To: Apportionment and Elections

MISSISSIPPI LEGISLATURE REGULAR SESSION 2002
By: Representatives Eaton, Warren, Clark, Lott, Ishee

HOUSE BILL NO. 1352

AN ACT TO REQUIRE A VOTER TO STATE HIS NAME, ADDRESS AND
NAME, ADDRESS AND MONTH AND DAY OF BIRTH PRIOR TO VOTING; TO REQUIRE A VOTER WHOSE
NAME, ADDRESS AND MONTH AND DAY OF BIRTH ARE NOT THE SAME AS THOSE
ON THE PRECINCT LIST TO COMPETE CHANGE OF INFORMATION FORMS; TO
ALLOW A VOTER OVER THE AGE OF 65 YEARS TO THEN VOTE WITHOUT DELAY;
TO REQUIRE ANY OTHER VOTER WHOSE NAME, ADDRESS OR MONTH AND DAY OF
BIRTH ARE NOT THE SAME AS THOSE ON THE PRECINCT LIST TO PRESENT
ANY ONE OF SIXTEEN DOCUMENTS AND TO THEN VOTE WITHOUT DELAY; IF
UNABLE TO DO SO, TO ALLOW SUCH VOTER TO VOTE IF HE IS RECOGNIZED
BY ELECTION OFFICIALS AS THE VOTER WHOSE NAME IS ON THE PRECINCT
LIST; TO OTHERWISE REQUIRE A VOTER TO SIGN A SWORN STATEMENT UNDER
OATH THAT HE IS THE PERSON WHOSE NAME IS ON THE PRECINCT VOTER
LIST AND THEN ALLOW HIM TO VOTE WITHOUT DELAY; TO CREATE THE
OFFENSE OF VOTER INTIMIDATION PUNISHABLE AS A FELONY; TO AMEND
SECTION 23-15-713, MISSISSIPPI CODE OF 1972, TO ALLOW A VOTER TO
VOTE BY ABSENTEE BALLOT EARLY IN THE VOTER REGISTRAR'S OFFICE
BEGINNING TWO SATURDAYS PRECEDING THE ELECTION THROUGH THE
SATURDAY IMMEDIATELY PRECEDING THE ELECTION, EXCLUDING SUNDAY AND
LEGAL HOLIDAYS; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF
1972, TO ALLOW A VOTER TO APPLY FOR AN ABSENTEE BALLOT TO VOTE
EARLY IN THE OFFICE OF THE VOTER REGISTRAR BEGINNING TWO SATURDAY
IMMEDIATELY PRECEDING THE ELECTION THROUGH THE SATURDAY
IMMEDIATELY PRECEDING THE ELECTION, EXCLUDING SUNDAY AND LEGAL
HOLIDAYS; TO AMEND SECTION 23-15-653, MISSISSIPPI CODE OF 1972, TO
PROVIDE THAT THE REGISTRARS' OFFICES ARE OPEN FROM 8 A.M. UNTIL 5
P.M. ON THE TWO SATURDAYS IMMEDIATELY PRECEDING THE ELECTION; TO
AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO REQUIRE
COMPLIANCE WITH THE PROVISIONS OF THIS ACT; TO AMEND SECTION
23-15-541, MISSISSIPPI CODE OF 1972, TO REQUIRE A PERSON TO BE
QUALIFIED TO VOTE IF THEY COMPLY WITH THE PROVISIONS OF THIS ACT;
TO AMEND SECTION 23-15-719, MISSISSIPPI CODE OF 1972, TO REQUIRE
COMPLIANCE WITH THE PROVISIONS OF THIS ACT; TO AMEND SECTION
23-15-715, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR
RELATED PURPOSES.

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

SECTION 1. The provisions of Sections 1 through 10, of this
act shall be known and cited as the "Voter Security Act of 2002."

