

2020 SC Election Analysis

Related Professionals

Mark Harmon
803.253.8246
MHarmon@nexsenpruet.com

Practices

Legislative & Regulatory

11.10.2020

With Democratic President-elect Biden having secured victory, a US Senate that appears headed toward the slimmest of Republican majority (or a 50:50 stalemate), and a US House that saw Democrats hang onto a shrinking majority, navigating this divided government will become even more delicate than before. South Carolina is poised to play a significant leadership role in this new government with Senate Judiciary Chairman Lindsey Graham returning for a fourth term, and Majority Whip Jim Clyburn holding ever-increasing sway due to his role in the presidential election.

President

Results

Following quite possibly the most tumultuous and unprecedented election in modern history, President-elect Joe Biden came away with a victory that could be considered decisive when compared to recent elections.

The Clyburn Effect

The path to the White House wasn't always a sure thing for the former Vice President. Having performed poorly in early state contests, it cannot be overlooked how Biden revitalized his campaign and began his ascent to the Democratic nomination with a resounding win in South Carolina. As if buoyed singlehandedly by the endorsement of Congressman Jim Clyburn, South Carolina was the turning point that ultimately led to the change of power in November.

US Senate

Partisan breakdown before/after Election Day (as of 11/9; final results delayed in several races):

- 53/48 Republicans
- 45/46 Democrats

→ 2/2 Independents (both caucus with Democrats)

IMPORTANT NOTE: Both US Senate seats in Georgia appear to be headed to a runoff to be conducted on January 5, 2021. The seats held by Thom Tillis (R-NC) and Dan Sullivan (R-Alaska) have yet to be confirmed, but both incumbents continue to hold a lead.

Republicans Retain:

- Susan Collins (ME)
- Joni Ernst (IA)
- Graham (SC)

Democrat Flips:

- Arizona – Mark Kelly (def. McSally)
- Colorado – John Hickenlooper (def. Gardner)

Republican Flips:

- Alabama – Tommy Tuberville (def. D. Jones)

Lindsey Graham Cruises to Victory, Republicans appear to retain Majority

Following a somewhat surprising 10-point margin of victory, Senator Graham appears likely to return to a Republican-led Senate, which means that he will retain his lofty status as Chairman of the Senate Judiciary Committee. His leadership role in the majority caucus is certainly a benefit to our state when it comes to key issues such as securing federal funding for the Port of Charleston, preserving the military presence in the state, and recruiting major manufacturing. With Democrats controlling the House and the Presidency, you can expect the Senate's business to reach even more of an impasse than normal as it becomes as the lone remaining check against the opposing party.

US House

Partisan breakdown before/after Election Day (*as of 11/9; final results delayed in several states*):

- 235/222 Democrats
- 199/205 Republicans
- 1/0 Libertarian

As anticipated, the US House of Representatives remained firmly in Democratic control, but the partisan divide shrank slightly, with Democrats losing a handful of seats.

SC 1

Nancy Mace Upsets Joe Cunningham:

Outgoing Republican State Rep. Nancy Mace pulled off a moderate upset of first-term incumbent Congressman Joe Cunningham, who in 2018 became the first Democrat to be elected from the First District in nearly four decades. A rising star within his state and party, Cunningham's loss belies his relatively successful first term in Congress. However, in a district which comfortably went to Donald Trump in 2016, yet another strong turnout for Trump in 2020 combined with an influx of out-of-state dollars are likely causes for the flipped the results this time for Cunningham. Mace will go into office as part of a Republican minority that saw their overall ranks increase slightly as compared to the current Congress.

Incumbents All Win Big

- Congressman Joe Wilson (R; SC-2, Springdale) defeated Adair Ford Boroughs (D-Columbia) to win a ninth term
- Congressman Jeff Duncan (R; SC-3, Laurens) defeated Hosea Cleveland (D-Seneca) to win a sixth term
- Congressman William Timmons (R; SC-4, Greenville) defeated Kim Nelson (D-Greenville) to win a second term
- Congressman Ralph Norman (R; SC-5, Rock Hill) defeated Moe Brown (D-Rock Hill) to win his second full term
- Majority Whip James Clyburn (D; SC-6, Columbia) defeated John McCollum (R-Charleston) to win a sixteenth term
- Congressman Tom Rice (R; SC-7, Myrtle Beach) defeated Melissa Watson (D-Florence) to win a fifth term.

