

By: Representative Whittington

To: Apportionment and Elections

HOUSE BILL NO. 437

1 AN ACT TO AMEND SECTIONS 23-15-127 AND 23-15-129, MISSISSIPPI
2 CODE OF 1972, TO PROHIBIT THE REGISTRAR OF THE COUNTY OR
3 MUNICIPALITY FROM DISCLOSING THE IDENTITY OF VICTIMS OF DOMESTIC
4 VIOLENCE FROM THE POLLBOOK, UPON NOTIFICATION BY A VICTIM OF
5 DOMESTIC VIOLENCE OR BY A CONCERNED PARTY OF THE VICTIM; TO
6 PROVIDE THAT NOTICE OF THE PROHIBITION BE GIVEN DURING THE
7 ADMINISTRATIVE DIVISION OF THE POLLBOOK; AND FOR RELATED PURPOSES.

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

9 SECTION 1. Section 23-15-127, Mississippi Code of 1972,
10 is amended as follows:

11 23-15-127. (1) It shall be the duty of the registrar of the
12 county or municipality to prepare and furnish to the appropriate
13 election commissioner pollbooks for each voting precinct in which
14 the election is to be conducted, in which shall be entered the
15 name, residence, date of birth and date of registration of each
16 person duly registered in such voting precinct as now provided by
17 law, and which pollbooks shall be known as "primary election
18 pollbooks" and shall be used only in holding primary elections.
19 The election commissioners of the county or city shall revise such
20 primary pollbooks at the time and in the manner and in accordance
21 with the laws now fixed and in force for revising pollbooks now
22 provided for under the law, except they shall not remove therefrom
23 any person who is qualified under the provisions hereof to
24 participate in such primary elections; all laws applicable to the
25 revision of pollbooks now in use, shall be applicable to the
26 revision of pollbooks for primary elections herein provided for,
27 and all rights of voters to be heard and to appeal to the
28 executive committee of his party from the action of such election
29 commissioners now provided by law shall be available to the voter

30 in the revisions of the pollbooks for primary elections herein
31 provided for.

32 (2) Upon notice by a victim of domestic violence as defined
33 by Section 97-3-7 or a concerned party of such victim, it shall be
34 the duty of the registrar of the county or municipality to
35 prohibit the disclosure from the pollbook of the name, address or
36 related information of such victim of domestic violence by issuing
37 a clear prohibition to all employees or persons involved with
38 handling of the pollbook.

39 **SECTION 2.** Section 23-15-129, Mississippi Code of 1972, is
40 amended as follows:

41 23-15-129. The commissioners of election and the registrars
42 of the respective counties are hereby directed to make an
43 administrative division of the pollbook for each county
44 immediately following any reapportionment of the Mississippi
45 Legislature or any realignment of supervisors districts, if
46 necessary. Notice of the prohibition against disclosure of the
47 identity of victims of domestic violence as defined in Section
48 97-3-7 and provided for in 23-15-127(2) shall be given when the
49 administrative division of the pollbook is made. Such an
50 administrative division shall form subprecincts whenever necessary
51 within each voting precinct so that all persons within a
52 subprecinct shall vote on the same candidates for each public
53 office. Separate pollbooks for each subprecinct shall be made.
54 The polling place for all subprecincts within any given voting
55 precinct shall be the same as the polling place for the voting
56 precinct. Additional managers may be appointed for subprecincts
57 in the discretion of the commissioners of election or, in the case
58 of primary elections, in the discretion of the proper executive
59 committee.

60 **SECTION 3.** The Attorney General of the State of Mississippi
61 shall submit this act, immediately upon approval by the Governor,
62 or upon approval by the Legislature subsequent to a veto, to the

63 Attorney General of the United States or to the United States
64 District Court for the District of Columbia in accordance with the
65 provisions of the Voting Rights Act of 1965, as amended and
66 extended.

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