

By: Senator(s) Burton

To: Elections

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2809

1 AN ACT TO AMEND SECTIONS 23-15-33, 23-15-35, 23-15-37,
2 23-15-39, 23-15-41, 23-15-47, 23-15-113, 23-15-121, 23-15-123,
3 23-15-125, 23-15-127, 23-15-129, 23-15-133, 23-15-137, 23-15-165,
4 23-15-625, 23-15-627, 23-15-629, 23-15-631, 23-15-639 AND
5 23-15-641, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL
6 REVISIONS TO MISSISSIPPI'S ELECTION LAWS; TO CHANGE THE NAME OF
7 THE STATEWIDE CENTRALIZED VOTER SYSTEM TO THE STATEWIDE ELECTIONS
8 MANAGEMENT SYSTEM; TO FULLY INCORPORATE THE SYSTEM INTO THE
9 PROCESS OF REGISTERING VOTERS; TO DELAY THE IMPLEMENTATION OF THE
10 SYSTEM IN MUNICIPALITIES; TO REMOVE THE AUTHORIZATION FOR THE
11 REGISTRAR TO PERSONALLY VISIT PERSONS WHO ARE PHYSICALLY DISABLED
12 AND REGISTER THEM TO VOTE; TO PROVIDE THAT PHYSICALLY DISABLED
13 PERSONS SHALL, UPON REQUEST, BE PROVIDED WITH A MAIL-IN VOTER
14 APPLICATION; TO REMOVE THE REQUIREMENT THAT THE VOTER REGISTRATION
15 NUMBER OF A VOTER MUST BE THE VOTER'S DRIVER'S LICENSE NUMBER OR
16 THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER; TO PROVIDE
17 THAT ALL RECORDS PERTAINING TO VOTER REGISTRATION SHALL BE STORED
18 IN AN ELECTRONIC FORMAT IN THE STATEWIDE ELECTIONS MANAGEMENT
19 SYSTEM; TO PROVIDE THAT VOTER APPLICATIONS SCANNED INTO THE
20 STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE A LEGAL DOCUMENT OF
21 VOTER REGISTRATION; TO PROVIDE THAT UPON THE WRITTEN REQUEST OF A
22 MUNICIPAL ELECTION COMMISSION, THE COUNTY COMMISSIONERS OF
23 ELECTION SHALL REVISE THE PRIMARY ELECTION POLLBOOKS OF THE
24 MUNICIPALITY; TO REMOVE THE REQUIREMENT THAT SUBPRECINCT POLLBOOKS
25 BE PREPARED; TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW
26 THAT AUTHORIZES MUNICIPALITIES TO CONTRACT WITH THE COUNTY
27 ELECTION COMMISSIONERS FOR PREPARATION OF MUNICIPAL REGISTRATION
28 BOOKS AND POLLBOOKS; TO REMOVE THE REQUIREMENT THAT ABSENTEE
29 BALLOT APPLICATIONS BE PRINTED WITH SEQUENTIAL NUMBERS APPEARING
30 ON THE APPLICATION AND THE CORRESPONDING PERFORATED STUB; TO
31 REMOVE THE REQUIREMENT THAT THE REGISTRAR FILE AN AFFIDAVIT
32 STATING THE NUMBER OF ABSENTEE BALLOT APPLICATIONS WHICH HE
33 RECEIVED FROM THE PRINTER; TO REMOVE THE REQUIREMENT THAT THE
34 REGISTRAR KEEP A PERMANENT LEDGER FOR THE PURPOSE OF SHOWING THE
35 NUMBER OF ABSENTEE BALLOT APPLICATIONS AND THE PERSONS TO WHOM THE
36 APPLICATIONS WERE GIVEN; TO REQUIRE THAT THOSE EMPOWERED WITH A
37 POWER OF ATTORNEY FOR AN ELECTOR'S AFFAIRS OR AN AGENT OF THE
38 ELECTOR WHO REQUEST AN ABSENTEE BALLOT FOR AN ELECTOR SHALL DO SO
39 IN WRITING AND THE REQUEST MUST BE ACCOMPANIED BY PROOF OF THE
40 POWER OF ATTORNEY OR THE AUTHORITY TO ACT AS AN AGENT; TO PROVIDE
41 THAT AN APPLICATION FOR AN ABSENTEE BALLOT BY A PERSON WHO IS
42 PERMANENTLY PHYSICALLY DISABLED MUST BE ACCOMPANIED BY A STATEMENT
43 FROM A PHYSICIAN OR NURSE PRACTITIONER STATING THAT THE PERSON IS
44 PERMANENTLY PHYSICALLY DISABLED TO SUCH A DEGREE THAT IT IS
45 DIFFICULT FOR HIM TO VOTE IN PERSON; TO PROVIDE THE PROCEDURE FOR
46 HANDLING AND COUNTING ABSENTEE BALLOTS IN ELECTIONS CONDUCTED WITH
47 DIRECT RECORDING ELECTRONIC VOTING SYSTEMS; TO REPEAL SECTIONS
48 23-15-114 AND 23-15-131, MISSISSIPPI CODE OF 1972, WHICH REQUIRE
49 THE ADOPTION OF AN AUTOMATED VOTER REGISTRATION SYSTEM TO BE
50 APPROVED BY THE BOARD OF SUPERVISORS AND THE REGISTRAR AND PROVIDE
51 A PROCEDURE FOR THE REPLACEMENT OF POLLBOOKS AND REGISTRATION
52 BOOKS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-33, Mississippi Code of 1972, is amended as follows:

23-15-33. (1) Every person entitled to be registered as an elector in compliance with the laws of this state and who has signed his name on and properly completed the application for registration to vote shall be registered by the registrar in the * * * voting precinct of the residence of such person through the Statewide Elections Management System.

(2) Every person entitled to be registered as an elector in compliance with the laws of this state and who registers to vote pursuant to the National Voter Registration Act of 1993 shall be registered by the registrar in * * * the voting precinct of the residence of such person through the Statewide Elections Management System.

