

By: Representative Ketchings

To: Apportionment and Elections

HOUSE BILL NO. 931

1 AN ACT TO REQUIRE PERSONS WHO APPEAR TO VOTE IN PERSON AT A  
2 POLLING PLACE OR THE REGISTRAR'S OFFICE TO IDENTIFY THEMSELVES BY  
3 PRESENTING VALID IDENTIFICATION TO AN ELECTION MANAGER OR THE  
4 REGISTRAR BEFORE THEY ARE ALLOWED TO VOTE; TO PROVIDE THAT AN  
5 ELECTOR SHALL BE ALLOWED TO VOTE IF PERSONALLY RECOGNIZED AS THE  
6 PERSON IDENTIFIED ON THE POLLBOOKS; TO PRESCRIBE THE TYPES OF  
7 IDENTIFICATION THAT ARE VALID FOR THIS PURPOSE; TO AMEND SECTIONS  
8 23-15-11, 23-15-541 AND 23-15-719, MISSISSIPPI CODE OF 1972, IN  
9 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) Each person who shall appear to vote in  
12 person at a polling place or the registrar's office shall be  
13 required to identify himself or herself to an election manager or  
14 the registrar by presenting valid identification before such  
15 person shall be allowed to vote.

16 (2) Valid identification required by subsection (1) of this  
17 section shall consist of the following:

- 18 (a) A valid Mississippi driver's license;
- 19 (b) A valid identification card issued by a branch,  
20 department, agency or entity of the State of Mississippi;
- 21 (c) A valid United States passport;
- 22 (d) A valid employee identification card containing a  
23 photograph of the elector and issued by any branch, department,  
24 agency or entity of the United States government, the State of  
25 Mississippi, or any county, municipality, board, authority or  
26 other entity of this state;
- 27 (e) A valid employee identification card containing a  
28 photograph of the elector and issued by any employer of the  
29 elector in the ordinary course of the employer's business;



30 (f) A valid student identification card containing a  
31 photograph of the elector from any public or private college,  
32 university, or postgraduate, technical or professional school  
33 located within the State of Mississippi;

34 (g) A valid Mississippi license to carry a pistol or  
35 revolver;

36 (h) A valid pilot's license issued by the Federal  
37 Aviation Administration or other authorized agency of the United  
38 States;

39 (i) A valid United States military identification card;

40 (j) A certified copy of the elector's birth  
41 certificate;

42 (k) A valid social security card;

43 (l) Certified naturalization documentation; or

44 (m) Official voter registration card.

45 (3) If an elector is unable to produce any of the items of  
46 identification listed in subsection (1) of this section, he or she  
47 shall be allowed to vote without undue delay if personally  
48 recognized by an election manager, or the circuit clerk or deputy  
49 circuit clerk in the case of absentee voting, as the person  
50 identified on the pollbooks.

51 **SECTION 2.** Section 23-15-11, Mississippi Code of 1972, is  
52 amended as follows:

53 23-15-11. Every inhabitant of this state, except idiots and  
54 insane persons, who is a citizen of the United States of America,  
55 eighteen (18) years old and upwards, who has resided in this state  
56 for thirty (30) days and for thirty (30) days in the county in  
57 which he offers to vote, and for thirty (30) days in the  
58 incorporated city or town in which he offers to vote, and who  
59 shall have been duly registered as an elector pursuant to Section  
60 23-15-33, and who has never been convicted of any crime listed in  
61 Section 241, Mississippi Constitution of 1890, shall be a  
62 qualified elector in and for the county, municipality and voting



63 precinct of his residence, and shall be entitled to vote at any  
64 election upon compliance with Section 1 of House Bill No. \_\_\_\_\_,  
65 2003 Regular Session. Any person who will be eighteen (18) years  
66 of age or older on or before the date of the general election and  
67 who is duly registered to vote not less than thirty (30) days  
68 prior to the primary election associated with such general  
69 election, may vote in such primary election even though such  
70 person has not reached his or her eighteenth birthday at the time  
71 such person offers to vote at such primary election. No others  
72 than those above included shall be entitled, or shall be allowed,  
73 to vote at any election.

