

By: Representative Lott

To: Apportionment and  
Elections

## HOUSE BILL NO. 1131

1 AN ACT TO REQUIRE AN ELECTOR WHO HAS NOT PREVIOUSLY VOTED IN  
2 AN ELECTION FOR STATE OR FEDERAL OFFICE TO IDENTIFY HIMSELF OR  
3 HERSELF BY PRESENTING A BIRTH CERTIFICATE; TO REQUIRE AN ELECTOR  
4 WHO HAS NOT PREVIOUSLY VOTED IN AN ELECTION FOR STATE OR FEDERAL  
5 OFFICE AND WHO IS A LEGAL ALIEN TO IDENTIFY HIMSELF OR HERSELF BY  
6 PRESENTING PRESENT NATURALIZATION PAPERS ISSUED BY THE UNITED  
7 STATES GOVERNMENT; TO AMEND SECTIONS 23-15-541 AND 23-15-11,  
8 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS;  
9 AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) Each elector who has not previously voted in  
12 an election for State or Federal office shall be required to  
13 identify himself or herself by presenting such elector's birth  
14 certificate before such elector is allowed to vote.

15 (2) Each elector who has not previously voted in an election  
16 for State or Federal office and who is a legal alien of the United  
17 States shall be required to identify himself or herself by  
18 presenting such elector's naturalization papers issued from the  
19 United States government before such elector is allowed to vote.

20 **SECTION 2.** Section 23-15-541, Mississippi Code of 1972, is  
21 amended as follows:

22 23-15-541. At all elections, the polls shall be opened at  
23 seven o'clock in the morning and be kept open until seven o'clock  
24 in the evening and no longer. Upon the opening of the polls, and  
25 not before, the managers of the election shall designate two (2)  
26 of their number, other than the manager theretofore designated to  
27 receive the blank ballots, who shall thereupon be known  
28 respectively as the initialing manager and the alternate  
29 initialing manager. The alternate initialing manager, in the  
30 absence of the initialing manager, shall perform all of the duties

31 and undertake all of the responsibilities of the initialing  
32 manager. When a person entitled to vote shall appear to vote,  
33 except persons who have not previously voted in an election for  
34 state or federal office and required to present identification as  
35 required by Section 1 of this act, he shall first sign his name in  
36 a receipt book or booklet provided for that purpose and to be used  
37 at that election only and said receipt book or booklet shall be  
38 used in lieu of the list of voters who have voted formerly made by  
39 the managers or clerks; whereupon and not before, the initialing  
40 manager or, in his absence, the alternate initialing manager shall  
41 indorse his initials on the back of an official blank ballot,  
42 prepared in accordance with law, and at such place on the back of  
43 the ballot that the initials may be seen after the ballot has been  
44 marked and folded, and when so indorsed he shall deliver it to the  
45 voter, which ballot the voter shall mark in the manner provided by  
46 law, which when done the voter shall deliver the same to the  
47 initialing manager or, in his absence, to the alternate initialing  
48 manager, in the presence of the others, and the manager shall see  
49 that the ballot so delivered bears on the back thereof the genuine  
50 initials of the initialing manager, or alternate initialing  
51 manager, and if so, but not otherwise, the ballot shall be put  
52 into the ballot box; and when so done one (1) of the managers or a  
53 duly appointed clerk shall make the proper entry on the pollbook.  
54 If the voter is unable to write his name on the receipt book, a  
55 manager or clerk shall note on the back of the ballot that it was  
56 receipted for by his assistance.

57 **SECTION 3.** Section 23-15-11, Mississippi Code of 1972, is  
58 amended as follows:

59 23-15-11. Every inhabitant of this state, except idiots and  
60 insane persons, who is a citizen of the United States of America,  
61 eighteen (18) years old and upwards, who has resided in this state  
62 for thirty (30) days and for thirty (30) days in the county in  
63 which he offers to vote, and for thirty (30) days in the

64 incorporated city or town in which he offers to vote, and who  
65 shall have been duly registered as an elector pursuant to Section  
66 23-15-33, and who has never been convicted of any crime listed in  
67 Section 241, Mississippi Constitution of 1890, shall be a  
68 qualified elector in and for the county, municipality and voting  
69 precinct of his residence, and shall be entitled to vote at any  
70 election provided he complies with the identification requirements  
71 of Section 1 of this act. Any person who will be eighteen (18)  
72 years of age or older on or before the date of the general  
73 election and who is duly registered to vote not less than thirty  
74 (30) days prior to the primary election associated with such  
75 general election, may vote in such primary election even though  
76 such person has not reached his or her eighteenth birthday at the  
77 time such person offers to vote at such primary election. No  
78 others than those above included shall be entitled, or shall be  
79 allowed, to vote at any election.

80       **SECTION 4.** The Attorney General of the State of Mississippi  
81 shall submit this act, immediately upon approval by the Governor,  
82 or upon approval by the Legislature subsequent to a veto, to the  
83 Attorney General of the United States or to the United States  
84 District Court for the District of Columbia in accordance with the  
85 provisions of the Voting Rights Act of 1965, as amended and  
86 extended.

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