* * *

SECTION 2. Section 23-15-35, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2008, this section shall read as follows:]

23-15-35. (1) The clerk of the municipality shall be the registrar of voters of the municipality, and shall take the oath of office prescribed by Section 268 of the Constitution. The governing authorities shall provide suitable municipal registration books, which shall conform as nearly as practicable to the county registration books. The registrar shall, as nearly as may be practicable, and where not otherwise provided, comply with all the provisions of law regarding state and county elections in keeping and maintaining such registration books and in registering voters thereon. Applications for registration as electors of the municipality shall be made upon a triplicate form provided by and prepared at the expense of the county registrar, which form shall conform as nearly as practicable to the

application for registration form provided for in Section 23-15-39.

(2) The municipal clerk shall be authorized to register applicants as county electors. The municipal clerk shall forward notice of registration, a copy of the application for registration, and any changes to the registration when they occur, either by certified mail to the county registrar or by personal delivery to the county registrar provided that a numbered receipt is signed by the registrar in return for the described documents. Upon receipt of the copy of the application for registration or changes to the registration, and if a review of the application indicates that the applicant meets all the criteria necessary to qualify as a county elector, then the county registrar shall make a determination of the county voting precinct in which the person making the application shall be required to vote. The county registrar shall send this county voting precinct information by United States first-class mail, postage prepaid, to the person at the address provided on the application. Any and all mailing costs incurred by the municipal clerk or the county registrar in effectuating this subsection shall be paid by the county board of supervisors. If a review of the copy of the application for registration or changes to the registration indicates that the applicant is not qualified to vote in the county, the county registrar shall challenge the application. The county election commissioners shall review any challenge or disqualification, after having notified the applicant by certified mail of the challenge or disqualification.

(3) The municipal clerk shall issue to the person making the application a copy of the application, and the county registrar shall process the application in accordance with the law regarding the handling of voter registration applications.

(4) The receipt of a copy of the application for registration sent pursuant to Section 23-15-39(3) shall be

sufficient to allow the applicant to be registered as an elector in the municipality, provided that such application is not challenged as provided for therein.

[From and after January 1, 2008, this section shall read as follows:]

23-15-35. (1) The clerk of the municipality shall be the registrar of voters of the municipality, and shall take the oath of office prescribed by Section 268 of the Constitution. The municipal registration * * * shall conform to the county registration * * * which shall be a part of the official record of registered voters as contained in the Statewide Elections Management System. The municipal clerk shall comply with all the provisions of law regarding the registration of voters, including the use of the voter registration applications used by county registrars and prescribed by the Secretary of State under Sections 23-15-39 and 23-15-47.

(2) The municipal clerk shall be authorized to register applicants as county electors. The municipal clerk shall forward notice of registration, a copy of the application for registration, and any changes to the registration when they occur, either by certified mail to the county registrar or by personal delivery to the county registrar provided that a numbered receipt is signed by the registrar in return for the described documents. Upon receipt of the copy of the application for registration or changes to the registration, and if a review of the application indicates that the applicant meets all the criteria necessary to qualify as a county elector, then the county registrar shall make a determination of the county voting precinct in which the person making the application shall be required to vote. The county registrar shall send this county voting precinct information by United States first-class mail, postage prepaid, to the person at the address provided on the application. Any and all mailing costs incurred by the municipal clerk or the county registrar in

effectuating this subsection shall be paid by the county board of supervisors. If a review of the copy of the application for registration or changes to the registration indicates that the applicant is not qualified to vote in the county, the county registrar shall challenge the application. The county election commissioners shall review any challenge or disqualification, after having notified the applicant by certified mail of the challenge or disqualification.

(3) The municipal clerk shall issue to the person making the application a copy of the application and the county registrar shall process the application in accordance with the law regarding the handling of voter registration applications.

(4) The receipt of a copy of the application for registration sent pursuant to Section 23-15-39(3) shall be sufficient to allow the applicant to be registered as an elector in the municipality, provided that such application is not challenged as provided for therein.

SECTION 3. Section 23-15-37, Mississippi Code of 1972, is amended as follows:

23-15-37. (1) The registrar shall keep his books open at his office and shall register the electors of his county at any time during regular office hours.

(2) The registrar may keep his office open for registration of voters from 8:00 a.m. until 7:00 p.m., including the noon hour, for the five (5) business days immediately preceding the thirtieth day prior to any regularly scheduled primary or general election. The registrar may also keep his office open from 8:00 a.m. until 12:00 noon on the Saturday immediately preceding the thirtieth day prior to any regularly scheduled primary or general election.

(3) The registrar, or any deputy registrar duly appointed by law, may visit and spend such time as he may deem necessary at any location in his county, selected by the registrar not less than

thirty (30) days before an election, for the purpose of registering voters.

(4) A person who is physically disabled and unable to visit the office of the registrar to register to vote due to such disability shall, upon request, be provided a mail-in voter registration application. * * *

(5) (a) In the fall and spring of each year the registrar of each county shall furnish all public schools with mail-in voter registration applications. Such applications shall be provided in a reasonable time to enable those students who will be eighteen (18) years of age before a general election to be able to vote in the primary and general elections.

(b) Each public school district shall permit access to all public schools of this state for the registrar or his deputy for the purpose of registration of persons eligible to vote and for providing voter education.

SECTION 4. Section 23-15-39, Mississippi Code of 1972, is amended as follows:

23-15-39. (1) Applications for registration as electors of this state, which are sworn to and subscribed before the registrar or deputy registrar authorized by law and which are not made by mail, shall be made upon a form established by rule duly adopted by the Secretary of State.

(2) The boards of supervisors shall make proper allowances for office supplies reasonably necessitated by the registration of county electors.

(3) If the applicant indicates on the application that he resides within the city limits of a city or town in the county of registration, the county registrar shall process the application for registration or changes to the registration as provided by law.

(4) If the applicant indicates on the application that he has previously registered to vote in another county of this state

216 or another state, notice to the voter's previous county of
217 registration in this state shall be provided by the Statewide
218 Elections Management System. If the voter's previous place of
219 registration was in another state, notice shall be provided to the
220 voter's previous state of residence if the Statewide Elections
221 Management System has that capability.