SECTION 2. Before a person is permitted to vote, the
election manager, or the voter registrar in the case of absentee
voting in the office of the registrar, shall:

(a) Require the voter to state or communicate his name
in order to verify the existence of his name on the precinct voter
registration list;

H. B. No. 1352
02/HR40/R1904
PAGE 1 (CJR/BD)
(b) Require the voter to state or communicate his address and month and day of birth;

(c) Determine that the voter's month and day of birth and address are the same as those on the precinct voter registration list;

(d) If the voter's name, month and day of birth and address are the same as those on the precinct voter registration list, require the voter to sign his name, including his given name, his middle name or initial, if any, and his last name in the space provided in the precinct receipt book. If the voter is unable to sign his signature or make his mark or cross, the appropriate election official shall enter his initials and the voter's date of birth in the space provided for the voter's signature on the precinct receipt book or other sign in book maintained in the registrar's office, in the case of absentee voting in that office. Any voter who falsely represents his identity by signing another person's name on the precinct receipt book shall be guilty of a felony and, upon conviction, shall be fined not more than Five Thousand Dollars ($5,000.00), imprisoned not less than one (1) year, but not more than five (5) years, or both;

(e) Allow a voter whose name, address and month and day of birth are the same as those on the precinct voter registration list and who has signed his name on the precinct receipt book in compliance with paragraph (d) of this section to vote without undue delay.

(f) (i) If the address given by the voter is not the same as that on the precinct voter registration list, but the voter believes his address is within the precinct, require the voter to complete a voter registration application or change of address form for the purpose of updating county and municipal voter registration records.
(ii) If the address given by the voter is not within the precinct or county, direct the voter to the proper precinct or county, if known by the election official, or instruct the voter to contact the voter registrar to determine his proper voting place.

(g) If the voter's name is not the same as that on the precinct voter registration list, require the voter to complete a voter registration application for the purpose of updating the county and municipal voter registration records;

(h) Allow to vote without undue delay a voter who is 65 years of age or older on the date on which he is voting after he has completed any voter registration application or change of address form required under paragraphs (f)(i) or (g) of this section, if any.

(i) From a voter whose name, address or month and day of birth are not the same as those on the precinct voter registration list, require presentation of one of the following:

   (i) A valid Mississippi driver's license;

   (ii) A valid identification card issued by a branch, department, agency or entity of the State of Mississippi;

   (iii) A valid United States passport;

   (iv) A valid employee identification card containing a photograph of the voter and issued by any branch, department, agency or entity of the United States government, the State of Mississippi, or any county, municipality, board, authority or other entity of this state;

   (v) A valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business;

   (vi) A valid student identification card containing a photograph of the voter from any public or private college, university or post-graduate, technical or professional school located within the State of Mississippi;
(vii) A valid Mississippi license to carry a pistol or revolver;

(viii) A valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the United States.

(ix) A valid United States military identification card;

(x) A certified copy of the voter's birth certificate;

(xi) A valid social security card;

(xii) Certified naturalization documentation;

(xiii) An official voter registration card;

(xiv) A health record;

(xv) A tax receipt; or

(xvi) Any other generally recognized form of identification.

(j) Allow to vote without undue delay any voter whose address, name or month and day of birth are not the same as those on the precinct voter registration list and who do not present documentation as provided under paragraph (i) of this section, after signing the precinct receipt book, if such voter is personally recognized by the appropriate election official as the person on the precinct voter registration list.

(k) For a voter whose name, address or month and day of birth are not the same as those on the precinct voter registration list and who does not present documentation as provided under paragraph (i) of this section and are not personally recognized by the appropriate election official as the person on the precinct voter registration list, after signing the precinct receipt book, allow him to sign a statement under oath, in a form prescribed by the Secretary of State, swearing or affirming that he is the person on the precinct voter registration list. One (1) of the election managers, or the voter registrar in the case of absentee
voting in the office of the registrar, shall sign a statement as a
witness to the oath taken by the elector. The voter shall then be
allowed to vote without undue delay. Any voter who falsely swears
or affirms the statement prescribed in this subsection shall be
guilty of a felony and, upon conviction, shall be fined not more
than Five Thousand Dollars ($5,000.00), imprisoned not less than
one (1) year, but not more than five (5) years, or both.

SECTION 3. There is hereby created the criminal offense of
voter intimidation, which shall occur when any person willfully
and deliberately utilizes any tactic, commits any act, engages in
any conduct or conspires with another to interfere with the free,
unimpeded and unfettered exercise of a person's constitutional
right to vote. Such offense shall be a felony and be punishable
by a fine of Five Thousand Dollars ($5,000.00), imprisonment of
not less than one (1) year, but not more than five (5) years, or
both.

SECTION 4. Section 23-15-713, Mississippi Code of 1972, is
amended as follows:
23-15-713. For the purpose of this subarticle, any duly
qualified elector may vote as provided in this subarticle if he be
one who falls within the following categories:
(a) Any qualified elector who is a bona fide student,
teacher or administrator at any college, university, junior
college, high, junior high, or elementary grade school whose
studies or employment at such institution necessitates his absence
from the county of his voting residence on the date of any
primary, general or special election, or the spouse and dependents
of said student, teacher or administrator if such spouse or
dependent(s) maintain a common domicile, outside of the county of
his voting residence, with such student, teacher or administrator.
(b) Any qualified elector who is required to be away
from his place of residence on any election day due to his
employment as an employee of a member of the Mississippi
(c) Any qualified elector who is away from his county of residence on election day for any reason.

