

By: Senator(s) Jackson (32nd)

To: Elections

SENATE BILL NO. 2933

1 AN ACT TO AMEND SECTIONS 23-15-627 AND 23-15-713, MISSISSIPPI  
2 CODE OF 1972, TO ALLOW QUALIFIED ELECTORS TO VOTE BY ABSENTEE  
3 BALLOT FOR ANY REASON; TO AMEND SECTION 23-15-653, MISSISSIPPI  
4 CODE OF 1972, TO REQUIRE ALL REGISTRARS' OFFICES TO REMAIN OPEN  
5 FROM 7 A.M. TO 7 P.M. ON THE THREE SATURDAYS PRIOR TO EACH  
6 ELECTION; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 23-15-627, Mississippi Code of 1972, is  
9 amended as follows:

10 23-15-627. The registrar shall be responsible for furnishing  
11 an absentee ballot application form to any elector authorized to  
12 receive an absentee ballot. Absentee ballot applications shall be  
13 furnished to a person only upon the oral or written request of the  
14 elector who seeks to vote by absentee ballot; however, the parent,  
15 child, spouse, sibling, legal guardian, those empowered with a  
16 power of attorney for that elector's affairs or agent of the  
17 elector may orally request an absentee ballot application on  
18 behalf of the elector. An absentee ballot application must have  
19 the seal of the circuit or municipal clerk affixed to it and be  
20 initialed by the registrar or his deputy in order to be utilized  
21 to obtain an absentee ballot. A reproduction of an absentee  
22 ballot application shall not be valid unless it is a reproduction  
23 provided by the office of the registrar of the jurisdiction in  
24 which the election is being held and which contains the seal and  
25 initials required by this section. Such application shall be  
26 substantially in the following form:

27 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

28 I, \_\_\_\_\_, duly qualified and registered in the \_\_\_\_ Precinct  
29 of the County of \_\_\_\_\_, and State of Mississippi, coming within

30 the purview of the definition 'ABSENT ELECTOR' will be absent from  
31 the county of my residence on election day, or desire to vote by  
32 absentee ballot because (check appropriate reason):

33       ( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a  
34 resident of Mississippi or have moved therefrom within thirty (30)  
35 days of the coming presidential election.

36       ( ) I am an enlisted or commissioned member, male or female,  
37 of any component of the United States Armed Forces and am a  
38 citizen of Mississippi, or spouse or dependent of such member.

39       ( ) I am a member of the Merchant Marine or the American Red  
40 Cross and am a citizen of Mississippi or spouse or dependent of  
41 such member.

42       ( ) I am a disabled war veteran who is a patient in any  
43 hospital and am a citizen of Mississippi or spouse or dependent of  
44 such veteran.

45       ( ) I am a civilian attached to and serving outside of the  
46 United States with any branch of the Armed Forces or with the  
47 Merchant Marine or American Red Cross, and am a citizen of  
48 Mississippi or spouse or dependent of such civilian.

49       ( ) I am a citizen of Mississippi temporarily residing  
50 outside the territorial limits of the United States and the  
51 District of Columbia.

52       ( ) I am a student, teacher or administrator at a college,  
53 university, junior or community college, high, junior high,  
54 elementary or grade school, whose studies or employment at such  
55 institution necessitates my absence from the county of my voting  
56 residence or spouse or dependent of such student, teacher or  
57 administrator who maintains a common domicile outside the county  
58 of my voting residence with such student, teacher or  
59 administrator.

60       ( ) I desire to vote by absentee ballot at this election.

61       ( ) I have a temporary or permanent physical disability.

62       ( ) I am sixty-five (65) years of age or older.

63 ( ) I am the parent, spouse or dependent of a person with a  
64 temporary or permanent physical disability who is hospitalized  
65 outside his county of residence or more than fifty (50) miles away  
66 from his residence, and I will be with such person on election  
67 day.

68 ( ) I am a member of the congressional delegation, or spouse  
69 or dependent of a member of the congressional delegation.

70 \* \* \*

71 I hereby make application for an official ballot, or ballots,  
72 to be voted by me at the election to be held in \_\_\_\_\_, on \_\_\_\_\_.