SC Senate

Major Losses for Senate Democrats

Partisan Breakdown

Prior to 2020 General Election: 27 Republicans, 19 Democrats

After 2020 General Election: 30 Republicans, 16 Democrats

Incumbent Losses:

- Floyd Nicholson (D-District 10, Greenwood & others)
- Glenn Reese (D-District 11, Spartanburg)
- Vincent Sheheen (D-District 27, Kershaw & Lancaster)

Vacant Seats Outcome (*no partisan changes*):

- Michael Johnson (R-District 16, Lancaster & York)
- Brian Adams (R-District 44, Berkeley & others)

→ Vernon Stephens (D-District 39, Orangeburg & others)

Why this matters:

- Redistricting will begin in 2021 based upon 2020 Census results;
- Losing representation in narrowly-divided districts could play a key role in the Democrats' ability to preserve the current makeup of those districts during the reapportionment process;
- Republicans now have a sufficient majority to bring to a close a filibuster on reapportionment plans and any other matter before the Senate, if they so choose;
- Republicans are just shy of the 2/3 majority required for overriding gubernatorial vetoes;
- The overall partisan divide determines the partisan ratios on each standing committee;
- Each standing committee chairmanship is reserved for the Majority caucus member with the longest-serving tenure on the committee; and
- Seniority within the party determines which members have the opportunity to serve on the budget-writing Senate Finance Committee.

Updated Committee Implications

Senate Finance Committee

Based upon the new partisan breakdown, the Democrats lose two seats on the powerful budget-writing Senate Finance Committee. The 23-member committee goes from a Republican-to-Democrat ratio of 13:10 in 2020 to 15:8 for the ensuing term. Notable changes on the committee include:

- Democrats lose Senator John Matthews to retirement, Senators Reese, Nicholson and Sheheen to upset losses
- Republicans lose Senators Paul Campbell and Greg Gregory to retirement
- Four (4) ranking Republicans and two (2) ranking Democrats will have the opportunity to fill new vacancies on the committee
- The senior-most members of each caucus not currently on Finance Committee have the option to choose to move over from Judiciary
- For the two seats available to Democrats, potential candidates are Brad Hutto (Orangeburg), Gerald Malloy (Darlington), Thomas McElveen (Sumter), and Marlon Kimpson (Charleston)
- For the four Republican seats available, potential candidates are Katrina Shealy (Lexington), Ross Turner (Greenville), Tom Young (Aiken), Mike Gambrell (Anderson), Wes Climer (York), and Stephen Goldfinch (Georgetown)

Noteworthy Outcomes

SD10

Billy Garrett

Local attorney Billy Garrett defeated three-term incumbent Democrat, Senator Floyd Nicholson. The Greenwood-centered district, which also covers parts of Abbeville, McCormick and Saluda counties, was the number one target for Republicans this cycle after Nicholson narrowly won re-election in 2016. Garrett becomes the first Republican in modern history to win this seat, which was formerly held by legendary Senator John Drummond. Nicholson, the former mayor of Greenwood, served on the Senate Finance Committee, so the district loses its representation on the appropriations committee.

SD11

Josh Kimbrell

Local talk radio host Josh Kimbrell, who in 2018 unsuccessfully sought the Fourth Congressional District seat vacated by Trey Gowdy, unseated Glenn Reese after 30 years in office. The district, which mostly covers northern Spartanburg County, has long been a target of Republicans as one of only two seats held by Democrats in the Upstate.

SD27

Penry Gustafson

Gustafson pulled off one of the state's most unexpected upsets by defeating two-time Democratic gubernatorial candidate Vincent Sheheen. Highly regarded on both sides of the aisle, Sheheen served as Chair of the Senate Finance Budget Subcommittee in overseeing K12 education funding.

SD41

Sandy Senn (i)

First-term incumbent Republican Senator Sandy Senn won a hard-fought victory over political newcomer Sam Skardon, a small business lender. District 41, consisting mostly of James Island, West Ashley, North Charleston, and the southernmost area of Dorchester County, was the top target for Democrats following the 2016 election. Senn is the fourth senator to represent District 41 in the past eight years, following the ascension of former Senate President Pro Tempore Glenn McConnell's to Lt. Governor in 2012.

