

HISTORY OF SECRETARY OF STATE’S OFFICE

Secretary of State’s Office provides the following information in its Program Evaluation Report

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History of Significant Events (agency's origin to 2019)

1776-1790

- **March 26, 1776**
 - Under Section 22 of the 1776 Constitution, the Secretary of the Colony was elected by the General Assembly and Legislative Council.
 - Under the 1776 Constitution, the Secretary swore to defend the state constitution until an accommodation of the differences between Great Britain and America shall take place.

- **March 19, 1778**
 - Under Section 29 of the 1778 Constitution, the Secretary of State was elected by the Senate and House of Representatives for a two-year term.
 - Under the 1778 Constitution, the Secretary of State maintained copies of the laws and swore to defend and serve the state against the King of Great Britain and his successors and serve the State in the Office elected to the best of his skill and understanding.

- **1790**
 - Under Article VI, Section 1 of the 1790 Constitution, the Secretary of State was elected by the Senate and House of Representatives for a four-year term, in which the same person cannot serve consecutive terms.
 - Under the 1790 Constitution, the Secretary of State affirmed qualifications for the office and swore to discharge the duties to the best of his ability and defend the constitution of the state and United States.

1861 – 1895

- **April 8, 1861**
 - Under the 1861 Constitution, the method of election and duties of the Secretary of State were similar to those in the prior state constitution.
 - Under the 1861 Constitution, the Secretary of State affirmed qualifications for the office and swore to discharge duties to best of ability and defend the constitution of the state and the Confederate States of America.

- **September 27, 1865**
 - Under the 1865 Constitution, the method of election and duties of the Secretary of State were similar to those in the prior state constitution.
 - Under the 1865 Constitution, the Secretary of State affirmed qualifications for the office and swore to discharge duties to best of ability and defend the constitution of the state and the United States.

- **March 17, 1868**
 - Under Article III, Section 21 of the 1868 Constitution, the Secretary of State was elected by the voters of the state for a four-year term and there is no longer a prohibition on serving consecutive terms.
 - The duties of the Secretary of State under the prior state constitution continued and the following duties were added:
 - Countersigns all grants and commissions which are sealed with the state seal and signed by the Governor; and
 - Certifies the election of the Governor and Lieutenant Governor.
 - Under the 1868 Constitution, the Secretary of State affirmed qualifications for the office and swore to discharge duties to best of ability, recognize the supremacy of the Constitution and laws of the United States over constitution and laws of any state, and defend the state and United States constitution.

- **September 1895**
 - The current office of Secretary of State was established by Article VI, Section 7 of the 1895 Constitution.
 - Under Article VI, Section 7 of the 1895 Constitution, the Secretary of State is elected by the voters of the state for a four-year term.
 - Under Article VI, Section 6 of the 1895 Constitution, the Secretary of State countersigns all commissions of officers of the State, which are signed by the Governor and sealed with the Great Seal of the State. Section 6 further states that the state seal shall be used by the Governor officially and shall be called “The Great Seal of the State of South Carolina.
 - Under Article VI, Section 5 of the 1895 Constitution, the Secretary of State affirms qualifications for the office and swears to discharge duties to best of ability, and preserve, protect, and defend the State Constitution and United States Constitution.