73 Mail 'Absent Elector's Ballot' to me at the following  
74 address \_\_\_\_\_ (if eligible to vote by mail).

75 I realize that I can be fined up to Five Thousand Dollars  
76 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary  
77 for making a false statement in this application and for selling  
78 my vote and violating the Mississippi Absentee Voter Law. (This  
79 sentence is to be in bold print.)

80 If you are temporarily or permanently disabled, you are not  
81 required to have this application notarized or signed by an  
82 official authorized to administer oaths for absentee balloting.  
83 You are required to sign this application in the proper place and  
84 have a person eighteen (18) years of age or older witness your  
85 signature and sign this application in the proper place.

86 DO NOT SIGN WITHOUT READING. (This sentence is to be in bold  
87 print.)

88 IN WITNESS WHEREOF I have hereunto set my hand and seal this  
89 the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

90 \_\_\_\_\_

91 (Signature of absent elector)

92 SWORN TO AND SUBSCRIBED before me this the \_\_\_\_ day of \_\_\_\_\_,  
93 2\_\_\_\_.

94 \_\_\_\_\_

95 (Official authorized to administer oaths

96 for absentee balloting.)

97 TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY  
98 DISABLED:

99 I HEREBY CERTIFY that this application for an absent  
100 elector's ballot was signed by the above-named disabled elector in  
101 my presence and that I am at least eighteen (18) years of age,  
102 this the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

103 \_\_\_\_\_

104 (Signature of witness)

105 CERTIFICATE OF DELIVERY

106 I hereby certify that \_\_\_\_\_ (print name of voter)  
107 has requested that I, \_\_\_\_\_ (print name of person  
108 delivering application), deliver to the voter this absentee ballot  
109 application.

110 \_\_\_\_\_

111 (Signature of person delivering application)

112 \_\_\_\_\_

113 (Address of person delivering application)"

114 **SECTION 2.** Section 23-15-713, Mississippi Code of 1972, is  
115 amended as follows:

116 23-15-713. For the purpose of this subarticle, any duly  
117 qualified elector may vote as provided in this subarticle if he be  
118 one who falls within the following categories:

119 (a) Any qualified elector who is a bona fide student,  
120 teacher or administrator at any college, university, junior  
121 college, high, junior high, or elementary grade school whose  
122 studies or employment at such institution necessitates his absence  
123 from the county of his voting residence on the date of any  
124 primary, general or special election, or the spouse and dependents  
125 of said student, teacher or administrator if such spouse or  
126 dependent(s) maintain a common domicile, outside of the county of  
127 his voting residence, with such student, teacher or administrator.

128           (b) Any qualified elector who is required to be away  
129 from his place of residence on any election day due to his  
130 employment as an employee of a member of the Mississippi  
131 congressional delegation and the spouse and dependents of such  
132 person if he or she shall be residing with such absentee voter  
133 away from the county of the spouse's voting residence.

134           (c) Any qualified elector who desires to vote by  
135 absentee ballot for any reason.

136           (d) Any person who has a temporary or permanent  
137 physical disability and who, because of such disability, is unable  
138 to vote in person without substantial hardship to himself or  
139 others, or whose attendance at the voting place could reasonably  
140 cause danger to himself or others.

141           (e) The parent, spouse or dependent of a person with a  
142 temporary or permanent physical disability who is hospitalized  
143 outside of his county of residence or more than fifty (50) miles  
144 distant from his residence, if the parent, spouse or dependent  
145 will be with such person on election day.

146           (f) Any person who is sixty-five (65) years of age or  
147 older.

148           (g) Any member of the Mississippi congressional  
149 delegation absent from Mississippi on election day, and the spouse  
150 and dependents of such member of the congressional delegation.

151       \* \* \*

152       **SECTION 3.** Section 23-15-653, Mississippi Code of 1972, is  
153 amended as follows:

154       23-15-653. All registrars' offices shall remain open from  
155 7:00 a.m. until 7:00 p.m. on the three (3) Saturdays prior to each  
156 election.

157       **SECTION 4.** The Attorney General of the State of Mississippi  
158 shall submit this act, immediately upon approval by the Governor,  
159 or upon approval by the Legislature subsequent to a veto, to the  
160 Attorney General of the United States or to the United States

161 District Court for the District of Columbia in accordance with the  
162 provisions of the Voting Rights Act of 1965, as amended and  
163 extended.

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