

By: Representatives Gunn, Ellington,  
Fillingane, Hamilton (6th), Staples, Reynolds

To: Apportionment and  
Elections

## HOUSE BILL NO. 1435

1 AN ACT TO AMEND SECTIONS 23-15-13 AND 23-15-573, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT AFFIDAVIT BALLOTS SHALL SERVE AS A  
3 WRITTEN REQUEST TO CHANGE RESIDENCY FOR VOTING PURPOSES; AND FOR  
4 RELATED PURPOSES.

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

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

8 23-15-13. An elector who moves from one ward or voting  
9 precinct to another ward within the same municipality or voting  
10 precinct within the same county shall not be disqualified to vote,  
11 but he or she shall be entitled to have his or her registration  
12 transferred to his or her new ward or voting precinct upon either  
13 of the following occurrences: (a) the elector makes written  
14 request therefor at any time up to thirty (30) days prior to the  
15 election at which he or she offers to vote; or (b) he votes by  
16 affidavit ballot as provided in Section 23-15-573. In this case,  
17 the affidavit ballot, if valid, shall be deemed to be a written  
18 request to transfer his registration to his new ward or precinct,  
19 and the circuit clerk shall within thirty (30) days after the  
20 election transfer his registration to his new ward or precinct.  
21 Such an affidavit ballot, if valid, shall be counted in the  
22 election in which it is cast; however, before counting the ballot  
23 in the new precinct, the election commission, or county executive  
24 committee in a primary election, shall verify that the elector did  
25 not cast a ballot in his former precinct.

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



61 This day personally appeared before the undersigned manager  
62 of the above election, \_\_\_\_\_, who makes  
63 Name  
64 affidavit as provided by Section 23-15-573, Mississippi Code of  
65 1972, that he or she is entitled to vote or has been illegally  
66 denied registration.

67 **INSTRUCTIONS TO VOTER:**

68 If you have been illegally denied registration  
69 check this box ;

70 If you are registered and otherwise entitled to vote,  
71 check the appropriate box below.

72  **I. FOR VOTERS WHO ARE REGISTERED IN THIS PRECINCT WHO HAVE**  
73 **NOT MOVED**

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

76  **II. FOR VOTERS WHO HAVE MOVED WITHIN SUPERVISORS DISTRICT**

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

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

84  **III. FOR VOTERS WHO HAVE MOVED FROM ONE SUPERVISORS DISTRICT**  
85 **TO ANOTHER WITHIN THIS COUNTY**

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

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

93 \_\_\_\_\_

94 Signature of Voter

Signature of Manager

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.