HOUSE BILL NO. 467
(As Sent to Governor)

PREPARATION, REVISION AND MAINTENANCE OF REGISTRATION BOOKS AND
POLL BOOKS; TO REPEAL SECTION 23-15-167, MISSISSIPPI CODE OF 1972,
WHICH PROVIDES FOR THE FUNDING TO PURCHASE COMPUTER HARDWARE OR
SOFTWARE FOR THE CENTRALIZED STATEWIDE VOTER SYSTEM; TO REPEAL
SECTION 23-15-169.6, MISSISSIPPI CODE OF 1972, WHICH CREATED A
TASK FORCE TO STUDY VOTING SYSTEMS THAT COMPLY WITH THE HELP
AMERICA VOTE ACT OF 2002 AND THEIR SUITABILITY FOR USE IN
ELECTIONS IN MISSISSIPPI; TO REPEAL SECTION 23-15-212, MISSISSIPPI
CODE OF 1972, WHICH CREATED A STUDY COMMITTEE TO CONDUCT A STUDY
TO DETERMINE HOW REGISTRARS, ELECTION COMMISSIONERS, EXECUTIVE
COMMITTEE MEMBERS AND POLL WORKERS CAN BE BETTER TRAINED IN THE
CONDUCT OF ELECTIONS; TO REPEAL SECTION 23-15-269, MISSISSIPPI
CODE OF 1972, WHICH PROVIDES THE PENALTIES FOR AN ELECTION
COMMISSIONER, OR ANY OTHER OFFICER OR PERSON ACTING AS SUCH, OR
PERFORMING ELECTION DUTY, WHO WILLFULLY REFUSES OR KNOWINGLY FAILS
TO PERFORM ANY DUTY REQUIRED OF HIM OR HER BY THE ELECTION LAWS;
MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE USE OF VOTING
MACHINES IN ELECTIONS; TO REPEAL SECTIONS 23-15-461, 23-15-463,
ELECTRONIC VOTING SYSTEMS; TO REPEAL SECTION 23-15-509,
MISSISSIPPI CODE OF 1972, WHICH PROVIDES WHEN AND WHERE OMR
EQUIPMENT MAY BE USED; TO REPEAL SECTION 23-15-531.7, MISSISSIPPI
CODE OF 1972, WHICH PROVIDES FOR THE DEMONSTRATION OF DRE UNITS;
TO REPEAL SECTION 23-15-531.8, MISSISSIPPI CODE OF 1972, WHICH
PROVIDES FOR THE STORAGE AND SECURITY OF DRE UNITS; TO REPEAL
SECTION 23-15-531.11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR
THE CODING OF CHALLENGED BALLOTS ON DRE UNITS; TO REPEAL SECTION
23-15-559, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIMES FOR
HOLDING PRIMARY AND GENERAL ELECTION FOR MUNICIPALITIES THAT
OPERATE UNDER A SPECIAL OR PRIVATE CHARTER; TO REPEAL SECTION
23-15-841, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE
HOLDING OF A PRIMARY ELECTION IN SPECIAL ELECTIONS FOR COUNTY AND
COUNTY DISTRICT SEATS; TO REPEAL SECTION 23-15-893, MISSISSIPPI
CODE OF 1972, WHICH PROVIDES THE PENALTY FOR BEING INTOXICATED IN
OR ABOUT A POLLING PLACE DURING AN ELECTION; TO REPEAL SECTION
23-15-899, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR
IDENTIFYING INFORMATION TO BE POSTED ON CAMPAIGN MATERIALS; TO
REPEAL SECTION 97-13-18, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS
FOREIGN NATIONALS FROM MAKING CONTRIBUTIONS OR EXPENDITURES TO OR
ON BEHALF OF POLITICAL PARTIES OR CANDIDATES; AND FOR RELATED
PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
SECTION 1. Section 23-15-3, Mississippi Code of 1972, is amended as follows:

23-15-3. For purposes of this chapter, the term "ballot box" includes any ballot bag or other container of a type that has been approved for use in elections by the Secretary of State and is capable of receiving voted paper ballots. Such ballot bags or containers may be used for any purpose * * * that a ballot box may be used under the provisions of law regulating elections in Mississippi or any other purpose authorized by the rules and regulations adopted by the Secretary of State. * * *

SECTION 2. Section 23-15-5, Mississippi Code of 1972, is amended as follows:

23-15-5. (1) There is created in the State Treasury a special fund to be known as the Elections Support Fund. Monies derived from annual report fees imposed upon limited liability companies under Section 79-29-1203 shall be deposited into the Elections Support Fund. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be disbursed as provided in subsection (2) of this section. The expenditure of monies in the fund shall be under the direction of the Secretary of State as provided by subsection (2) of this section, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration.
(2) (a) Monies in the fund shall be used as follows:

   (i) Fifty percent (50%) of the monies in the special fund shall be distributed annually to the counties, based on the proportion that the population of a county bears to the total population in all counties of the state population according to the most recent information from the United States Census Bureau, and held in a separate fund solely for the purpose of acquiring, upgrading, maintaining or repairing voting equipment, systems and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems, employing such personnel to conduct an election, and training election officials; and

   (ii) The remaining fifty percent (50%) of the monies in the special fund shall be allocated annually to the Secretary of State and expended for the purpose of upgrading, maintaining or equipping the Statewide Elections Management System, and acquiring, upgrading or maintaining any other election-related site or system or providing technical training to election officials.

(b) The Secretary of State shall create standard training guidelines to assist counties in training election officials with the funds authorized under subsection (2)(a)(ii) of this section. Any criteria established by the Secretary of State for the purposes of this section shall be used in addition to any other training or coursework prescribed by the Secretary of State.
to train circuit clerks, poll managers and any other election
officials participating in county elections.

(c) Notwithstanding any other provision of law, no
monies from the Elections Support Fund shall be used by the
Secretary of State or any person associated with the Office of the
Secretary of State to provide or otherwise support expert
testimony in any manner for any hearing, trial or election
contest.

(3) From and after July 1, 2016, the expenses of this agency
shall be defrayed by appropriation from the State General Fund and
all user charges and fees authorized under this section shall be
deposited into the State General Fund as authorized by law.

(4) From and after July 1, 2016, no state agency shall
charge another state agency a fee, assessment, rent or other
charge for services or resources received by authority of this
section.

SECTION 3. Section 23-15-7, Mississippi Code of 1972, is
amended as follows:

23-15-7. (1) The Secretary of State shall negotiate a
Memorandum of Understanding which shall be entered into by the
Mississippi Department of Public Safety and the registrar of each
county for the purpose of providing a Mississippi Voter
Identification Card. * * * The card shall be valid for the
purpose of voter identification purposes under Section 23-15-563
and available only to registered voters of this state. No fee
shall be charged or collected for the application for or issuance
of a Mississippi Voter Identification Card. Any costs associated
with the application for or issuance of a Mississippi Voter
Identification Card shall be made payable from the state's General
Fund.

(2) The registrar of each county shall provide a location in
the registrar's office at which he or she shall accept
applications for Mississippi Voter Identification Cards in
accordance with the Mississippi Constitution; however, in counties
having two (2) judicial districts the registrar shall provide a
location in the registrar's office in each judicial district at
which he or she shall accept applications for Mississippi Voter
Identification Cards in accordance with the Mississippi
Constitution.

(3) No person shall be eligible for a Mississippi Voter
Identification Card if the person has a valid unexpired
Mississippi driver's license or an identification card issued
under Section 45-35-1 et seq.

(4) (a) The Mississippi Voter Identification Card shall be
captioned "MISSISSIPPI VOTER IDENTIFICATION CARD" and shall
contain a prominent statement that under Mississippi law it is
valid only as identification for voting purposes. The
identification card shall include the following information
regarding the applicant:

   (i) Full legal name;
(ii) Legal residence address;

(iii) Mailing address, if different; and

(iv) Voting information.

(b) The Mississippi Voter Identification Card shall also contain the date the voter identification card was issued, the county in which the voter is registered and such other information as required by the Secretary of State.

(5) The application shall be signed and sworn to by the applicant and any falsification or fraud in the making of the application shall constitute false swearing under Section 97-7-35.

(6) The registrar shall require presentation and verification of any of the following information during the application process before issuance of a Mississippi Voter Identification Card:

(a) A photo identity document; or

(b) Documentation showing the person's date and place of birth; or

(c) A social security card; or

(d) A Medicare card; or

(e) A Medicaid card; or

(f) Such other acceptable evidence of verification of residence in the county as determined by the Secretary of State.

(7) A Mississippi Voter Identification Card shall remain valid for as long as the cardholder * * * remains qualified to vote. It shall be the duty of a person who moves his or her
residence within this state to surrender his or her voter identification card to the registrar of the county of his or her new residence and * * * that person may thereafter apply for and receive a new card if such person is eligible under this section. It shall be the duty of a person who moves his or her residence outside this state or who ceases to be qualified to vote to surrender his or her card to the registrar who issued it.

(8) The Secretary of State, in conjunction with the Mississippi Department of Public Safety, shall adopt rules and regulations for the administration of this section.

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

23-15-15. It shall be the duty of any * * * person who has acquired citizenship by order or decree of naturalization and who is otherwise qualified to register and vote under the laws of the State of Mississippi to present or exhibit to the * * * registrar of the county of his or her residence, at or before the time he or she may offer to register, a certified copy of the final order or decree of naturalization, or a certificate of naturalization or duplicate thereof, or a certified copy of such certificate of naturalization or duplicate; otherwise he or she shall not be allowed to register or to vote.

SECTION 5. Section 23-15-19, Mississippi Code of 1972, is amended as follows:
23-15-19. Any person who has been convicted of vote fraud or
* * * any crime listed in Section 241, Mississippi Constitution
of 1890, such crimes defined as "disenfranchising," shall not be
registered, or if registered the name of the person shall be
* * * removed from the * * * Statewide Elections Management
System by the registrar or * * * the election commissioners of the
county of his or her residence. Whenever any person shall be
convicted in the circuit court of his or her county of * * * a
disenfranchising crime, the county registrar shall thereupon
* * * remove his or her name from the * * * Statewide Elections
Management System; and whenever any person shall be convicted
of * * * a disenfranchising * * * crime in any other court of any
county, the presiding judge of the court shall, on demand, certify
the fact in writing to the registrar of the county in which the
voter resides, who shall thereupon * * * remove the name of the
person from the * * * Statewide Elections Management System and
retain the certificate as a record of his or her office.

amended as follows:

23-15-31. All of the provisions of this subarticle shall be
applicable, insofar as possible, to municipal, primary, general
and special elections; and wherever therein any duty is imposed or
any power or authority is conferred upon the county registrar,
county election commissioners or county executive committee with
reference to a state and county election, such duty shall likewise
be * * * conferred upon the municipal registrar, municipal election commission or municipal executive committee with reference to any municipal election.

SECTION 7. 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 or her name on and properly completed the application for registration to vote shall be registered by the county 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 county registrar in the voting precinct of the residence of such person through the Statewide Elections Management System.

* * *

SECTION 8. Section 23-15-35, Mississippi Code of 1972, is amended 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 county 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 mailing costs incurred by the municipal clerk or the county registrar in effectuating this subsection (2) 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.

(5) The municipal clerk of each municipality shall provide the county registrar in which the municipality is located the information necessary to conform the municipal registration to the county registration which shall be a part of the official record of registered voters as contained in the Statewide Elections Management System. If any changes to the information occur as a result of redistricting, annexation or other reason, it shall be the responsibility of the municipal clerk to timely provide the changes to the county registrar.
SECTION 9. Section 23-15-37, Mississippi Code of 1972, is amended as follows:

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

(2) The county registrar may keep his or her office open to register 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 before any regularly scheduled primary or general election. The county registrar shall also keep his or her office open from 8:00 a.m. until 12:00 noon on the Saturday immediately preceding the thirtieth day before any regularly scheduled primary or general election, unless that Saturday falls on a legal holiday, in which case registration applications submitted on the Monday immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling such voters to vote in the next primary or general election.

(3) The registrar, or any deputy registrar duly appointed by law, may visit and spend such time as he or she may deem necessary at any location in his or her 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 may contact the registrar and request that the 
registrar or the registrar's deputy visit him or her for the 
purpose of registering such person to vote. The registrar 
or the registrar's deputy shall visit that person as 
soon as possible after such request and provide the person 
with an application for registration, if necessary. The completed 
application for registration shall be executed in the presence of 
the registrar or the registrar's deputy.

(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. The 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 county registrar or the county registrar's deputy to register persons who are 
eligible to vote and to provide voter education.

SECTION 10. 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 or she 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 or she 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.

(5) The county registrar shall provide to the person making the application a copy of the application upon which has been written the county voting precinct and municipal voting precinct, if any, in which the person shall vote. Upon entry of the voter registration information into the Statewide Elections Management System, the system shall assign a voter registration number to the person, and the county registrar shall mail the applicant a voter registration card to the mailing address provided on the application.
(6) Any person desiring an application for registration may secure an application from the registrar of the county of which he or she is a resident and may take the application with him or her and secure assistance in completing the application from any person of the applicant's choice. It shall be the duty of all registrars to furnish applications for registration to all persons requesting them, and it shall likewise be the registrar's duty to furnish aid and assistance in the completing of the application when requested by an applicant. The application for registration shall be sworn to and subscribed before the registrar or deputy registrar at the municipal clerk's office, the county registrar's office or any other location where the applicant is allowed to register to vote. The registrar shall not charge a fee or cost to the applicant for accepting the application or administering the oath or for any other duty imposed by law regarding the registration of electors.

(7) If the person making the application is unable to read or write, for reason of disability or otherwise, he or she shall not be required to personally complete the application in writing and execute the oath. In such cases, the registrar or deputy registrar shall read the application and oath to the person and the person's answers thereto shall be recorded by the registrar or the registrar's deputy. The person shall be registered as an elector if he or she 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 county 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 the corporate boundaries of a municipality change, whether by annexation or redistricting, the municipal clerk shall, within ten (10) days after approval of the change in corporate boundaries, provide to the county registrar 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, county election commissioner or other county official, who has completed an annual training seminar sponsored by the Secretary of State pertaining to the implementation of new boundary lines in the Statewide Elections Management System and received certification for that training, shall update the municipal boundary information into the Statewide Elections Management System. The Statewide Elections Management System updates the municipal voter
registration records and assigns * * * electors * * * to * * *
their 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 * * * affected municipal electors written notification of the
additions and changes. * * *

SECTION 11. 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 county registrar shall enter the applicant's information
into the Statewide Elections Management System * * * where
the * * * applicant's status will be marked as "ACTIVE," "PENDING"
or "REJECTED," and the applicant shall be entitled to register
upon his or her 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 applicant's information into
the Statewide Elections Management System * * * and mark the
applicant's status as "PENDING" or "REJECTED," * * * with the
specific * * * reason or reasons * * * for that status noted. The
registrar shall * * * notify the election commission of those
applicants rejected.
SECTION 12. Section 23-15-43, Mississippi Code of 1972, is amended as follows:

23-15-43. In the event an applicant is not registered, there shall be an automatic review by the county election commissioners under the procedures provided in Sections 23-15-61 through 23-15-79. In addition to the meetings of the election commissioners provided *,* *, the commissioners are required to hold such additional meetings to determine all pending cases of registration on review * * * before the election at which the applicant desires to vote.

It is not the purpose of this section to indicate the decision * * * that should be reached by the election commissioners in certain cases but to define which applicants should receive further examination by providing for an automatic review.

SECTION 13. 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 or her county registrar at least thirty (30) days * * * before any
election; however, if the thirtieth day to register before an

election falls on a Sunday or legal holiday, the registration

applications submitted on the business day immediately following

the Sunday or legal holiday shall be accepted and entered into the

Statewide Elections Management System for the purpose of enabling

voters to vote in the next election. The postmark date of a

mailed application shall be the applicant's date of registration.

(b) Upon receipt of a mail-in application, the county

registrar shall stamp the application with the date of receipt,

and shall verify the application either by * * * matching the

applicant's Mississippi driver's license number through the

Mississippi Department of Public Safety or by matching the

applicant's social security number through the American

Association of Motor Vehicle Administrators. * * * Within * * *

fourteen (14) days of receipt of a mail-in registration

application, the county registrar shall complete action on the

application, including any attempts to notify the applicant of the

status of his or her application.

