HOUSE BILL NO. 410

AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR VOTE FRAUD IN VOTING BY ABSENTEE BALLOT; TO AMEND SECTION 23-15-889, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR A PERSON SELLING OR OFFERING TO SELL HIS VOTE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-753, Mississippi Code of 1972, is amended as follows:

23-15-753. (1) Any person who willfully, unlawfully and feloniously procures, seeks to procure, or seeks to influence the vote of any person voting by absentee ballot, by the payment of money, the promise of payment of money, or by the delivery of any other item of value or promise to give the voter any item of value, or by promising or giving the voter any favor or reward in an effort to influence his vote, or any person who aids, abets, assists, encourages, helps, or causes any person voting an absentee ballot to violate any provision of law pertaining to absentee voting, or any person who sells his vote for money, favor, or reward, has been paid or promised money, a reward, a favor or favors, or any other item of value, or any person who shall willfully swear falsely to any affidavit provided for in Sections 23-15-621 through 23-15-735, shall be guilty of the crime of "vote fraud" and, upon conviction, shall be sentenced to pay a fine of Fifty Thousand Dollars ($50,000.00) and sentenced to the custody of the Department of Corrections for not less than five (5) years nor more than ten (10) years.

(2) It shall be unlawful for any person who pays or compensates another person for assisting voters in marking their
absentee ballots to base the pay or compensation on the number of
absentee voters assisted or the number of absentee ballots cast by
persons who have received the assistance. Any person who violates
this section, upon conviction shall, be fined not less than One
Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars
($5,000.00), or imprisoned in the Penitentiary not less than one
(1) year nor more than five (5) years, or both.

SECTION 2. Section 23-15-889, Mississippi Code of 1972, is
amended as follows:

23-15-889. It shall be unlawful for any person to sell or
offer to sell his vote and it shall be likewise unlawful for any
person to offer money or anything of substantial value to anyone
for his vote. Anyone violating the provisions of this section
shall be guilty of a felony and upon conviction shall be fined
Fifty Thousand Dollars ($50,000.00) and shall be sentenced to the
custody of the Department of Corrections for not less than five
(5) years nor more than ten (10) years.

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.