

**\*\*\*Pending\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 915**

**By Senator(s) Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

32        SECTION 1. A United States citizen who is outside the United  
33 States, who has never lived in the United States and who has a  
34 parent who is registered to vote in the State of Mississippi is  
35 eligible to register and vote where his or her parent is  
36 registered to vote.

37        SECTION 2. The Secretary of State may exercise emergency  
38 powers over any election being held in a district in which either  
39 a natural disaster or extremely inclement weather has occurred.  
40 The Secretary of State may also exercise emergency powers during  
41 an armed conflict or other military contingencies involving United  
42 States Armed Forces, or mobilization of those forces, including  
43 state National Guard and Reserve components.

44        The Secretary of State, as the chief elections official of  
45 the state, shall adopt rules describing the emergency powers and  
46 the situations in which the powers will be exercised.

47        SECTION 3. Section 23-15-637, Mississippi Code of 1972, is  
48 amended as follows:

49        23-15-637. (1) Except as provided in subsection (2) of this  
50 section, absentee ballots received by mail, excluding presidential  
51 ballots as provided for in Sections 23-15-731 and 23-15-733, must  
52 be received by the registrar by 5:00 p.m. on the date preceding

53 the election; any received after such time shall be handled as  
54 provided in Section 23-15-647 and shall not be counted. All  
55 ballots cast by the absent elector appearing in person in the  
56 office of the registrar shall be cast not later than 12:00 noon on  
57 the Saturday immediately preceding elections held on Tuesday, the  
58 Thursday immediately preceding elections held on Saturday, or the  
59 second day immediately preceding the date of elections held on  
60 other days. The registrar shall deposit all absentee ballots  
61 which have been timely cast in the ballot boxes upon receipt.

62 (2) Absentee ballots received by mail which have been cast  
63 by any absent voter as defined by Section 23-15-673 must be  
64 received by the registrar by the close of the polls on election  
65 day. Such absentee ballots received after the ballot boxes have  
66 been sent to the polling places shall be delivered by the  
67 registrar to the officials in charge of the election, who shall  
68 examine and act on such ballots as near as practicable to the  
69 procedures by which election managers act on absentee ballots at  
70 the close of polls.

71 SECTION 4. Section 23-15-677, Mississippi Code of 1972, is  
72 amended as follows:

73 23-15-677. All absent voters as defined in Section  
74 23-15-673(1) and (2) may use a duly executed federal postcard  
75 application (as provided for in the Uniformed and Overseas  
76 Citizens Absentee Voting Act, 42 USC 1973 ff et seq.) to request a  
77 ballot or to register to vote, or to do both simultaneously.

78 SECTION 5. Section 23-15-685, Mississippi Code of 1972, is  
79 amended as follows:

80 23-15-685. Within forty-five (45) days next prior to any  
81 election upon application first made to the registrar of the  
82 county by any absent voter as defined in this subarticle, such  
83 person shall be sent an absentee voter ballot \* \* \* of the county  
84 of which he is a citizen and resident. The registrar shall send  
85 to such absent voter a proper absentee voter ballot containing the

**99\SS01\HB915A.J \*SS01\HB915AJ\***

86 names of all candidates who qualify or the proposition to be voted  
87 upon in such elections, and with such ballot there shall be sent  
88 an official envelope containing upon it in printed form the  
89 recitals and data hereinafter required.

90 SECTION 6. Section 23-15-687, Mississippi Code of 1972, is  
91 amended as follows:

92 23-15-687. The registrar shall keep all applications for  
93 absentee ballots and shall, within twenty-four (24) hours, if  
94 possible, send to such absent voter on whose behalf the  
95 application is made the proper affidavit and the proper ballot or  
96 ballots applicable to the elections. One (1) application shall  
97 serve as a request for an absentee ballot for each election held  
98 within the calendar year for which the voter is eligible to vote.

99 The registrar shall preserve all applications for absentee voter  
100 ballots for one (1) year as a record to be furnished to any court  
101 or constituted authority for inspection or evidence if properly  
102 called for.

103 SECTION 7. Section 23-15-695, Mississippi Code of 1972, is  
104 amended as follows:

105 23-15-695. Those persons authorized to administer and attest  
106 oaths shall be:

107 (a) Any commissioned officer or noncommissioned officer  
108 (NCO) or petty officer in the active service of the armed forces;

109 (b) Any member of the Merchant Marine of the United  
110 States designated for this purpose by the Secretary of Commerce;

111 (c) The head of any department or agency of the United  
112 States;

113 (d) Any civilian official empowered by state or federal  
114 law to administer oaths; or

115 (e) Any civilian employee designated by the head of any  
116 department or agency of the United States.

117 SECTION 8. Section 23-15-699, Mississippi Code of 1972, is  
118 amended as follows:

**99\SS01\HB915A.J \*SS01\HB915AJ\***

119 23-15-699. The registrar shall be authorized to use  
120 electronic facsimile (FAX) devices to transmit absentee ballots  
121 and receive voter absentee ballots, and to receive completed  
122 federal postcard applications as described in Section 23-15-677,  
123 which shall serve to request absentee ballots or to register to  
124 vote or to do both simultaneously.