(c) If the county registrar determines that the

applicant is qualified and his or her application is legible and

complete, * * * the county registrar shall mail the applicant

written notification that the application has been approved,

specifying the county voting precinct, municipal voting precinct,

if any, polling place and supervisor district in which the person

shall vote. This written notification of approval containing the
specified information shall be the voter's registration card. The registration card shall be provided by the county registrar to the applicant in accordance with Section 23-15-39. Upon entry of the voter registration information into the Statewide Elections Management System, the system shall assign a voter registration number to the applicant. The assigned voter registration number shall be clearly shown on the written notification of approval. In mailing the written notification, the county registrar shall note the following on the envelope: "DO NOT FORWARD". If any registration notification form is returned as undeliverable, the voter's registration shall be void.

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

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

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

(iii) The county registrar is unable to determine, from the address and information stated on the application, the precinct in which the voter should be assigned or the supervisor district in which he or she is entitled to vote;
(iv) The applicant is not qualified to register to vote pursuant to Section 23-15-11;

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

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

(e) If the mail-in application of a person is subject to rejection for any of the reasons set forth in paragraph (d)(i) through (iii) of this subsection, and it appears to the county registrar that the defect or omission is of such a minor nature and that any necessary additional information may be supplied by the applicant over the telephone or by further correspondence, the county registrar may write or call the applicant at the telephone number or address, or both, provided on the application. If the county registrar is able to contact the applicant by mail or telephone, * * * the county registrar shall attempt to ascertain the necessary information, and if this information is sufficient for the registrar to complete the application, the applicant shall be registered. If the necessary information cannot be obtained by mail or telephone, or is not sufficient * * * to complete the application within fourteen (14) days of receipt, the county registrar shall give the applicant written notice of the rejection and provide the reason for the rejection. The county registrar shall further inform the applicant that he or she has a right to
attempt to register by appearing in person or by filing another mail-in application.

(f) If a mail-in application is subject to rejection for the reason stated in paragraph (d)(v) of this subsection and the "present home address" portion of the application is different from the residence address for the applicant found in the Statewide Elections Management System, the mail-in application shall be deemed a written request to update the voter's registration pursuant to Section 23-15-13. The county registrar or the election commissioners shall update the voter's residence address in the Statewide Elections Management System and, if necessary, advise the voter of a change in the location of his or her county or municipal polling place by mailing the voter a new voter registration card.

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

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

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

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

(5) The originals of completed mail-in applications shall
remain on file in the office of the county registrar * * * with
copies retained in the Statewide Elections Management System.

(6) If the applicant indicates on the application that he or
she 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. * * *

(7) If the applicant indicates on the application that he or
she 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 * * * through 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 * * *.
(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 14. Section 23-15-61, Mississippi Code of 1972, is amended as follows:

23-15-61. Any person denied the right to register as a voter may appeal from the decision of the county registrar to the board of election commissioners by filing with the county registrar, on the same day of * * * the denial or within five (5) days * * * after the denial, a written application for appeal.

SECTION 15. Section 23-15-63, Mississippi Code of 1972, is amended as follows:

23-15-63. Any elector of the county may likewise appeal from the decision of the county registrar allowing any other person to be registered as a voter; but before the same can be heard, the party appealing shall give notice to the person whose registration is appealed from, in writing, stating the grounds of the appeal. * * * The notice shall be served by the sheriff or a constable, as process in other courts is required to be served; and the officer may demand and receive for such service, from the person requesting the same, the sum of One Dollar ($1.00).

SECTION 16. Section 23-15-65, Mississippi Code of 1972, is amended as follows:

preceding any general election, and shall remain in session from
day to day, so long as business may require. Three (3) election
commissioners shall constitute a quorum to do business; but the
concurrence of at least three (3) election commissioners shall be
necessary in all cases for the rendition of a decision. The
election commissioners shall hear and determine all appeals from
the decisions of the registrar of their county, allowing or
refusing the applications of electors to be registered; and they
shall correct illegal or improper registrations, and shall secure
the elective franchise, as affected by registration, to
those who may be illegally or improperly denied the same.

**SECTION 17.** Section 23-15-67, Mississippi Code of 1972, is
amended as follows:

23-15-67. The election commissioners of each county
shall, at the meetings provided for in Sections 23-15-123,
23-15-155 and 23-15-157, hear and determine any appeals which may
have been perfected and which are pending on the respective dates
from the decisions of the registrar of their county allowing or
refusing the applications of persons to be registered. The above
dates for hearing the appeals are supplemental to the

**SECTION 18.** Section 23-15-69, Mississippi Code of 1972, is
amended as follows:
23-15-69. All cases on appeal shall be heard by the boards of election commissioners de novo, and oral and documentary evidence may be heard by them; and they are authorized to administer oaths to witnesses before them; and they have power to subpoena witnesses, and to compel their attendance; to send for persons and papers; to require the sheriff and constables to attend them and to execute their process. The decisions of the commissioners in all cases shall be final as to questions of fact, but as to matters of law they may be revised by circuit courts and the Supreme Court. The registrar shall obey the orders of the commissioners in directing a person to be registered, or a name to be stricken from the ** Statewide Elections Management System.**

**SECTION 19.** Section 23-15-79, Mississippi Code of 1972, is amended as follows:

23-15-79. (1) Unless the application for registration was made pursuant to Section 23-15-47, the date of registration to vote shall be the date **the application for registration to vote was initially received by the registrar or, if submitted by mail, the postmark date, regardless of the date on which the county election commission, circuit court or Supreme Court, as the case may be, makes its final determination allowing the registration.**

(2) In the case of an application for registration **that has been made pursuant to Section 23-15-47, the date of registration to vote shall be the date the complete and legible**
application form is received by the county registrar, or, if
mailed, the postmark date of the complete and legible application.

SECTION 20. Section 23-15-95, Mississippi Code of 1972, is
amended as follows:

23-15-95. In addition to the penalties set forth in Section
23-15-93, any applicant aggrieved by any registrar or election
commissioner because of their refusal or neglect to perform
any of the duties prescribed by this chapter regarding the
registration of electors may petition the chancery court of the
county of the registrar or election commissioner for an
injunction or mandate to enforce the performance of such duties
and to secure to that applicant the rights to which he
or she may be entitled under the provisions of the sections.

amended as follows:

23-15-113. (1) 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.

(2) All records pertaining to voter registration shall
be stored in an electronic format in the Statewide Elections
Management System by the county registrar. The scanned
applications shall be a legal document of voter registration and
shall be retained in the Statewide Elections Management System.
SECTION 22. Section 23-15-121, Mississippi Code of 1972, is amended as follows:

23-15-121. Should the electronic voting record of any county as maintained by the Statewide Elections Management System 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 county registrar, being so directed, shall make a new registration, as herein provided, of the qualified electors of his or her county.

SECTION 23. 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 as maintained by the Statewide Elections Management System 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 24. 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 qualified
applicants who register with the registrar shall be entered in the
Statewide Elections Management System. Only the names of those
qualified applicants who register within thirty (30) days
before * * * an election shall * * * appear on the pollbooks * * *
of the election * * *; however, if the thirtieth day to register
before an election falls on a Sunday or legal holiday, the
registration applications submitted on the business day
immediately following the legal holiday shall be accepted and
entered in the Statewide Elections Management System for the
purpose of enabling voters to vote in the next election. When
county election commissioners determine that any elector is
disqualified from voting, by reason of death, conviction of a
disenfranchising crime, removal from the * * * jurisdiction, or
other legal cause, that fact shall be noted * * * in the * * *
Statewide Elections Management System and * * * the voter's name
shall be * * * removed from the * * * Statewide Elections
Management System, the state's voter roll and the county's
pollbooks. Nothing in this section shall preclude the use of
electronic pollbooks.

SECTION 25. Section 23-15-135, Mississippi Code of 1972, is
amended as follows:

* * *

23-15-135. (1) The * * * master voter roll as
electronically maintained by the Statewide Elections Management
System of the several voting precincts of each county and the
pollbooks heretofore in use shall be delivered to the registrar of
the county, and they, together with the master voter roll
and pollbooks hereafter made, shall be records of his or her
office, and he or she shall carefully preserve the same as such;
and after each election the pollbooks shall be speedily returned
to the office of the registrar.

(2) The registrar of each county shall provide a location in
the registrar's office at which he or she shall accept
applications for Mississippi Voter Identification Cards in
accordance with the Mississippi Constitution.

(3) The registrar of each county shall enter into a
Memorandum of Understanding, which is negotiated by the Secretary
of State, with the Mississippi Department of Public Safety for the
purpose of providing a Mississippi Voter Identification Card.

SECTION 26. Section 23-15-151, Mississippi Code of 1972, is
amended as follows:

23-15-151. The circuit clerk of each county is authorized
and directed to prepare and keep in his or her office a full and
complete list, in alphabetical order, of persons convicted
of voter fraud or of any crime listed in Section 241,
Mississippi Constitution of 1890. * * * A certified copy of any
enrollment by one clerk to another will be sufficient authority
for the enrollment of the name, or names, in another county. A
list of persons convicted of voter fraud, any crime listed in
Section 241, Mississippi Constitution of 1890, or any crime interpreted as disenfranchising in later Attorney General opinions, shall also be entered into the Statewide Elections Management System on a quarterly basis. Voters who have been convicted in a Mississippi state court of any disenfranchising crime are not qualified electors as defined by Section 23-15-11 and shall be purged or otherwise removed by the county registrar or county election commissioners from the Statewide Elections Management System.

SECTION 27. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;
(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of Eighty-four Dollars ($84.00), to be paid from the county general...
fund, for every day or period of no less than five (5) hours
accumulated over two (2) or more days actually employed in the
performance of their duties in the conduct of an election or
actually employed in the performance of their duties for the
necessary time spent in the revision of the * * * county voter
roll as electronically maintained by the Statewide Elections
Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial
census, not more than fifty (50) days per year, with no more than
fifteen (15) additional days allowed for the conduct of each
election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but
less than thirty thousand (30,000) residents according to the
latest federal decennial census, not more than seventy-five (75)
days per year, with no more than twenty-five (25) additional days
allowed for the conduct of each election in excess of one (1)
occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but
less than seventy thousand (70,000) residents according to the
latest federal decennial census, not more than one hundred (100)
days per year, with no more than thirty-five (35) additional days
allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but
less than two hundred twenty-five thousand (225,000) residents
according to the latest federal decennial census, not more than
one hundred ninety (190) days per year, with no more than
seventy-five (75) additional days allowed for the conduct of each
election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand
(225,000) residents according to the latest federal decennial
census but less than two hundred fifty thousand (250,000)
residents according to the latest federal decennial census, not
more than two hundred fifteen (215) days per year, with no more
than eighty-five (85) additional days allowed for the conduct of
each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand
(250,000) residents according to the latest federal decennial
census but less than two hundred seventy-five thousand (275,000)
residents according to the latest federal decennial census, not
more than two hundred thirty (230) days per year, with no more
than ninety-five (95) additional days allowed for the conduct of
each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five
thousand (275,000) residents according to the latest federal
decennial census or more, not more than two hundred forty (240)
days per year, with no more than one hundred fifty (105) additional
days allowed for the conduct of each election in excess of one (1)
occurring in any calendar year.
(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners * * * to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the * * * county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, for not to exceed five (5) days.

(4) (a) The election commissioners * * * shall be entitled to receive a per diem in the amount of Eighty-four Dollars ($84.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the * * * county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.
(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Fifty Dollars ($150.00), to be paid from the county general fund, for the performance of their duties on the day of any general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

(5) The election commissioners shall be entitled to receive a per diem in the amount of Eighty-four Dollars ($84.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county
registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(8) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(9) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(10) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:
**COUNTY ELECTION COMMISSIONER**

**PER DIEM CLAIM FORM**

- **NAME:** ____________________________    **COUNTY:** _______________
- **ADDRESS:** __________________________    **DISTRICT:** _____________
- **CITY:** _____________    **ZIP:** ________

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**TOTAL NUMBER OF PER DIEM DAYS EARNED**

- **EXCLUDING ELECTION DAYS** ________
- **TOTAL NUMBER PER DIEM DAYS EARNED** ________

**PER DIEM RATE PER DAY EARNED**

- **FOR ELECTION DAYS** ________
- **TOTAL AMOUNT OF PER DIEM CLAIMED** $_______

I understand that I am signing this document under my oath as *an election commissioner* and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the _____day of ______________, ___.
When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded
upon petition to the chancery court of the involved county upon
final disposition of the contest before the election commission,
board of supervisors, clerk of the board of supervisors, or, in
case of an appeal, final disposition by the court. The
commissioner against whom the contest is decided shall be liable
for the payment of the expenses and attorney's fees, and the
county shall be jointly and severally liable for same.

(11) Any election commissioner * * * who has not received a
certificate issued by the Secretary of State pursuant to Section
23-15-211 indicating that the election commissioner * * * has
received the required elections seminar instruction and that the
election commissioner * * * is fully qualified to conduct an
election, shall not receive any compensation authorized by this
section * * * or Section 23-15-239.

SECTION 28. Section 23-15-161, Mississippi Code of 1972, is
amended as follows:

23-15-161. The county registrar shall:

(a) Attend the meetings of the county election
commissioners;

(b) Permit and * * * furnish them access to the * * *
Statewide Elections Management System; and

(c) * * * Render them all needed assistance of
which * * * the registrar is capable in the performance of their
duties in revising the list of qualified electors.
SECTION 29. Section 23-15-163, Mississippi Code of 1972, is amended as follows:

23-15-163. The purposes of this subarticle are:

(a) To establish a centralized statewide qualified voter file that consists of all qualified electors who are registered to vote;

(b) To enhance the uniformity of the administration of elections by creating and maintaining a centralized statewide file of qualified voters;

(c) To increase the efficiency and decrease the cost of maintaining voter registration records and implementing the National Voter Registration Act of 1993;

(d) To increase the integrity of the voting process by compiling a single centralized qualified voter file from county voter roll data that will permit the name of each citizen of this state to appear only once;

(e) To apply technology and information gathered by principal executive departments of state government, state agencies and local voter registrars in a manner that ensures that accurate and current records of qualified voters are maintained and to secure cooperation among all state and county entities to develop systems and processes that are interfaced with the * * * Statewide Elections Management System; and

(f) To enable the state to receive federal funds which may be available to carry out provisions of this subarticle.
SECTION 30. Section 23-15-165, Mississippi Code of 1972, is amended as follows:

23-15-165. (1) The Office of the Secretary of State, in cooperation with the county registrars and election commissioners, shall procure, implement and maintain an electronic information processing system and programs capable of maintaining a centralized database of all registered voters in the state. The system shall encompass software and hardware, at both the state and county level, software development training, conversion and support and maintenance for the system. This system shall be known as the "Statewide Elections Management System" and shall constitute the official record of registered voters in every county of the state.

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

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

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

(c) Receive regular reports of death, changes of address and convictions for disenfranchising crimes that apply to voters registered in the county; and
(d) Retain all present functionality related to, but not limited to, the use of voter roll data and to implement such other functionality as the law requires to enhance the maintenance of accurate county voter records and related jury selection and redistricting programs.

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

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

(a) Provide for the establishment and maintenance of a centralized database for all voter registration information in the state;
(b) Provide procedures for integrating data into the centralized database;

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

(d) Provide the registrar or his or her designee or other appropriate official, as the law may require, access to the system at all times, including the ability to download copies of the industry standard file, for all purposes related to their official duties, including, but not limited to, exclusive access for the purpose of printing 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 or her designee or other appropriate official, as the law may require, to identify the precinct 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 established an advisory committee to assist in developing system specifications, procurement, implementation and maintenance of the Statewide
Elections Management System. The committee ** included 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 or her designee; the Executive Director of the Department of Information Technology Services, or his or her 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 ** chair 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, telephone numbers and date of birth and age information, shall be provided to any person in accordance with the Mississippi Public Records Act of 1983 at a cost not to exceed the actual cost of production.
SECTION 31. Section 23-15-169.1, Mississippi Code of 1972, is amended as follows:

23-15-169.1. The Secretary of State and the Commissioner of Public Safety shall enter into an agreement to grant the Secretary of State's Office "read only" access to the driver's license database and identification cardholder database for the purpose of matching information in the database of the Statewide * * * Elections Management System created in Section 23-15-163 et seq. to the extent required to enable the Secretary of State to verify the accuracy of information provided on applications for voter registration in compliance with the Help America Vote Act of 2002.

SECTION 32. Section 23-15-169.7, Mississippi Code of 1972, is amended as follows:

23-15-169.7. (1) There is created in the State Treasury a special fund, to be designated the "Help Mississippi Vote Fund" to the credit of the Secretary of State, which shall be comprised of the monies required to be deposited into the fund under Section 7-3-59, and any other funds that may be made available for the fund by the Legislature.

