

By: Representative Moore

To: Apportionment and
Elections

HOUSE BILL NO. 190

1 AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE PENALTY FOR VOTE FRAUD IN VOTING BY ABSENTEE
3 BALLOT; TO AMEND SECTION 23-15-889, MISSISSIPPI CODE OF 1972, TO
4 INCREASE THE PENALTY FOR A PERSON SELLING OR OFFERING TO SELL HIS
5 VOTE; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 23-15-753, Mississippi Code of 1972, is
8 amended as follows:

9 23-15-753. Any person who willfully, unlawfully and
10 feloniously procures, seeks to procure, or seeks to influence the
11 vote of any person voting by absentee ballot, by the payment of
12 money, the promise of payment of money, or by the delivery of any
13 other item of value or promise to give the voter any item of
14 value, or by promising or giving the voter any favor or reward in
15 an effort to influence his vote, or any person who aids, abets,
16 assists, encourages, helps, or causes any person voting an
17 absentee ballot to violate any provision of law pertaining to
18 absentee voting, or any person who sells his vote for money,
19 favor, or reward, has been paid or promised money, a reward, a
20 favor or favors, or any other item of value, or any person who
21 shall willfully swear falsely to any affidavit provided for in
22 Sections 23-15-621 through 23-15-735, shall be guilty of the crime
23 of "vote fraud" and, upon conviction, shall be sentenced to pay a
24 fine of Fifty Thousand Dollars (\$50,000.000), and sentenced to the
25 custody of the Department of Corrections for not less than five
26 (5) years nor more than ten (10) years.

27 SECTION 2. Section 23-15-889, Mississippi Code of 1972, is

28 amended as follows:

29 23-15-889. It shall be unlawful for any person to sell or
30 offer to sell his vote and it shall be likewise unlawful for any
31 person to offer money or anything of substantial value to anyone
32 for his vote. Anyone violating the provisions of this section
33 shall be guilty of a felony and upon conviction shall be fined
34 Fifty Thousand Dollars (\$50,000.00) and shall be sentenced to the
35 custody of the Department of Corrections for not less than five
36 (5) years nor more than ten (10) years.

37 SECTION 3. The Attorney General of the State of Mississippi
38 shall submit this act, immediately upon approval by the Governor,
39 or upon approval by the Legislature subsequent to a veto, to the
40 Attorney General of the United States or to the United States
41 District Court for the District of Columbia in accordance with the
42 provisions of the Voting Rights Act of 1965, as amended and
43 extended.

44 SECTION 4. This act shall take effect and be in force from
45 and after the date it is effectuated under Section 5 of the Voting
46 Rights Act of 1965, as amended and extended.