74 **SECTION 3.** Section 23-15-541, Mississippi Code of 1972, is  
75 amended as follows:

76 **[Until Laws, 1993, Chapter 528, is effectuated under Section**  
77 **5 of the Voting Rights Act of 1965, this section reads as**  
78 **follows:]**

79 23-15-541. At all elections, the polls shall be opened at  
80 seven o'clock in the morning and be kept open until seven o'clock  
81 in the evening and no longer. Upon the opening of the polls, and  
82 not before, the managers of the election shall designate two (2)  
83 of their number, other than the manager theretofore designated to  
84 receive the blank ballots, who shall thereupon be known  
85 respectively as the initialing manager and the alternate  
86 initialing manager. The alternate initialing manager, in the  
87 absence of the initialing manager, shall perform all of the duties  
88 and undertake all of the responsibilities of the initialing  
89 manager. When any person entitled to vote shall appear to vote,  
90 the managers shall identify the voter by requiring the voter to  
91 submit valid identification as required by Section 1 of House Bill  
92 No. \_\_\_\_\_, 2003 Regular Session, and then such person shall sign  
93 his name in a receipt book or booklet provided for that purpose  
94 and to be used at that election only and said receipt book or  
95 booklet shall be used in lieu of the list of voters who have voted



96 formerly made by the managers or clerks; whereupon and not before,  
97 the initialing manager or, in his absence, the alternate  
98 initialing manager shall indorse his initials on the back of an  
99 official blank ballot, prepared in accordance with law, and at  
100 such place on the back of the ballot that the initials may be seen  
101 after the ballot has been marked and folded, and when so indorsed  
102 he shall deliver it to the voter, which ballot the voter shall  
103 mark in the manner provided by law, which when done the voter  
104 shall deliver the same to the initialing manager or, in his  
105 absence, to the alternate initialing manager, in the presence of  
106 the others, and the manager shall see that the ballot so delivered  
107 bears on the back thereof the genuine initials of the initialing  
108 manager, or alternate initialing manager, and if so, but not  
109 otherwise, the ballot shall be put into the ballot box; and when  
110 so done one (1) of the managers or a duly appointed clerk shall  
111 make the proper entry on the pollbook. If the voter is unable to  
112 write his name on the receipt book, a manager or clerk shall note  
113 on the back of the ballot that it was received for by his  
114 assistance.

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

118 23-15-541. At all elections, the polls shall be opened at  
119 seven o'clock in the morning and be kept open until seven o'clock  
120 in the evening and no longer. Upon the opening of the polls, and  
121 not before, the managers of the election shall designate two (2)  
122 of their number, other than the manager theretofore designated to  
123 receive the blank ballots, who shall thereupon be known  
124 respectively as the initialing manager and the alternate  
125 initialing manager. The alternate initialing manager, in the  
126 absence of the initialing manager, shall perform all of the duties  
127 and undertake all of the responsibilities of the initialing  
128 manager. When any person entitled to vote shall appear to vote,



129 the managers shall identify the voter by requiring the voter to  
130 submit valid identification as required by Section 1 of House Bill  
131 No. , 2003 Regular Session, and then such person shall sign his  
132 name in a receipt book or booklet provided for that purpose and to  
133 be used at that election only and said receipt book or booklet  
134 shall be used in lieu of the list of voters who have voted  
135 formerly made by the managers or clerks; whereupon and not before,  
136 the initialing manager or, in his absence, the alternate  
137 initialing manager shall indorse his initials on the back of an  
138 official blank ballot, prepared in accordance with law, and at  
139 such place on the back of the ballot that the initials may be seen  
140 after the ballot has been marked and folded, and when so indorsed  
141 he shall deliver it to the voter, which ballot the voter shall  
142 mark in the manner provided by law, which when done the voter  
143 shall deliver the same to the initialing manager or, in his  
144 absence, to the alternate initialing manager, in the presence of  
145 the others, and the manager shall see that the ballot so delivered  
146 bears on the back thereof the genuine initials of the initialing  
147 manager, or alternate initialing manager, and if so, but not  
148 otherwise, the ballot shall be put into the ballot box; and when  
149 so done one (1) of the managers or a duly appointed clerk shall  
150 make the proper entry on the pollbook. If the voter is unable to  
151 write his name on the receipt book, a manager or clerk shall note  
152 on the back of the ballot that it was receipted for by his  
153 assistance.

