

Local Initiative Guide

A Citizens Guide to Changing
Local Laws by Ballot Initiative in South Carolina



Prepared by: Chad Thompson

Table of Contents

1.	Important Definitions.....	Page 3
2.	General Information.....	Page 4
3.	Step 1 of what to do 1 st . (Build a Team).....	Page 5
4.	Fundraising.....	Page 6
5.	Signature Campaign.	Page 8
6.	Media/PR.....	Page 11
7.	Get out The Vote (GOTV).....	Page 13
8.	State Authorized Process.....	Page 15

Useful General Information:

https://ballotpedia.org/Laws_governing_local_ballot_measures_in_South_Carolina

*(Copy and paste into a browser)

Important Definitions

(Terms that will help in understanding the process)

Municipality – A local city or a local level of government.

Municipal Level- Referring to the **local level** of government structure.

Ordinance – Simply another name for “a law” enacted on a municipal/local level.
(*example...A Charleston Ordinance prevents selling food out of a residential zoned building*)

An Initiative - (also known as a **citizens initiative**) is a means by which electors can bring a petition signed by a certain minimum number of registered voters to force a public vote on an issue. The vote may be proposed on a state level or on a local level. It is a form of direct democracy.

A petition – The actual document that is signed by the Registered Voters during the initiative process.

A Referendum – is a means by which electors can bring a petition to challenge an ordinance recently enacted by a municipal legislative authority. This is the instrument used by citizens to change the laws that the legislators have put in place they want changed.

Home Rule – The right given to local town and local citizens as well to make local laws that govern the local city or town as long as there is no conflict with State Law.

Charter – (often referred to as a **local charter**) is the document that a charter municipality spells out its local set of rules of self-governance. A town with a charter is often referred to as a **Charter City**.

General Law Municipality - General law local governments are governed under state laws and do not have a charter.

Electors – Registered Voters

Decriminalization – Generally accepted to mean; to lower below “criminal” level.

Depenalization – To take the penalty away.

General Information

You are very fortunate....The South Carolina Code of Laws gives every single South Carolina citizen the right to make a local law on a municipal level as long as the local law does not conflict with state law. You are not allowed to make something legal that the state deems illegal and vice versa. That being said, you as a citizen are allowed to write a law and get enough signatures to get that law to the ballot for your town to vote on. If your law wins the election, by simple majority, it becomes the law of the land, in that one municipality. That law cannot be changed unless it is changed by another ballot initiative, just as it is at the state level.

Just as the citizens, the individual cities and towns can make their own ordinances as well. Usually this is done by a local city council. The same rules apply; the local ordinance cannot conflict with state law. This is known as Home rule. Approx 40 states allow Home Rule on some level.

Authority Granting Citizen's the Right to Self-govern

South Carolina Code of Laws 5-17-10 mandates the initiative process for all general law cities and 4-9-1210 provides the same for counties.

Advantages of Depenalization?

The concept model of Depenalization offers several advantages from a citizens perspective. This model offers freedoms to consume the Cannabis plant without the fear of being subject to penalties, while offering certain protections not offered by a more traditional “legalization” model. The Depenalization model protects from exploitation from large corporations and also protects from excessive excise taxes that effect affordability. The Depenalization model keeps those tax dollars in the pockets of the people effectively creating a tax-free cannabis market that is “protection” by maintaining “Illegality”, keeping the market a People's Market where the playing field is more level and equitable.

So why local ballot initiatives?

There are many obstacles that are not present on the local level. It requires, relatively, very little money and even the largest South Carolina cities can be successful with just a small group of dedicated volunteers. The local ballot initiative removes the need to be dependent on anyone else. The local city officials do not have to like the law you write or agree with it. You as a South Carolina citizen have been granted the right by State Law to do it anyway. This is a very powerful tool and we as citizens have a right and responsibility to change the laws we do not like.

Can local ballot initiatives make marijuana legal?

The short answer is no. Anything can be submitted by a ballot initiative but it must comply with state law to actually be enforceable. Legalizing would directly conflict with state law. The Sensible Marijuana Initiative does not conflict with state law because it merely decriminalizes marijuana and does not attempt to legalize it. By decriminalizing marijuana we are simply changing the penalty, which is not seen as a conflict with state law.

Build a local Team/Group

The *most important thing that you need to do* is build a team. Meet up with other like-minded individuals in your area. It will only take a few core individuals to be successful but it is critical to link up with a handful of dedicated people who will commit to work together.

-You *may* have to build this group over the course of time, unless you are lucky enough to have an existing group to help with the process. Volunteers will come and go, but it is critical to have that small team of people that will always be there. If you do not have them, keep going, eventually you will find them. Networking is an important task that will help build this team.

“What one person cannot do, several can manage.”

