

By: Representative Reynolds

To: Apportionment and Elections

HOUSE BILL NO. 1219

1 AN ACT TO AMEND SECTION 23-15-39, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT PERSONS WHO ARE UNABLE TO READ OR WRITE SHALL NOT
 3 BE REQUIRED TO PERSONALLY COMPLETE THE APPLICATION FOR
 4 REGISTRATION AS A VOTER; TO AUTHORIZE THE REGISTRAR OR HIS DEPUTY
 5 TO READ THE APPLICATION TO SUCH A PERSON AND RECORD SUCH PERSON'S
 6 RESPONSES THERETO; TO PROVIDE THAT SUCH PERSON SHALL BE REGISTERED
 7 AS AN ELECTOR IF HE OTHERWISE MEETS THE REQUIREMENTS TO BE
 8 REGISTERED AS SUCH; TO REQUIRE THE RECORDED RESPONSES OF SUCH
 9 PERSON TO BE RETAINED PERMANENTLY BY THE REGISTRAR; TO REQUIRE THE
 10 REGISTRAR TO FORWARD A COPY OF SUCH RESPONSES TO THE SECRETARY OF
 11 STATE; AND FOR RELATED PURPOSES.

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

13 SECTION 1. Section 23-15-39, Mississippi Code of 1972, is
 14 amended as follows:

15 23-15-39. (1) Applications for registration as electors of
 16 this state, which are sworn to and subscribed before the registrar
 17 or deputy registrar authorized by law and which are not made by
 18 mail, shall be made upon a triplicate form in the following words
 19 and figures:

20 "APPLICATION FOR REGISTRATION

21 (You may receive assistance in filling out this form from any
 22 person of your choosing. It is not necessary that this form be
 23 filled out in the presence of the registrar, however, the oath
 24 must be executed in the presence of the registrar or his deputy.)

- 25 1. What is your full name, including maiden name, if you
- 26 have one? _____
- 27 2. Please give your social security number. _____
- 28 3. What is your date of birth? _____
- 29 4. Are you a citizen of the United States? _____

30 5. What is your present residence address and each place you
31 have resided during the past year, stating when you lived at each
32 place, and specifying the municipality or community, the street
33 name and number and/or any other designation which accurately
34 describes the geographic location of your present residence
35 address?

36 (a) Present address: _____
37 From _____ (month) to date.

38 (b) Previous address: _____
39 From _____ (month) to _____ (month).

40 (c) Previous address: _____
41 From _____ (month) to _____ (month).

42 (If you need additional space, use the back side of this
43 form.)

44 6. What is your present mailing address? _____

45 7. Are you now a resident of this state and county? _____

46 8. Do you now reside within the city limits of a city or
47 town located within this county? _____

48 9. Have you ever registered to vote before in any other
49 county or state? If so, give the last place or last two (2)
50 places if registered more than once. _____

51 10. Have you ever been convicted of the crime of murder,
52 rape, bribery, theft, arson, obtaining money or goods under false
53 pretenses, perjury, forgery, embezzlement or bigamy? _____

54 11. The following questions may be answered by you at your
55 option and are solely for the purpose of aiding in registering you
56 in the proper precinct:

57 (a) Are there any registered voters living at your
58 present residence? _____ If so, give the name of each such
59 person. _____

60 (b) Do you have a telephone at your present residence?
61 _____ If so, give the telephone number of such telephone.

62 _____ Please give your work telephone number. _____

63 After you have answered 1 through 11 above, sign or make your
64 mark on the following oath in the presence of the registrar or
65 deputy registrar.

66 STATE OF MISSISSIPPI

67 COUNTY OF _____

68 I do solemnly swear (or affirm) that I am at least eighteen
69 (18) years old (or I will be before the next general election in
70 this county), and that I am now in good faith a resident of this
71 state and of _____ Election Precinct in this county, and that I
72 am not disqualified from voting by reason of having been convicted
73 of any crime listed in Question 10 of the application; that I have
74 truly answered all questions propounded to me in the foregoing
75 application for registration, and that I will faithfully support
76 the Constitutions of the United States and of the State of
77 Mississippi, and will bear true faith and allegiance to the same.
78 So help me God.

79 Applicant sign here: _____

80 SWORN TO AND SUBSCRIBED before me, this the ____ day of
81 _____ 20__.

82 _____ (Registrar)

83 By _____ (Deputy Registrar)"

84 (2) The boards of supervisors shall make proper allowances
85 for office supplies reasonably necessitated by the registration of
86 county electors.