(2) Monies in the fund shall be expended by the Secretary of State to support the state's maintenance of efforts as required by the federal mandates of the Help America Vote Act of 2002 and for compensation paid to any certified poll manager under Section 23-15-239.
(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special fund shall be deposited to the credit of the special fund.

(4) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(5) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 33. Section 23-15-171, Mississippi Code of 1972, is amended as follows:

23-15-171. (1) Municipal primary elections shall be held on the first Tuesday in * * * April preceding the general municipal election and, in the event a second primary shall be necessary, such second primary shall be held on the * * * fourth Tuesday in * * * April preceding such general municipal election. The candidate receiving a majority of the votes cast in the election shall be the party nominee. If no candidate shall receive a majority vote at the election, the two (2) candidates receiving the highest number of votes shall have their names placed on the ballot for the second primary election. The candidate receiving the most votes cast in the second primary election shall be the
party nominee. However, if no candidate shall receive a majority vote at the first primary, and there is a tie in the election of those receiving the next highest vote, those candidates receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the second primary election, and whoever receives the most votes cast in the second primary election shall be the party nominee. At * * * the primary election the municipal executive committee shall perform the same duties as are specified by law and performed by members of the county executive committee with regard to state and county primary elections. Each municipal executive committee shall have as many members as there are elective officers of the municipality, and * * * the members of the municipal executive committee of each political party shall be elected in the primary elections held for the nomination of candidates for municipal offices. The provisions of this section shall govern all municipal primary elections as far as applicable, but the officers to prepare the ballots and the poll managers and other officials of the primary election shall be appointed by the municipal executive committee of the party holding * * * the primary, and the returns of such election shall be made to such municipal executive committee. Vacancies in the executive committee shall be filled by it. (2) Provided, however, that in municipalities operating under a special or private charter which fixes a time for holding elections, other than the time fixed by Chapter 491, Laws of 1950,
the first primary election shall be held ** on the first Tuesday, two (2) months before the time for holding the general election, as fixed by the charter, and the second primary election, where necessary, shall be held ** three (3) weeks after the first primary election, unless the charter of any such municipality provides otherwise, in which event the provisions of the special or private charter shall prevail as to the time of holding such primary elections.

(3) All primary elections in municipalities shall be held and conducted in the same manner as is provided by law for state and county primary elections.

**SECTION 34.** Section 23-15-173, Mississippi Code of 1972, is amended as follows:

23-15-173. (1) A general municipal election shall be held in each city, town or village on the first Tuesday after the first Monday of June 1985, and every four (4) years thereafter, for the election of all municipal officers elected by the people.

(2) All municipal general elections shall be held and conducted in the same manner as is provided by law for state and county general elections.

(3) The provisions of Sections 23-15-171 and 23-15-173, which fix the times to hold primary and general elections, shall not apply to any municipality operating under a special or private charter where the governing board or authority thereof, on or before June 25, 1952, shall have adopted and spread upon its
minutes a resolution or ordinance declining to accept the
provisions, in which event the primary and general elections shall
be held at the time fixed by the charter of the municipality.

SECTION 35. Section 23-15-191, Mississippi Code of 1972, is
amended as follows:

23-15-191. The first primary shall be held on the first
Tuesday after the first Monday of August preceding any regular or
general election; and the second primary shall be held three (3)
weeks thereafter. ** The candidate ** that receives a
majority of the votes cast in the election shall be the party
nominee. If no candidate receives ** a majority ** vote at
the election, then the two (2) candidates who receive the
highest ** number of votes ** shall have their names ** placed on the ballot for the second primary election to be held
three (3) weeks later. ** The candidate who ** receives the
most votes in the second primary ** election shall be the party
nominee. However, if no candidate receives a majority vote at the
first primary, and ** there is a tie in the ** election of
those receiving the next highest vote, ** then those candidates
receiving the next highest vote and the candidate receiving the
highest vote ** shall have their names placed on the ballot
for ** the second primary election to be held three (3) weeks
later, and whoever ** receives the most votes cast in ** the
second primary election shall be ** the party nominee.
SECTION 36. Section 23-15-197, Mississippi Code of 1972, is amended as follows:


(2) Times for holding elections for the office of judge of the Supreme Court shall be as prescribed in Section 23-15-991 and Sections 23-15-974 through 23-15-985, and times for holding elections for the office of judge of the Court of Appeals shall be as prescribed in Section 9-4-5.


(4) Times for holding elections for the office of county election commissioners shall be as prescribed in Section 23-15-213.


SECTION 37. Section 23-15-211, Mississippi Code of 1972, is amended as follows:

23-15-211. (1) There shall be a State Board of Election Commissioners to consist of the following members:
(a) The Governor, who shall serve as chair;

(b) The Secretary of State, who shall serve as secretary, maintain minutes of all meetings and accept service of process on behalf of the board; and

(c) The Attorney General.

Any two (2) of the members of the State Board of Election Commissioners may perform the duties required of the board.

(2) The duties of the board shall include, but not be limited to, the following:

(a) Ruling on a candidate's qualifications to run for statewide, Supreme Court, Court of Appeals, congressional district, circuit and chancery court district, and other state district offices;

(b) Approving the state ballot for the offices stated in paragraph (a) of this subsection (2);

(c) Removing the names of candidates from the ballot for failure to comply with campaign finance filing requirements for the offices stated in paragraph (a) of this subsection (2) in previous election cycles; and

(d) Adopting any administrative rules and regulations as are necessary to carry out the statutory duties of the board.

(3) The board of supervisors of each county shall pay members of the county election commission for attending training.
events a per diem in the amount provided in Section 23-15-153; however, except as otherwise provided in this section, the per diem shall not be paid to an election commissioner for more than twelve (12) days of training per year and shall only be paid to election commissioners who actually attend and complete a training event and obtain a training certificate.

(****4) Included in this twelve (12) days shall be an elections seminar, conducted and sponsored by the Secretary of State. Election commissioners and chairpersons of each political party executive committee, or their designee, shall be required to attend. An election commissioner shall be certified by the Secretary of State only after attending the annual elections seminar and satisfactorily completing the skills assessment provided for in Section 23-15-213.

(****5) Each participant shall receive a certificate from the Secretary of State indicating that the named participant has received the elections training seminar instruction and **** satisfactorily completed the skills assessment provided for in Section 23-15-213. Election commissioners **** shall annually file the certificate with the chancery clerk. If any election commissioner **** shall fail to file the certificate by April 30 of each year, his or her office shall be vacated, absent exigent circumstances as determined by the board of supervisors and consistent with the facts. The vacancy shall be declared by the board of supervisors and the vacancy shall be filled in the manner
described by law. * * * Before declaring the office vacant, the board of supervisors shall give the election commissioner notice and the opportunity for a hearing.

( * * *6) The Secretary of State, upon approval of the board of supervisors, may authorize not more than eight (8) additional training days per year for election commissioners * * * in one or more counties. The board of supervisors of each county shall pay members of the county election commission for attending training on these days a per diem in the amount provided in Section 23-15-153.

* * *

SECTION 38. Section 23-15-213, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2028, this section shall read as follows:]

23-15-213. (1) At the general election in * * * 2020 and every four (4) years thereafter, there shall be elected five (5) election commissioners * * * for each county whose terms of office shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution * * *. The oath shall be filed in the office of the clerk of the chancery court * * *. Upon filing the oath of office, the election
commissioner may be provided access to the Statewide Elections Management System for the purpose of performing his or her duties.

While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.

(2) The qualified electors of each supervisors district shall elect, at the general election in *, *, *, 2020, in their district one (1) election commissioner *. The election commissioners from board of supervisors' Districts One, Three and Five shall serve for a term of four (4) years. The election commissioners from board of supervisors' Districts Two and Four shall serve for a term of six (6) years. No more than one (1) commissioner shall be a resident of and reside in each supervisors district of the county; it being the purpose of this section that the county board of election commissioners shall consist of one (1) person from each supervisors district of the county and that each commissioner be elected from the supervisors district in which he or she resides.

(3) Candidates for county election commissioner shall qualify by filing with the clerk of the board of supervisors of their respective counties a petition personally signed by not less than fifty (50) qualified electors of the supervisors district in which they reside, requesting that they be a candidate, by 5:00 p.m. not later than the first Monday in June of the year in which the election occurs and unless the petition is filed within the
required time, their names shall not be placed upon the ballot.

All candidates shall declare in writing their party affiliation, if any, to the board of supervisors, and such party affiliation shall be shown on the official ballot.

(4) The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisors district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the * * * chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected * * * until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held three (3) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.
(5) Upon taking office, the county * * * election commissioners shall organize by electing a * * * chair and a secretary.

(6) It shall be the duty of the * * * chair to have the official ballot printed and distributed at each general or special election.

[From and after January 1, 2032, this section shall read as follows:]

23-15-213. (1) There shall be elected five (5) election commissioners for each county whose terms of office shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution. The oath shall be filed in the office of the clerk of the chancery court. Upon filing the oath of office, the election commissioner may be provided access to the Statewide Elections Management System for the purpose of performing his or her duties. While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.

(2) (a) At the general election in 2032 and every four (4) years thereafter, the qualified electors of the board of
supervisors' Districts One, Three and Five shall elect in their
district one (1) election commissioner.

(b) At the general election in 2034 and every four (4)
years thereafter, the qualified electors of the board of
supervisors' Districts Two and Four shall elect in their district
one (1) election commissioner.

(c) No more than one (1) commissioner shall be a
resident of and reside in each supervisors district of the county;
it being the purpose of this section that the county board of
election commissioners shall consist of one (1) person from each
supervisors district of the county and that each commissioner be
elected from the supervisors district in which he or she resides.

(3) Candidates for county election commissioner shall
qualify by filing with the clerk of the board of supervisors of
their respective counties a petition personally signed by not less
than fifty (50) qualified electors of the supervisors district in
which they reside, requesting that they be a candidate, by 5:00
p.m. not later than the first Monday in June of the year in which
the election occurs and unless the petition is filed within the
required time, their names shall not be placed upon the ballot.
All candidates shall declare in writing their party affiliation,
if any, to the board of supervisors, and such party affiliation
shall be shown on the official ballot.

(4) The petition shall have attached thereto a certificate
of the county registrar showing the number of qualified electors
on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisors district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held three (3) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

(5) In the first meeting in January of each year, the county election commissioners shall organize by electing a chair and a secretary, who shall serve a one (1) year term. The county election commissioners shall provide the names of the chair and secretary to the Secretary of State and provide notice of any change in officers which may occur during the year.
(6) It shall be the duty of the chair to have the official ballot printed and distributed at each general or special election.

SECTION 39. Section 23-15-215, Mississippi Code of 1972, is amended as follows:

23-15-215. If there shall not be election commissioners ** in any county, or if they fail to act, the duties prescribed for them shall be performed by the board of supervisors. In such case, the president of the board is charged with the duty of having the official ballot printed and distributed; and the poll managers ** shall make returns to the board, which shall canvass the returns, give certificates of election, and make report to the Secretary of State, in like manner as the election commissioners ** are required to do.

SECTION 40. Section 23-15-217, Mississippi Code of 1972, is amended as follows:

23-15-217. (1) ** An election commissioner ** of any county may be a candidate for any other office at any election held or to be held during the four-year term for which he or she has been elected to the office of election commissioner **; provided that he or she has resigned from the office of election commissioner before he or she ** files to qualify for the office ** that he or she desires to seek. The clerk for the board of supervisors must have actually received the resignation for it to be deemed submitted.
(2) In any case involving the election of a county election commissioner wherein there is a contest of any nature, including, but not limited to, the right of any person to vote or the counting of any challenge ballot, all the duties and powers of the commission in connection with * * * the contest shall be performed by the board of supervisors, as is contemplated by Section 23-15-215 in cases where there are no election commissioners * * * in the county.

SECTION 41. Section 23-15-219, Mississippi Code of 1972, is amended as follows:

23-15-219. (1) The board of election commissioners is hereby authorized and empowered to employ and set or determine the duties of and determine the compensation of such investigators, legal counsel, secretaries, technical advisors and any other employees or persons who or which * * * the board or a majority thereof may deem necessary to enable them to discharge the duties and obligations presently or hereafter vested in them. However, before employing such persons or setting or determining * * * the compensation, the election commissioners must first have the approval of the board of supervisors of the county.

(2) The board of supervisors of the county is authorized and empowered to pay out of the general fund of the county the salaries and necessary traveling and subsistence expenses of * * * the employees of * * * the board of election commissioners in such amounts as may be mutually agreed upon by the * * * board of
supervisors and * * * board of election commissioners, but which shall be computed on the same basis allowed to state employees when traveling on state business. All expense accounts of * * * the employees of * * * the board of election commissioners shall be approved by * * * the board of election commissioners and * * * the board of supervisors or, in the discretion of each of * * * the boards, by one (1) of the members of each of * * * the boards duly authorized by the respective boards to approve or disapprove * * * the subsistence, traveling and mileage expense accounts.

(3) Nothing in this section shall be construed to prohibit a person who holds the office of election commissioner * * * from being employed and receiving compensation pursuant to this section. Any compensation which such a person may receive from his or her employment pursuant to this section shall be in addition to any compensation * * * that person may receive in performing his or her duties as * * * an election commissioner * * *.

SECTION 42. Section 23-15-221, Mississippi Code of 1972, is amended as follows:

23-15-221. (1) The governing authorities of municipalities having a population of less than twenty thousand (20,000) inhabitants according to the last federal decennial census shall appoint three (3) election commissioners; the governing authorities of municipalities having a population of twenty
thousand (20,000) inhabitants or more and less than one hundred thousand (100,000) inhabitants according to the last federal decennial census shall appoint five (5) election commissioners; and the governing authorities of municipalities having a population of one hundred thousand (100,000) or more according to the last federal decennial census shall appoint seven (7) election commissioners. * * * The municipal election commissioners, in conjunction with the municipal clerk, shall perform all the duties in respect to the municipal election prescribed by law to be performed by the county election commissioners where not otherwise provided. The * * * election commissioners shall, in case there be but one (1) election precinct in the municipality, act as * * * poll managers themselves.

(2) The city council or board of aldermen or other governing authority of any municipality desiring to avail itself of the provisions of the Mississippi Election Code regarding the duties of municipal election commissioners shall adopt an ordinance declaring its intention to enter into an agreement with the municipality's county to have the county election commissioners conduct municipal elections and other functions that are performed by municipal election commissioners for the benefit of the efficiency and conformity of elections, to be effective on and after a date fixed in the ordinance which must be at least thirty (30) days after the ordinance is adopted and on the first day of a month. If the municipality is located in more than one (1)
county, the municipality shall choose which county it wants to conduct its elections and other duties of its municipal election commissioners and enter into an agreement with that county to have that county's election commissioners conduct the municipal elections and other functions that are performed by municipal election commissioners for the benefit of the efficiency and conformity of elections, to be effective on and after a date fixed in the ordinance which must be at least thirty (30) days after the ordinance is adopted and on the first day of a month. A certified copy of this ordinance shall be immediately forwarded to the Chair of the State Board of Election Commissioners. The municipal authorities shall have a copy of the ordinance published once a week for three (3) consecutive weeks in at least one (1) newspaper published in the municipality and having a general circulation therein. The first publication shall be not less than twenty-eight (28) days before the effective date fixed in the ordinance, and the last publication shall be made not less than seven (7) days before such date. If no newspaper is published in the municipality, then notice shall be given by publishing the ordinance for the required time in some newspaper published in the same or an adjoining county having a general circulation in the municipality. A copy of the ordinance shall also be posted at three (3) public places in the municipality for a period of at least twenty-one (21) days during the time of its publication in a newspaper. The publication of the ordinance may be made as
provided in Section 21-17-19. Proof of publication must also be
furnished to the Chair of the State Board of Election
Commissioners.