(d) Any person who has a temporary or permanent physical disability and who, because of such disability, is unable to vote in person without substantial hardship to himself or others, or whose attendance at the voting place could reasonably cause danger to himself or others.

(e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his county of residence or more than fifty (50) miles distant from his residence, if the parent, spouse or dependent will be with such person on election day.

(f) Any person who is sixty-five (65) years of age or older.

(g) Any member of the Mississippi congressional delegation absent from Mississippi on election day, and the spouse and dependents of such member of the congressional delegation.

(h) Any qualified elector who will be unable to vote in person because he is required to be at work on election day during the times at which the polls will be open.

(i) Any qualified elector who desires to vote early for any reason in the office of the voter registrar beginning on the second Saturday preceding the election and extending through the Saturday immediately preceding the election, excluding Sunday and all legal holidays.

SECTION 5. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Absentee ballot applications shall be
furnished to a person only upon the oral or written request of the
elector who seeks to vote by absentee ballot; however, the parent,
child, spouse, sibling, legal guardian, those empowered with a
power of attorney for that elector's affairs or agent of the
elector may orally request an absentee ballot application on
behalf of the elector. An absentee ballot application must have
the seal of the circuit or municipal clerk affixed to it and be
initialed by the registrar or his deputy in order to be utilized
to obtain an absentee ballot. A reproduction of an absentee
ballot application shall not be valid unless it is a reproduction
provided by the office of the registrar of the jurisdiction in
which the election is being held and which contains the seal and
initials required by this section. Such application shall be
substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct
of the County of ____, and State of Mississippi, coming within
the purview of the definition 'ABSENT ELECTOR' will be absent from
the county of my residence on election day, or unable to vote in
person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a
resident of Mississippi or have moved therefrom within thirty (30)
days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female,
of any component of the United States Armed Forces and am a
citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red
Cross and am a citizen of Mississippi or spouse or dependent of
such member.

( ) I am a disabled war veteran who is a patient in any
hospital and am a citizen of Mississippi or spouse or dependent of
such veteran.
( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his county of residence or more than fifty (50) miles away from his residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times which the polls will be open.

( ) I desire to vote early in the office of the voter registrar in this election on any day beginning on the second Saturday preceding the election and extending through the Saturday immediately preceding the election, excluding Sunday and all legal holidays.
I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on ____. Mail 'Absent Elector's Ballot' to me at the following address ____________ (if eligible to vote by mail).

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the ____ day of ______, 2___.

_________________________________
(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the ____ day of _____, 2___.

_________________________________
(Official authorized to administer oaths for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absent elector's ballot was signed by the above-named disabled elector in my presence and that I am at least eighteen (18) years of age, this the ____ day of ____________________, 2___.

_________________________________
CERTIFICATE OF DELIVERY

I hereby certify that ____________________ (print name of voter) has requested that I, ____________________ (print name of person delivering application), deliver to the voter this absentee ballot application.

__________________________________________
(Signature of person delivering application)

__________________________________________
(Address of person delivering application)

SECTION 6. Section 23-15-653, Mississippi Code of 1972, is amended as follows:

23-15-653. All registrars’ offices shall remain open from 8:00 a.m. until 5:00 p.m. on the two (2) Saturdays immediately prior to each election.

SECTION 7. Section 23-15-11, Mississippi Code of 1972, is amended as follows:

23-15-11. Every inhabitant of this state, except idiots and insane persons, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he offers to vote, and for thirty (30) days in the incorporated city or town in which he offers to vote, and who shall have been duly registered as an elector pursuant to Section 23-15-33, and who has never been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his residence, and shall be entitled to vote at any election upon compliance with Section 2 of House Bill No. ____, 2002 Regular Session. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days prior to the primary election associated with such general election is entitled to vote at any election upon compliance with Section 2 of House Bill No. ____, 2002 Regular Session.
election, may vote in such primary election even though such
person has not reached his or her eighteenth birthday at the time
such person offers to vote at such primary election. No others
than those above included shall be entitled, or shall be allowed,
to vote at any election.

