 2008 roll call voting percentages were determined by looking at every bill or joint resolution that *passed* the House only, Senate only, and both chambers.

A House bill, initially introduced on January 13, 2009, passed unanimously in the House on March 25, 2010. The bill statutorily mandates that both the House and Senate record their votes on:

- Second reading of a bill or joint resolution
- Final passage of an amended bill or joint resolution
- Adoption of Conference or Free Conference reports
- Agreement to the other chamber's amendments to a bill or joint resolution
- Each section of the annual budget

The current rules in both the House and Senate still exempt legislation on the uncontested calendar from receiving a mandatory roll call vote, which makes it possible for lawmakers themselves to determine if those bills receive a recorded vote.

Examples of legislation the General Assembly has passed this session without a recorded vote include:

- Cigarette Tax (Senate)
 - Set for Special Order
- I-95 Corridor Authority Act (Senate)
 - 2nd reading
 - 3rd reading
- I-85 Corridor Authority Act (Senate)
 - 2nd reading
 - 3rd reading
- Creating the Department of Workforce (Senate)
 - 2nd reading
 - 3rd reading
- Air Incentives Development Fund (Senate and House)
 - 2nd and 3rd reading in the House
 - 2nd reading in the Senate

*Nothing in the foregoing should be construed as an attempt to aid or hinder passage of any legislation.
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