



FACTSHEET | The Public Has a Right to Inspect Voter Rolls

On August 26, 2024, the District Court will hear oral arguments in the Public Interest Legal Foundation's (PILF) lawsuit to obtain South Carolina's voter roll.

- In February of 2024, the Public Interest Legal Foundation requested a copy of South Carolina's statewide voter roll.
- The South Carolina Elections Commission refused to provide a copy of the voter roll to PILF, citing a state law prohibiting out-of-state **residents or organizations** from purchasing the voter roll.
- In March 2024, PILF sued the Executive Director of the South Carolina Election Commission, Howard Knapp for violating the **National Voter Registration Act of 1993 (NVRA)** by refusing to disclose the **statewide voter roll**.
- South Carolina filed a separate lawsuit in state court claiming their state law preempted the state from following federal law. Since federal law trumps state law, the federal court directed South Carolina to dismiss its claims.

South Carolina is in violation of the NVRA's Public Disclosure Provision which requires states to provide their voter rolls for public inspection.

- Section 8 of the NVRA requires states to make available "all records concerning the implementation of programs and activities, conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters."
- Thanks to PILF's litigation, there is **well-established precedent** that this provision of the NVRA means the public has a right to inspect states' voter rolls.
 - This year, the **First Circuit Court of Appeals unanimously sided** with PILF that Maine Secretary of State, Shenna Bellows had to hand over the state's voter rolls without use restrictions.
 - PILF has also fought and won access to the voter roll in [Illinois](#) and [Maryland](#).
- South Carolina law that restricts who can access the voter roll based on residency violates the NVRA and is preempted by the **Supremacy Clause** and the **Elections Clause of the U.S. Constitution**.
- States cannot add additional requirements, such as residency when the voter roll is requested under the NVRA.

This lawsuit will bring transparency to South Carolina's elections and allow the public to hold election officials accountable for their mistakes.

- Transparency in elections allows the public to monitor the activities of officials who grant and remove voting rights and increases the public's trust and confidence in our electoral process.
- Voter rolls are the most essential election integrity documents because they tell election officials who is eligible to vote.
- By obtaining a copy of the voter roll, the public can identify errors that are vulnerabilities in our elections including people registered to vote more than once and deceased registrants who need to be removed.

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