

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

To: Apportionment and
Elections

HOUSE BILL NO. 1490

1 AN ACT TO AMEND SECTION 23-15-573, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY WHAT INFORMATION IS REQUIRED ON AN AFFIDAVIT BALLOT;
3 AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-573, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-573. Any person whose name does not appear upon the
8 pollbooks shall be permitted to vote in an election; but if any
9 person offering to vote in any election whose name does not appear
10 upon the pollbook shall make affidavit before one (1) of the
11 managers of election in writing that he is entitled to vote, or
12 that he has been illegally denied registration, his vote may be
13 prepared by him and handed to the proper election officer who
14 shall enclose the same in an envelope with the written affidavit
15 of the voter, seal the envelope and mark plainly upon it the name
16 of the person offering to vote. The affidavit must include (a)
17 the complete name, which may be the signature of the affiant or
18 the printed name of the affiant, (b) any previous or former
19 addresses, if applicable, (c) present address, (d) a home or work
20 telephone number, (e) the signature of the affiant, and (f) the
21 signature of one (1) of the election managers. A separate register
22 shall be maintained for affidavit ballots, and the affiant shall
23 sign the register upon completing an affidavit under this section.
24 In canvassing the returns of the election, the executive committee
25 in primary elections, or the election commissioners, in a general
26 election, shall examine the records and allow the ballot to be
27 counted, or not counted, as it appears to be legal.

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

30 **AFFIDAVIT & BALLOT ENVELOPE**

31 STATE OF MISSISSIPPI ____ Primary ____ General
32 COUNTY OF _____ ____ Special Elections _____, 20____
33 Date

34 Precinct _____

35 Please give the following information: Date of Birth ____ Age ____

36 Social Security Number _____

37 Former Address, if applicable _____

38 Date of Move _____

39 Work Phone Number _____

40 Home Phone Number _____

41 Maiden Name _____

42 This day personally appeared before the undersigned manager
43 of the above election, _____, who makes
44 Name

45 affidavit as provided by Section 23-15-573, Mississippi Code of
46 1972, that he or she is entitled to vote or has been illegally
47 denied registration.

48 **INSTRUCTIONS TO VOTER:**

49 If you have been illegally denied registration
50 check this box ;

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

53 **I. FOR VOTERS WHO ARE REGISTERED IN THIS PRECINCT WHO HAVE**
54 **NOT MOVED**

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

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

58 I am entitled to vote because I have been lawfully registered
59 in _____ County and the supervisors district
60 wherein this precinct is located for at least thirty (30) days

61 prior to this date, and am not disqualified as a voter of this
62 precinct. I currently reside in this precinct at

63 _____.

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

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

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

72 _____.

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

74 _____

75 Signature of Voter

Signature of Manager

76 **SECTION 2.** The Attorney General of the State of Mississippi
77 shall submit this act, immediately upon approval by the Governor,
78 or upon approval by the Legislature subsequent to a veto, to the
79 Attorney General of the United States or to the United States
80 District Court for the District of Columbia in accordance with the
81 provisions of the Voting Rights Act of 1965, as amended and
82 extended.

83 **SECTION 3.** This act shall take effect and be in force from
84 and after the date it is effectuated under Section 5 of the Voting
85 Rights Act of 1965, as amended and extended.