154 **SECTION 4.** Section 23-15-719, Mississippi Code of 1972, is  
155 amended as follows:

156 23-15-719. (1) Immediately upon completion of an  
157 application filed pursuant to the provisions of paragraph (a) of  
158 Section 23-15-715, the registrar shall deliver the necessary  
159 ballots to the applicant. The registrar shall identify the  
160 applicant by requiring him to present valid identification as  
161 required by Section 1 of House Bill No. , 2003 Regular Session,



162 and shall then deliver the ballots to the applicant by mail or to  
163 the applicant in the registrar's office. The registrar shall not  
164 personally hand deliver ballots to voters, unless he delivers the  
165 ballots in the office of the registrar. The elector shall fill in  
166 his ballot in secret. After the applicant has properly marked the  
167 ballot and properly folded it, he shall deposit it in the envelope  
168 furnished him by the registrar.

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

173 "STATE OF MISSISSIPPI  
174 COUNTY OF \_\_\_\_\_

175 I, \_\_\_\_\_, do solemnly swear that this envelope contains  
176 the ballot marked by me indicating my choice of the candidates or  
177 propositions to be submitted at the election to be held on the \_\_\_  
178 day of \_\_\_\_\_, 2\_\_\_, and I hereby authorize the registrar to  
179 place this envelope in the ballot box on my behalf, and I further  
180 authorize the election managers to open this envelope and place my  
181 ballot among the other ballots cast before such ballots are  
182 counted, and record my name on the poll list as if I were present  
183 in person and voted.

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

185 \_\_\_\_\_  
186 (Signature of voter)

187 SWORN TO AND SUBSCRIBED before me, \_\_\_\_\_, this the \_\_\_  
188 day of \_\_\_\_\_, 2\_\_\_.

189 (Registrar) \_\_\_\_\_  
190 (Registrar) "

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



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

198 "CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE  
199 (To be completed only if the voter has received assistance in  
200 marking the enclosed ballot.) I hereby certify that the  
201 above-named voter declared to me that he or she is blind,  
202 temporarily or permanently physically disabled, or cannot read or  
203 write, and that the voter requested that I assist the voter in  
204 marking the enclosed absentee ballot. I hereby certify that the  
205 ballot preferences on the enclosed ballot are those communicated  
206 by the voter to me, and that I have marked the enclosed ballot in  
207 accordance with the voter's instructions.

208 \_\_\_\_\_  
209 Signature of person providing assistance

210 \_\_\_\_\_  
211 Printed name of person providing assistance

212 \_\_\_\_\_  
213 Address of person providing assistance

214 \_\_\_\_\_  
215 Date and time assistance provided

216 \_\_\_\_\_  
217 Family relationship to voter (if any)"

218 (3) The envelope used pursuant to this section shall not  
219 contain the form prescribed by Section 23-15-635.

220 **SECTION 5.** The Attorney General of the State of Mississippi  
221 shall submit this act, immediately upon approval by the Governor,  
222 or upon approval by the Legislature subsequent to a veto, to the  
223 Attorney General of the United States or to the United States  
224 District Court for the District of Columbia in accordance with the  
225 provisions of the Voting Rights Act of 1965, as amended and  
226 extended.



227           **SECTION 6.** This act shall take effect and be in force from  
228 and after the date it is effectuated under Section 5 of the Voting  
229 Rights Act of 1965, as amended and extended.