1967 – 1998

- **June 1967**
 - Enactment of 1967 Act No. 363, which contained several amendments to the law governing notaries public, including the provision that notaries public hold their commissions for ten years. Notaries public are commissioned by the Secretary of State.
- **July 1979**
 - Passage of 1979 General Appropriations Act (1979 Act No. 199), which named the Secretary of State as an ex officio member of the Commission on Consumer Affairs. The Commission on Consumer Affairs serves as the policymaking and governing authority of the Division of Consumer Affairs.
- **June 1981**
 - Enactment of 1981 Act No. 107, which transferred the licensing and regulation of private employment agencies from the Department of Labor to the Secretary of State's Office.
- **June 1984**
 - Enactment of 1984 Act No. 491, which enacted the Uniform Limited Partnership Act governing limited partnerships, and repealed Chapter 41 of Title 33 relating to the Uniform Limited Partnership Act. Limited partnerships are one type of business entity that files with the Secretary of State's Office.
- **April 1988**
 - Enactment of 1988 Act No. 444, which enacted the South Carolina Business Corporation Act of 1988. This Act substantially revised the various statutes in the 1976 Code relating to business corporations.
- **May 1994**
 - Enactment of 1994 Act No. 384, which enacted the South Carolina Nonprofit Corporation Act of 1994. This Act updated existing South Carolina statutes governing nonprofit corporations operating in the state. Nonprofit corporations file articles of incorporation and other types of business filings with the Secretary of State's Office.
- **June 1994**
 - Enactment of 1994 Act No. 448, which provided for the formation of limited liability companies. Limited liability companies are one type of business entity that files with the Secretary of State's Office.
 - 1994 Act No. 448 amended the Uniform Partnership Act to provide for the formation of registered limited liability partnerships and foreign limited liability partnerships. Limited liability partnerships are one type of business entity that files with the Secretary of State's Office.
 - Passage of 1994 Act No. 461, which enacted the South Carolina Solicitation of Charitable Funds Act. Under the Act, the Secretary of State's Division of Public Charities regulates charitable organizations and professional fundraisers soliciting contributions in the state.
- **May 1996**
 - Enactment of 1996 Act No. 343, which enacted the Uniform Limited Liability Company Act of 1996 to provide the manner in which limited liability companies shall be operated and governed in the state.

- **July 1996**

- The Division of Public Charities was moved from the Secretary of State's Office to the Attorney General's Office, under the General Appropriations Act for the fiscal year beginning July 1, 1996.
- The duties, functions, and responsibilities of the Secretary of State's Division of Securities were devolved upon the Attorney General's Office, under the General Appropriations Act for the fiscal year beginning July 1, 1996.

- **July 1998**

- Effective Date of 1998 Act No. 368, which moved the Public Charities Division from the Attorney General's Office back to the Secretary of State's Office.
- 1998 Act No. 368 designated the Secretary of State as the state office responsible for monitoring state boards and commissions and publicizing vacancies and expiration of terms for state boards and commissions.

2002 – 2019

- **November 2002**
 - Mark Hammond elected Secretary of State.
- **January 2003**
 - Mark Hammond sworn in as Secretary of State.
- **April 2004**
 - Enactment of 2004 Act No. 221, which contained major revisions of Title 33 of the Corporate Code. This act also repealed the requirement that limited liability companies file annual reports with the Secretary of State's Office.
- **July 2004**
 - Enactment of the Uniform Electronic Transaction Act (UETA), 2004 Act No. 279, which established the legal effect or validity of records in electronic transactions. UETA also provided that the Secretary of State may implement procedures for the use of electronic records and electronic signatures.
- **May 2005**
 - Launch of South Carolina Business One Stop (SCBOS), which was a partnership with the Secretary of State, Department of Revenue Department of Commerce, Budget and Control Board, and the Employment Security Commission, in conjunction with the South Carolina Chamber of Commerce. SCBOS created a centralized, online destination for businesses seeking to secure various licenses, registrations and permits.
- **June 2005**
 - Enactment of 2005 Act No. 161, which authorized the Secretary of State's Office to reject uniform commercial code filings intended for an improper purpose, such as to defraud, hinder, harass, or otherwise wrongfully interfere with a person, or that listed the same person as secured party and debtor. These UCC filings are often filed by sovereign citizens, which are anti-government extremists that the Federal Bureau of Investigation has deemed domestic terrorists.
- **August 2005**
 - Agency implemented an electronic document management system (EDMS) in the Business Filings Division, which provided a system to process filings much more quickly, created the ability to scan and preserve digital images, and looked toward the future when digital images would be available online while securing images of these permanent state records.
- **March 2006**
 - Agency implemented the electronic document management system (EDMS) in the Notaries Division.
- **May 2006**
 - Enactment of the South Carolina Competitive Cable Services Act, 2006 Act No. 288, which designated the Secretary of State's Office as the central state franchising authority for cable services.

