

By: Representative Saucier

To: Apportionment and
Elections

HOUSE BILL NO. 566

1 AN ACT TO PROVIDE THAT IN ANY PRIMARY, REGULAR, GENERAL OR
2 SPECIAL ELECTION TO FILL ANY STATE, STATE-DISTRICT, COUNTY OR
3 MUNICIPAL OFFICE OR TO FILL THE OFFICES OF PRESIDENT AND VICE
4 PRESIDENT OF THE UNITED STATES, THE BALLOT SHALL HAVE PRINTED
5 THEREON "NONE OF THE ABOVE NAMED CANDIDATES" FOR WHICH A VOTER MAY
6 CAST HIS OR HER VOTE; TO PROVIDE THAT VOTES CAST FOR "NONE OF THE
7 ABOVE NAMED CANDIDATES" SHALL BE COUNTED, BUT SHALL HAVE NO EFFECT
8 UPON THE OUTCOME OF THE ELECTION; AND FOR RELATED PURPOSES.

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

10 SECTION 1. (1) In any primary, regular, general or special
11 election held after the effective date of this act to fill any
12 state, state-district, county or municipal office, or to fill the
13 offices of President and Vice President of the United States, the
14 ballot shall have printed thereon following the list of the
15 candidates for the office, the words "NONE OF THE ABOVE NAMED
16 CANDIDATES," along with a box adjacent thereto so that the voter
17 may express his or her preference.

18 (2) The votes cast for "NONE OF THE ABOVE NAMED CANDIDATES"
19 shall be counted but shall have no effect upon the outcome of the
20 election, except in determining whether or not a candidate has
21 received a majority of the votes cast in the election, or such
22 other number of votes as may be required to declare the candidate
23 a winner or to otherwise further participate in subsequent
24 election runoffs, all votes cast for "NONE OF THE ABOVE NAMED
25 CANDIDATES" shall be subtracted from the total number of votes
26 cast in the election and treated as if the votes had not been cast
27 in the election.

28 (3) Every sample ballot or other instruction to voters
29 prescribed or approved by the Secretary of State shall clearly

30 explain that the voter may mark his choice of the space "NONE OF
31 THE ABOVE NAMED CANDIDATES" only if he or she has not voted for
32 any candidate for the office. Also, the sample ballot or other
33 instruction to voters must explain that any vote cast for "NONE OF
34 THE ABOVE NAMED CANDIDATES" shall be counted, but shall have no
35 effect upon the outcome of the election.

36 SECTION 2. The Attorney General of the State of Mississippi
37 shall submit this act, immediately upon approval by the Governor,
38 or upon approval by the Legislature subsequent to a veto, to the
39 Attorney General of the United States or to the United States
40 District Court for the District of Columbia in accordance with the
41 provisions of the Voting Rights Act of 1965, as amended and
42 extended.

43 SECTION 3. This act shall take effect and be in force from
44 and after the date it is effectuated under Section 5 of the Voting
45 Rights Act of 1965, as amended and extended.