“Teamwork makes the Dream Work”

These quotes are true. Connect with locals who feel the same as you. Get that core group started and then just continue to build from there. This is a big priority and should be considered a constant throughout the whole campaign, especially if you are starting as an army of one. Even the biggest group will need to bring in fresh faces constantly.

1. Set a weekly meeting schedule.
 - a. Find a place like a coffee shop or a library in your town. Somewhere that has a meeting room where it will be quiet enough to be able to talk.
 - b. Keep it consistent and easy to find. It’s important that you meet every week. If you don’t keep this schedule, you will find it difficult to keep volunteers.
2. Recruit at every meeting.
 - a. Volunteers will come and go, that’s just how it works, so it’s important to keep recruiting help.
 - b. Advertising your meetings will bring new people. Use social media, fliers, signs, networking, etc. to do this.
3. Schedule Events Weekly.
 - a. Activity gets the job done!
 - b. Use your meetings to schedule events for every weekend.
 - i. Inactivity will slow down progress and lose volunteers.
 - c. Some weekends will be for fundraisers, others for petitioning.
 - d. During the campaign, you want to keep your activity in town as much as possible.
 - e. Signature gathering is done EVERYWHERE.

Fundraising

Obviously, this is the second most important task of the campaign. Although the local ballot initiative is very attainable and vastly less expensive than any other form of marijuana reform, it still takes *some* money.

For example, in 2014 the team in Toledo was able to get on the ballot for less than \$2000! There were 13,000 signatures collected in a span of approx. 4 months.

Depending on the amount of signatures needed, this number can vary from as little as \$1000 and upwards to \$2500. For the smaller towns, it is estimated that \$1000 would include attorney fees.

Getting on the ballot is just the first step. You will still need money for the “Get Out The Vote” segment of the campaign. Don’t worry, you can do fundraisers as you go to keep building the money you will need. It will not take millions, but a few thousand dollars goes a long way on a local level. There are different rules in fundraising as a PAC, we will talk about this later in the guide, and it is easier to team up with a non-profit to help with this process. A non-profit organization has more freedom in fundraising. It’s better to fundraise under the sister non-profit and make donations to the PAC. The size of your town will dictate how much money you will need. There are many ways to meet your financial goals. Be open to new ideas and be creative. Your fundraising ideas will also help to bring awareness to your campaign and potential volunteers.

Real ways money can and has been raised to fund a successful local ballot initiative...

1. Rummage/Yard/Garage Sales
 - a. Take in donations from the people of your team and spend a weekend.
2. Car Wash
 - a. This works really well if you know a few cute girls that want to help out.
3. Comedy Club Fundraisers
 - a. Established Comedy Clubs often have fundraising programs. Call your local comedy club and ask if they help out Non-Profit groups.
 - b. If not, contact a local venue and see if they will allow you to sell tickets to a show. Look for local comedians that are willing to donate their time.
4. Art Show Fundraisers
 - a. Ask local artists to donate a piece of work to the cause.
 - b. Use these pieces to hold an auction or sale.
 - i. This idea works well in larger metropolitan cities, where there is an established Art Community.
5. Sell T-Shirts or merchandise for the campaign.
 - a. Use a logo to promote your campaign.
 - i. Make this something that people can rally behind.
 - ii. Pick something and stay with it. This will help the people of your town identify with the campaign.

iii. Bumper stickers and magnets make good advertising as well as fundraising.

6. Recycle scrap metal.

7. Go Fund Me accts. (gofundme.com)

8. Raffles

a. Have a raffle at any event you may be tabling.

i. Ask local businesses and supporters for donations.

9. Donations from local businesses and residents.

a. Don't be afraid to ask for money.

b. This is a form of networking, take the opportunity to talk to like-minded people and gain support for the campaign.

Signature Campaign

For the majority of you, this part should be fairly easy, since you have done this before. However, there is a definite difference between petitioning at a local level compared to petitioning statewide. The same rules apply, but technique and approach will vary.

For the vast majority of cities, the number of valid signatures you will need to put an initiative on the ballot will be less than 1000. Of course, the larger cities in the state will take a big effort to be successful. The largest cities in the state will need several thousand signatures collected. This is a rough estimate, the actual numbers will vary. This will take months of hard work but it has been done before and we are here to help if you need us. Toledo Ohio averaged 1000 signatures a week, during the summer of 2014, after the first 3-4 weeks of ramping up momentum, collecting more than 13,000 signatures in less than 4 months.

****TIP****

Initially the number of signatures will be very little and you will feel like things are not going as they should be. **IGNORE THOSE FEELINGS!** Things are going exactly as they should be. It takes time to build momentum and figure it out. I promise you will get in a groove and in no time you will hit your goal.

****In the 1st 3 weeks of the Toledo signature drive, only 275 signatures were collected!**

What should my signature goal be?

