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

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

8 23-15-403. The board of supervisors of any county in the
9 State of Mississippi and the governing authorities of any
10 municipality in the State of Mississippi are hereby authorized and
11 empowered, in their discretion, to purchase or rent any voting
12 machine or machines which shall be so constructed as to fulfill
13 the following requirements: It shall secure to the voter secrecy
14 in the act of voting; it shall provide facilities for voting for
15 all candidates of as many political parties or organizations as
16 may make nominations, and for or against as many questions as
17 submitted; it shall, except at primary elections, permit the voter
18 to vote for all the candidates of one party or in the part for the
19 candidates of one or more other parties; it shall permit the voter
20 to vote for as many persons for an office as he is lawfully
21 entitled to vote for, but not more; it shall prevent the voter
22 from voting for the same person more than once for the same
23 office; it shall permit the voter to vote for or against any
24 question he may have the right to vote on, but no other; if used
25 in primary elections, it shall be so equipped that the election
26 officials can lock out all rows except those of the voter's party
27 by a single adjustment on the outside of the machine; it shall
28 correctly register or record and accurately count all votes cast
for any and all persons and for or against any and all questions; it shall be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected; it shall be provided with a counter which shall show at all times during an election how many persons have voted; it shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters; it may also be provided with one (1) device for each party, for voting for all the presidential electors of that party by one (1) operation, and a ballot therefor containing only the words "Presidential Electors For" preceded by the name of that party and followed by the names of the candidates thereof for the offices of President and Vice President, and a registering device therefor which shall register the vote cast for said electors when thus voted collectively; provided, however, that means shall be furnished whereby the voter can cast a vote for individual electors when permitted to do so by law. Any county with a population of over two hundred thousand (200,000) or more shall receive financial assistance from the state for the purchase of voting machines.

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

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