222 (5) The county registrar shall provide to the person making
223 the application a copy of the application upon which has been
224 written the county voting precinct and municipal voting precinct,
225 if any, in which the person shall vote. Upon entry of the voter
226 registration information into the Statewide Elections Management
227 System, the system shall assign a voter registration number to the
228 person * * *.

229 (6) Any person desiring an application for registration may
230 secure an application from the registrar of the county of which he
231 is a resident and may take the application with him and secure
232 assistance in completing the application from any person of the
233 applicant's choice. It shall be the duty of all registrars to
234 furnish applications for registration to all persons requesting
235 them, and it shall likewise be his duty to furnish aid and
236 assistance in the completing of the application when requested by
237 an applicant. The application for registration shall be sworn to
238 and subscribed before the registrar or deputy registrar at the
239 municipal clerk's office, the county registrar's office or any
240 other location where the applicant is allowed to register to vote.
241 No fee or cost shall be charged the applicant by the registrar for
242 accepting the application or administering the oath or for any
243 other duty imposed by law regarding the registration of electors.

244 (7) If the person making the application is unable to read
245 or write, for reason of disability or otherwise, he shall not be
246 required to personally complete the application in writing and
247 execute the oath. In such cases, the registrar or deputy
248 registrar shall read to the person the application and oath and

the person's answers thereto shall be recorded by the registrar or his deputy. The person shall be registered as an elector if he otherwise meets the requirements to be registered as an elector. The registrar shall record the responses of the person and the recorded responses shall be retained permanently by the registrar. The registrar shall enter the voter registration information into the Statewide Elections Management System and designate the entry as an assisted filing.

(8) The receipt of a copy of the application for registration sent pursuant to Section 23-15-35(2) shall be sufficient to allow the applicant to be registered as an elector of this state, if the application is not challenged.

(9) In any case in which a municipality expands its corporate boundaries by annexation or redistricts all or a part of the municipality, the municipal clerk shall within ten (10) days after the effective date of the annexation or after preclearance of the redistricting plan under Section 5 of the Voting Rights Act of 1965, provide the county registrar with conforming geographic data that is compatible with the Statewide Elections Management System. The data shall be developed by the municipality's use of a standardized format specified by the Statewide Elections Management System. The county registrar shall update the municipal boundary information or redistricting information into the Statewide Elections Management System. The Statewide Elections Management System shall update the voter registration records to include the new municipal electors who have resided within the annexed area for at least thirty (30) days after annexation and assign the electors to the municipal voting precincts. The county registrar shall forward to the municipal clerk written notification of the additions and changes, and the municipal clerk shall forward to the new municipal electors written notification of the additions and changes. The Statewide Elections Management System shall correctly place municipal

electors within districts whose boundaries were altered by any redistricting conducted within the municipality and assign such electors to the correct municipal voting precincts.

SECTION 5. Section 23-15-41, Mississippi Code of 1972, is amended as follows:

23-15-41. (1) When an applicant to register to vote has completed the application form as prescribed by administrative rule, the registrar shall enter the Statewide Elections Management System voter record where the voter status will be marked "ACTIVE", "PENDING" or "REJECTED" and the applicant shall be entitled to register upon his request for registration made in person to the registrar, or deputy registrar if a deputy registrar has been appointed. No person other than the registrar, or a deputy registrar, shall register any applicant.

(2) If an applicant is not qualified to register to vote, then the registrar shall enter the Statewide Elections Management System voter record where the voter's status shall be marked "PENDING" or "REJECTED", specify * * * the reason or reasons therefor, and notify the election commission of those rejected.

SECTION 6. Section 23-15-47, Mississippi Code of 1972, is amended as follows:

23-15-47. (1) Any person who is qualified to register to vote in the State of Mississippi may register to vote by mail-in application in the manner prescribed in this section.

(2) The following procedure shall be used in the * * * registration of electors by mail:

(a) Any qualified elector may register to vote by mailing or delivering a completed mail-in application to his county registrar at least thirty (30) days prior to any election. The postmark date of a mailed application shall be the date of registration.

(b) Upon receipt of a mail-in application, the county registrar shall stamp the application with the date of receipt,

315 and shall verify the application by contacting the applicant by
316 telephone, by personal contact with the applicant, or by any other
317 method approved by the Secretary of State. Within twenty-five
318 (25) days of receipt of a mail-in application, the county
319 registrar shall complete action on the application, including any
320 attempts to notify the applicant of the status of his application.

321 (c) If the county registrar determines that the
322 applicant is qualified and his application is legible and
323 complete, he shall mail the applicant written notification that
324 the application has been approved, specifying the county voting
325 precinct, municipal voting precinct, if any, polling place and
326 supervisor district in which the person shall vote. This written
327 notification of approval containing the specified information
328 shall be the voter's registration card. The registration cards
329 shall be provided by the county registrar. Upon entry of the
330 voter registration information into the Statewide Elections
331 Management System, the system shall assign a voter registration
332 number to the person * * *. The assigned voter registration
333 number shall be clearly shown on the * * * written notification of
334 approval. In mailing the written notification, the county
335 registrar shall note the following on the envelope: "DO NOT
336 FORWARD". If any registration notification form is returned as
337 undeliverable, the voter's registration shall be void.

338 (d) A mail-in application shall be rejected for any of
339 the following reasons:

340 (i) An incomplete portion of the application which
341 makes it impossible for the registrar to determine the eligibility
342 of the applicant to register;

343 (ii) A portion of the application which is
344 illegible in the opinion of the county registrar and makes it
345 impossible to determine the eligibility of the applicant to
346 register;

347 (iii) The county registrar is unable to determine,
348 from the address and information stated on the application, the
349 precinct in which the voter should be assigned or the supervisor
350 district in which he is entitled to vote;

351 (iv) The applicant is not qualified to register to
352 vote pursuant to Section 23-15-11;

353 (v) The registrar determines that the applicant is
354 registered as a qualified elector of the county;

355 (vi) The county registrar is unable to verify the
356 application pursuant to subsection (2)(b) of this section.