SECTION 8. Section 23-15-541, Mississippi Code of 1972, is
amended as follows:

[Until Laws, 1993, Chapter 528, is effectuated under Section
5 of the Voting Rights Act of 1965, this section reads as
follows:]

23-15-541. At all elections, the polls shall be opened at
seven o'clock in the morning and be kept open until seven o'clock
in the evening and no longer. Upon the opening of the polls, and
not before, the managers of the election shall designate two (2)
of their number, other than the manager theretofore designated to
receive the blank ballots, who shall thereupon be known
respectively as the initialing manager and the alternate
initialing manager. The alternate initialing manager, in the
absence of the initialing manager, shall perform all of the duties
and undertake all of the responsibilities of the initialing
manager. When any person entitled to vote shall appear to vote,
the managers shall require him to comply with Section 2 of House
Bill No.____, 2002 Regular Session. And then such person
shall * * * sign his name in a receipt book or booklet provided
for that purpose and to be used at that election only and said
receipt book or booklet shall be used in lieu of the list of
voters who have voted formerly made by the managers or clerks;
whereupon and not before, the initialing manager or, in his
absence, the alternate initialing manager shall indorse his
initials on the back of an official blank ballot, prepared in
accordance with law, and at such place on the back of the ballot
that the initials may be seen after the ballot has been marked and
folded, and when so indorsed he shall deliver it to the voter,
which ballot the voter shall mark in the manner provided by law,
which when done the voter shall deliver the same to the initialing
manager or, in his absence, to the alternate initialing manager,
in the presence of the others, and the manager shall see that the
ballot so delivered bears on the back thereof the genuine initials
of the initialing manager, or alternate initialing manager, and if
so, but not otherwise, the ballot shall be put into the ballot
box; and when so done one (1) of the managers or a duly appointed
clerk shall make the proper entry on the pollbook. If the voter
is unable to write his name on the receipt book, a manager or
clerk shall note on the back of the ballot that it was receipted
for by his assistance.

[From and after such time as Laws, 1993, Chapter 528, is
effectuated under Section 5 of the Voting Rights Act of 1965, this
section reads as follows:]

23-15-541. At all elections, the polls shall be opened at
seven o’clock in the morning and be kept open until seven o’clock
in the evening and no longer. Upon the opening of the polls, and
not before, the managers of the election shall designate two (2)
of their number, other than the manager theretofore designated to
receive the blank ballots, who shall thereupon be known
respectively as the initialing manager and the alternate
initialing manager. The alternate initialing manager, in the
absence of the initialing manager, shall perform all of the duties
and undertake all of the responsibilities of the initialing
manager. When any person entitled to vote shall appear to vote,
the manager’s shall require him to comply with Section 2 of House
Bill No. ____, 2002 Regular Session. And then such person shall
sign his name in a receipt book or booklet provided for that
purpose and to be used at that election only and said receipt book
or booklet shall be used in lieu of the list of voters who have
voted formerly made by the managers or clerks; whereupon and not
before, the initialing manager or, in his absence, the alternate
initialing manager shall indorse his initials on the back of an official blank ballot, prepared in accordance with law, and at such place on the back of the ballot that the initials may be seen after the ballot has been marked and folded, and when so indorsed he shall deliver it to the voter, which ballot the voter shall mark in the manner provided by law, which when done the voter shall deliver the same to the initialing manager or, in his absence, to the alternate initialing manager, in the presence of the others, and the manager shall see that the ballot so delivered bears on the back thereof the genuine initials of the initialing manager, or alternate initialing manager, and if so, but not otherwise, the ballot shall be put into the ballot box; and when so done one (1) of the managers or a duly appointed clerk shall make the proper entry on the pollbook. If the voter is unable to write his name on the receipt book, a manager or clerk shall note on the back of the ballot that it was receipted for by his assistance.

SECTION 9. Section 23-15-715, Mississippi Code of 1972, is amended as follows:

23-15-715. (1) Any elector desiring an absentee ballot as provided in this subarticle may secure same if:

(a) Not more than forty-five (45) days nor later than 12:00 noon on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days, he shall appear in person before the registrar of the county in which he resides, or for municipal elections he shall appear in person before the city clerk of the municipality in which he resides and, when the elector so appears, he shall execute and file an application as provided in Section 23-15-627 and vote by absentee ballot, except that if the ballot has not been printed by forty-five (45) days preceding the election, the elector may appear and file an application anytime
before the election. Then the absentee ballot shall be mailed by
the circuit clerk to the elector as soon as the ballot has been
printed.