(3) If a city council or board of aldermen or other
governing authority of any municipality adopts an ordinance to
abolish municipal election commissioners in the municipality's
county and authorize county election commissioners to conduct the
municipal election commissioners' duties, the county election
commissioners shall conduct all of the duties of the municipal
election commissioners including, but not limited to:

(a) Canvass the results of bond elections in a
municipality;

(b) Canvass the returns of special and general
elections for mayor and councilmen and within five (5) days after
any special or general election, deliver to each person receiving
the highest number of votes a certificate of election;

(c) Certify to the Secretary of State the name or names
of the person or persons elected at special and general elections
within ten (10) days after any special or general election;

(d) Revise the primary pollbooks for municipalities at
the time and in the manner and in accordance with the laws now
fixed and in force for revising pollbooks, except they shall not
remove from the pollbook any person who is qualified to
participate in primary elections;
(e) Print the pollbooks that are to be used in municipal elections;

(f) Print and distribute the "official ballots";

(g) Perform the duties of poll managers in the event there is only one (1) election precinct in the municipality;

(h) Perform any of the duties required of the municipal executive committee pursuant to Section 23-15-239 if the municipal executive committee has entered into a written agreement with the municipal clerk or the municipal or county election commission that gives such authorization;

(i) Determine whether each party candidate in the municipal general election is a qualified elector of the municipality, and of the ward if the office sought is a ward office, whether each candidate either meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office, and whether any candidate has been convicted of any felony in a court of this state, or has been convicted on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, or has been convicted of any felony in a federal court on or after December 8, 1992;

(j) Declare each candidate elected without opposition, if the candidate meets all the qualifications to hold the office
as determined pursuant to a review by the commission in accordance with the provisions of paragraph (i) of this subsection (3);

(k) Canvass the returns for municipal elections received from all voting precincts and within ten (10) days after the election, deliver to each person receiving the highest number of votes a certificate of election. If it shall appear that any two (2) or more of the candidates receiving the highest number of votes shall have received an equal number of votes, the election shall be decided by the toss of a coin or by lot, fairly and publicly drawn by the election commissioners;

(l) Transmit the statement provided in Section 23-15-611 to the Secretary of State certifying the name or names of the person or persons elected at municipal elections, and such person or persons shall be issued commissions by the Governor;

(m) Receiving the filed document by any person desiring to contest the qualifications of another person who has qualified pursuant to the provisions of Section 23-15-361 as a candidate for municipal office elected on the date designated by law for regular municipal elections that specifically sets forth the grounds of the challenge no later than thirty-one (31) days after the date of the first primary election set forth in Section 23-15-309; and

(n) Perform all other duties with respect to the municipal election prescribed by law.

(4) If the city council or board of aldermen or other governing authority of any municipality does not desire to avail
itself of the provisions of the Mississippi Election Code regarding the duties of municipal election commissioners, then nothing in this section shall be construed in any way to affect, alter or modify the existence of those municipal election commissioners now operating under the laws relating to municipal election commissioners provided in the Mississippi Code of 1972. Those municipalities shall continue to enjoy the form of election commissions and the conduct of the respective elections that are now enjoyed by them, and each shall possess all rights, powers, privileges and immunities granted and conferred under the laws relating to municipal election commissioners provided in the Mississippi Code of 1972.

SECTION 43. Section 23-15-223, Mississippi Code of 1972, is amended as follows:

23-15-223. (1) The State Board of Election Commissioners, on or before the fifteenth day of February succeeding each general election, shall appoint in the several counties registrars of elections, who shall hold office for four (4) years and until their successors shall be duly qualified. The county registrar shall be the clerk of the circuit court, unless the State Board of Election Commissioners finds the circuit clerk to be an improper person to register the names of the electors in the county. The State Board of Election Commissioners shall draft rules and regulations to provide for notice and hearing before removal of
the circuit clerk, if notice and a hearing is practicable under the circumstances.

(2) The county registrar is empowered to appoint deputy registrars, with the consent of the board of election commissioners, who may discharge the duties of the registrar. The clerk of every municipality shall be appointed as such a deputy registrar, as contemplated by the National Voter Registration Act (NVRA).

(3) The county registrar shall not be held liable for any malfeasance or nonfeasance in office by any deputy registrar who is a deputy registrar by virtue of his or her office.

(4) The Secretary of State, in conjunction with the State Board of Community and Junior Colleges, has developed and made available online a computer skills training course for all newly appointed registrars that shall be completed within one hundred eighty (180) days of the commencement of their term of office.

SECTION 44. Section 23-15-225, Mississippi Code of 1972, is amended as follows:

23-15-225. (1) The registrar shall be entitled to such compensation, payable monthly out of the county treasury, which the board of supervisors of the county shall allow on an annual basis in the following amounts:

(a) For counties with a total population of more than two hundred thousand (200,000), an amount not to exceed
Twenty-nine Thousand Nine Hundred Dollars ($29,900.00), but not less than Nine Thousand Two Hundred Dollars ($9,200.00).

(b) For counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed Twenty-five Thousand Three Hundred Dollars ($25,300.00), but not less than Nine Thousand Two Hundred Dollars ($9,200.00).

(c) For counties with a total population of more than fifty thousand (50,000) and not more than one hundred thousand (100,000), an amount not to exceed Twenty-three Thousand Dollars ($23,000.00), but not less than Nine Thousand Two Hundred Dollars ($9,200.00).

(d) For counties with a total population of more than thirty-five thousand (35,000) and not more than fifty thousand (50,000), an amount not to exceed Twenty Thousand Seven Hundred Dollars ($20,700.00), but not less than Nine Thousand Two Hundred Dollars ($9,200.00).

(e) For counties with a total population of more than twenty-five thousand (25,000) and not more than thirty-five thousand (35,000), an amount not to exceed Eighteen Thousand Four Hundred Dollars ($18,400.00), but not less than Nine Thousand Two Hundred Dollars ($9,200.00).

(f) For counties with a total population of more than fifteen thousand (15,000) and not more than twenty-five thousand (25,000), an amount not to exceed Sixteen Thousand One Hundred
Dollars ($16,100.00), but not less than Nine Thousand Two Hundred Dollars ($9,200.00).

(g) For counties with a total population of more than ten thousand (10,000) and not more than fifteen thousand (15,000), an amount not to exceed Thirteen Thousand Eight Hundred Dollars ($13,800.00), but not less than Eight Thousand Fifty Dollars ($8,050.00).

(h) For counties with a total population of more than six thousand (6,000) and not more than ten thousand (10,000), an amount not to exceed Eleven Thousand Five Hundred Dollars ($11,500.00), but not less than Eight Thousand Fifty Dollars ($8,050.00).

(i) For counties with a total population of not more than six thousand (6,000), an amount not to exceed Nine Thousand Two Hundred Dollars ($9,200.00) but not less than Six Thousand Three Hundred Twenty-five Dollars ($6,325.00).

(j) For counties having two (2) judicial districts, the board of supervisors of the county may allow, in addition to the sums prescribed herein, in its discretion, an amount not to exceed Eleven Thousand Five Hundred Dollars ($11,500.00).

(2) In the event of a reregistration within such county, or a redistricting that necessitates the hiring of additional deputy registrars, the board of supervisors, in its discretion, may by contract compensate the county registrar amounts in addition to the sums prescribed herein.
(3) As compensation for their services in assisting the county election commissioners in performance of their duties in the revision of the voter roll as electronically maintained by the Statewide Elections Management System and in assisting the election commissioners, executive committees or boards of supervisors in connection with any election, the registrar shall receive the same daily per diem and limitation on meeting days as provided for the board of election commissioners as set out in Sections 23-15-153 and 23-15-227 to be paid from the general fund of the county.

(4) In any case where an amount has been allowed by the board of supervisors pursuant to this section, such amount shall not be reduced or terminated during the term for which the registrar was elected.

(5) The circuit clerk shall, in addition to any other compensation provided for by law, be entitled to receive as compensation from the board of supervisors the amount of Two Thousand Five Hundred Dollars ($2,500.00) per year. This payment shall be for the performance of his or her duties in regard to the conduct of elections and the performance of his or her other duties.

(6) The municipal clerk shall, in addition to any other compensation for performance of duties, be eligible to receive as compensation from the municipality's governing authorities a reasonable amount of additional compensation for reimbursement of
costs and for additional duties associated with mail-in registration of voters.

(7) The board of supervisors shall not allow any additional compensation authorized under this section for services as county registrar to any circuit clerk who is receiving fees as compensation for his or her services equal to the limitation on compensation prescribed in Section 9-1-43.

SECTION 45. Section 23-15-227, Mississippi Code of 1972, is amended as follows:

23-15-227. (1) The poll managers shall be each entitled to Seventy-five Dollars ($75.00) for each election; however, the board of supervisors may, in its discretion, pay the poll managers an additional amount not to exceed Fifty Dollars ($50.00) per election.

(2) The poll manager who shall carry to the place of voting, away from the courthouse, the official ballots, ballot boxes, pollbooks and other necessities, shall be allowed Ten Dollars ($10.00) for each voting precinct for so doing. The poll manager who acts as returning officer shall be allowed Ten Dollars ($10.00) for each voting precinct for that service. If a person who performs the duties described in this subsection uses a privately owned motor vehicle to perform them, he or she shall receive for each mile actually and necessarily traveled in excess of ten (10) miles, the mileage reimbursement rate allowable
to federal employees for the use of a privately owned vehicle while on official travel.

(3) The compensation authorized in this section shall be allowed by the board of supervisors, and shall be payable out of the county treasury.

(4) The compensation provided in this section shall constitute payment in full for the services rendered by the persons named for any election, whether there be one (1) election or issue voted upon, or more than one (1) election or issue voted upon at the same time.

**SECTION 46.** Section 23-15-229, Mississippi Code of 1972, is amended as follows:

23-15-229. The compensation for *poll managers and other workers in the polling places of a municipality shall be the same as the compensation paid by the county for *those services; provided, however, that the governing authorities of a municipality shall not be required to pay any additional compensation authorized by the board of supervisors. The governing authorities of a municipality may, in their discretion, pay clerks and poll managers in the polling places of the municipality an additional amount of compensation not to exceed Fifty Dollars ($50.00) per election.

**SECTION 47.** Section 23-15-231, Mississippi Code of 1972, is amended as follows:
23-15-231. * * * Before every election, the election commissioners * * * shall appoint three (3) persons for each voting precinct to be poll managers * * *, one (1) of whom shall be designated by the election commissioners * * * as election bailiff. * * * For general and special elections, the poll managers shall not all be of the same political party if suitable persons of different political parties can be found in the district. If any person appointed shall fail to attend and serve, the poll managers present, if any, may designate someone to fill his or her place; and if the election commissioners * * * fail to make the appointments or in case of the failure of all those appointed to attend and serve, any three (3) qualified electors present when the polls should be opened may act as poll managers. Provided, however, any person appointed to be poll manager or act as poll manager shall be a qualified elector of the county in which the polling place is located.

SECTION 48. Section 23-15-233, Mississippi Code of 1972, is amended as follows:

23-15-233. The poll managers shall take care that the election is conducted fairly and agreeably to law, and they shall be judges of the qualifications of electors, and may examine, on oath, any person duly registered and offering to vote touching his or her qualifications as an elector, which oath any of the poll managers may administer.
SECTION 49. Section 23-15-235, Mississippi Code of 1972, is amended as follows:

23-15-235. In addition to the poll managers appointed pursuant to Section 23-15-231, for the first five hundred (500) registered voters in each voting precinct, the election commissioners may, in their discretion, appoint not more than three (3) persons to serve as poll managers of the election. The election commissioners may, in their discretion, appoint three (3) additional persons to serve as poll managers for each one thousand (1,000) registered voters or fraction thereof in each voting precinct above the first five hundred (500), not to exceed six (6) additional poll managers under this section. Any person appointed as poll manager shall be a qualified elector of the county in which the voting precinct is located.

SECTION 50. Section 23-15-237, Mississippi Code of 1972, is amended as follows:

23-15-237. The poll managers shall be sworn by some officer present competent to administer oaths, or each may be sworn by one of the others, faithfully to perform their duties at the election according to law, and not to attempt to guide, aid, direct or influence any voter in the exercise of his or her right to vote, except as expressly allowed by law. The oath required by
this section shall be recorded in the receipt book and signed by each poll manager.

SECTION 51. Section 23-15-239, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2020, this section shall read as follows:]

23-15-239. (1) The executive committee of each county, in the case of a primary election, or the election commissioners of each county, in the case of all other elections, in conjunction with the circuit clerk, shall in the years in which counties conduct an election, sponsor and conduct, not less than five (5) days before each election, not less than four (4) hours and not more than eight (8) hours of poll manager training to instruct poll managers as to their duties in the proper administration of the election and the operation of the polling place. Any poll manager who completes the online training course provided by the Secretary of State shall only be required to complete two (2) hours of in-person poll manager training. No poll manager shall serve in any election unless he or she has received these instructions once during the twelve (12) months immediately preceding the date upon which the election is held; however, nothing in this section shall prevent the appointment of an alternate poll manager to fill a vacancy in case of an emergency. The county executive committee or the election commissioners, as appropriate, shall train a
sufficient number of alternates to serve in the event a poll manager is unable to serve for any reason.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the county executive committee and the circuit clerk or the chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the municipal executive committee and the municipal clerk or the chair of the municipal election commission, as appropriate. The municipal executive committee

H. B. No. 467
17/HR26/R572SG
PAGE 81 (ENK\KW)
shall notify the state executive committee and the Secretary of State of the existence of * *** the agreement.

(3) The board of supervisors and the municipal governing authority, in their discretion, may compensate poll managers who attend * *** these training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage nor more than Twelve Dollars ($12.00) per hour. Poll managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

(4) The time and location of the training sessions required pursuant to this section shall be announced to the general public by posting a notice thereof at the courthouse and by delivering a copy of the notice to the office of a newspaper having general circulation in the county five (5) days before the date upon which the training session is to be conducted. Persons who will serve as poll watchers for candidates and political parties, as well as members of the general public, shall be allowed to attend the sessions.

(5) Subject to the following annual limitations, the election commissioners * *** shall be entitled to receive a per diem in the amount of Eighty-four Dollars ($84.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually
employed in the performance of their duties for the necessary time spent in conducting training sessions as required by this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than five (5) days per year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than eight (8) days per year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than ten (10) days per year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than twelve (12) days per year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;
(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than eighteen (18) days per year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than nineteen (19) days per year;

(h) In counties having two hundred twenty-five thousand (225,000) residents or more according to the latest federal decennial census, not more than twenty-two (22) days per year;

(6) Election commissioners shall claim the per diem authorized in subsection (5) of this section in the manner provided for in Section 23-15-153(6).

(7) (a) To provide poll manager training, the Secretary of State has developed a single, comprehensive poll manager training program to ensure uniform, secure elections throughout the state. The program includes online training on all state and federal election laws and procedures and voting machine opening and closing procedures.
(b) County election commissioners shall designate no more than two (2) poll managers per precinct, who shall individually access and complete the online training program, including all skills assessments, at least five (5) days before an election. The poll managers shall be defined as "certified poll managers," and entitled to a "Certificate of Completion" and compensation for the successful completion of the training and skills assessment in the amount of Twenty-five Dollars ($25.00) payable from the Help Mississippi Vote Fund. Compensation paid to any poll manager under this paragraph (b) shall not exceed Twenty-five Dollars ($25.00) per calendar year.

(c) Every election held after January 1, 2018, shall have at least one (1) certified poll manager appointed by the county election officials to work in each polling place in the county during each general election.

[From and after January 1, 2020, this section shall read as follows:]

23-15-239. (1) * * * The executive committee of each county, in the case of a primary election, or the election commissioners * * * of each county, in the case of all other elections, in conjunction with the circuit clerk, shall, in the years in which counties conduct an election, sponsor and conduct, not less than five (5) days * * * before each election, not less than four (4) hours and not more than eight (8) hours of poll manager training * * * to instruct poll managers as to their
duties in the proper administration of the election and the operation of the polling place. Any poll manager who completes the online training course provided by the Secretary of State shall only be required to complete two (2) hours of in-person poll manager training. No poll manager shall serve in any election unless he or she has received these instructions once during the twelve (12) months immediately preceding the date upon which the election is held; however, nothing in this section shall prevent the appointment of an alternate poll manager to fill a vacancy in case of an emergency. The county executive committee or the election commissioners, as appropriate, shall train a sufficient number of alternates to serve in the event a poll manager is unable to serve for any reason.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the county executive committee and the circuit clerk or the chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.
(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the municipal executive committee and the municipal clerk or the chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(3) The board of supervisors and the municipal governing authority, in their discretion, may compensate poll managers who attend these training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage nor more than Twelve Dollars ($12.00) per hour. Poll managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

(4) The time and location of the training sessions required pursuant to this section shall be announced to the general public by posting a notice thereof at the courthouse and by delivering a copy of the notice to the office of a newspaper having general circulation in the county five (5) days before the date upon which
the training session is to be conducted. Persons who will serve
as poll watchers for candidates and political parties, as well as
members of the general public, shall be allowed to attend the
sessions.

