HOUSE BILL NO. 326

AN ACT TO AMEND SECTION 23-15-541, MISSISSIPPI CODE OF 1972, TO REQUIRE IDENTIFICATION OF ELECTORS BEFORE VOTING; TO REQUIRE ELECTORS TO SHOW A DRIVER'S LICENSE, AN IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY OR OTHER FORM OF LEGAL IDENTIFICATION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-541, Mississippi Code of 1972, is amended 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 previously designated to receive the blank ballots, who shall ** 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 identify the voter, in the presence and view of the bystanders, by requiring the voter to submit a valid Mississippi driver's license, an identification card issued by the Department of Public Safety, a voter registration card, a Medicaid or Medicare card, health insurance card, tax receipt or other identification card or by comparison with the descriptive information on the pollbook or by having a person from the precinct vouch for the person's identification; and then that person shall ** sign his name in a receipt book or booklet provided for that purpose and to be used
at that election only and the receipt book or booklet shall be used in lieu of the list made by the managers or clerks which lists the voters who have voted formerly ** **; 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 2. Section 4, Chapter 528, Laws of 1993, which requires voters to show identification before voting, is repealed.

SECTION 3. 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 4. 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.