

# **Exhibit A**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

The South Carolina State Conference	)	Civil Action No.: 3:21-cv-03302-MGL-TJH-RMG
Of the NAACP,	)	
	)	
and	)	
	)	
<b>Taiwan Scott</b> , on behalf of himself and all	)	
Other similarly situated persons,	)	
	)	
Plaintiffs,	)	
	)	
Vs.	)	
	)	
<b>Thomas C. Alexander</b> , in his official	)	
capacity as President of the Senate;	)	
<b>Luke A. Rankin</b> , in his official capacity as	)	
Chairman of the Senate Judiciary;	)	
<b>James H. Lucas</b> , in his official capacity as	)	
Speaker of the House of Representatives,	)	
<b>Chris Murphy</b> , in his official capacity as	)	
Chair of the House of Representatives	)	
Judicial Committee;	)	
<b>Wallace H. Jordan</b> , in his official capacity	)	
as Chair of the House of Representatives	)	
Elections Law Subcommittee;	)	
<b>Howard Knapp</b> , in his official capacity as	)	
Interim Executive Director of the South	)	
Carolina State Election Commission;	)	
<b>John Wells, JoAnne Day, Clifford J.</b>	)	
<b>Edler, Linda McCall and Scott Moseley</b> ,	)	
in their official capacity as member of the	)	
South Carolina State Election Commission,	)	
	)	
Defendants.	)	
	)	

**AFFIDAVIT OF HOWARD M. KNAPP**

Personally appeared before me, Howard M. Knapp, who, first being duly sworn, deposes  
and says that:

1. I am the Executive Director of the South Carolina State Election Commission (“SEC”) and a resident of Richland County, South Carolina.

2. My duties are set forth in S.C. Code Ann. § 7-3-20(D) (2018) and include supervising the conduct of the county boards of voter registration and elections, ensuring the county boards’ compliance with state and federal law, supervising the creation of election databases to be used in South Carolina elections, and serving as the State’s chief election official responsible for implementing and enforcing South Carolina’s responsibilities under the Uniform and Overseas Citizens Absentee Voting Act (“UOCAVA”), as set forth in the United States Code, 52 U.S.C.A., §§ 20301-20311.

3. Candidates seeking a political party’s nomination for a Congressional seat in South Carolina must file their statements of intention of candidacy and party pledge and pay their filing fees between noon on March 16, 2024 and noon on April 1, 2024. See S.C. Code Ann. § 7-11-15(A).<sup>1</sup> Thus, the candidate filing period for the 2024 Congressional elections opens eleven (11) days from the date of this Affidavit.

4. There are forty-six (46) counties in South Carolina, each with its own Board of Voter Registration and Elections (“county boards”). Each county board must conduct elections and primaries within the county, including Congressional elections.

5. The SEC does not send out absentee ballots directly to eligible voters who request them. The county boards are responsible for processing requests for absentee ballots, issuing absentee ballots, and receiving voted absentee ballots for qualified electors within the respective

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<sup>1</sup> S.C. Code Ann. § 7-11-15(A) sets a primary filing deadline is between noon on March 16 and noon on March 30, but if March 30 falls on a Saturday or Sunday, the deadline extends to the next regular business day. March 30, 2024 is on a Saturday and April 1, 2024 is the next regular business day.

counties. This includes absentee ballots issued pursuant to S.C. Code Ann. § 7-13-320 and UOCAVA.

6. The SEC is responsible for preparing the election databases to be used by each county board to conduct elections. These databases are created to work with the Election Systems & Software (“ES&S”) voting machines used in all elections in South Carolina. The SEC must have ample time to create, test, and deliver the election databases and ballots to each of the 46 county boards. The database for each county will include the various ballot styles to be used in each county on election day and for absentee ballots, including absentee ballots requested pursuant to UOCAVA.

7. None of the databases for the various county boards will be identical; each database will vary considerably given the precincts and congressional district lines(s) within each county.

8. Pursuant to S.C. Code Ann. § 7-15-680 (2018), absentee ballots for voters requesting them under UOCAVA must be sent to them at least forty-five (45) days prior to any election or primary.<sup>2</sup>

9. The primary elections for South Carolina’s Congressional seats will take place on June 11, 2024, as required by S.C. Code Ann. § 7-13-15(B)(1). Thus, the UOCAVA deadline is Saturday, April 27, 2024.

10. For South Carolina to comply with UOCAVA for the 2024 Congressional primary elections, the SEC must deliver each of the 46 county boards their respective election databases no later than forty-eight (48) hours before the UOCAVA deadline, or April 25, 2024.

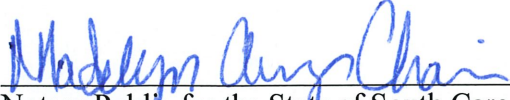
11. Further Affiant saith not.

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<sup>2</sup> This is also required by the federal UOCAVA law.

  
Howard M. Knapp

Sworn to and subscribed before me  
this 5 day of March, 2024.

  
Notary Public for the State of South Carolina.

My Commission expires: 2/17/26