(5) Subject to the following annual limitations, the
election commissioners shall be entitled to receive a per
diem in the amount of Eighty-four Dollars ($84.00), to be paid
from the county general fund, for every day or period of no less
than five (5) hours accumulated over two (2) or more days actually
employed in the performance of their duties for the necessary time
spent in conducting training sessions as required by this section:

(a) In counties having less than fifteen thousand
(15,000) residents according to the latest federal decennial
census, not more than five (5) days per year;

(b) In counties having fifteen thousand (15,000)
residents according to the latest federal decennial census but
less than thirty thousand (30,000) residents according to the
latest federal decennial census, not more than eight (8) days per
year;

(c) In counties having thirty thousand (30,000)
residents according to the latest federal decennial census but
less than seventy thousand (70,000) residents according to the
latest federal decennial census, not more than ten (10) days per
year;
(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than twelve (12) days per year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than eighteen (18) days per year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than nineteen (19) days per year;

(h) In counties having two hundred twenty-five thousand (225,000) residents or more according to the latest federal decennial census, not more than twenty-two (22) days per year;

* * *
(6) Election commissioners * * * shall claim the per diem
authorized in subsection (5) of this section in the manner
provided for in Section 23-15-153(6).

(7) (a) To provide poll manager training, the Secretary of
State has developed a single, comprehensive poll manager training
program to ensure uniform, secure elections throughout the state.
The program includes online training on all state and federal
election laws and procedures and voting machine opening and
closing procedures.

(b) County poll managers who individually access and
complete the online training program, including all skills
assessments, at least five (5) days before an election shall be
defined as "certified poll manager," and entitled to a
"Certificate of Completion."

(c) At least one (1) certified poll manager shall be
appointed by the county election officials to work in each polling
place in the county during each general election.

SECTION 52. Section 23-15-240, Mississippi Code of 1972, is
amended as follows:

23-15-240. (1) The officials in charge of the election in a
county or municipality may, in their discretion, appoint not more
than two (2) students for each precinct to serve as student
interns during elections. To be appointed a student intern a
student must:
(a) Be recommended by a principal or other school official, or the person responsible for the student's legitimate home instruction program;

(b) Be at least sixteen (16) years of age at the time of the election for which the appointment is made;

(c) Be a resident of the county or municipality for which the appointment is made;

(d) Be enrolled in a public high school, an accredited private high school or a legitimate home instruction program and be classified as a junior or senior or its equivalent, or be enrolled in a junior college or a college or university; and

(e) Meet any additional qualifications considered necessary by the officials in charge of the election in the county or municipality.

(2) (a) The duties of the student interns appointed pursuant to this section shall be determined by the officials in charge of the election in the county or municipality; however, ** the duties shall not include:

   (i) Determining the qualifications of a voter in case a voter is challenged;

   (ii) The discharge of any duties related to affidavit ballots;

   (iii) The operation and maintenance of any voting equipment;

   (iv) Any duties normally assigned to a bailiff; or
(v) The tallying of votes.

(b) Student interns shall at all times be under the supervision of the poll managers * * * of the election while performing their duties at precincts.

(3) Before performing any duties, student interns shall attend all required training for poll managers * * * of the county or municipality and any additional training considered necessary by the officials in charge of the election in the county or municipality.

(4) As used in this section "officials in charge of the election" means the county or municipal executive committee, as appropriate, in primary elections and the county or municipal election commission, as appropriate, in all other elections.

SECTION 53. Section 23-15-241, Mississippi Code of 1972, is amended as follows:

23-15-241. The poll manager designated an election bailiff shall, in addition to his or her other duties, be present during the election to keep the peace and to protect the voting place, and to prevent improper intrusion upon the voting place or interference with the election, and to arrest all persons creating any disturbance about the voting place, and to enable all qualified electors who have not voted, and who desire to vote, to have unobstructed access to the polls for the purpose of voting when others are not voting.
SECTION 54. Section 23-15-243, Mississippi Code of 1972, is amended as follows:

23-15-243. If the election commissioners * * * fail to designate a poll manager as the bailiff, or if their designee fails to serve, the poll managers * * * may select an election bailiff from among their number.

SECTION 55. Section 23-15-245, Mississippi Code of 1972, is amended as follows:

23-15-245. It shall be the duty of the poll manager designated as bailiff to be present at the voting place, and to take such steps as will accomplish the purpose of his or her appointment, and * * * the poll manager designated as bailiff shall have full power to do so * * * and * * * may summon to his or her aid all persons present at the voting place. A space thirty (30) feet in every direction from the polls, or the room in which the election is held, shall be kept open and clear of all persons except the election * * * officials, individuals present to vote and credentialed poll watchers as defined by Section 23-15-577. The electors shall approach the polls from one (1) direction, line, door or passage, and depart in another as nearly opposite as convenient.

SECTION 56. Section 23-15-247, Mississippi Code of 1972, is amended as follows:

23-15-247. The election commissioners * * * in each county shall procure, if not already provided, a sufficient number of
ballot boxes, which shall be distributed by them to the voting
precincts of the county before the time for opening the polls.
The boxes shall be securely sealed from the opening of the
polls on election day until the polls close on election day;
and the box shall be kept by one (1) of the managers, and
the manager having the box shall carefully keep it, and
neither open it himself nor permit it to be opened, nor permit any person to have any access to it throughout the voting period during an election. The box shall not be removed from the polling building or place after the polls are opened until the polls close and the count is complete.

After each election the ballot boxes shall be delivered to the clerk of the circuit court of the county for preservation; and he shall keep them for future use, and, when called for, deliver them to the election commissioners.

SECTION 57. Section 23-15-249, Mississippi Code of 1972, is amended as follows:
23-15-249. The failure to distribute to the different voting places the pollbooks containing the alphabetical list of voters, or the ballot boxes provided for, shall not prevent the holding of an election, but in such case the poll managers shall proceed to hold the election without the books and ballot boxes, and shall provide some suitable substitute for the ballot boxes, and conform as nearly as possible to the law in the reception and disposition of the official ballots.
SECTION 58.  Section 23-15-251, Mississippi Code of 1972, is amended as follows:

23-15-251.  The election commissioners, in appointing the poll managers of an election, shall designate one (1) of the poll managers at each voting place to receive and distribute the official ballots, and shall deliver to him or her the proper number of ballots for his or her district not less than one (1) day before the election; and the poll manager receiving the ballots from the election commissioners shall distribute the same to the electors of his or her district in the manner herein provided.  It shall be the duty of the designated poll manager for service at a voting place other than the courthouse, to carry to that voting place, on the day before the election, or before 6:00 a.m. on the morning of the election, the ballot box, the pollbook, the blank tally sheets, the blank forms to be used in making returns, the other necessary stationery and supplies and the official printed ballots aforesaid, and all of the same used and unused shall be returned by the designated poll manager to the election commissioners on the day next following the election.

SECTION 59.  Section 23-15-253, Mississippi Code of 1972, is amended as follows:

23-15-253.  The election commissioners shall furnish to the poll managers at each voting place a sufficient quantity of stationery for use in holding the election, and also blank forms
to be used in making returns of the election, including * * * the
precinct opening and closing log, the election ballot account form
and the electronic vote tally worksheet provided by the Secretary
of State's office.

SECTION 60. Section 23-15-255, Mississippi Code of 1972, is
amended as follows:

23-15-255. (1) The supervisor of each respective
supervisors district shall provide at each election place a
sufficient number of voting compartments, shelves and tables for
the use of electors, which shall be so arranged that it will be
impossible for a voter in one (1) compartment to see another voter
who is preparing his or her ballot. The number of voting
compartments and shelves or tables shall not be less than one (1)
to every two hundred (200) electors in the voting precinct. * * *

(2) The poll managers of each precinct shall publicly post
the following information at the precinct polling place on the day
of any election:

(a) A sample * * * ballot that will be used at the
election;

(b) * * * The hours during which the polling places
will be open;

(c) Instructions on how to vote, including how to cast
a vote and how to cast an affidavit ballot;

(d) Instructions for persons who have registered to
vote by mail and first time voters, if appropriate;
(e) General information on voting rights, including information on the right of an individual to cast an affidavit ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and

(f) The consequences under federal and state laws regarding fraud and misrepresentation;

(g) A list of voters in each polling place that have already cast an absentee ballot; and

(h) The acceptable forms of photo identification that may be presented in the polling place.

SECTION 61. Section 23-15-259, Mississippi Code of 1972, is amended as follows:

23-15-259. The boards of supervisors of the several counties are authorized to allow compensation of the officers rendering services in matters of registration and elections, to provide ballot boxes, voter rolls as electronically maintained by the Statewide Elections Management System, and all other things required by law in registration and elections. The boards are also authorized, by order spread upon the minutes of the board setting forth the cost and source of funds therefor, to allow such reasonable sum as may be expended in supplying voting compartments, tables or shelves for use at elections.

SECTION 62. Section 23-15-261, Mississippi Code of 1972, is amended as follows:
23-15-261. The election commissioners * * * shall, after each election, make out a list of all persons who served as poll managers * * * at the election, designating for what service each is entitled to pay, certify to the correctness of the same, and file it with the clerk of the board of supervisors * * *. An allowance shall not be made to any such officer unless his or her service be so certified.

SECTION 63. Section 23-15-265, Mississippi Code of 1972, is amended as follows:

23-15-265. (1) The county executive committee of each county shall meet not less than two (2) weeks before the date of any primary election and appoint the poll managers * * * for same, all of whom may be members of the same political party. The number of poll managers * * * appointed by the county executive committee shall be the same number as election commissioners * * * are allowed to appoint pursuant to Sections 23-15-231 and 23-15-235. If the county executive committee fails to meet on the date named, supra, further notice shall be given of the time and place of meeting.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this
subsection shall be signed by the * * * chair of the county executive committee and the circuit clerk or the * * * chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of * * * the agreement. (b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the * * * chair of the municipal executive committee and the municipal clerk or the * * * chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

SECTION 64. Section 23-15-267, Mississippi Code of 1972, is amended as follows:

23-15-267. (1) The ballot boxes provided by the * * * election commissioners * * * in each county shall be used in primary elections, and the county executive committees shall distribute them to the voting precincts of the county before the time for opening the polls, in the same manner, as near as may be, as that provided for in general elections.
(2) *** The boxes shall be securely sealed and locked beginning at the start of voting on election day until the end of voting on election day; and the box shall be kept by one (1) of the poll managers, and the poll manager having the box shall carefully keep it, and neither open it himself or herself nor permit it to be done, nor permit any person to have any access to it throughout voting during election day. The box shall not be removed from the polling *** place after the polls are open until the polls close and the count is completed ***.

(3) After each election, the ballot boxes *** shall be delivered *** to the clerk of the circuit court of the county for preservation; and he or she shall keep them for future use, and, when called for, deliver them to the election commissioners.

(4) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the *** chair of the county executive committee and the circuit clerk or the *** chair of the county election commission, as appropriate. The county executive committee shall notify the State Executive Committee and the Secretary of State of the existence of such agreement.
(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the **chair** of the municipal executive committee and the municipal clerk or the **chair** of the municipal election commission, as appropriate. The municipal executive committee shall notify the State Executive Committee and the Secretary of State of the existence of such agreement.

(5) The person, or persons, whose duty it is to comply with the provisions of this section and who shall fail, or neglect, from any cause, to deliver **the** boxes or any of them as herein provided shall, upon conviction, be fined not less than Two Hundred Dollars ($200.00) and be imprisoned in the county jail of the residence of the person, or persons, who violates any of the provisions of this section, for a period of not less than thirty (30) days or more than six (6) months, and fined not more than Five Hundred Dollars ($500.00).

SECTION 65. Section 23-15-271, Mississippi Code of 1972, is amended as follows:

23-15-271. (1) The state executive committee of any political party authorized to conduct political party primaries...
shall form an election integrity assurance committee for each congressional district. The state executive committee shall appoint three (3) of its members to each congressional district election integrity assurance committee. The members so appointed shall be residents of the congressional district for which the election integrity assurance committee is formed. The state executive committee shall name a * * * chair and a secretary from among the members of each committee. The state executive committee shall provide to each circuit and municipal clerk a list of the members of the congressional district integrity assurance committee for the congressional district in which the county or municipality of * * * the clerk is located.

(2) If within sixty (60) days of an election, * * * a county executive committee or a municipal executive committee fails to attend training or perform in a timely manner any of the duties specified in Sections 23-15-239, 23-15-265, 23-15-267, 23-15-333, 23-15-335 and 23-15-597 and there is no written agreement in place between the county or municipal executive committee and the county or municipal election commission or the circuit or municipal clerk pursuant to such sections, or there is such an agreement in place and it is not being executed, the circuit or municipal clerk * * * shall notify the * * * chair and secretary of the congressional district election integrity assurance committee or the * * * chair of the state executive committee of such failure and call upon them to take immediate and appropriate action to * * * ensure that
such duties are performed in order to secure the orderly conduct
of the primary. * * * Upon receiving the notice, the election
integrity assurance committee shall be responsible for conducting
any required training and shall be authorized to contract on
behalf of the county or municipal executive committee with the
county or municipal election commission or the circuit or
municipal clerk for the conduct of the primary election.

(3) Nothing in this section shall be construed to authorize
the state executive committee or a congressional district election
assurance committee to conduct primaries.

SECTION 66. Section 23-15-281, Mississippi Code of 1972, is
amended as follows:
23-15-281. (1) Each county shall be divided into
supervisors districts, which shall be the same as those for the
election of members of the board of supervisors, and may be
subdivided thereafter into voting precincts; and there shall be
only one (1) voting place in each voting precinct * * *.
Provided, however, that such boundaries, if altered, shall conform
to visible natural or artificial boundaries such as streets,
highways, railroads, rivers, lakes, bayous or other obvious lines
of demarcation except county lines and municipal corporate limits.
The board of supervisors * * * shall notify the * * * Office of
the Secretary of State of the boundary of each supervisors
district and voting precinct as then fixed and shall provide * * *
the office a legal description and a map of each supervisors
district and voting precinct and shall indicate the voting place
in each such district. The board of supervisors shall also ensure
the legal description and map of each supervisors district is
available in the circuit clerk's office for public inspection.

(2) The board of supervisors is authorized, by order spread
upon the minutes of the board setting forth the cost and source of
funds therefor, to purchase improved or unimproved property and to
construct, reconstruct, repair, renovate and maintain polling
places, or to pay to private property owners reasonable rental
fees when the property is used as a polling place for a period not
to exceed the day immediately preceding the election, the day of
the election, and the day immediately following the election. On
or before May 1, 2019, the county board of supervisors shall
ensure each polling place is accessible to all voters,
structurally sound, capable of providing air conditioning and
heating and compliant with the Americans with Disabilities Act.

(3) All facilities owned or leased by the state, county,
municipality, or school district may be made available at no cost
to the board of supervisors for use as polling places to such
extent as may be agreed to by the authority having control or
custody of these facilities.

SECTION 67. Section 23-15-283, Mississippi Code of 1972, is
amended as follows:

23-15-283. (1) The board of supervisors shall have power to
alter the boundaries of the supervisors districts, voting
precincts and the voting place therein. If the board of supervisors orders a change in the boundaries, they shall notify the election commissioners, who shall at once cause the voter rolls as electronically maintained by the Statewide Elections Management System of voting precincts affected by the order to be changed to conform to the change so as to contain only the names of the qualified electors in the voting precincts as made by the change of boundaries. Upon the order of change in the boundaries of any voting precinct or the voting place therein, the board of supervisors shall notify the Office of the Secretary of State and provide the Office of the Secretary of State a legal description and a map of any boundary change. No change shall be implemented or enforced until the requirements of this section have been met.

(2) Only officials certified by the Secretary of State shall be authorized to implement boundary line changes in the Statewide Elections Management System. The training and certification required under this subsection (2) shall be available to the circuit clerk, county election commissioners or any other individual designated by the board of supervisors to be responsible for implementing boundary line changes into the Statewide Elections Management System.

(3) Any governmental entity authorized to adopt, amend or change boundary lines shall immediately forward all changed boundary lines to the appropriate circuit clerk, who shall, if
authorized under subsection (2), implement the boundary line changes in the Statewide Elections Management System. If the circuit clerk is not the appropriate person to implement the boundary line changes, the clerk shall immediately forward a copy of all materials to the appropriate person. Copies of any boundary line changes within the county shall be maintained in the office of the circuit clerk and made available for public inspection. No change shall be implemented or enforced until the requirements of this section have been met.

SECTION 68. Section 23-15-293, Mississippi Code of 1972, is amended as follows:

23-15-293. Candidates for state * * * state district * * * and * * * legislative offices * * * shall be voted for and nominated by all the counties or parts of counties within their respective districts, and all * * * the district nominations shall be under the supervision and control of the state executive committee of the respective political parties, which committees shall discharge in respect to such state district nominations all the powers and duties imposed upon them in connection with nominations of candidates for other state officers.

