

By: Representative Whittington

To: Apportionment and  
Elections

HOUSE BILL NO. 1401

1 AN ACT TO AMEND SECTION 23-15-629, MISSISSIPPI CODE OF 1972,  
2 TO ADD TEMPORARILY PHYSICALLY DISABLED PERSONS TO THE TYPES OF  
3 PERSONS WHO MAY AUTOMATICALLY RECEIVE AN ABSENTEE BALLOT FOR ALL  
4 ELECTIONS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 23-15-629, Mississippi Code of 1972, is  
7 amended as follows:

8 23-15-629. (1) The application for an absentee ballot of a  
9 person who is temporarily physically disabled or permanently  
10 physically disabled may be accompanied by a statement signed and  
11 sworn to by such person's physician, or nurse practitioner, which  
12 statement must show that the affiant is a licensed, practicing  
13 medical doctor or nurse practitioner and must indicate that the  
14 person is temporarily physically disabled or permanently  
15 physically disabled.

16 (2) An application accompanied by the statement provided for  
17 in subsection (1) of this section shall entitle such temporarily  
18 physically disabled or permanently physically disabled person to  
19 automatically receive an absentee ballot for all elections on a  
20 continuing basis without the necessity for reapplication.

21 (3) The registrar of each county shall keep an accurate list  
22 of the names and addresses of all persons whose applications for  
23 absentee ballot are accompanied by the statement set forth in  
24 subsection (1) of this section. Sixty (60) days prior to each  
25 election, the registrar shall deliver such list to the  
26 commissioners of election who shall examine the list and delete  
27 from it the names of all persons listed who are no longer  
28 qualified electors of the county. Upon completion of such

29 examination, the commissioners of election shall return the list  
30 to the registrar by no later than forty-five (45) days prior to  
31 the election.

32 (4) The registrar shall send a ballot to all persons who are  
33 determined by the commissioners of election to be qualified  
34 electors pursuant to subsection (3) of this section by no later  
35 than forty (40) days prior to the election.

36 **SECTION 2.** The Attorney General of the State of Mississippi  
37 shall submit this act, immediately upon approval by the Governor,  
38 or upon approval by the Legislature subsequent to a veto, to the  
39 Attorney General of the United States or to the United States  
40 District Court for the District of Columbia in accordance with the  
41 provisions of the Voting Rights Act of 1965, as amended and  
42 extended.

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