

By: Representative Scott (80th)

To: Apportionment and Elections

HOUSE BILL NO. 1368

1 AN ACT TO AMEND SECTION 23-15-541, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE POLLWORKERS TO EXPLAIN ELECTION BALLOTS TO VOTERS; AND  
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-541, Mississippi Code of 1972, is  
6 amended as follows:

7 **[Until Laws, 1993, Chapter 528, is effectuated under Section**  
8 **5 of the Voting Rights Act of 1965, this section reads as**  
9 **follows:]**

10 23-15-541. At all elections, the polls shall be opened at  
11 seven o'clock in the morning and be kept open until seven o'clock  
12 in the evening and no longer. Upon the opening of the polls, and  
13 not before, the managers of the election shall designate two (2)  
14 of their number, other than the manager theretofore designated to  
15 receive the blank ballots, who shall thereupon be known  
16 respectively as the initialing manager and the alternate  
17 initialing manager. The alternate initialing manager, in the  
18 absence of the initialing manager, shall perform all of the duties  
19 and undertake all of the responsibilities of the initialing  
20 manager. When any person entitled to vote shall appear to vote,  
21 he shall first sign his name in a receipt book or booklet provided  
22 for that purpose and to be used at that election only and said  
23 receipt book or booklet shall be used in lieu of the list of  
24 voters who have voted formerly made by the managers or clerks;  
25 whereupon and not before, the initialing manager or, in his  
26 absence, the alternate initialing manager shall indorse his  
27 initials on the back of an official blank ballot, prepared in



28 accordance with law, and at such place on the back of the ballot  
29 that the initials may be seen after the ballot has been marked and  
30 folded, and when so indorsed he shall deliver it to the voter,  
31 which ballot the voter shall mark in the manner provided by law,  
32 which when done the voter shall deliver the same to the initialing  
33 manager or, in his absence, to the alternate initialing manager,  
34 in the presence of the others, and the manager shall see that the  
35 ballot so delivered bears on the back thereof the genuine initials  
36 of the initialing manager, or alternate initialing manager, and if  
37 so, but not otherwise, the ballot shall be put into the ballot  
38 box; and when so done one (1) of the managers or a duly appointed  
39 clerk shall make the proper entry on the pollbook. If the voter  
40 is unable to write his name on the receipt book, a manager or  
41 clerk shall note on the back of the ballot that it was receipted  
42 for by his assistance. The managers of election shall designate  
43 one (1) person to explain the ballot to voters. Such person shall  
44 use a uniform statement provided by the Secretary of State for  
45 each election which explains the composition of the ballot  
46 including the information on the ballot and the arrangement of the  
47 ballot.

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

51 23-15-541. At all elections, the polls shall be opened at  
52 seven o'clock in the morning and be kept open until seven o'clock  
53 in the evening and no longer. Upon the opening of the polls, and  
54 not before, the managers of the election shall designate two (2)  
55 of their number, other than the manager theretofore designated to  
56 receive the blank ballots, who shall thereupon be known  
57 respectively as the initialing manager and the alternate  
58 initialing manager. The alternate initialing manager, in the  
59 absence of the initialing manager, shall perform all of the duties  
60 and undertake all of the responsibilities of the initialing



61 manager. When any person entitled to vote shall appear to vote,  
62 the managers shall identify the voter, in the presence and view of  
63 the bystanders, by requiring the voter to submit a valid  
64 Mississippi driver's license, identification card issued by the  
65 Department of Public Safety, voter registration card, Medicaid or  
66 Medicare card, health insurance card, tax receipt or other  
67 identification card or by comparison with the descriptive  
68 information on the pollbook or have a person from the precinct  
69 vouch for such person's identification; and then such person shall  
70 sign his name in a receipt book or booklet provided for that  
71 purpose and to be used at that election only and said receipt book  
72 or booklet shall be used in lieu of the list of voters who have  
73 voted formerly made by the managers or clerks; whereupon and not  
74 before, the initialing manager or, in his absence, the alternate  
75 initialing manager shall indorse his initials on the back of an  
76 official blank ballot, prepared in accordance with law, and at  
77 such place on the back of the ballot that the initials may be seen  
78 after the ballot has been marked and folded, and when so indorsed  
79 he shall deliver it to the voter, which ballot the voter shall  
80 mark in the manner provided by law, which when done the voter  
81 shall deliver the same to the initialing manager or, in his  
82 absence, to the alternate initialing manager, in the presence of  
83 the others, and the manager shall see that the ballot so delivered  
84 bears on the back thereof the genuine initials of the initialing  
85 manager, or alternate initialing manager, and if so, but not  
86 otherwise, the ballot shall be put into the ballot box; and when  
87 so done one (1) of the managers or a duly appointed clerk shall  
88 make the proper entry on the pollbook. If the voter is unable to  
89 write his name on the receipt book, a manager or clerk shall note  
90 on the back of the ballot that it was receipted for by his  
91 assistance. The manager of election shall designate one (1)  
92 person to explain the ballot to voters. Such person shall use a  
93 uniform statement provided by the Secretary of State for each



94 election which explains the composition of the ballot including  
95 the information on the ballot and the arrangement of the ballot.

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

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