125 SECTION 9. An absent voter who resides outside the United  
126 States, who is a member of the United States Armed Forces or who  
127 is a family member of a member of the armed forces, and who is a  
128 registered voter of the State of Mississippi, may use the Federal  
129 Write-In-Absentee Ballot as provided for by 42 USC 1973 ff-2 in  
130 general, special, primary and run-off elections for local, state  
131 and federal offices.

132 SECTION 10. Section 23-15-689, Mississippi Code of 1972,  
133 which provides the manner in which persons are registered to vote  
134 under the Armed Services Absentee Voters Law, is hereby repealed.

135 SECTION 11. The Attorney General of the State of Mississippi  
136 is directed to submit this act, immediately upon approval by the  
137 Governor, or upon approval by the Legislature subsequent to a  
138 veto, to the Attorney General of the United States or to the  
139 United States District Court for the District of Columbia in  
140 accordance with the provisions of the Voting Rights Act of 1965,  
141 as amended and extended.

142 SECTION 12. This act shall take effect and be in force from  
143 and after the date it is effectuated under Section 5 of the Voting  
144 Rights Act of 1965, as amended and extended.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO PROVIDE THAT A PERSON WHO IS A U.S. CITIZEN OUTSIDE  
2 THE UNITED STATES AND WHO HAS NEVER LIVED IN THE UNITED STATES  
3 SHALL BE ELIGIBLE TO REGISTER TO VOTE AND VOTE WHERE SUCH PERSON'S  
4 PARENT IS REGISTERED TO VOTE; TO GRANT THE SECRETARY OF STATE  
5 EMERGENCY POWERS OVER ELECTIONS UNDER CERTAIN EXTRAORDINARY  
6 CIRCUMSTANCES; TO AMEND SECTIONS 23-15-637, 23-15-677, 23-15-685,  
7 23-15-687, 23-15-695 AND 23-15-699, MISSISSIPPI CODE OF 1972, TO  
8 PROVIDE THAT ABSENTEE BALLOTS RECEIVED BY MAIL THAT HAVE BEEN CAST  
9 BY ABSENT ELECTORS UNDER THE ARMED FORCES ABSENTEE BALLOT LAW MUST

**99\SS01\HB915A.J \*SS01\HB915AJ\***

10 BE RECEIVED BY THE REGISTRAR BY THE CLOSE OF THE POLLS ON ELECTION  
11 DAY; TO PROVIDE THAT ABSENT VOTERS MAY USE A DULY EXECUTED FEDERAL  
12 POSTCARD APPLICATION TO REQUEST A BALLOT OR TO REGISTER TO VOTE OR  
13 TO DO BOTH SIMULTANEOUSLY UNDER THE ARMED FORCES ABSENTEE BALLOT  
14 LAW; TO PROVIDE THAT A REQUEST FOR AN ABSENTEE BALLOT SHALL SERVE  
15 AS A REQUEST FOR AN ABSENTEE BALLOT FOR EACH ELECTION HELD WITHIN  
16 THE CALENDAR YEAR FOR WHICH THE VOTER IS ELIGIBLE TO VOTE; TO  
17 ALLOW NONCOMMISSIONED OFFICERS AND PETTY OFFICERS TO ADMINISTER  
18 AND ATTEST OATHS UNDER THE ARMED FORCES ABSENTEE BALLOT LAW; TO  
19 AUTHORIZE THE USE OF ELECTRONIC FACSIMILE DEVICES TO TRANSMIT  
20 ABSENTEE BALLOTS, TO RECEIVE VOTED ABSENTEE BALLOTS AND TO RECEIVE  
21 COMPLETED FEDERAL POSTCARD APPLICATIONS UNDER THE ARMED FORCES  
22 ABSENTEE BALLOT LAW; TO PROVIDE THAT ABSENT VOTERS WHO RESIDE  
23 OUTSIDE THE UNITED STATES, WHO ARE MEMBERS OF THE UNITED STATES  
24 ARMED FORCES OR WHO ARE FAMILY MEMBERS OF A MEMBER OF THE UNITED  
25 STATES ARMED FORCES, AND WHO ARE REGISTERED VOTERS IN THE STATE OF  
26 MISSISSIPPI, MAY USE THE FEDERAL WRITE-IN-ABSENTEE BALLOT UNDER  
27 CERTAIN CIRCUMSTANCES; TO REPEAL SECTION 23-15-689, MISSISSIPPI  
28 CODE OF 1972, WHICH PROVIDES THE MANNER IN WHICH PERSONS ARE  
29 REGISTERED TO VOTE UNDER THE ARMED SERVICES ABSENTEE VOTERS LAW;  
30 AND FOR RELATED PURPOSES.