

By: Senator(s) Harden (By Request)

To: Elections

SENATE BILL NO. 2545

1 AN ACT TO AMEND SECTIONS 23-15-627 AND 23-15-713, MISSISSIPPI
2 CODE OF 1972, TO ALLOW QUALIFIED ELECTORS TO VOTE BY ABSENTEE
3 BALLOT FOR ANY REASON; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 23-15-627, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-627. The registrar shall be responsible for furnishing
8 an absentee ballot application form to any elector authorized to
9 receive a ballot. Such application shall be substantially in the
10 following form:

11 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

12 I, _____, duly qualified and registered in the ___ Precinct of
13 the County of _____, and State of Mississippi, coming within the
14 purview of the definition 'ABSENT ELECTOR' will be absent from the
15 county of my residence on election day, or unable to vote in
16 person because (check appropriate reason):

17 () (PRESIDENTIAL APPLICANT ONLY:) I am currently a
18 resident of Mississippi or have moved therefrom within thirty (30)
19 days of the coming presidential election.

20 () I am an enlisted or commissioned member, male or
21 female, of any component of the United States Armed Forces and am
22 a citizen of Mississippi, or spouse or dependent of such member.

23 () I am a member of the Merchant Marine or the American
24 Red Cross and am a citizen of Mississippi or spouse or dependent
25 of such member.

26 () I am a disabled war veteran who is a patient in any

27 hospital and am a citizen of Mississippi or spouse or dependent of
28 such veteran.

29 () I am a civilian attached to and serving outside of the
30 United States with any branch of the armed forces or with the
31 Merchant Marine or American Red Cross, and am a citizen of
32 Mississippi or spouse or dependent of such civilian.

33 () I am a citizen of Mississippi temporarily residing
34 outside the territorial limits of the United States and the
35 District of Columbia.

36 () I am a student, teacher or administrator at a college,
37 university, junior or community college, high, junior high,
38 elementary or grade school, whose studies or employment at such
39 institution necessitates my absence from the county of my voting
40 residence or spouse or dependent of such student, teacher or
41 administrator who maintains a common domicile outside the county
42 of my voting residence with such student, teacher or
43 administrator.

44 () I desire to vote by absentee ballot at this election.

45 () I have a temporary or permanent physical disability.

46 () I am sixty-five (65) years of age or older.

47 () I am the parent, spouse or dependent of a person with a
48 temporary or permanent physical disability who is hospitalized
49 outside his county of residence or more than fifty (50) miles away
50 from his residence, and I will be with such person on election
51 day.

52 () I am a member of the congressional delegation, or
53 spouse or dependent of a member of the congressional delegation.

54 * * *

55 I hereby make application for an official ballot, or ballots,
56 to be voted by me at the election to be held in _____, on _____.
57 Send 'Absent Elector's Ballot' to me at the following address
58 _____.

59 I realize that I can be fined up to Five Thousand Dollars

60 (\$5,000.00) and sentenced up to five (5) years in the penitentiary
61 for making a false statement in this application and for selling
62 my vote and violating the Mississippi Absentee Voter Law. (This
63 sentence is to be in bold print.)

64 If you are temporarily or permanently disabled, you are not
65 required to have this application notarized or signed by an
66 official authorized to administer oaths for absentee balloting.
67 You are required to sign this application in the proper place and
68 have a person eighteen (18) years of age or older witness your
69 signature and sign this application in the proper place.

70 DO NOT SIGN WITHOUT READING. (This sentence is to be in bold
71 print.) In witness whereof I have hereunto set my hand and seal
72 this the ____ day of ____, 19__.

73 _____
74 (Signature of absent elector)

75 SWORN TO AND SUBSCRIBED before me this the ____ day of ____,
76 19__,

77 _____
78 (Official authorized to administer oaths for absentee
79 balloting or witness in the case of an elector temporarily or
80 permanently disabled.)"

81 SECTION 2. Section 23-15-713, Mississippi Code of 1972, is
82 amended as follows:

83 23-15-713. For the purpose of this subarticle, any duly
84 qualified elector may vote as provided in this subarticle if he be
85 one who falls within the following categories:

86 (a) Any qualified elector who is a bona fide student,
87 teacher or administrator at any college, university, junior
88 college, high, junior high or elementary grade school whose
89 studies or employment at such institution necessitates his absence
90 from the county of his voting residence on the date of any
91 primary, general or special election, or the spouse and dependents
92 of said student, teacher or administrator if such spouse or

93 dependent(s) maintain a common domicile, outside of the county of
94 his voting residence, with such student, teacher or administrator.

95 (b) Any qualified elector who is required to be away
96 from his place of residence on any election day due to his
97 employment as an employee of a member of the Mississippi
98 congressional delegation and the spouse and dependents of such
99 person if he or she shall be residing with such absentee voter
100 away from the county of the spouse's voting residence.

101 (c) Any qualified elector who desires to vote by
102 absentee ballot for any reason.

103 (d) Any person who has a temporary or permanent
104 physical disability.

105 (e) The parent, spouse or dependent of a person with a
106 temporary or permanent physical disability who is hospitalized
107 outside of his county of residence or more than fifty (50) miles
108 distant from his residence, if the parent, spouse or dependent
109 will be with such person on election day.

110 (f) Any person who is sixty-five (65) years of age or
111 older.

112 (g) Any member of the Mississippi congressional
113 delegation absent from Mississippi on election day, and the spouse
114 and dependents of such member of the congressional delegation.

115 * * *

116 SECTION 3. The Attorney General of the State of Mississippi
117 is directed to submit this act, immediately upon approval by the
118 Governor, or upon approval by the Legislature subsequent to a
119 veto, to the Attorney General of the United States or to the
120 United States District Court for the District of Columbia in
121 accordance with the provisions of the Voting Rights Act of 1965,
122 as amended and extended.

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