357 (e) If the mail-in application of a person is subject
358 to rejection for any of the reasons set forth in paragraph (d)(i)
359 through (iii) of this subsection, and it appears to the registrar
360 that the defect or omission is of such a minor nature and that any
361 necessary additional information may be supplied by the applicant
362 over the telephone or by further correspondence, the registrar may
363 write or call the applicant at the telephone number provided on
364 the application. If the registrar is able to contact the
365 applicant by mail or telephone, he shall attempt to ascertain the
366 necessary information and if this information is sufficient for
367 the registrar to complete the application, the applicant shall be
368 registered. If the necessary information cannot be obtained by
369 mail or telephone or is not sufficient, the registrar shall give
370 the applicant written notice of the rejection and provide the
371 reason for the rejection. The registrar shall further inform the
372 applicant that he has a right to attempt to register by appearing
373 in person or by filing another mail-in application.

374 (f) If a mail-in application is subject to rejection
375 for the reason stated in paragraph (d)(v) of this subsection and
376 the "present home address" portion of the application is different
377 from the residence address for the applicant found in the
378 registration book, the mail-in application shall be deemed a
379 written request to transfer registration pursuant to Section

380 23-15-13. Subject to the time limits and other provisions of
381 Section 23-15-13, the registrar or the election commissioners
382 shall note the new residence address on his records and, if
383 necessary, transfer the applicant to his new county precinct or
384 municipal precinct, if any, advise the applicant of his new county
385 precinct or municipal precinct, if any, polling place and
386 supervisor district.

387 (3) The instructions and the application form for voter
388 registration by mail shall be in a form established by rule duly
389 adopted by the Secretary of State.

390 (4) (a) The Secretary of State shall prepare and furnish
391 without charge the necessary forms for application for voter
392 registration by mail to each county registrar, municipal clerk,
393 all public schools, each private school that requests such
394 applications, and all public libraries.

395 (b) The Secretary of State shall distribute without
396 charge sufficient forms for application for voter registration by
397 mail to the Commissioner of Public Safety, who shall distribute
398 such forms to each driver's license examining and renewal station
399 in the state, and shall ensure that the forms are regularly
400 available to the public at such stations.

401 (c) Bulk quantities of forms for application for voter
402 registration by mail shall be furnished by the Secretary of State
403 to any person or organization. The Secretary of State shall
404 charge a person or organization the actual cost he incurs in
405 providing bulk quantities of forms for application for voter
406 registration to such person or organization.

407 (5) The originals of completed mail-in applications shall
408 remain on file in the office of the county registrar in accordance
409 with Section 23-15-113. Nothing in this section shall preclude
410 having applications on microfilm, microfiche or as an electronic
411 image.

(6) If the applicant indicates on the application that he resides within the city limits of a city or town in the county of registration, the county registrar shall enter the information into the Statewide Elections Management System. The county registrar shall send municipal voting precinct information by United States first-class mail, postage prepaid, to the person at the address provided on the application. Any and all mailing costs incurred by the county registrar or the clerk of the municipality in effectuating this subsection shall be paid by the governing authority of the municipality. If a review of the application for registration or changes to the registration indicates that the applicant is not qualified to vote in the municipality, the registrar shall notify the applicant of the correct county precinct.

(7) If the applicant indicates on the application that he has previously registered to vote in another county of this state or another state, notice to the voter's previous county of registration in this state shall be provided by the Statewide Elections Management System. If the voter's previous place of registration was in another state, notice shall be provided to the voter's previous state of residence if the Statewide Elections Management System has that capability.

(8) Any person who attempts to register to vote by mail shall be subject to the penalties for false registration provided for in Section 23-15-17.

SECTION 7. Section 23-15-113, Mississippi Code of 1972, is amended as follows:

23-15-113. (1) The registration books are to be in the following form: The voter registration files shall contain copies of the applications for registration completed by electors, which applications shall show the date of registration and signature of elector, and such files shall be known as registration books. The

files described herein may be recorded on microfilm or computer software for convenience and efficiency in storage.

(2) From and after January 1, 2006, all records pertaining to voter registration shall be stored in an electronic format in the Statewide Elections Management System. The scanned applications shall be a legal document of voter registration and shall be retained in the Statewide Elections Management System.

SECTION 8. Section 23-15-121, Mississippi Code of 1972, is amended as follows:

23-15-121. Should the registration books or electronic voting record of any county be lost or destroyed, the board of supervisors may adjudge the fact, and direct a new registration of the voters to be made; and the registrar, being so directed, shall make a new registration, as herein provided, of the qualified electors of his county on new books to be provided by the board.

SECTION 9. Section 23-15-123, Mississippi Code of 1972, is amended as follows:

23-15-123. If at any time the registration books of the county be or become in such confusion that a new registration is necessary to determine correctly the names of the qualified electors and the voting precinct of each, the board of supervisors shall order a new registration of voters to be made in like manner as provided for in Section 23-15-121.

SECTION 10. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall * * * designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All who register within thirty (30) days before any regular election shall be entered on the pollbooks immediately after such election, and not before, so

477 that the pollbooks will show only the names of those qualified to
478 vote at such election. When election commissioners determine that
479 any elector is disqualified from voting, by reason of removal from
480 the supervisor's district, or other cause, that fact shall be
481 noted on the registration book and his name shall be erased from
482 the pollbook. Nothing in this section shall preclude the use of
483 electronic pollbooks.

484 **SECTION 11.** Section 23-15-127, Mississippi Code of 1972, is
485 amended as follows:

486 23-15-127. (1) It shall be the duty of registrar of the
487 county or municipality to prepare and furnish to the appropriate
488 election commissioner pollbooks for each voting precinct in which
489 the election is to be conducted, in which shall be entered the
490 name, residence, date of birth and date of registration of each
491 person duly registered in such voting precinct as now provided by
492 law, and which pollbooks shall be known as "primary election
493 pollbooks" and shall be used only in holding primary elections.

494 (2) The election commissioners of the county or
495 municipality shall revise the primary pollbooks at the time and in
496 the manner and in accordance with the laws now fixed and in force
497 for revising pollbooks now provided for under the law, except they
498 shall not remove from the pollbook any person who is
499 qualified * * * to participate in * * * primary elections;
500 however, upon the written request of the municipal election
501 commission, the county commissioners of election shall revise the
502 primary pollbooks of the municipality as provided in this
503 subsection.