Set your goal for at least double the actual required number of valid signatures.

Sometimes it's better to tell people of your larger goal, instead of the actual number of valid signatures needed. It's not uncommon for people to achieve the valid number needed and slack off. Always encourage your volunteers to strive for the larger goal, and do a signature count every week, at the meeting. This helps to excite and motivate your people.

Where do I get signatures?

We mentioned earlier, that petitioning locally is different than petitioning statewide.

This is due to the more centralized needs. For example, in a statewide initiative, you can take any signatures, so anywhere a crowd gathered was a good idea. Now you need to be more selective. Big attractions and festivals may not be a good place to petition, because people come from all around to attend. If you know it is an event that will pull a large local crowd, then go for it.

1. Get Clipboards

- a. Get the clipboards with a clip that sets tight to the board, they are easier to carry.
- b. This is a great mobile office. Helping to keep you organized.
- c. Attach a pen on a long string, so that it is convenient for the signer.

- d. Make a sign for the back of your clipboards.
 - i. Put a cannabis leaf on the back and it acts as a billboard, advertising the initiative. Simply holding up your clipboard will draw people to you. This is one of the most important things you can do while petitioning.
2. Use multiple clipboards at the same time.
 - a. If you are able to set up a table, at an event, line the front of your table with clipboards. You will get groups that want to sign, don't make them wait, they will get distracted and walk away.
 - b. While walking, have 3-4 clipboards with you. You will get groups and the same rule applies, they will walk away if you make them wait too long.
3. Get out there and bark at the crowd.
 - a. In the old days, when we had carnivals with a side show, there was a man that would stand out front and try to draw in a crowd to the show. He was a barker. Don't be shy. Tell the world what you're doing and that they want to sign your petition.
 - b. When tabling, have someone out front, barking to the crowd.
 - c. While walking, ask constantly. Even while your letting someone sign, continue to ask passersby.
4. Work local events.
 - a. Walking a local event can be done with no money.
 - b. Stay on public property near the entrance of the event.
 - c. If the event is on public property, walk it.
 - d. Don't forget to evaluate the event. If it draws a good local crowd, you should definitely be there. Otherwise, make it a secondary option.
5. Petition high traffic PUBLIC areas in your town.
 - a. Bus stations, Department of Motor Vehicles, Job & Family Services, court house, gas stations, stores that give you permission, etc.
 - i. Bus stations are only good for a few days. Generally, the same people ride the bus every day. So, once you've been there for a few days, you will have asked most everyone that comes through there.
6. Find local businesses that support the initiative.
 - a. Local store owners will be more likely to agree to collect signatures.
 - i. Head shops, tattoo studios, vape shops, etc.
7. Carry Voter Registration Cards
 - a. Register people that have not been registered, so their signature counts.
 - b. Reregister people that may have moved.
 - c. These must be turned in weekly, or they will not be valid.
 - i. These can be dropped off at any county Board of Elections.

****TIP****

Make sure to verify **and double verify**:

- ❖ Is the signer a registered voter for your town?
- ❖ Is the address where they are registered to vote?
- ❖ Can you read their information?

What was the validation rate of the local Toledo Initiative?

56% of the 13,000 signatures collected were valid. The reason the validation rate was so low, was due to the fact that most registered voters actually were mistaken about the address they were actually registered to vote.

That is down from nearly a 70% validation rate when we counted all registered voters who signed the petition. That means nearly 14% of the signatures were Toledo registered voters but their signature didn't count due to them writing down the wrong address. This was due to them moving, sometimes several times, forgetting to re-register, and not remembering where they are actually registered to vote when signing the petition. This is why you should keep voter registration cards with the volunteers at all times. Register voters that are not registered but also you can reregister voters who do not know for sure the address at which they are registered. There is no penalty if they register twice at the same residence but this does guarantee the signature.

Another way to ensure a valid signature is to check the voter's information right there on site. As long as you aren't busy, you can look up a voter's registration at the link below.

<https://info.scvotes.sc.gov/eng/voterinquiry/VoterInformationRequest.aspx?PageMode=VoterInfo>

Media/PR

Media and public relations is the key to getting the word out about the local ballot initiative. Free Media comes in the way of news stories about the group and initiative. It will be important that your image is always kept clean to the general public, so that you gain the acceptance of the community and their support. Every news story is a chance to gain more votes.

1. Press Releases

- a. Every time a milestone is crossed, a press release should be put out to every news group in your area.
 - i. Start from the launch of your campaign, and don't miss any chance to announce your progress. ie. Launch of campaign, start of signature collection, signatures are collected, signatures being turned in, etc.
- b. Every event you hold during the length of the campaign.
 - i. Fundraisers and educational forums should be held throughout the campaign.
- c. Press conferences should be done every chance possible. This gives your group an opportunity to put out the message at every phase.
- d. Don't miss any news group. Be sure to find the contact information for every TV station, radio station, newspapers, etc. in your area. They should be contacted for every press release.

