HOUSE BILL NO. 1043

AN ACT TO AMEND SECTION 23-15-13, MISSISSIPPI CODE OF 1972, TO ALLOW A PERSON WHO MOVES FROM ONE WARD OR PRECINCT TO ANOTHER WARD OR PRECINCT IN THE STATE TO TRANSFER HIS REGISTRATION TO THE NEW WARD OR PRECINCT; TO AMEND SECTION 23-15-573, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-13, Mississippi Code of 1972, is amended as follows:

23-15-13. An elector who moves from one ward or voting precinct to another ward in the state shall not be disqualified to vote, but he or she shall be entitled to have his or her registration transferred to his or her new ward or voting precinct upon making written request therefor at any time up to thirty (30) days prior to the election at which he or she offers to vote, and if the removal occurs within thirty (30) days of such election he or she shall be entitled to vote in his or her new ward or voting precinct by affidavit ballot as provided in Section 23-15-573.

SECTION 2. Section 23-15-573, Mississippi Code of 1972, is amended as follows:

23-15-573. Any person whose name does not appear upon the pollbooks shall be permitted to vote in an election; but if any person offering to vote in any election whose name does not appear upon the pollbook shall make affidavit before one (1) of the managers of election in writing that he is entitled to vote, or that he has been illegally denied registration, his vote may be prepared by him and handed to the proper election officer who shall enclose the same in an envelope with the written affidavit of the voter, seal the envelope and mark plainly upon it the name
of the person offering to vote. The affidavit must include the complete name, all required addresses and telephone numbers, and the signature of the affiant, and must include the signature of one (1) of the election managers. A separate register shall be maintained for affidavit ballots, and the affiant shall sign the register upon completing an affidavit under this section. In canvassing the returns of the election, the executive committee in primary elections, or the election commissioners, in a general election, shall examine the records and allow the ballot to be counted, or not counted, as it appears to be legal.

The uniform affidavit ballot shall be in substantially the following form:

**AFFIDAVIT & BALLOT ENVELOPE**

STATE OF MISSISSIPPI ___ Primary ____ General
COUNTY OF __________ ___ Special Elections ___________, 20____

Date
Precinct ________________________________

Please give the following information: Date of Birth _____Age___
Social Security Number____________________________
Former Address___________________________Date of Move_____________
Day Phone Number__________________Night Phone Number____________
Maiden Name______________________________

This day personally appeared before the undersigned manager of the above election, __________________________, who makes

Name

affidavit as provided by Section 23-15-573, Mississippi Code of 1972, that he or she is entitled to vote or has been illegally denied registration.

**INSTRUCTIONS TO VOTER:**

If you have been illegally denied registration check this box ☐;

If you are registered and otherwise entitled to vote, check the appropriate box below.
I. FOR VOTERS WHO ARE REGISTERED IN THIS PRECINCT WHO HAVE NOT MOVED

I am entitled to vote because I am a resident of and lawfully registered in this precinct but my name is not on the pollbook.

II. FOR VOTERS WHO HAVE MOVED WITHIN SUPERVISORS DISTRICT

I am entitled to vote because I have been lawfully registered in _________________________ County and the supervisors district wherein this precinct is located for at least thirty (30) days prior to this date, and am not disqualified as a voter of this precinct. I currently reside in this precinct at _______________________________.

Address (physical location-not a post office box number)

III. FOR VOTERS WHO HAVE MOVED FROM ONE SUPERVISORS DISTRICT TO ANOTHER WITHIN THIS STATE

I am entitled to vote because I have been lawfully registered in __________________ County and a resident of the supervisors district wherein this precinct is located for at least thirty (30) days prior to this date, and am not disqualified as a voter of said precinct. I currently reside in this precinct at _______________________________.

Address (physical location-not a post office box number)

Signature of Voter Signature of Manager

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 October 1, 2003, if it is effectuated on or before that date under Section 5 of the Voting Rights Act of 1965, as amended.
and extended. If it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, after October 1, 2003, 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.