504 (3) All laws applicable to the revision of pollbooks now in
505 use, shall be applicable to the revision of pollbooks for primary
506 elections * * *, and all rights of voters to be heard and to
507 appeal to the executive committee of his party from the action of
508 the election commissioners now provided by law shall be available

509 to the voter in the revisions of the pollbooks for primary
510 elections * * * provided for in this section.

511 **SECTION 12.** Section 23-15-129, Mississippi Code of 1972, is
512 amended as follows:

513 23-15-129. The commissioners of election and the registrars
514 of the respective counties are hereby directed to make an
515 administrative division of the pollbook for each county
516 immediately following any reapportionment of the Mississippi
517 Legislature or any realignment of supervisors districts, if
518 necessary. Such an administrative division shall form
519 subprecincts whenever necessary within each voting precinct so
520 that all persons within a subprecinct shall vote on the same
521 candidates for each public office. * * * The polling place for
522 all subprecincts within any given voting precinct shall be the
523 same as the polling place for the voting precinct. Additional
524 managers may be appointed for subprecincts in the discretion of
525 the commissioners of election or, in the case of primary
526 elections, in the discretion of the proper executive committee.

527 **SECTION 13.** Section 23-15-133, Mississippi Code of 1972, is
528 amended as follows:

529 23-15-133. The procedure to be used by the commissioners of
530 election and the registrars to form subprecincts * * * shall be as
531 follows, and in the following order:

532 (a) Identify those subprecinct areas in each voting
533 precinct, if any, where all persons within such subprecincts shall
534 vote on the same candidates for each public office;

535 (b) The portion of each voting precinct with the
536 largest population shall retain the original voting precinct
537 designation and those portions of each voting precinct with
538 smaller populations shall be called subprecincts and identified by
539 the original voting precinct designation with the suffixes "a",
540 "b", "c", et cetera, for as many subprecincts as are formed for
541 any given precinct; and

(c) The qualified electors residing in each subprecinct shall be identified. * * *

SECTION 14. Section 23-15-137, Mississippi Code of 1972, is amended as follows:

23-15-137. (1) If the governing authorities of a municipality determine that revision of the registration books and pollbooks can be performed more effectively and efficiently utilizing the authority granted in this section, then such governing authorities may contract with the commissioners of election of the county or counties in which the municipality is located to provide the municipal registrar of such municipality with registration books and pollbooks containing only the duly qualified electors of such municipality. The registration books and pollbooks provided pursuant to this section may be used to conduct any municipal election in such municipality. By adopting the registration books and pollbooks so provided, the municipal commissioners of election shall be deemed to have met any requirements to revise such books which are imposed upon such commissioners by Mississippi law.

(2) In addition to any meeting otherwise authorized by law, the county commissioners of election may meet to prepare the registration and pollbooks of each municipality pursuant to a contract authorized pursuant to subsection (1) of this section. Each municipality shall compensate the county commissioners of election for the actual cost of preparing such registration books and pollbooks for the municipality and shall pay each county commissioner of election the per diem provided for in Section 23-15-153(2) for each day or period of not less than five (5) hours accumulated over two (2) or more days such commissioners are actually employed in preparing such registration books and pollbooks for such municipality, not to exceed five (5) days. The county commissioners of election shall not receive any compensation for the preparation of registration books and

575 pollbooks pursuant to subsection (1) other than that provided for
576 in this subsection.

577 (3) This section shall stand repealed from and after January
578 1, 2008.

579 **SECTION 15.** Section 23-15-165, Mississippi Code of 1972, is
580 amended as follows:

581 23-15-165. (1) From and after July 1, 2002, the Office of
582 the Secretary of State, in cooperation with the local registrars
583 and election commissioners, shall begin to procure, implement and
584 maintain an electronic information processing system and programs
585 capable of maintaining a centralized database of all registered
586 voters in the state. The system shall encompass software and
587 hardware, at both the state and county level, software development
588 training, conversion and support and maintenance for the system.
589 This system shall be known as the "Statewide Elections Management
590 System" and shall constitute the official record of registered
591 voters in every county of the state.

592 (2) The Office of the Secretary of State shall develop and
593 implement the Statewide Elections Management System so that the
594 registrar and election commissioners of each county shall:

595 (a) Verify that an applicant that is registering to
596 vote in such county is not registered to vote in another county;

597 (b) Be notified automatically that a registered voter
598 in its county has registered to vote in another county;

599 (c) Receive regular reports of death, changes of
600 address and convictions for disenfranchising crimes that apply to
601 voters registered in the county; and

602 (d) Retain all present functionality related to, but
603 not limited to, the use of voter roll data and to implement such
604 other functionality as the law requires to enhance the maintenance
605 of accurate county voter records and related jury selection and
606 redistricting programs.

607 (3) As a part of the procurement and implementation of the
608 system, the Office of the Secretary of State shall, with the
609 assistance of the advisory committee, procure services necessary
610 to convert current voter registration records in the counties into
611 a standard, industry accepted file format that can be used on the
612 Statewide Elections Management System. Thereafter, all official
613 voter information shall be maintained on the Statewide Elections
614 Management System. The standard industry accepted format of data
615 shall be reviewed and approved by a majority of the advisory
616 committee created in subsection (5) of this section after
617 consultation with the Circuit Clerks Association and the format
618 may not be changed without majority approval of the advisory
619 committee and without consulting the Circuit Clerks Association.

620 (4) The Secretary of State may, with the assistance of the
621 advisory committee, adopt rules and regulations necessary to
622 administer the Statewide Elections Management System. Such rules
623 and regulations shall at least:

624 (a) Provide for the establishment and maintenance of a
625 centralized database for all voter registration information in the
626 state;

627 (b) Provide procedures for integrating data into the
628 centralized database;

629 (c) Provide security to insure that only the registrar,
630 or his designee or other appropriate official, as the law may
631 require, can add information to, delete information from and
632 modify information in the system;

633 (d) Provide the registrar or his designee or other
634 appropriate official, as the law may require, access to the system
635 at all times, including the ability to download copies of the
636 industry standard file, for all purposes related to their official
637 duties, including, but not limited to, exclusive access for the
638 purpose of printing of all local pollbooks;

(e) Provide security and protection of all information in the system and monitor the system to ensure that unauthorized access is not allowed;

(f) Provide a procedure that will allow the registrar, or his designee or other appropriate official, as the law may require, to identify the precinct and subprecinct to which a voter should be assigned; and

(g) Provide a procedure for phasing in or converting existing manual and computerized voter registration systems in counties to the Statewide Elections Management System.

