

By: Denny

To: Apportionment and
Elections

HOUSE BILL NO. 426

1 AN ACT TO AMEND SECTION 23-15-573, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE FOR THE CREATION OF A UNIFORM AFFIDAVIT BALLOT; AND FOR
3 RELATED PURPOSES.

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

5 SECTION 1. Section 23-15-573, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-573. Any person whose name does not appear upon the
8 pollbooks shall be permitted to vote in an election; but if any
9 person offering to vote in any election whose name does not appear
10 upon the pollbook shall make affidavit before one (1) of the
11 managers of election in writing that he is entitled to vote, or
12 that he has been illegally denied registration, his vote may be
13 prepared by him and handed to the proper election officer who
14 shall enclose the same in an envelope with the written affidavit
15 of the voter, * * * seal the envelope and mark plainly upon it the
16 name of the person offering to vote. The Secretary of State shall
17 develop a uniform affidavit to be used throughout the state for
18 the purposes of this section. The affidavit must include the
19 complete name, all required addresses and telephone numbers, and
20 the signature of the affiant, and must include the signature of
21 one (1) of the election managers. A separate register shall be

22 maintained for affidavit ballots, and the affiant shall sign the
23 register upon completing an affidavit under this section. In
24 canvassing the returns of the election, the executive committee in
25 primary elections, or the election commissioners, in a general
26 election, * * * shall examine the records and allow the ballot to
27 be counted, or not counted, as it appears to be legal.

28 SECTION 2. The Attorney General of the State of Mississippi
29 shall submit this act, immediately upon approval by the Governor,
30 or upon approval by the Legislature subsequent to a veto, to the
31 Attorney General of the United States or to the United States
32 District Court for the District of Columbia in accordance with the
33 provisions of the Voting Rights Act of 1965, as amended and
34 extended.

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