

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

To: Apportionment and
Elections

HOUSE BILL NO. 1600

1 AN ACT TO AMEND SECTIONS 23-15-405 AND 23-15-423, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE THAT THE NUMBER OF VOTING MACHINES USED
3 IN A VOTING PRECINCT BE IN DIRECT PROPORTION TO THE NUMBER OF
4 REGISTERED VOTERS IN THE PRECINCT, WITH A GREATER NUMBER OF VOTING
5 MACHINES BE USED IN PRECINCTS WITH A GREATER NUMBER OF REGISTERED
6 VOTERS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 23-15-405, Mississippi Code of 1972, is
9 amended as follows:

10 23-15-405. Whenever the board of supervisors of any county
11 or the governing authorities of any municipality shall purchase or
12 rent voting machines that meet the requirements of this article,
13 such voting machines may be used at all elections held in such
14 county or municipality, or in any part thereof, for voting,
15 registering and counting votes cast at such elections. In
16 providing voting machines, the board of supervisors is hereby
17 empowered to purchase or rent voting machines for each voting
18 precinct in the entire county, including those located within the
19 municipality, and the board shall purchase or rent machines in
20 direct proportion to the number of voters in each precinct. The
21 board of supervisors of any county and the governing authorities
22 of any municipality may jointly purchase or rent voting machines
23 for all of the voting precincts in the entire county. Whenever
24 voting machines have been purchased or rented by either the board
25 of supervisors or the governing authorities of a municipality, for
26 use at voting precincts within the county or within the
27 municipality, said voting machines may be used at said voting
28 precincts in all elections, and the officials in charge of the
29 election to be held shall cause the voting machines to be prepared

30 and used at such election as provided for herein. The number of
31 voting machines to be used in each voting precinct must be in
32 direct proportion to the number of voters registered in the
33 precinct, with a greater number of voting machines to be used in
34 voting precincts in which a greater number of voters are
35 registered. Guidelines for the number of machines to be used for
36 a specific designated number of voters within each precinct shall
37 be provided by the Secretary of State. Voting machines of
38 different kinds may be adopted for different counties within the
39 state.

40 Voting machines may be used in combination with paper ballots
41 in any election at the discretion of and under rules and
42 regulations set up by the officials in charge of the election.

43 **SECTION 2.** Section 23-15-423, Mississippi Code of 1972, is
44 amended as follows:

45 23-15-423. Voting precincts in which voting machines are to
46 be used shall be altered, divided or combined so as to provide
47 that each voting precinct in which the machine or machines to be
48 used shall contain the number of voters specified by the Secretary
49 of State. The number of voting machines to be used in each voting
50 precinct must be in direct proportion to the number of voters
51 registered in the precinct, with a greater number of voting
52 machines to be used in voting precincts in which a greater number
53 of voters are registered. Guidelines for the number of machines
54 to be used for a specific designated number of voters within each
55 precinct shall be provided by the Secretary of State.

56 **SECTION 3.** The Attorney General of the State of Mississippi
57 shall submit this act, immediately upon approval by the Governor,
58 or upon approval by the Legislature subsequent to a veto, to the
59 Attorney General of the United States or to the United States
60 District Court for the District of Columbia in accordance with the
61 provisions of the Voting Rights Act of 1965, as amended and
62 extended.

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