- **July 2006**
 - Enactment of 2006 Act No. 387, which provided the procedures for the Secretary of State's Office to seek injunctive relief against persons alleged to have violated the South Carolina Solicitation of Charitable Funds Act in the Administrative Law Court. The Act also provided a mechanism for persons who have been fined, suspended, or denied registration under the Solicitation of Charitable Funds Act to appeal the agency's determination in the Administrative Law Court.
- **November 2006**
 - Mark Hammond re-elected Secretary of State.
- **June 2007**
 - Enactment of 2007 Act No. 69, which amended the Solicitation of Charitable Funds Act to allow charitable organizations to file their annual registration statements and annual financial report on the same date, and increased the amount of contributions raised by an exempt charitable organization from \$5,000 to \$7,500.
- **May 2008**
 - Enactment of the Uniform Real Property Electronic Recording Act (URPERA) 2008 Act No. 210, which allowed county register of deeds to receive and record documents in an electronic format, and charged the Secretary of State with the responsibility of implementing the act and adopting the standards for the receipt, recording, and retrieval of electronic documents. Under URPERA, an electronic document satisfies the requirement for an original document. Secretary Hammond was named as head of the Electronic Recording Committee, and the Secretary of State's Office was tasked with promulgating regulations to implement URPERA.
- **Fall 2008**
 - Launch of new and improved agency website.
- **February 2009**
 - Launch of online filing system for the Division of Public Charities, which provided charities and professional fundraisers the ability to file registrations, applications for registration exemption, annual financial reports, fundraising contracts, and joint financial reports online.
- **April 2010**
 - The Secretary of State's Office promulgated regulations to adopt the Uniform Real Property Electronic Recording Act (URPERA), 113-300 et seq. The regulations were approved by the General Assembly and published in *The State Register Volume 34, Issue No. 4, April 23, 2010*.
- **November 2010**
 - Mark Hammond re-elected Secretary of State.
- **April 2011**
 - Launch of the Uniform Commercial Code (UCC) in-house system in partnership with South Carolina Interactive (SCI), which changed the processing of UCC filings within the agency and replaced a legacy system.

- **May 2011**
 - Launch of the Uniform Commercial Code (UCC) online filing system, which allowed businesses and citizens to file, search and retrieve UCC documents electronically. This web-based application, built through a partnership between the Secretary of State's Office and South Carolina Interactive (SCI), allowed users to file, correct, amend, terminate, search and retrieve UCC financing statements, and provided convenient 24/7 access, immediate filing confirmation, faster UCC Search processing time and immediate search results.
- **September 2012**
 - The Secretary of State's Uniform Commercial Code (UCC) online filing, search and document retrieval application won the Digital Government Achievement Award for Best of the Web.
- **April 2013**
 - Enactment of 2013 Act No. 11, which provided that qualified nonprofits would be eligible to conduct raffles upon approval by voter referendum. Under this Act, the Secretary of State was charged with the administration and enforcement of the raffle legislation.
- **May 2013**
 - The Uniform Commercial Code (UCC) online filing, search and document retrieval application won the International Association of Commercial Administrators (IACA) Outstanding Partnership Award for the Secretary of State's partnership with South Carolina Interactive (SCI).
- **June 2013**
 - Enactment of High Growth Small Business Job Creation Act, 2013 Act No. 80, which provided tax credits to angel investors in order to encourage investment in early stage, high-growth job creating businesses, increase the number of high-quality, high-paying jobs in South Carolina, and ultimately expand the state's economy by enlarging the base of wealth-creating businesses. The Secretary of State's Office reviews and accepts filings to determine eligibility of qualified businesses and works in conjunction with the Department of Revenue to fulfill the requirements of the Act.
- **July 2013**
 - Enactment of 2013 Act No. 96, which made major revisions to the statutory provisions related to Uniform Commercial Code Article 9 secured transactions.
- **September 2013**
 - The Secretary of State's Business Filings Division began microfilm conversion project which digitized any agency microfilm still in existence to provide for the preservation of permanent state records.
- **January 2014**
 - Launch of the Secretary of State's State Boards and Commissions Database, which created the first online searchable database of all state boards and commissions in South Carolina. The Secretary of State also provides a current list of expired terms and vacancies on state boards and commissions on its website that is updated daily. The Secretary of State's Office maintains databases of information regarding the current composition of these boards and commissions as received from those boards and commissions and from the authorities responsible for appointing members. Pursuant to S.C. Code §1-1-1310, each state board and commission must send written notification to the Secretary of State's Office of any appointment, election, resignation, or vacancy in its membership.