87 (3) If the reply to Question 8 above is affirmative, the
88 county registrar shall forward notice of registration, a copy of
89 the application for registration, and any changes to such
90 registration when they occur, either by certified mail to the
91 clerk of the municipality indicated in the present residence
92 address stated in answer to Question 5(a) above or by personal
93 delivery to such clerk provided that a numbered receipt is signed
94 by such clerk in return for the described documents. Upon receipt
95 of the copy of the application for registration or changes to such

96 registration, and if a review of same indicates that the applicant
97 meets all the criteria necessary to qualify as a municipal
98 elector, then the clerk of said municipality shall make a
99 determination of the municipal voting precinct in which the person
100 making the application shall be required to vote. The clerk shall
101 send this municipal voting precinct information by United States
102 first-class mail, postage prepaid, to such person at the address
103 provided on the application. Any and all mailing costs incurred
104 by the county registrar or the clerk of the municipality in
105 effectuating this subsection shall be paid by the governing
106 authority of such municipality. If a review of the copy of the
107 application for registration or changes to such registration
108 indicates that the applicant is not qualified to vote in said
109 municipality, the clerk of said municipality shall challenge such
110 application. The municipal election commissioners responsible for
111 said municipality shall review any such challenge or
112 disqualification after having notified the applicant by certified
113 mail of such challenge or disqualification.

114 (4) If the reply to Question 9 above is affirmative, the
115 registrar or clerk shall on a monthly basis send notice of this
116 new registration to the registrar or clerk of the county stated in
117 Question 9 as the voter's previous place of registration. The
118 election commission of the voter's previous place of registration
119 shall be responsible for having such voter's name erased from the
120 appropriate registration book and pollbook.

121 (5) The registrar shall issue to the person making the
122 application a copy of such application upon which has been written
123 the county voting precinct in which said person shall vote. The
124 registrar shall assign a voter registration number to such person,
125 which shall be that person's social security number if such a
126 number is provided, and said voter registration number shall be
127 clearly shown on the application.

128 (6) Any person desiring an application for registration may
129 secure the same from the registrar of the county of which he is a
130 resident and may take said form with him and secure assistance in
131 completing said form from any person of the applicant's choice.
132 It shall be the duty of all registrars to furnish forms for
133 registering to all persons requesting the same, and it shall
134 likewise be his duty to furnish aid and assistance in the
135 completing of said forms when requested by an applicant. The
136 application for registration shall be sworn to and subscribed
137 before the registrar or deputy registrar at the municipal clerk's
138 office, the county registrar's office or any other location where
139 the applicant is allowed to register to vote. No fee or cost
140 shall be charged the applicant by the registrar for accepting the
141 application or administering the oath or for any other duty
142 imposed by law regarding the registration of electors.

143 (7) If the person making the application is unable to read
144 or write, for reason of disability or otherwise, he shall not be
145 required to personally complete the application in writing and
146 execute the oath. In such cases, the registrar or deputy
147 registrar shall read to such person the application and oath and
148 such person's answers thereto shall be recorded by the registrar
149 or his deputy. The person shall be registered as an elector if he
150 otherwise meets the requirements to be registered as such. The
151 registrar shall record the responses of such person and such
152 recorded responses shall be retained permanently by the registrar.
153 The registrar shall forward a copy of all such recorded responses
154 to the Secretary of State and shall indicate which were approved
155 for registration.

156 (8) The receipt of a copy of the application for
157 registration sent pursuant to Section 23-15-35(2) shall be
158 sufficient to allow the applicant to be registered as an elector
159 of this state, provided that such application is not challenged as
160 provided for therein.

161 (9) In any case in which a municipality expands its
162 corporate boundaries by annexation, the municipal clerk shall,
163 within ten (10) days after the effective date of such annexation,
164 forward to the county registrar a map which accurately depicts the
165 annexed area. The county registrar shall, within ten (10) days
166 after the receipt of such map, forward to the municipal clerk a
167 copy of the most recent county precinct or subprecinct pollbook
168 for the county precincts in which such annexed area is included,
169 or equivalent computer data or information as will permit the
170 identification of county electors who reside in the annexed area.
171 The municipal clerk shall add those county electors who have
172 resided in the annexed area for at least thirty (30) days after
173 annexation to the municipal registration books as registered
174 voters of the municipality and shall forward to such persons
175 written notification of such addition and of the municipal
176 precinct or ward in which such persons reside.

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

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