

By: Representative Robinson (63rd)

To: Apportionment and
Elections; Appropriations

HOUSE BILL NO. 1070

1 AN ACT TO AMEND SECTION 23-15-403, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE STATE ASSISTANCE TO CERTAIN COUNTIES TO PURCHASE VOTING
3 MACHINES; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 23-15-403, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-403. The board of supervisors of any county in the
8 State of Mississippi and the governing authorities of any
9 municipality in the State of Mississippi are hereby authorized and
10 empowered, in their discretion, to purchase or rent any voting
11 machine or machines which shall be so constructed as to fulfill
12 the following requirements: It shall secure to the voter secrecy
13 in the act of voting; it shall provide facilities for voting for
14 all candidates of as many political parties or organizations as
15 may make nominations, and for or against as many questions as
16 submitted; it shall, except at primary elections, permit the voter
17 to vote for all the candidates of one party or in the part for the
18 candidates of one or more other parties; it shall permit the voter
19 to vote for as many persons for an office as he is lawfully
20 entitled to vote for, but not more; it shall prevent the voter
21 from voting for the same person more than once for the same
22 office; it shall permit the voter to vote for or against any
23 question he may have the right to vote on, but no other; if used
24 in primary elections, it shall be so equipped that the election
25 officials can lock out all rows except those of the voter's party
26 by a single adjustment on the outside of the machine; it shall
27 correctly register or record and accurately count all votes cast

28 for any and all persons and for or against any and all questions;
29 it shall be provided with a "protective counter" or "protective
30 device" whereby any operation of the machine before or after the
31 election will be detected; it shall be provided with a counter
32 which shall show at all times during an election how many persons
33 have voted; it shall be provided with a mechanical model,
34 illustrating the manner of voting on the machine, suitable for the
35 instruction of voters; it may also be provided with one (1) device
36 for each party, for voting for all the presidential electors of
37 that party by one (1) operation, and a ballot therefor containing
38 only the words "Presidential Electors For" preceded by the name of
39 that party and followed by the names of the candidates thereof for
40 the offices of President and Vice President, and a registering
41 device therefor which shall register the vote cast for said
42 electors when thus voted collectively; provided, however, that
43 means shall be furnished whereby the voter can cast a vote for
44 individual electors when permitted to do so by law. Any county
45 with a population of over two hundred thousand (200,000) or more
46 shall receive financial assistance from the state for the purchase
47 of voting machines.

48 SECTION 2. The Attorney General of the State of Mississippi
49 shall submit this act, immediately upon approval by the Governor,
50 or upon approval by the Legislature subsequent to a veto, to the
51 Attorney General of the United States or to the United States
52 District Court for the District of Columbia in accordance with the
53 provisions of the Voting Rights Act of 1965, as amended and
54 extended.

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