(5) The Secretary of State shall establish an advisory committee to assist in developing system specifications, procurement, implementation and maintenance of the Statewide Elections Management System. The committee shall include two (2) representatives from the Circuit Clerks Association, appointed by the association; two (2) representatives from the Election Commissioners Association of Mississippi, appointed by the association; one (1) member of the Mississippi Association of Supervisors, or its staff, appointed by the association; the Director of the Stennis Institute of Government at Mississippi State University, or his designee; the Executive Director of the Department of Information Technology Services, or his designee; two (2) persons knowledgeable about elections and information technology appointed by the Secretary of State; and the Secretary of State, who shall serve as the chairman of the advisory committee.

(6) (a) Social security numbers, telephone numbers and date of birth and age information in statewide, district, county and municipal voter registration files shall be exempt from and shall not be subject to inspection, examination, copying or reproduction under the Mississippi Public Records Act of 1983.

(b) Copies of statewide, district, county or municipal voter registration files, excluding social security numbers,

672 telephone numbers and date of birth and age information, shall be
673 provided to any person in accordance with the Mississippi Public
674 Records Act of 1983 at a cost not to exceed the actual cost of
675 production.

676 **SECTION 16.** Section 23-15-625, Mississippi Code of 1972, is
677 amended as follows:

678 23-15-625. The registrar shall be responsible for providing
679 applications for absentee voting as provided in this section. At
680 least sixty (60) days prior to any election in which absentee
681 voting is provided for by law, the registrar shall provide a
682 sufficient number of applications. * * * In the event a special
683 election is called and set at a date which makes it impractical or
684 impossible to prepare applications for absent elector's ballot
685 sixty (60) days prior to the election, the registrar shall provide
686 applications as soon as practicable after the election is
687 called. * * * The registrar shall fill in the date of the
688 particular election on the application for which the application
689 will be used. * * *

690 The registrar shall be authorized to disburse applications
691 for absentee ballots to any qualified elector within the county
692 where he serves. * * * Any person who presents to the registrar
693 an oral or written request for an absentee ballot application for
694 a voter entitled to vote absentee by mail, other than the elector
695 who seeks to vote by absentee ballot, shall, in the presence of
696 the registrar, * * * sign the application and print on the
697 application his or her name and address and the name of the
698 elector for whom the application is being requested in the place
699 provided for on the application for that purpose. However, if for
700 any reason such person is unable to write the information
701 required, then the registrar shall write the information on a
702 printed form which has been prescribed by the Secretary of State.
703 The form shall provide a place for such person to place his mark
704 after the form has been filled out by the registrar. * * *

705 The registrar in the county wherein a voter is qualified to
706 vote upon receiving the envelope containing the absentee ballots
707 shall keep an accurate list of all persons preparing such ballots,
708 which list shall be kept in a conspicuous place accessible to the
709 public near the entrance to his office. The registrar shall also
710 furnish to each precinct manager a list of the names of all
711 persons in each respective precinct voting absentee ballots to be
712 posted in a conspicuous place at the polling place for public
713 notice. The application on file with the registrar and the
714 envelopes containing the ballots shall be kept by the registrar
715 and deposited in the proper precinct ballot boxes before such
716 boxes are delivered to the election commissioners or managers. At
717 the time such boxes are delivered to the election commissioners or
718 managers, the registrar shall also turn over a list of all such
719 persons who have voted and whose ballots are in the box.

720 The registrar shall also be authorized to mail one (1)
721 application to any qualified elector of the county for use in a
722 particular election.

723 **SECTION 17.** Section 23-15-627, Mississippi Code of 1972, is
724 amended as follows:

725 23-15-627. The registrar shall be responsible for furnishing
726 an absentee ballot application form to any elector authorized to
727 receive an absentee ballot. Absentee ballot applications shall be
728 furnished to a person only upon the oral or written request of the
729 elector who seeks to vote by absentee ballot; however, the parent,
730 child, spouse, sibling or legal guardian * * * may orally request
731 an absentee ballot application on behalf of the elector. Those
732 empowered with a power of attorney for an elector's affairs or an
733 agent of the elector may request an absentee ballot application on
734 behalf of the elector; however, the request shall be in writing
735 and shall be accompanied by proof of the power of attorney or the
736 authority to act as an agent. An absentee ballot application must
737 have the seal of the circuit or municipal clerk affixed to it and

738 be initialed by the registrar or his deputy in order to be
739 utilized to obtain an absentee ballot. A reproduction of an
740 absentee ballot application shall not be valid unless it is a
741 reproduction provided by the office of the registrar of the
742 jurisdiction in which the election is being held and which
743 contains the seal and initials required by this section. The
744 application shall be substantially in the following form:

745 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

746 I, _____, duly qualified and registered in the ____ Precinct
747 of the County of _____, and State of Mississippi, coming within
748 the purview of the definition 'ABSENT ELECTOR' will be absent from
749 the county of my residence on election day, or unable to vote in
750 person because (check appropriate reason):

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

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

757 () I am a member of the Merchant Marine or the American Red
758 Cross and am a citizen of Mississippi or spouse or dependent of
759 such member.

760 () I am a disabled war veteran who is a patient in any
761 hospital and am a citizen of Mississippi or spouse or dependent of
762 such veteran.

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

767 () I am a citizen of Mississippi temporarily residing
768 outside the territorial limits of the United States and the
769 District of Columbia.

770 () I am a student, teacher or administrator at a college,
771 university, junior or community college, high, junior high,
772 elementary or grade school, whose studies or employment at such
773 institution necessitates my absence from the county of my voting
774 residence or spouse or dependent of such student, teacher or
775 administrator who maintains a common domicile outside the county
776 of my voting residence with such student, teacher or
777 administrator.

778 () I will be outside the county on election day.

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

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

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

786 () I am a member of the congressional delegation, or spouse
787 or dependent of a member of the congressional delegation.