SECTION 69. Section 23-15-299, Mississippi Code of 1972, is amended as follows:

23-15-299. (1) (a) Assessments made pursuant to paragraphs (a), (b) and (c) of Section 23-15-297 shall be paid by each candidate who seeks a nomination in the political party election...
to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held.  If March 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (1)(a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to paragraphs (a), (b) and (c) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on March 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held.  If March 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (1)(b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.
(2) (a) Assessments made pursuant to paragraphs (d) and (e) of Section 23-15-297, shall be paid by each candidate who seeks a nomination in the political party election to the circuit clerk of * * * that candidate's county of residence by 5:00 p.m. on March 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the election for the office is held. If March 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (2)(a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall forward the fee and all necessary information to the secretary of the proper county executive committee within two (2) business days. No candidate may attempt to qualify with any political party that does not have a duly organized county executive committee, and the circuit clerk shall not accept any assessments paid for nonlegislative offices pursuant to paragraphs (d) and (e) of Section 23-15-297 if the circuit clerk does not have contact information for the secretary of the county executive committee for that political party.

(b) Assessments made pursuant to paragraphs (d) and (e) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the circuit clerk of * * * that
candidate's county of residence by 5:00 p.m. on March 1 of the
year in which the primary election for the office is held or on
the date of the qualifying deadline provided by statute for the
office, whichever is earlier; however, no such assessments may be
paid before January 1 of the year in which the primary election
for the office is held. If March 1 or the date of the qualifying
deadline provided by statute for the office occurs on a Saturday,
Sunday or legal holiday, then the assessments required to be paid
by this paragraph (2)(b) shall be paid by 5:00 p.m. on the
business day immediately following the Saturday, Sunday or legal
holiday. The circuit clerk shall forward the fee and all
necessary information to the secretary of the proper county
election commission within two (2) business days.

(3) (a) Assessments made pursuant to paragraphs (f) and (g)
of Section 23-15-297 must be paid by each candidate who seeks a
nomination in the political party election to the secretary of the
state executive committee with which the candidate is affiliated
by 5:00 p.m. sixty (60) days before the presidential preference
primary in years in which a presidential preference primary is
held; however, no such assessments may be paid before January 1 of
the year in which the primary election for the office is held.
Assessments made pursuant to paragraphs (f) and (g) of Section
23-15-297, in years when a presidential preference primary is not
being held, shall be paid by each candidate who seeks a nomination
in the political party election to the secretary of the state
executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (3)(a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to paragraphs (f) and (g) of Section 23-15-297 must be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to paragraphs (f) and (g) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If

sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (3)(b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(4) (a) The fees paid pursuant to subsections (1), (2) and (3) of this section shall be accompanied by a written statement containing the name and address of the candidate, the party with which he or she is affiliated, if applicable, the email address of the candidate, if any, and the office for which he or she is a candidate.

(b) The state executive committee shall transmit to the Secretary of State a copy of the written statements accompanying the fees paid pursuant to subsections (1) and (2) of this section. All copies must be received by the Office of the Secretary of State by not later than 6:00 p.m. on the date of the qualifying deadline; provided, however, the failure of the Office of the Secretary of State to receive such copies by 6:00 p.m. on the date of the qualifying deadline shall not affect the qualification of a person who pays the required fee and files the required statement by 5:00 p.m. on the date of the qualifying deadline. The name of any person who pays the required fee and files the required statement after 5:00 p.m. on the date of the qualifying deadline...
shall not be placed on the primary election ballot or the general

(5) The Secretary of State or the secretary or circuit clerk
to whom such payments are made shall promptly receipt for same
stating the office for which the candidate making payment is
running and the political party with which he or she is
affiliated, if applicable, and he or she shall keep an itemized
account in detail showing the exact time and date of the receipt
of each payment received by him or her and, where applicable, the
date of the postmark on the envelope containing the fee and from
whom, and for what office the party paying same is a candidate.

(6) The secretaries of the proper executive committee shall
hold the funds to be finally disposed of by order of their
respective executive committees. The funds may be used or
disbursed by the executive committee receiving same to pay all
necessary traveling or other necessary expenses of the members of
the executive committee incurred in discharging their duties
as committee members, and of their secretary and may pay the
secretary such salary as may be reasonable. The Secretary of
State shall deposit any qualifying fees received from candidates
into the Elections Support Fund established in Section 23-15-5.

(7) Upon receipt of the proper fee and all necessary
information, the proper executive committee or the Secretary of
State, whichever is applicable, shall then determine at the time
of the qualifying deadline, unless otherwise provided by law,
whether each candidate is a qualified elector of the state, state
district, county or county district which they seek to serve, and
whether each candidate meets all other qualifications to hold the
office he or she is seeking or presents absolute proof that he or
she will, subject to no contingencies, meet all qualifications on
or before the date of the general or special election at which he
or she could be elected to office. The proper executive committee
or the Secretary of State, whichever is applicable, shall
determine whether the candidate has taken the steps necessary to
qualify for more than one (1) office at the election. The
committee or the Secretary of State, whichever is applicable,
shall also determine whether any candidate has been convicted of
any felony in a court of this state, or has been convicted on or
after December 8, 1992, of any offense in another state which is a
felony under the laws of this state, or has been convicted of any
felony in a federal court on or after December 8, 1992. Excepted
from the above are convictions of manslaughter and violations of
the United States Internal Revenue Code or any violations of the
tax laws of this state unless the offense also involved misuse or
abuse of his or her office or money coming into his or her hands
by virtue of * * * the office. If the proper executive committee
or the Secretary of State, whichever is applicable, finds that a
candidate either (a) is not a qualified elector, (b) does not meet
all qualifications to hold the office he or she seeks and fails to
provide absolute proof, subject to no contingencies, that he or
she will meet the qualifications on or before the date of the
general or special election at which he or she could be elected,
or (c) has been convicted of a felony as described in this
subsection, and not pardoned, then the executive committee shall
notify the candidate and give the candidate an opportunity to be
heard. The executive committee shall mail notice to the candidate
at least three (3) business days before the hearing to the address
provided by the candidate on the qualifying forms, and the
committee shall attempt to contact the candidate by telephone,
email and facsimile if the candidate provided this information on
the forms. If the candidate fails to appear at the hearing or to
prove that he or she meets all qualifications to hold the office
subject to no contingencies, then the name of that candidate
shall not be placed upon the ballot. If the proper executive
committee or the Secretary of State, whichever is applicable,
determines that the candidate has taken the steps necessary to
qualify for more than one (1) office at the election, the action
required by Section 23-15-905, shall be taken.

Where there is but one (1) candidate for each office
contested at the primary election, the proper executive committee
or the Secretary of State, whichever is applicable, when the time
has expired within which the names of candidates shall be
furnished shall declare such candidates the nominees.

(8) No candidate may qualify by filing the information
required by this section by using the Internet.
SECTION 70. Section 23-15-303, Mississippi Code of 1972, is amended as follows:

23-15-303. When two (2) or more political parties or political organizations are holding primary elections, each shall be conducted entirely independent of the other but at the same time.

* * *

SECTION 71. Section 23-15-307, Mississippi Code of 1972, is amended as follows:

23-15-307. The name of any candidate shall not be placed upon the official ballot in general elections as a party nominee who is not nominated as herein provided, and the election of any party nominee who shall be nominated otherwise than as provided in this chapter shall be void and he or she shall not be entitled to hold the office to which he or she may have been elected. * * *

SECTION 72. Section 23-15-309, Mississippi Code of 1972, is amended as follows:

23-15-309. (1) Nominations for all municipal officers which are elective shall be made at a primary election, or elections, to be held in the manner prescribed by law. All persons desiring to be candidates for the nomination in the primary elections shall first pay Ten Dollars ($10.00) to the clerk of the municipality, at least sixty (60) days * * * before the first primary election, no later than 5:00 p.m. on such deadline day. If the sixtieth day to file the fee and written statement before an election falls on
a Sunday or legal holiday, the fees and written statements
submitted on the business day immediately following the Sunday or
legal holiday shall be accepted.

(2) The fee paid pursuant to subsection (1) of this section
shall be accompanied by a written statement containing the name
and address of the candidate, the party with which he or she is
affiliated, the email address of the candidate, if any, and the
office for which he or she is a candidate.

(3) The clerk shall promptly receipt the payment, stating
the office for which the person making the payment is running and
the political party with which such person is affiliated. The
clerk shall keep an itemized account in detail showing the time
and date of the receipt of such payment received by him or her,
from whom such payment was received, the party with which such
person is affiliated and for what office the person paying the fee
is a candidate. No candidate may attempt to qualify with any
political party that does not have a duly organized municipal
executive committee, and the municipal clerk shall not accept any
assessments made pursuant to subsection (1) if the municipal clerk
does not have contact information for the secretary of the
municipal executive committee for that political party. The clerk
shall promptly supply all necessary information and pay over all
fees so received to the secretary of the proper municipal
executive committee. * * * The funds may be used and disbursed in
the same manner as is allowed in Section 23-15-299 in regard to other executive committees.

(4) Upon receipt of the above information, the proper municipal executive committee shall then determine, at the time of the qualifying deadline, whether each candidate is a qualified elector of the municipality, and of the ward if the office sought is a ward office, shall determine whether each candidate either meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The executive committee shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The committee also shall determine whether any candidate has been convicted of any felony in a court of this state, or has been convicted on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, or has been convicted of any felony in a federal court on or after December 8, 1992. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state unless such offense also involved misuse or abuse of his or her office or money coming into his or her hands by virtue of * * * the office. If the proper municipal executive committee finds that a candidate either (a) does not meet all
qualifications to hold the office he or she seeks and fails to provide absolute proof, subject to no contingencies, that he or she will meet the qualifications on or before the date of the general or special election at which he or she could be elected, or (b) has been convicted of a felony as described in this subsection and not pardoned, then the executive committee shall notify the candidate and give the candidate an opportunity to be heard. The executive committee shall mail notice to the candidate at least three (3) business days before the hearing to the address provided by the candidate on the qualifying forms, and the committee shall attempt to contact the candidate by telephone, email and facsimile if the candidate provided this information on the forms. If the candidate fails to appear at the hearing or to prove he or she meets all qualifications to hold the office subject to no contingencies. * * * If the executive committee determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(5) Where there is but one (1) candidate, the proper municipal executive committee when the time has expired within which the names of candidates shall be furnished shall declare such candidate the nominee.

SECTION 73. Section 23-15-311, Mississippi Code of 1972, is amended as follows:
2977 23-15-311. All the expenses of printing the tickets, paying
2978 the poll managers, clerks and returning officer of a municipal
2979 primary election shall be paid by the municipality from the
2980 general funds thereof, but such officers of primary elections
2981 shall receive only such compensation as is authorized by law or
2982 ordinance to be paid poll managers, clerks and returning officer
2983 for like services rendered in the * * * general elections held
2984 in * * * the municipality.
2985  
2986 SECTION 74. Section 23-15-333, Mississippi Code of 1972, is
2987 amended as follows:
2988 23-15-333. (1) The county executive committee shall have
2989 printed all necessary ballots, for use in primary elections. The
2990 county executive committee shall have printed all necessary
2991 absentee ballots forty-five (45) days * * * before the election as
2992 required by law. The ballots shall contain the names of all the
2993 candidates to be voted for at * * * the election, and there shall
2994 be left on each ballot one (1) blank space under the title of each
2995 office for which a nominee is to be elected; and in the event of
2996 the death of any candidate whose name shall have been printed on
2997 the ballot, the name of the candidate duly substituted in the
2998 place of the deceased candidate may be written in such blank space
2999 by the voter. Except as otherwise provided in subsection (2) of
3000 this section, the order in which the titles to the various offices
3001 shall be printed, and the size, print and quality of the paper of
3002 the ballot is left to the discretion of the county executive

H. B. No. 467  
17/HR26/R572SG  
PAGE 119 (ENK\KW)
committee. Provided, however, that in all cases the arrangement
of the names of the candidates for each office shall be
alphabetical. No ballot shall be used except those so printed.
(2) The titles for the various offices shall be listed in
the following order:
   (a) Candidates, electors or delegates for the following
national offices * * *:
      (i) President of the United States of America;
      (ii) United States Senator or United States
Representative;
   (b) Candidates for the following statewide offices:
Governor, Lieutenant Governor, Secretary of State, Attorney
General, State Treasurer, Auditor of Public Accounts, Commissioner
of Agriculture and Commerce, Commissioner of Insurance;
   (c) Candidates for the following state district
offices * * *: Mississippi Transportation Commissioner, Public
Service Commissioner, District Attorney;
   (d) Candidates for the following legislative
offices * * *: Senator and House of Representatives;
   (e) Candidates for countywide office;
   (f) Candidates for county district office.
The order in which the titles for the various offices are
listed within each of the categories listed in * * * paragraphs
(e) and (f) * * * are left to the discretion of the county
executive committee. Candidates' names shall be listed alphabetically under each office by the candidate's last name.

(3) ** If after the deadline to qualify as a candidate for an office, only one (1) person has duly qualified to be a candidate for the office in the primary election, the name of that person shall be placed on the ballot; provided, however, that if not more than one (1) person has duly qualified to be a candidate for each office on the primary election ballot, the election for all offices on the ballot shall be dispensed with and the appropriate executive committee shall declare each candidate as the party nominee if the candidate meets all the qualifications to hold the office.

(4) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the ** chair of the county executive committee and the circuit clerk or the ** chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement
with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the * * * chair of the municipal executive committee and the municipal clerk or the * * * chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

SECTION 75. Section 23-15-351, Mississippi Code of 1972, is amended as follows:

23-15-351. It shall be the duty of the * * * chair of the election commission of each county to have printed all necessary ballots for use in elections, except ballots in municipal elections which shall be printed as herein provided by the authorities of the respective municipalities; and the * * * election commissioner shall cause the official ballot to be printed by a printer sworn to keep the ballots secret under the penalties prescribed by law. The printer shall deliver to the election commissioners for holding elections, a certificate of the number of ballots printed for each precinct, and shall not print any additional ballots, except on instruction of proper election commissioners; and failure to observe either of these requirements shall be a misdemeanor.
SECTION 76. Section 23-15-353, Mississippi Code of 1972, is amended as follows:

23-15-353. The officer charged with printing and distributing the official ballot shall ascertain from the registrar, at least ten (10) days before the day of election, the number of registered voters in each voting precinct; and he or she shall have printed and distributed a sufficient number of ballots for use in each precinct.

SECTION 77. Section 23-15-355, Mississippi Code of 1972, is amended as follows:

23-15-355. Ballots in all elections shall be printed and distributed at public expense and shall be known as "official ballots." The expense of printing the ballots shall be paid out of the county treasury, except that in municipal elections such expenses shall be paid by the respective cities, towns and villages.

SECTION 78. Section 23-15-359, Mississippi Code of 1972, is amended as follows:

23-15-359. (1) Except as provided in this section, the ballot shall contain the names of all party nominees certified by the appropriate executive committee, and independent and special election candidates who have timely filed petitions containing the required signatures and assessments that must be paid pursuant to Section 23-15-297, if the candidates and nominees meet all of the
qualifications to hold the office sought. A petition requesting that an independent or special election candidate's name be placed on the ballot for any office shall be filed as provided for in subsection (3) or (4) of this section, as appropriate, and shall be signed by not less than the following number of qualified electors:

(a) For an office elected by the state at large, not less than one thousand (1,000) qualified electors.

(b) For an office elected by the qualified electors of a Supreme Court district, not less than three hundred (300) qualified electors.

(c) For an office elected by the qualified electors of a congressional district, not less than two hundred (200) qualified electors.

(d) For an office elected by the qualified electors of a circuit or chancery court district, not less than one hundred (100) qualified electors.

(e) For an office elected by the qualified electors of a senatorial or representative district, not less than fifty (50) qualified electors.

(f) For an office elected by the qualified electors of a county, not less than fifty (50) qualified electors.

(g) For an office elected by the qualified electors of a supervisors district or justice court district, not less than fifteen (15) qualified electors.
(h) For the Office of President of the United States, a party nominee or independent candidate shall pay an assessment in the amount of Two Thousand Five Hundred Dollars ($2,500.00).

(2) (a) Unless the petition or fee, whichever is applicable, required above shall be filed as provided for in subsection (3), (4) or (5) of this section, as appropriate, the name of the person requested to be a candidate, unless nominated by a political party, shall not be placed upon the ballot. The ballot shall contain the names of each candidate for each office, and the names shall be listed under the name of the political party that candidate represents as provided by law and as certified to the circuit clerk by the state executive committee of the political party. In the event the candidate qualifies as an independent as provided in this section, he or she shall be listed on the ballot as an independent candidate.