- **June 2014**
 - Enactment of 2014 Act No. 185, which made major revisions to the notary public statutes and included provisions for issuing apostilles and authentication. This act was the first major reform of South Carolina notary public law since the 1960s.
- **November 2014**
 - Voters approved the constitutional amendment to allow nonprofit raffles in South Carolina.
- **November 2014**
 - Mark Hammond re-elected Secretary of State.
- **March 2015**
 - The South Carolina legislature ratified a constitutional amendment to allow certain nonprofit organizations to conduct raffles in the state of South Carolina.
- **April 2015**
 - Nonprofit organizations were able to conduct raffles beginning on April 4, 2015. Secretary of State's Office responsible for overseeing the raffle filing process and enforcing requirements for nonprofit raffles.
- **July 2015**
 - Launch of Business Filings Online Document Request system to provide online access for customers to request corporate documents and receive the documents electronically.
- **July 2016**
 - The Secretary of State's Office provided a searchable listing of current trademarks and service marks on its website, which is updated daily.
- **January 2017**
 - The Secretary of State launched the Business Entities Online application, which allowed the public to file and search corporate documents through the Secretary of State's website. This latest phase of the comprehensive business filing, search, and document retrieval web-based application provides fast turn-around times for customers. The Business Entities In-house application replaced a legacy system and allows agency personnel to enter filings received through the mail or submitted at the office and provide copies of filings electronically. Some of the benefits include convenient 24/7 access, faster turnaround time, secure online payment, and access on desktop computers, tablets, or phones.
- **July 2017**
 - The Secretary of State launched the Online Charitable Solicitation Complaint Form. This new online option allows citizens to electronically submit a complaint about a charitable organization, professional fundraiser, or raffle to our investigatory staff 24/7.
- **August 2017**
 - The Secretary of State launched its online notary webinar, which provides educational information on the duties of notaries and the laws governing notaries. The webinar contains the information presented by the agency provided at its free Notary Public seminars in various locations in the state each year, but which members of the public can access 24/7 from their home or business.

- **May 2018**
 - The Secretary of State's Office received the International Association of Commercial Administrators (IACA) Merit Award for the Business Filings Online Business Entities Filing, Search and Document Retrieval System. The IACA Merit Award recognizes jurisdictions that have developed innovation through the implementation of a new or improved product or service.

- **November 2018**
 - Mark Hammond re-elected Secretary of State.

- **Summer 2019**
 - The Secretary of State's Office plans to launch a new agency website.

Agency Directors and Time of Service

Name of Director	Time of Service
John Vanderhorst	1783-1787
Peter Freneau	1787-1795
Stephen Ravenel	1795-1799
Isaac Motte Dart	1799-1803
Daniel Huger	1803-1807
Stephen Lee	1807-1811
Daniel James Ravenel	1811-1815
John G. Brown	1815-1819
Beaufort T. Watts	1819-1823
William Laval	1823-1827
Robert Starke	1827-1830
Henry Pendleton Taylor	1830
Samuel Hammond	1830-1835
Benjamin H. Saxon	1835-1839
Maximillan LaBorde	1839-1843
Roger Quash Pinckney	1843-1847
Barnabas Kelet Henagan	1847-1851
Benjamin Perry	1851-1855
James Patterson	1855-1859
Isaac Hayne Means	1859-1863
W. R. Huntt	1863-1867
Ellison Capers	1867-1868
Francis Lewis Cardozo	1868-1872
Henry E. Hayne	1872-1876
Robert Moorman Sims	1876-1882
James Nathan Lipscomb	1882-1886
William Zachariah Leitner	1886-1888
John Quitman Marshall	1888-1890
James E. Tindal	1890-1894
Daniel Hollard Tompkins	1894-1899
Marion Reed Cooper	1899-1903
J. T. Gantt	1903-1907
R. M. McCown	1907-1917
William Banks Dove	1917-1924
William Plummer Blackwell	1924-1949
P. T. Bradham	1949-1950
Oscar Frank Thornton	1950-1979
John T. Campbell	1979-1991
James M. Miles	1991-2003
John Mark Hammond	2003-present