788 () I am required to be at work on election day during the
789 times which the polls will be open.

790 I hereby make application for an official ballot, or ballots,
791 to be voted by me at the election to be held in _____, on _____.

792 Mail 'Absent Elector's Ballot' to me at the following address
793 _____ (if eligible to vote by mail).

794 I realize that I can be fined up to Five Thousand Dollars
795 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
796 for making a false statement in this application and for selling
797 my vote and violating the Mississippi Absentee Voter Law. (This
798 sentence is to be in bold print.)

799 If you are temporarily or permanently disabled, you are not
800 required to have this application notarized or signed by an
801 official authorized to administer oaths for absentee balloting.

802 You are required to sign this application in the proper place and

803 have a person eighteen (18) years of age or older witness your
804 signature and sign this application in the proper place.
805 DO NOT SIGN WITHOUT READING. (This sentence is to be in bold
806 print.)

807 IN WITNESS WHEREOF I have hereunto set my hand and seal this
808 the ____ day of _____, 2____.

809 _____
810 (Signature of absent elector)

811 SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
812 2____.

813 _____
814 (Official authorized to administer oaths
815 for absentee balloting.)

816 TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY
817 DISABLED:

818 I HEREBY CERTIFY that this application for an absent
819 elector's ballot was signed by the above-named disabled elector in
820 my presence and that I am at least eighteen (18) years of age,
821 this the ____ day of _____, 2____.

822 _____
823 (Signature of witness)

824 CERTIFICATE OF DELIVERY

825 I hereby certify that _____ (print name of voter)
826 has requested that I, _____ (print name of person
827 delivering application), deliver to the voter this absentee ballot
828 application.

829 _____
830 (Signature of person delivering application)

831 _____
832 (Address of person delivering application)"

833 **SECTION 18.** Section 23-15-629, Mississippi Code of 1972, is
834 amended as follows:

835 23-15-629. (1) The application for an absentee ballot of a
836 person who is permanently physically disabled shall be accompanied
837 by a statement signed * * * by such person's physician, or nurse
838 practitioner, which statement must show that the person signing
839 the statement is a licensed, practicing medical doctor or nurse
840 practitioner and must indicate that the person applying for the
841 absentee ballot is permanently physically disabled to such a
842 degree that it is difficult for him to vote in person.

843 (2) An application accompanied by the statement provided for
844 in subsection (1) of this section shall entitle such permanently
845 physically disabled person to automatically receive an absentee
846 ballot for all elections on a continuing basis without the
847 necessity for reapplication.

848 (3) The registrar of each county shall keep an accurate list
849 of the names and addresses of all persons whose applications for
850 absentee ballot are accompanied by the statement set forth in
851 subsection (1) of this section. Sixty (60) days prior to each
852 election, the registrar shall deliver such list to the
853 commissioners of election who shall examine the list and delete
854 from it the names of all persons listed who are no longer
855 qualified electors of the county. Upon completion of such
856 examination, the commissioners of election shall return the list
857 to the registrar by no later than forty-five (45) days prior to
858 the election.

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

863 **SECTION 19.** Section 23-15-631, Mississippi Code of 1972, is
864 amended as follows:

865 23-15-631. (1) The registrar shall enclose with each ballot
866 provided to an absent elector separate printed instructions
867 furnished by him containing the following:

868 (a) All absentee voters, excepting those with temporary
869 or permanent physical disabilities or those who are sixty-five
870 (65) years of age or older, who mark their ballots in the county
871 of the residence shall use the registrar of that county as the
872 witness. The absentee voter shall come to the office of the
873 registrar and neither the registrar nor his deputy shall be
874 required to go out of the registrar's office to serve as an
875 attesting witness.

876 (b) Upon receipt of the enclosed ballot, you will not
877 mark the ballot except in view or sight of the attesting witness.
878 In the sight or view of the attesting witness, mark the ballot
879 according to instructions.

880 (c) After marking the ballot, fill out and sign the
881 "ELECTOR'S CERTIFICATE" on back of the envelope so that the
882 signature shall be across the flap of the envelope so as to insure
883 the integrity of the ballot. All absent electors shall have the
884 attesting witness sign the "ATTESTING WITNESS CERTIFICATE" across
885 the flap on back of the envelope. Place necessary postage on the
886 envelope and deposit it in the post office or some government
887 receptacle provided for deposit of mail so that the absent
888 elector's ballot, excepting presidential absentee ballots, will
889 reach the registrar in which your precinct is located not later
890 than 5:00 p.m. on the day preceding the date of the
891 election * * *.

892 Any notary public, United States postmaster, assistant United
893 States postmaster, United States postal supervisor, clerk in
894 charge of a contract postal station, or any officer having
895 authority to administer an oath or take an acknowledgment may be
896 an attesting witness; provided, however, that in the case of an
897 absent elector who is temporarily or permanently physically
898 disabled, the attesting witness may be any person eighteen (18)
899 years of age or older and such person is not required to have the
900 authority to administer an oath. If a postmaster, assistant

901 postmaster, postal supervisor, or clerk in charge of a contract
902 postal station acts as an attesting witness, his signature on the
903 elector's certificate must be authenticated by the cancellation
904 stamp of their respective post offices. If one or the other
905 officers herein named acts as attesting witness, his signature on
906 the elector's certificate, together with his title and address,
907 but no seal, shall be required. Any affidavits made by an absent
908 elector who is in the Armed Forces may be executed before a
909 commissioned officer, warrant officer, or noncommissioned officer
910 not lower in grade than sergeant rating or any person authorized
911 to administer oaths.

912 (d) When the application accompanies the ballot it
913 shall not be returned in the same envelope as the ballot but shall
914 be returned in a separate preaddressed envelope provided by the
915 registrar.

916 (e) A person who is a candidate for public office may
917 not be an attesting witness for any absentee ballot upon which the
918 person's name appears.