(b) The name of an independent or special election candidate who dies before the printing of the ballots, shall not be placed on the ballots.

(3) Petitions for offices described in paragraphs (a), (b), (c), (d) and (e) of subsection (1) of this section shall be filed with the Secretary of State by no later than 5:00 p.m. on the same date or business day, as applicable, by which candidates are required to pay the fee provided for in Section 23-15-297;
however, no petition may be filed before January 1 of the year in which the election for the office is held.

(4) Petitions for offices described in paragraphs (f) and (g) of subsection (1) of this section shall be filed with the proper circuit clerk by no later than 5:00 p.m. on the same date by which candidates are required to pay the fee provided for in Section 23-15-297; however, no petition may be filed before January 1 of the year in which the election for the office is held. The circuit clerk shall notify the county election commissioners of all persons who have filed petitions with the clerk. The notification shall occur within two (2) business days and shall contain all necessary information.

(5) The assessment for the office described in paragraph (h) of subsection (1) of this section shall be paid to the Secretary of State. The Secretary of State shall deposit any qualifying fees received from candidates into the Elections Support Fund established in Section 23-15-5.

(6) The election commissioners may also have printed upon the ballot any local issue election matter that is authorized to be held on the same date as the regular or general election pursuant to Section 23-15-375; however, the ballot form of the local issue must be filed with the election commissioners by the appropriate governing authority not less than sixty (60) days before the date of the election.
(7) The provisions of this section shall not apply to municipal elections or to the election of the offices of justice of the Supreme Court, judge of the Court of Appeals, circuit judge, chancellor, county court judge and family court judge.

(8) Nothing in this section shall prohibit special elections to fill vacancies in either house of the Legislature from being held as provided in Section 23-15-851. In all elections conducted under the provisions of Section 23-15-851, there shall be printed on the ballot the name of any candidate who, not having been nominated by a political party, shall have been requested to be a candidate for any office by a petition filed with the Secretary of State and signed by not less than fifty (50) qualified electors.

(9) The appropriate election commission shall determine whether each candidate is a qualified elector of the state, state district, county or county district they seek to serve, and whether each candidate meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The election commission shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The election commission also shall determine whether any candidate has been convicted of any felony in a court of this state, or has been convicted on or after December 8, 1992, of any offense in another
state which is a felony under the laws of this state, or has been
convicted of any felony in a federal court on or after December 8, 1992. Excepted from the above are convictions of manslaughter and
violations of the United States Internal Revenue Code or any
violations of the tax laws of this state, unless the offense also
involved misuse or abuse of his or her office or money coming into
his or her hands by virtue of * * * the office. If the
appropriate election commission finds that a candidate either (a)
is not a qualified elector, (b) does not meet all qualifications
to hold the office he or she seeks and fails to provide absolute
proof, subject to no contingencies, that he or she will meet the
qualifications on or before the date of the general or special
election at which he or she could be elected, or (c) has been
convicted of a felony as described in this subsection, and not
pardoned, then the election commission shall notify the candidate
and give the candidate an opportunity to be heard. The election
commission shall mail notice to the candidate at least three (3)
business days before the hearing to the address provided by the
candidate on the qualifying forms, and the committee shall attempt
to contact the candidate by telephone, email and facsimile if the
candidate provided this information on the forms. If the
candidate fails to appear at the hearing or to prove that he or
she meets all qualifications to hold the office subject to no
contingencies, then the name of such candidate shall not be placed
upon the ballot. If the appropriate election commission
determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(10) If after the deadline to qualify as a candidate for an office or after the time for holding any party primary for an office, only one (1) person has duly qualified to be a candidate for the office in the general election, the name of that person shall be placed on the ballot; provided, however, that if not more than one (1) person duly qualified to be a candidate for each office on the general election ballot, the election for all offices on the ballot shall be dispensed with and the appropriate election commission shall declare each candidate elected without opposition if the candidate meets all the qualifications to hold the office as determined pursuant to a review by the election commission in accordance with the provisions of subsection (9) of this section and if the candidate has filed all required campaign finance disclosure reports as required by Section 23-15-807.

(11) The petition required by this section may not be filed by using the Internet.

SECTION 79. Section 23-15-361, Mississippi Code of 1972, is amended as follows:

23-15-361. (1) The municipal general election ballot shall contain the names of all candidates who have been put in nomination by the municipal primary election of any political
party. There shall be printed on the ballots the names of all persons so nominated, whether the nomination be otherwise known or not, upon the written request of one or more of the candidates so nominated, or of any qualified elector who will make oath that he or she was a participant in the primary election, and that the person whose name is presented by him or her was nominated by such primary election. The municipal election commissioners who are required to have the ballots printed, shall also have printed on the ballot in any municipal general election the name of any candidate who, not having been nominated by a political party, shall have been requested to be a candidate for any office by a petition filed with the clerk of the municipality no later than 5:00 p.m. on the same date by which candidates for nomination in the municipal primary elections are required to pay the fee provided for in Section 23-15-309, and signed by not less than the following number of qualified electors:

(a) For an office elected by the qualified electors of a municipality or a municipal district having a population of one thousand (1,000) or more, not less than fifty (50) qualified electors.

(b) For an office elected by the qualified electors of a municipality or a municipal district having a population of less than one thousand (1,000), not less than fifteen (15) qualified electors.
(2) Unless the petition required above shall be filed no later than 5:00 p.m. on the same date by which candidates for nomination in the municipal primary election are required to pay the fee provided for in Section 23-15-309, the name of the person requested to be a candidate, unless nominated by a political party, shall not be placed upon the ballot. The ballot shall contain the names of each candidate for each municipal office, and * * * the names shall be listed under the name of the political party * * * the candidate represents as provided by law and as certified to the municipal clerk by the municipal executive committee of such political party. * * * In the event such candidate qualifies as an independent as herein provided, he or she shall be listed on the ballot as an independent candidate.

(3) The clerk of the municipality shall notify the municipal election commissioners * * * of all persons who have filed petitions pursuant to subsection (1) of this section within two (2) business days of the date of filing.

(4) The ballot in elections to fill vacancies in municipal elective office shall contain the names of all persons who have qualified as required by Section 23-15-857.

(5) The municipal election commission shall determine whether each party candidate in the municipal general election is a qualified elector of the municipality, and of the ward if the office sought is a ward office and shall determine whether each candidate either meets all other qualifications to hold the office
he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The municipal election commission also shall determine whether any candidate has been convicted of any felony in a court of this state, or has been convicted on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, or has been convicted of any felony in a federal court on or after December 8, 1992. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state unless such offense also involved misuse or abuse of his or her office or money coming into his or her hands by virtue of * * * the office. If the municipal election commission finds that a candidate either (a) is not a qualified elector, (b) does not meet all qualifications to hold the office he or she seeks and fails to provide absolute proof, subject to no contingencies, that he or she will meet the qualifications on or before the date of the general or special election at which he or she could be elected, or (c) has been convicted of a felony as described above and not pardoned, then the election commission shall notify the candidate and give the candidate an opportunity to be heard. The election commission shall mail notice to the candidate at least three (3) business days before the hearing to the address provided by the candidate on the qualifying forms, and
the committee shall attempt to contact the candidate by telephone, 
email and facsimile if the candidate provided this information on 
the forms. If the candidate fails to appear at the hearing or to 
prove he or she meets all qualifications to hold the office 
subject to no contingencies, then the name of the candidate shall 
not be placed upon the ballot.

(6) If after the deadline to qualify as a candidate for an office or after the time for holding any party primary election for an office, * * * only one (1) person * * * has duly qualified to be a candidate for the office in the general election the name of * * * that person shall be placed on the ballot; provided, 
however, that if * * * not more than one (1) person has duly 
qualified to be a candidate for each office on the general 
election ballot, the election for all offices on the ballot shall 
be dispensed with and the municipal election commission shall 
declare each candidate elected without opposition if the candidate 
meets all the qualifications to hold the office as determined 
pursuant to a review by the election commission in accordance with 
the provisions of subsection (5) of this section and if the 
candidate has filed all required campaign finance disclosure 
reports as required by Section 23-15-807.

SECTION 80. Section 23-15-365, Mississippi Code of 1972, is 
amended as follows:

23-15-365. (1) * * * (a) In general and special 
elections, * * * one (1) blank space shall be left on each ballot
under the title of each office to be voted for, and in the event
of the death, resignation, withdrawal or removal of any candidate
whose name * ** was printed on the official ballot, the name of
the candidate duly substituted in the place of such candidate who
is qualified to hold the office may be written in * ** the blank
space by the voter.

(b) In all primary elections, one (1) blank space shall
be left on each ballot under the title of each office to be voted
for, and in the event of the death, resignation, or withdrawal of
a candidate, the name of any individual who is qualified to hold
the office may be written in the blank space by the voter.

(2) The provisions of subsection (1) of this section shall
not apply to elections conducted under the Nonpartisan Judicial
Election Act.

SECTION 81. Section 23-15-367, Mississippi Code of 1972, is
amended as follows:

23-15-367. (1) Except as otherwise provided by Sections
23-15-974 through 23-15-985 and subsection (2) of this section,
* ** the size, print and quality of paper of the official ballot
is left to the discretion of the officer charged with printing the
official ballot.

(2) The titles for the various offices shall be listed in
the following order:

(a) Candidates, electors or delegates for the following
national offices * **:
(i) President;

(ii) United States Senator or United States Representative;

(b) Candidates for the following statewide office * * *: Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer, Auditor of Public Accounts, Commissioner of Agriculture and Commerce, Commissioner of Insurance;

c) Candidates for the following state district offices * * *: Mississippi Transportation Commissioner, Public Service Commissioner, District Attorney;

d) Candidates for the following legislative offices * * *: Senate and House of Representatives;

(e) Candidates for countywide office;

(f) Candidates for county district office.

The order in which the titles for the various offices are listed within * * * paragraphs (e) and (f) is left to the discretion of the * * * county election commissioners. Nominees of the political parties, qualified to conduct primary elections as defined in Section 23-15-291, shall be listed first alphabetically by the candidate's last name, followed by any other candidates listed alphabetically by last name.

(3) It is the duty of the Secretary of State, with the approval of the Governor, to furnish the designated election commissioner of each county a sample of the official ballot, not
less than fifty-five (55) days before the election, the general form of which shall be followed as nearly as practicable.

SECTION 82. Section 23-15-369, Mississippi Code of 1972, is amended as follows:

23-15-369. (1) (a) Whenever a constitutional amendment is submitted to the vote of the people, the substance of the amendment shall be printed in clear and unambiguous language on the ballot after the list of candidates, if any, followed by the word "YES" and also by the word "NO", and shall be styled in such a manner that a "YES" vote will indicate approval of the proposal and a "NO" vote will indicate rejection.

(b) The substance of the amendment shall be an explanatory statement not exceeding seventy-five (75) words in length of the chief purpose of the measure. The statement shall be prepared by the Legislature and included in the concurrent resolution proposing the amendment to the Constitution. The statement shall avoid, whenever possible, the use of legal terminology or jargon and shall use instead, simple, ordinary, everyday language. The Secretary of State shall give each proposed constitutional amendment a designating number for convenient reference specific to the election in which the amendment appears on the ballot. This number designation shall appear on the ballot. Designating numbers shall be assigned in the order of filing or certification of the amendments. The Secretary of State shall furnish the designating number and the
substance of each amendment to the circuit clerk of each county in
which ** the amendment is to be voted on.

(c) The full text of each proposed constitutional
amendment shall be published by the Secretary of State as provided
for in Section 7-3-39, * * * and shall be posted prominently in
all polling places, with copies of ** the proposed amendment
to be otherwise available at each polling place.

(2) Except as may be otherwise provided in subsection (1) of
this section, whenever any public measure, question or matter that
requires an affirmative or negative vote is submitted to a vote of
the electors, the measure or matter shall be printed on the ballot
and also the words "FOR" or "AGAINST" to be so arranged by the
proper officer so that the voter can intelligently vote his or her
preference.

SECTION 83. Section 23-15-371, Mississippi Code of 1972, is
amended as follows:

23-15-371. In case the official ballots prepared shall be
lost or destroyed, the election commissioners ** shall have
like ballots furnished in place of those lost or destroyed, if
time remain therefor. If from any cause there should be no
official ballots or an insufficient number at a voting place, and
not sufficient time in which to have them printed, the ballots may
be written; but, if written by anyone except the voter alone for
himself or herself, the names of all candidates shall be written
thereon, without any mark or device by which one (1) name may be
distinguished from another, and * * * the ballots shall be marked by the voter as provided for printed ballots. If the poll manager designated fails to have the ballots at the voting place at the proper time, or if he or she fails to distribute them, the poll managers, or those of them present at the election, shall provide ballots, and select some suitable person to distribute them, who shall take the oath required of the poll managers, and distribute the ballots according to law.

**SECTION 84.** Section 23-15-373, Mississippi Code of 1972, is amended as follows:

23-15-373. Within one (1) day after election day, the poll managers * * * shall report to the election commissioners, under oath, as to the loss of official ballots, the number lost, and all facts connected therewith, which report the commissioners may deliver to the grand jury, if deemed advisable.

**SECTION 85.** Section 23-15-375, Mississippi Code of 1972, is amended as follows:

23-15-375. Local issue elections may be held on the same date as any regular or general election. A local issue election held on the same date as the regular or general election shall be conducted in the same manner as the regular or general election using the same poll workers and the same equipment. A local issue may be placed on the regular or general election ballot pursuant to the provisions of Section 23-15-359 * * *. The provisions of this section and Section 23-15-359 with regard to local issue
elections shall not be construed to affect any statutory requirements specifying the notice procedure and the necessary percentage of qualified electors voting in such an election which is needed for adoption of the local issue. Whether or not a local issue is adopted or defeated at a local issue election held on the same day as a regular or general election shall be determined in accordance with relevant statutory requirements regarding the necessary percentage of qualified electors who voted in the local issue election, and only those persons voting for or against the issue shall be counted in making that determination. As used in this section "local issue elections" include elections regarding the issuance of bonds, local option elections, elections regarding the levy of additional ad valorem taxes and other similar elections authorized by law that are called to consider issues that affect a single local governmental entity. As used in this section "local issue" means any issue that may be voted on in a local issue election.

**SECTION 86.** Section 23-15-391, Mississippi Code of 1972, is amended as follows:

23-15-391. The board of supervisors of each county and the governing authorities of each municipality shall use optical mark reading equipment or direct recording electronic voting equipment that complies with the specifications provided by law. The election commissioners may conduct special and municipal elections, as well as any necessary runoff
elections, **paper ballot** when the election commissioners determine that administration of an election by paper ballot will be less expensive than administration of the same election by **optical mark reading equipment or direct recording electronic voting equipment.**

**SECTION 87.** Section 23-15-503, Mississippi Code of 1972, is amended as follows:

23-15-503. As used in this subarticle, unless otherwise specified:

(a) "Optimal mark reading (OMR)" means **a method of capturing data electronically into a computer system.**

(b) "Optical mark reading equipment (OMR)" means **an apparatus that reads pen and pencil marks made in pre-defined positions on paper ballots** to automatically examine and count votes.

(c) "Counting center" means one or more locations used for the automatic counting of ballots.

(d) "Marking device" means a pen or pencil that the voters use to record their paper ballots, which is readable by the OMR equipment.

(e) "Ballot" means a paper ballot on which votes are recorded by means of marking the ballot with a marking device.

**SECTION 88.** Section 23-15-505, Mississippi Code of 1972, is amended as follows:
23-15-505. The board of supervisors of any county and the governing authorities of any municipality are hereby authorized and empowered, in their discretion, to purchase or rent OMR equipment that meets the requirements of Section 23-15-507 and may use such system in all or a part of the precincts within its boundaries. The provisions of this chapter shall be controlling with respect to elections in which OMR equipment is used, and shall be liberally construed so as to carry out the purpose of this chapter. The provisions of the election law relating to the conduct of elections with paper ballots, insofar as they are applicable, shall apply.