2. TV and Radio Interviews

- a. Pick one to three people that will always do these Interviews.
 - i. This gives the initiative a professional and organized appearance.
 - ii. It gives the public someone to identify with.
 - iii. Choose people that portray a clean and professional image. The public will listen to someone that is good looking, articulate, and intelligent.
- b. Be prepared with a consistent message.
 - i. Bullet points of why you are doing this and the reasons why people want to vote for the initiative.
 - ii. Stick to the message, don't stray, it will confuse the issues, and the media WILL take advantage of you.
- c. Anticipate the negative questions that will arise, and be prepared to deal with them. Either answer them or not, if it's possible to pivot back the the message, do so.
- d. Seek opportunities to get free media.
 - i. Especially, as you approach election day, you will find the political shows on tv and radio will be interested in interviewing.
 - ii. Web casts by supporters of the initiative tend to get out to the people we want to talk to.

iii. Blogs

iv. This is a BIG story and need to build good local interest.

3. Letters of Opinion

a. Ask volunteers to write to the local papers about the initiative.

b. Write letters to the editor, telling them why this is a good idea for your town.

c. Start a letter writing program for your volunteers. Reach out as often as possible, every week is a good idea.

****TIP****

As stated earlier, it is ideal to designate a small group (1-3 people) to keep in front of the media. They should be well trained on how to properly express the message and to be able to stay on message. It is vital to be trained on how to answer questions in order to handle possible aggression or negativity. Preparation is the key here. All press conferences should be handled by these people as well.

****Message is very important. See Chad Thompson or Sensible Movement Coalition to develop your local message to convert the middle “persuadable” to vote yes and give support. Your job is to stay on message. Always pivot back to the message!**

Get out the Vote

This is the final stage of your campaign. In terms of GOTV, you will be seeking the awareness of the upcoming election. This is the time to make the public aware of the initiative and garner their support. The more you get out the word, the better you will do at the polls on Election Day.

1. Yard Signs
 - a. Keep the message simple and to the point.
 - b. Make the sign easy to see from a distance.
 - c. Using one color and white will make them easy to read.
2. Direct Mail
 - a. This can be expensive. It's a good idea to plan for this in the larger towns.
 - b. After petitioning and before turn in, it is a good idea to scan all of your petitions. This will give you the ultimate mailing list of voters to include. They already support you, you just need to remind them to "Get Out and Vote".
 - c. There is a group of voters that come out to every election regardless how big or small it may be. These people should be the first ones on your mailing list.
3. Local Events, Fairs and Festivals
 - a. After petitioning is over, you want to go to as many of these events as you can. Get out in the public's eye. Be seen and spread the message with fliers and information.
4. Canvassing Door to Door
 - a. This is extremely successful in smaller towns. In some cases, it's the best way to GOTV in smaller communities where social media may not be as affective.
5. Billboards
 - a. This is extremely expensive and there is no way to know how affective it will be. We only suggest this if you have the money to burn.
6. Newspaper Articles and Ads
 - a. Look at radio ads, some stations offer deals for different packages.
 - b. See the notes in Media/PR, you will want to do as much media as you can.
 - c. Local newspapers are good at low price ads as well.
7. Social Media
 - a. This will be one of the most effective things you can do for free.
 - b. It is important to build a following from the very beginning.
 - c. Create accounts that are named after the campaign or the PAC.
 - d. Cross post as often as possible to other pages. Let them help promote your campaign.
 - e. Encourage all your followers to share the posts. Eventually, they will just know to do it.

- f. Post daily, the more you post, the more you're seen.
- g. It's a good idea to get a small team that can work social media all the time.
It does become a lot of work for just one person.

**Again, message is key here. Stick to your local message.

City Initiative Process

Subject matter restrictions

For initiatives: you cannot submit an ordinance appropriating money or authorizing the levy of taxes. **For referendums:** you cannot submit petitions regarding bond issues approved by referendum or notes issued in anticipation of taxes.

Petition text approval

There is no process for approval prior to circulation.

Signatures required

15% of the registered voters at the last regular municipal election.

Circulation

Referendums must be filed within 60 days of the enactment of the ordinance in question.

Petition appearance and content

There are no specific restrictions as to form on municipal I&R petitions.

Scheduling and results of election

If the council fails to pass the ordinance proposed by initiative or passes it in an altered form or if the council fails to repeal ordinance, the ordinance is submitted to the electors after 30 days and within one year from the date the council takes its final vote. The council may provide for a special election at its discretion.

A simple majority determines the result of the election.