919 (f) Any voter casting an absentee ballot who declares
920 that he requires assistance to vote by reason of blindness,
921 temporary or permanent physical disability or inability to read or
922 write, shall be entitled to receive assistance in the marking of
923 his absentee ballot and in completing the affidavit on the
924 absentee ballot envelope. The voter may be given assistance by
925 anyone of the voter's choice other than a candidate whose name
926 appears on the absentee ballot being marked, or the voter's
927 employer, or agent of that employer. In order to ensure the
928 integrity of the ballot, any person who provides assistance to an
929 absentee voter shall be required to sign and complete the
930 "Certificate of Person Providing Voter Assistance" on the absentee
931 ballot envelope.

932 (2) The foregoing instructions required to be provided by
933 the registrar to the elector shall also constitute the substantive

law pertaining to the handling of absentee ballots by the elector and registrar.

SECTION 20. Section 23-15-639, Mississippi Code of 1972, is amended as follows:

23-15-639. (1) In elections in which direct recording electronic voting systems are not utilized, the examination and counting of absentee ballots shall be conducted as follows:

(a) At the close of the regular balloting and at the close of the polls, the election managers of each voting precinct shall first take the envelopes containing the absentee ballots of such electors from the box, and the name, address and precinct inscribed on each * * * envelope shall be announced by the election managers.

(b) The signature on the application shall then be compared with the signature on the back of the envelope. If it corresponds and the affidavit, if one is required, is sufficient and the election managers find that the applicant is a registered and qualified voter or otherwise qualified to vote, and that he has not appeared in person and voted at the election, the envelope shall then be opened and the ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(c) Having observed and found the ballot to be regular as far as can be observed from its official endorsement, the election managers shall deposit it in the ballot box with the other ballots before counting any ballots and enter the voter's name in the receipt book provided for that purpose and mark "VOTED" in the pollbook or poll list as if he had been present and voted in person. If voting machines are used, all absentee ballots shall be placed in the ballot box before any ballots are counted, and the election managers in each precinct shall immediately count such absentee ballots and add them to the votes cast in the voting machine or device.

967 (2) In elections in which direct recording electronic voting
968 systems are utilized, the examination and counting of absentee
969 ballots shall be conducted as follows:

970 (a) At the close of the regular balloting and at the
971 close of the polls, the election managers of each voting precinct
972 shall first take the envelopes containing the absentee ballots of
973 such electors from the box, and the name, address and precinct
974 inscribed on each envelope shall be announced by the election
975 managers.

976 (b) The signature on the application shall then be
977 compared with the signature on the back of the envelope. If it
978 corresponds and the affidavit, if one is required, is sufficient
979 and the election managers find that the applicant is a registered
980 and qualified voter or otherwise qualified to vote, and that he
981 has not appeared in person and voted at the election, the unopened
982 envelope shall be marked "ACCEPTED" and the election managers
983 shall enter the voter's name in the receipt book provided for that
984 purpose and mark "VOTED" in the pollbook or poll list as if he had
985 been present and voted in person.

986 (c) All absentee ballot envelopes shall then be placed
987 in the secure ballot transfer case and delivered to the officials
988 in charge of conducting the election at the central tabulation
989 point of the county. The official in charge of the election shall
990 open the envelopes marked "ACCEPTED" and remove the ballot from
991 the envelope.

992 (d) Having observed the ballot to be regular as far as
993 can be observed from its official endorsement, the absentee ballot
994 shall be processed through the central optical scanner. The
995 scanned totals shall then be combined with the direct recording
996 electronic voting system totals for the unofficial vote count.

997 **SECTION 21.** Section 23-15-641, Mississippi Code of 1972, is
998 amended as follows:

999 23-15-641. (1) If an affidavit or the certificate of the
1000 officer before whom the affidavit is taken is required and such
1001 affidavit or certificate is found to be insufficient, or if it is
1002 found that the signatures do not correspond, or that the applicant
1003 is not a duly qualified elector in the precinct, or otherwise
1004 qualified to vote, or that the ballot envelope is open or has been
1005 opened and resealed, or the voter is not eligible to vote absentee
1006 or that the voter is present and has voted within the precinct
1007 where he represents himself to be a qualified elector, or
1008 otherwise qualified to vote, on the date of the election at such
1009 precinct, the previously cast vote shall not be allowed. Without
1010 opening the voter's envelope the commissioners of election,
1011 designated executive committee members or election managers, as
1012 appropriate, shall mark across its face "REJECTED", with the
1013 reason therefor.

1014 (2) If the ballot envelope contains more than one (1) ballot
1015 of any kind, the ballot shall not be counted but shall be marked
1016 "REJECTED", with the reason therefor. The voter's envelopes and
1017 affidavits, and the voter's envelope with its contents unopened,
1018 when such vote is rejected, shall be retained and preserved in the
1019 same manner as other ballots at the election. Such votes may be
1020 challenged in the same manner and for the same reasons that any
1021 other vote cast in such election may be challenged.

1022 (3) If an affidavit is required and the officials find that
1023 the affidavit is insufficient, or if the officials find that the
1024 absentee voter is otherwise disqualified to vote, the envelope
1025 shall not be opened and a commissioner or executive committee
1026 member shall write across the face of the envelope "REJECTED"
1027 giving the reason therefor, and the registrar shall promptly
1028 notify the voter of such rejection.

1029 (4) The ballots marked "REJECTED" shall be placed in a
1030 separate envelope in the secure ballot transfer case and delivered

1031 to the officials in charge of conducting the election at the
1032 central tabulation point of the county.

1033 **SECTION 22.** Sections 23-15-114 and 23-15-131, Mississippi
1034 Code of 1972, which require the adoption of an automated voter
1035 registration system to be approved by the board of supervisors and
1036 the registrar, provide a procedure for the replacement of
1037 pollbooks and registration books, and provide the procedure for
1038 forming subprecints, are repealed.

1039 **SECTION 23.** The Attorney General of the State of Mississippi
1040 shall submit this act, immediately upon approval by the Governor,
1041 or upon approval by the Legislature subsequent to a veto, to the
1042 Attorney General of the United States or to the United States
1043 District Court for the District of Columbia in accordance with the
1044 provisions of the Voting Rights Act of 1965, as amended and
1045 extended.

1046 **SECTION 24.** This act shall take effect and be in force from
1047 and after the date it is effectuated under Section 5 of the Voting
1048 Rights Act of 1965, as amended and extended.