

By: Representative Eaton

To: Apportionment and  
Elections

HOUSE BILL NO. 1382

1 AN ACT TO REQUIRE EACH ELECTOR TO PRESENT IDENTIFICATION  
2 BEFORE VOTING AT THE POLLS OR BY ABSENTEE BALLOT; TO PROVIDE  
3 EXCEPTIONS FOR CERTAIN AGE GROUPS AND DISABLED PERSONS; TO PROVIDE  
4 A PENALTY FOR A PERSON WHO WILLFULLY INTERFERES WITH AN ELECTOR'S  
5 RIGHT TO VOTE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) Except as otherwise provided in this  
8 section, each elector shall present valid identification to an  
9 election manager, or the registrar or deputy registrar in the case  
10 of absentee voting in the office of the registrar, before he shall  
11 be allowed to vote. Valid identification shall consist of any one  
12 (1) of the following:

13 (a) A valid Mississippi driver's license;

14 (b) A valid identification card issued by a branch,  
15 department, agency or entity of the State of Mississippi;

16 (c) A valid United States passport;

17 (d) A valid employee identification card containing a  
18 photograph of the elector and issued by any branch, department  
19 agency or entity of the United States government, the State of  
20 Mississippi, or any county, municipality, board, authority or  
21 other entity of this state;

22 (e) A valid employee identification card containing a  
23 photograph of the elector and issued by any employer of the  
24 elector in the ordinary course of the employer's business;

25 (f) A valid student identification card containing a  
26 photograph of the elector from any public or private college,  
27 university, or postgraduate, technical or professional school  
28 located within the State of Mississippi;

- 29                   (g) A valid Mississippi license to carry a pistol or  
30 revolver;
- 31                   (h) A valid pilot's license issued by the Federal  
32 Aviation Administration or other authorized agency of the United  
33 States;
- 34                   (i) A valid United States military identification card;
- 35                   (j) A certified copy of the elector's birth  
36 certificate;
- 37                   (k) A valid social security card;
- 38                   (l) Certified naturalization documentation;
- 39                   (m) Social security documentation;
- 40                   (n) Official voter registration card;
- 41                   (o) Medicaid identification card;
- 42                   (p) Medicare identification card;
- 43                   (q) Food stamp recipient EBT card;
- 44                   (r) A postmarked mailing which was addressed to the  
45 voter;
- 46                   (s) A current utility bill;
- 47                   (t) A current bank statement; or
- 48                   (u) Any other generally recognized form of photographic  
49 identification.

50           (2) If an elector is unable to produce any of the items of  
51 identification listed in subsection (1) of this section, he or she  
52 shall sign a statement in a form approved by the State Board of  
53 Election Commissioners, affirming that he or she is the person  
54 identified on the pollbooks. One (1) of the election managers, or  
55 the registrar or deputy registrar in the case of absentee voting  
56 at the office of the registrar, shall sign the statement as a  
57 witness to the affirmation by the elector. The person shall be  
58 allowed to vote without undue delay. Any elector who falsely  
59 affirms the statement prescribed in this subsection shall be  
60 guilty of a misdemeanor and, upon conviction, shall be fined not

61 more than Three Thousand Dollars (\$3,000.00) or in prison not more  
62 than one (1) year, or both.

63 (3) (a) The following electors shall not be required to  
64 present identification pursuant to subsection (1) of this section  
65 if they are not required to present identification under the Help  
66 America Vote Act of 2002:

67 (i) Through June 30, 2013, electors who are fifty  
68 (50) years of age or older;

69 (ii) From and after July 1, 2013, electors who are  
70 sixty-five (65) years of age or older; and

71 (iii) Electors who are permanently physically  
72 disabled who have filed the statement provided for in paragraph  
73 (b) of this subsection.

74 (b) Persons who are permanently physically disabled may  
75 file with the registrar a statement signed and sworn to by such  
76 person's physician or nurse practitioner which shows that the  
77 affiant is a licensed practicing medical doctor or nurse  
78 practitioner and indicates that the person is permanently  
79 physically disabled. Persons who are permanently physically  
80 disabled and who file such statement shall not be required to  
81 present identification pursuant to subsection (1) of this section  
82 at any election subsequent to the date upon which the statement  
83 was filed.

84 (c) The pollbooks and receipt books used at elections  
85 shall contain notations indicating the electors who are not  
86 required to present identification under this subsection.

87 **SECTION 2.** Any person who willfully and deliberately  
88 utilizes any tactic, commits any act, engages in any conduct or  
89 conspires with another to interfere with the free, unimpeded and  
90 unfettered exercise of a person's constitutional right to vote  
91 shall, upon conviction, be guilty of a misdemeanor, and shall be  
92 punished by a fine not to exceed Three Thousand Dollars

93 (\$3,000.00), or imprisoned for not more than one (1) year, or  
94 both.

95         **SECTION 3.** The Attorney General of the State of Mississippi  
96 shall submit this act, immediately upon approval by the Governor,  
97 or upon approval by the Legislature subsequent to a veto, to the  
98 Attorney General of the United States or to the United States  
99 District Court for the District of Columbia in accordance with the  
100 provisions of the Voting Rights Act of 1965, as amended and  
101 extended.

102         **SECTION 4.** This act shall take effect and be in force from  
103 and after the date it is effectuated under Section 5 of the Voting  
104 Rights Act of 1965, as amended and extended.