(b) Within forty-five (45) days next prior to any
election, any elector who cannot comply with paragraph (a) of this
section by reason of temporarily residing outside the county, or
any person who has a temporary or permanent physical disability,
persons who are sixty-five (65) years of age or older, or any
person who is the parent, spouse or dependent of a temporarily or
permanently physically disabled person who is hospitalized outside
of his county of residence or more than fifty (50) miles away from
his residence and such parent, spouse or dependent will be with
such person on election day, may make application for an absentee
ballot by mailing the appropriate application to the registrar.

Only persons temporarily residing out of the county of their
residence, persons having a temporary or permanent physical
disability, persons who are sixty-five (65) years of age or older,
or any person who is the parent, spouse or dependent of a
temporarily or permanently physically disabled person who is
hospitalized outside of his county of residence or more than fifty
(50) miles away from his residence, and such parent, spouse or
dependent will be with such person on election day, may obtain
absentee ballots by mail under the provisions of this subsection
and as provided by Section 23-15-713. Applications of persons
temporarily residing outside the county shall be sworn to and
subscribed before an official who is authorized to administer
oaths or other official authorized to witness absentee balloting
as provided in this chapter, said application to be accompanied by
such verifying affidavits as required by this chapter. The
applications of persons having a temporary or permanent physical
disability shall not be required to be accompanied by an affidavit
but shall be witnessed and signed by a person eighteen (18) years
of age or older. The registrar shall send to such absent voter a
proper absentee voter ballot within twenty-four (24) hours, or as
soon thereafter as the ballots are available, containing the names
of all candidates who qualify or the proposition to be voted on in
such election, and with such ballot there shall be sent an
official envelope containing upon it in printed form the recitals
and data hereinafter required.

(2) Any qualified elector who may vote early for any reason
in the office of the voter registrar beginning on the second
Saturday preceding the election and extending through the Saturday
immediately preceding the election, excluding Sunday and all legal
holidays.

SECTION 10. Section 23-15-719, Mississippi Code of 1972, is
amended as follows:

23-15-719. (1) Immediately upon completion of an
application filed pursuant to the provisions of paragraph (a) of
Section 23-15-715, the registrar shall deliver the necessary
ballots to the applicant. The registrar shall require the
applicant to comply with the provisions of House Bill No.____,
2002 Regular Session, and shall then only deliver the ballots to
the applicant by mail or to the applicant in the registrar's
office. The registrar shall not personally hand deliver ballots
to voters, unless he delivers the ballots in the office of the
registrar. The elector shall fill in his ballot in secret. After
the applicant has properly marked the ballot and properly folded
it, he shall deposit it in the envelope furnished him by the
registrar.

After he has sealed the envelope, he shall subscribe and
swear to an affidavit in the following form, which shall be
printed on the back of the envelope containing the applicant's
ballot:

"STATE OF MISSISSIPPI
COUNTY OF ___________

H. B. No. 1352
02/HR40/R1904
PAGE 15 (CJR\BD)
I, __________, do solemnly swear that this envelope contains
the ballot marked by me indicating my choice of the candidates or
propositions to be submitted at the election to be held on the ___
day of __________, 2___, and I hereby authorize the registrar to
place this envelope in the ballot box on my behalf, and I further
authorize the election managers to open this envelope and place my
ballot among the other ballots cast before such ballots are
counted, and record my name on the poll list as if I were present
in person and voted.

I further swear that I marked the enclosed ballot in secret.

_______________________
(Signature of voter)

SWORN TO AND SUBSCRIBED before me, __________, this the ___
day of __________, 2___.

(Registrar) _______________________
(Registrar)"

After the completion of the requirements of this section, the
elector shall deliver the envelope containing the ballot to the
registrar.

(2) If the voter has received assistance in marking his
ballot, the person providing the assistance shall complete the
following form which shall be printed on the back of the envelope
containing the applicant's ballot:

"CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in
marking the enclosed ballot.) I hereby certify that the
above-named voter declared to me that he or she is blind,
temporarily or permanently physically disabled, or cannot read or
write, and that the voter requested that I assist the voter in
marking the enclosed absentee ballot. I hereby certify that the
ballot preferences on the enclosed ballot are those communicated
by the voter to me, and that I have marked the enclosed ballot in
accordance with the voter's instructions.
(3) The envelope used pursuant to this section shall not contain the form prescribed by Section 23-15-635.

SECTION 11. 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 12. 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.