SD43

Senator Chip Campsen (i)

Republican Senator Chip Campsen, a staunch conservative and conservationist who is second in line to the Chair of the Senate Judiciary Committee, successfully bested local attorney, Richard Hricik, his first substantive challenger in several election cycles. As with many campaigns across the state, the contest felt the impact of the Graham-Harrison race and the hundreds of millions of dollars that flowed into the state with it. District 43, which encompasses areas

along the coast from Isle of Palms all the way down to Port Royal in Beaufort County.

SD44 (Paul Campbell ret.)

Brian Adams (R)

Republican Brian Adams, a retired North Charleston police officer, comfortably defeated Democrat Debbie Chatman Bryant to fill the seat vacated by retiring Republican Senator Paul Campbell.

SC House

Partisan breakdown prior to election: 78 Republicans, 45 Democrats (one vacancy)

Partisan breakdown after 2020 Election: 81 Republicans, 43 Democrats

Why this matters:

- Redistricting will begin in 2021 based upon 2020 Census results
- Republicans are just shy of the 2/3 majority required to override gubernatorial vetoes

Updated Committee Implications

Unlike the Senate, in which the members individually select their committee assignments and committee leadership is based upon caucus seniority, the House Speaker is responsible for choosing which members sit on particular committees, and the members of the committee elect the chair. While much of the committee composition will remain the same, many of the vacancies – due to retirements and incumbent losses – will be filled upon the return of the House for its two-day Organization Session beginning December 1st.

Incumbent Losses:

- Mandy Powers Norrell (D-District 44, Lancaster)
- Laurie Slade Funderburk (D-District 52, Kershaw)

Vacant Seats Outcome (no partisan changes):

- Jerry Carter (R-District 3, Pickens)
- Travis Moore (R-District 33, Spartanburg)
- Roger Nutt (D-District 34, Spartanburg)
- Kimberly Johnson (D-District 64, Clarendon & Sumter)
- Gil Gatch (R-District 94, Summerville)

- Case Brittain (R-District 107, Myrtle Beach)
- Deon Tedder (D-District 109, Charleston)
- Joe Bustos (R-District 112, Isle of Palms)
- Chardale Murray (D-District 116, Colleton)

Noteworthy Outcomes

HD44

Sandy McGarry

Two years removed from an unsuccessful campaign for Lt. Governor, all the while gaining in statewide popularity, Rep. Mandy Powers Norrell lost her re-election bid to newcomer Sandy McGarry of Buford. One of the few closely contested House races, the Democrats ultimately traded one seat for another in giving up District 44, which covers parts of Lancaster County. Along with Rep. Laurie Slade Funderburk, House Democrats lose another influential attorney and member of the Judiciary Committee, which oversees a significant portion of legislation that the House considers.

HD52

Vic Dabney

Republican challenger Vic Dabney pulled off the surprise upset of Camden Democrat Laurie Slade Funderburk, who was first elected to the House in 2004. Most of the district represented by Funderburk is encompassed by the district Senator Vincent Sheheen had also held since 2004, so this narrow defeat reflected that of her long-time delegation colleague. Along with Rep. Mandy Powers Norrell, House Democrats lose another influential attorney and member of the Judiciary Committee, which oversees a significant portion of legislation that the House considers.

HD75

Kirkman Finlay (i)

Rhodes Bailey, a Deputy Solicitor for Richland County, nearly pulled off an upset over five-term incumbent Kirkman Finlay (R-Columbia). After several relatively close races over the past decade that saw Democrats narrowly miss out, Bailey fell just shy of triggering an official recount. Finlay has worked his way up in House leadership, and retains a seat on the powerful budget-writing Ways & Means Committee.

HD114

Lin Bennett (i)

Two-term incumbent Republican Lin Bennett held off challenger Ed Sutton, a Citadel graduate and U.S. Air Force veteran, in another close race that defied some of the polling in the Charleston area. Bennett, the former GOP Chair of Charleston County, was first elected in 2016.

For more information on the elections or any other matters related to the upcoming legislative session, please feel free to contact Mark Harmon at mark@nexsenpruet.com.