SECTION 89. Section 23-15-507, Mississippi Code of 1972, is amended as follows:

23-15-507. No OMR equipment shall be acquired or used in accordance with this chapter unless it shall:

(a) Permit eligible voters to vote at any election for all persons for whom they are lawfully entitled to vote; to vote for as many persons for an office as they are lawfully entitled to vote; to vote for or against any ballot initiative, measure or other local issue upon which they are lawfully entitled to vote;

(b) The OMR equipment shall be capable of rejecting choices marked on the ballot if the number of
choices exceeds the number that the voter is entitled to vote for the office or on the measure;

(c) Permit each voter, in presidential elections, by one (1) mark to vote for the candidates of that party for President, Vice President, and their presidential electors, or to vote individually for the electors of their choice when permitted by law;

(d) Permit each voter, in other than primary elections, to vote for the nominees of one or more parties and for independent candidates;

(e) Permit each voter to vote for candidates only in the primary in which he or she is qualified to vote;

(f) Permit each voter to vote for persons whose names are not on the printed ballot;

(g) Be suitably designed for the purpose used, of durable construction, and may be used safely, efficiently and accurately in the conduct of elections and the counting of ballots;

(h) Be provided with means for sealing the ballots after the close of the polls;

(i) When properly operated, record correctly and count accurately all votes cast; and

(j) Provide the voter with a set of instructions that will be displayed in such a way that a voter may readily learn the method of voting.
SECTION 90. Section 23-15-511, Mississippi Code of 1972, is amended as follows:

23-15-511. The ballots shall, as far as practicable, be in the same order of arrangement as provided for paper ballots that are to be counted manually, except that the information may be printed in vertical or horizontal rows. Nothing in this chapter shall be construed as prohibiting the information being presented to the voters from being printed on both sides of a single ballot. In those years when a special election shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot by the election commissioners or officials in charge of the election, but the general election candidates shall be clearly distinguished from the special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot by the officials in charge of the election, but shall be clearly distinguished as special election candidates or primary election candidates.

Ballots shall be printed in plain clear type in black ink and upon clear white materials of such size and arrangement as to be compatible with the OMR equipment. Absentee ballots shall be prepared and printed in the same form and shall be on the same size and texture as the regular official ballots, except that they

H. B. No. 467
17/HR26/R572SG
PAGE 143 (ENK\KW)
shall be printed on tinted paper; or the ink used to print the
elections shall be of a color different from that of the ink used to
print the regular official ballots. Arrows may be printed on the
elections to indicate the place to mark the ballot, which may be to
the right or left of the names of candidates and propositions.

The titles of offices may be arranged in vertical columns on the
elections and shall be printed above or at the side of the names of
candidates so as to indicate clearly the candidates for each

office and the number to be elected. In case there are more
candidates for an office than can be printed in one (1)

column, the ballot shall be clearly marked that the list of
candidates is continued on the following column. The names of
candidates for each office shall be printed in vertical columns,
grouped by the offices that they seek. In partisan
elections, the party designation of each candidate, which may be
abbreviated, shall be printed following his or her name.

One (1) sample ballot, which shall be a
desimile of the official ballot and instructions to the

voters, shall be provided for each precinct and shall be posted in
each polling place on election day.

A separate ballot security envelope or suitable equivalent in
which the voter can place his or her ballot after voting, shall be
provided to conceal the choices the voter has made. Absentee
voters will receive a similar ballot security envelope provided by
the county in which the absentee voter will insert their voted
ballot, which then can be inserted into a return envelope to be mailed back to the election official. Absentee ballots will not be required to be folded when a ballot security envelope is provided.

SECTION 91. Section 23-15-513, Mississippi Code of 1972, is amended as follows:

23-15-513. (1) The official ballots, sample ballots and other necessary forms and supplies of the forms and description required by this chapter or required for the conduct of elections with an electronic voting system shall be prepared and furnished by the same official, in the same manner and time, and delivered to the same officials as provided by law with respect to paper ballots that are to be counted manually.

(2) For each primary election, the number of official ballots that shall be printed by each executive committee shall be not less than one hundred twenty-five percent (125%) of the highest number of votes cast in a comparable primary election conducted by the same political party in the preceding ten (10) years.

(3) For each general election, the number of official ballots that shall be printed shall be a number equal to not less than sixty percent (60%) of the registered voters eligible to vote in the election.

SECTION 92. Section 23-15-515, Mississippi Code of 1972, is amended as follows:
23-15-515. The circuit clerk shall be the custodian of OMR equipment acquired by the county, who shall be charged with the proper storage, maintenance and repair of the OMR equipment. The municipal clerk shall be the custodian of the OMR equipment acquired by the municipality, and shall be charged with the proper storage, maintenance and repair of the OMR equipment. The custodian or the officials in charge of the election shall repair or replace any OMR equipment which fails to function properly on election day.

SECTION 93. Section 23-15-517, Mississippi Code of 1972, is amended as follows:

23-15-517. At least one (1) hour before the opening of the polls, the officials in charge of the election shall arrive at the polling place and set up the voting booths so that they will be in clear view of the poll managers; the poll managers shall examine the ballots to verify that they have the correct ballots for their precinct and check the supplies, records and forms, and post the sample ballots and instructions to the voters. They shall also inspect the ballot boxes to ensure they contain only voted absentee ballots in their envelopes with the required applications, and then seal the box for voting.

Each voter shall receive written and/or verbal instructions by the poll managers instructing the voter how to properly vote the paper ballot before the voter enters the voting room.
booth. If any voter needs additional instructions after entering the voting booth, two (2) * * * poll managers may, if necessary, enter the booth and give him or her such additional instructions. If any voter spoils a ballot * * * the voter may obtain others, one (1) at a time, not exceeding three (3) in all, upon returning each spoiled ballot. The word "SPOILED" shall be written across the face of the ballot and it shall be * * * deposited into the sealed ballot box. * * * When the polls close once the last ballot has been cast or at 7:00 p.m., whichever is later, the poll managers shall break the seal on the ballot box to process the absentee ballots. Ballots marked as spoiled shall be bundled together and placed in an envelope designated for spoiled ballots. Once the polls have officially closed, the envelope that contains the spoiled ballots and the unused ballots * * * shall be placed in * * * the ballot box or other container provided for that purpose which shall be sealed and returned to the officials in charge of the election.

SECTION 94. Section 23-15-519, Mississippi Code of 1972, is amended as follows:

23-15-519. The poll managers shall prepare a ballot accounting report * * * that documents * * * the number of voters who have voted, as indicated by the * * * receipt book and the number of ballots used in the election. * * * The poll managers shall place the report in the ballot box, with the seal logs, receipt books, absentee ballots, affidavit ballots, challenged
ballots, curbside ballots, emergency ballots, spoiled ballots and unused ballots, which thereupon shall be sealed with a tamper-evident seal, which is a seal that has been designed in such a way to allow someone to easily detect any tampering, so that no additional ballots may be deposited or removed from the ballot box. The poll managers, while they have possession of the election materials, and the officials in charge of the election, once the poll managers have delivered the ballot box to the counting center or other designated place, shall be required to keep a seal log to document each time a tamper-evident seal for a ballot box is opened or changed. The seal log shall require the name of the person who opened the seal, the old seal number, the new seal number, the date the seal was opened and the purpose for opening the seal. The receiving and returning poll manager shall deliver the ballot box to the counting center or other designated place and receive a signed, numbered receipt therefor. The poll books and other records and supplies shall be returned as directed by the officials in charge of the election. Failure to strictly comply with the provisions of this section shall not result in a presumption of fraud.

SECTION 95. Section 23-15-521, Mississippi Code of 1972, is amended as follows:

23-15-521. Before counting the ballots, the election commissioners, or their designees, shall have the OMR equipment tested to ascertain that it will accurately count the
votes cast for all offices and on all measures. Representatives of the political parties, candidates, the press and the general public may witness the test conducted on the OMR equipment. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots that have votes in excess of the number allowed by law in order to test the ability of the OMR equipment to reject such votes. If any error is detected, the cause of the error shall be ascertained and corrected and an errorless count shall be made and certified to by the officials in charge before the count is started. On completion of the count, the programs, test materials and ballots shall be sealed and retained as provided for paper ballots.

**SECTION 96.** Section 23-15-523, Mississippi Code of 1972, is amended as follows:

23-15-523. (1) All proceedings at the counting center shall be under the direction of the election commissioners or officials in charge of the election, and shall be conducted under the observations of the public, but no persons except those authorized for the purpose shall touch any ballot. All persons who are engaged in processing and counting of the ballots shall take the oath provided in Section 268, Mississippi Constitution of 1890.
(2) The election commissioners or the officials in charge of the election shall appoint qualified electors who have received the training required by subsection (11) of this section to serve as members of the "resolution board." An odd number of not less than three (3) members shall be appointed to the resolution board. The members of the board shall take the oath provided in Section 268, Mississippi Constitution of 1890. All ballots that have been rejected by the OMR equipment and that are damaged or defective, blank or overvoted will be reviewed by the board. Election commissioners, candidates who are on the ballot and the spouse, parents, siblings or children of such a candidate shall not be appointed to the resolution board. In general and special elections, members of the party executive committees shall not be appointed to the resolution board unless members of all of the party executive committees who have a candidate on the ballot are appointed to the resolution board.

(3) (a) If any ballot is damaged or defective so that it cannot be properly counted by the OMR equipment, the ballot will be deposited in an envelope provided for that purpose marked "RESOLUTION BOARD." All such ballots shall be carefully handled so as to avoid altering, removing or adding any mark on the ballot.

(b) The election commissioners or the officials in charge of the election shall have the members of the
resolution board ascertain the intent of the voter, if possible, and, if so, manually count any damaged or defective ballots.

(c) The resolution board shall prepare a duplicate to the damaged or defective ballot in the following manner:

(i) The resolution board shall prepare a duplicate to the original damaged or defective ballot marked identically to the original.

(ii) The resolution board shall mark the first original they examine as "Original #1" and the duplicate of this original as "Duplicate #1." Later originals and duplicates shall be likewise marked and numbered consecutively so the duplicate of each original can be identified. Duplicate ballots shall be stamped in a different manner from the original ballots so that they may be easily distinguished from the originals.

(iii) The duplicate ballots prepared pursuant to this paragraph shall be counted by the OMR equipment.

(4) The resolution board shall examine ballots that have been rejected by the OMR equipment for appearing to be "blank" to verify if they are blank or were marked with a "nondetectable" marking device. If it is determined that the ballot was marked with a nondetectable device, the resolution board shall prepare a duplicate to the original blank ballot in the same manner and in accordance with the same process provided in subsection (3)(c).
(5) All ballots that are rejected by the OMR * * * equipment and * * * that contain overvotes shall be inspected by the resolution board. Regarding those rejected ballots upon which an overvote appears * * *, if the voter intent cannot be determined by * * * the resolution board, the officials in charge of the election may use the OMR * * * equipment in determining the vote in the races * * * that are unaffected by the overvote. All other ballots * * * that are overvoted shall be counted manually following the provisions of this section at the direction of the officials in charge of the election. * * * The return printed by the OMR * * * equipment to which have been added the manually tallied ballots, which shall be duly certified by the officials in charge of the election, shall constitute the official return of each voting precinct. Unofficial and incomplete returns may be released during the count. Upon the completion of the counting, the official returns shall be open to the public.

(6) When the resolution board reviews any OMR ballot in which the voter has failed to fill in the arrow, oval, circle or square for a candidate or a ballot measure * * *, the resolution board shall, if the intent of the voter can be ascertained, count the vote if:

(a) The voter marks the ballot with a "cross" (X) or "checkmark" (√) and the lines that form the mark intersect within or on the line of the arrow, oval, circle or square by the ballot measure or the name of the candidate.
(b) The voter blackens the arrow, oval, circle or square adjacent to the ballot measure or the name of the candidate in pencil or ink and the blackened portion extends beyond the boundaries of the arrow, oval, circle or square.

(c) The voter marks the ballot with a "cross" (X) or "checkmark" (✓) and the lines that form the mark intersect adjacent to the ballot measure or the name of the candidate.

(d) The voter underlines the ballot measure or the name of a candidate.

(e) The voter draws a line from the arrow, oval, circle or square to a ballot measure or the name of a candidate.

(f) The voter draws a circle or oval around the ballot measure or the name of the candidate.

(g) The voter draws a circle or oval around the arrow, oval, circle or square adjacent to the ballot measure or the name of the candidate.

(7) The resolution board, when inspecting an OMR ballot that contains or appears to contain one or more overvotes, appears to be damaged or defective, or is rejected by the OMR equipment for any reason or cannot be counted by the OMR equipment, shall make its determination in accordance with the following:

(a) When an elector casts more votes for any office or measure than he or she is entitled to cast at an election, all the elector's votes for that office or measure are invalid and the
elector is deemed to have voted for none of them. If an elector casts less votes for any office or measure than he or she is entitled to cast at an election, all votes cast by the elector shall be counted but no vote shall be counted more than once.

(b) If an elector casts more than one (1) vote for the same candidate for the same office, the first vote is valid and the remaining votes for that candidate are invalid.

(c) No write-in vote for a candidate whose name is printed on the ballot shall be regarded as invalid due to misspelling a candidate's name, or by abbreviation, addition or omission or use of a wrong initial in the name, as long as the intent of the voter can be ascertained.

(d) In any case where a voter writes in the name of a candidate for President of the United States whose name is printed on the general election ballot, the failure by the voter to write in the name of a candidate for the Office of Vice President of the United States on the general election ballot does not invalidate the elector's vote for the slate of electors for any candidate whose name is written in for the Office of President of the United States.

(e) For any ballot measure in which the words "for" or "against" are printed on a ballot, if the voter shall write the word "for" or the word "against" instead of or in addition to marking the ballot in accordance with the ballot instruction in the space adjacent to the preprinted words "for" or "against," the
resolution board shall, in reviewing such ballot, count the vote in accordance with the voter's handwritten preference, unless the voter marks the ballot in the space adjacent to the preprinted words "for" or "against" contrary to the handwritten preference, in which case no vote shall be recorded for such ballot in regard to the ballot measure.

(f) For any ballot measure in which the words "yes" or "no" are printed on a ballot, if the voter shall write the word "yes" or the word "no" instead of or in addition to marking the ballot in accordance with the ballot instructions in the space adjacent to the preprinted words "yes" or "no," the resolution board shall, in reviewing such ballot, count the vote in accordance with the voter's handwritten preference, unless the voter marks the ballot in the space adjacent to the preprinted words "yes" or "no" contrary to the handwritten preference, in which case no vote shall be recorded for such ballot in regard to the ballot measure.

(8) OMR equipment shall be programmed, calibrated, adjusted and set up to reject ballots that appear to be damaged or defective. Any switch, lever or feature on OMR equipment that enables or permits the OMR equipment to override the rejection of damaged or defective ballots so that such ballots will not be reviewed by the resolution board, shall not be used.
(9) Ballots shall be manually counted by the resolution board only when the ballots are:

(a) Properly before the resolution board due to being rejected by the OMR equipment because the ballots appear to be damaged or defective or are rejected by the OMR equipment for any other reason; or

(b) Properly before the resolution board due to a malfunction in the OMR equipment.

(10) The resolution board shall make and keep a record regarding the handling and counting of all ballots inspected under this section.

(11) The executive committee of each county or municipality, in the case of a primary election, or the election commissioners of each county or municipality, in the case of all other elections, in conjunction with the circuit or municipal clerk respectively, shall sponsor and conduct, a training session for up to two (2) hours, not less than five (5) days before each election, to instruct those qualified electors who are appointed to serve as members of the resolution board as to their specific duties in the election. No member appointed to serve on the resolution board shall serve in any election unless he or she has received such instruction once during the twelve (12) months immediately preceding the date upon which the election is held. Online training courses developed by the Secretary of State, though not sponsored or conducted by the executive committee or
the election commissioners, may be used to meet the requirements of this subsection (11).

SECTION 97. Section 23-15-525, Mississippi Code of 1972, is amended as follows:

23-15-525. (1) The Secretary of State shall have the power to issue supplementary instructions and procedures for the safe and efficient use of OMR equipment within the State of Mississippi and to carry out the purpose of the chapter. Subject to such instructions and procedures provided by the Secretary of State and the provisions of this chapter, the election commissioners shall have the power to make additional provisions for the conduct of elections with the OMR equipment.

(2) If for any reason the OMR equipment shall become inoperable, the poll managers shall direct voters to operating OMR equipment or to cast emergency paper ballots. The paper ballots shall be administered in accordance with the laws concerning paper ballots.

SECTION 98. Section 23-15-531, Mississippi Code of 1972, is amended as follows:

23-15-531. "Direct recording electronic voting equipment (DRE unit)"

means a computer driven unit for casting and counting votes on which an elector touches a video screen or a button adjacent to a video screen to cast his or her vote.
SECTION 99. Section 23-15-531.1, Mississippi Code of 1972, is amended as follows:

23-15-531.1. * * *

(1) The board of supervisors of each county and the governing authorities of each municipality are hereby authorized and empowered, in their discretion, to purchase or rent DRE units that meets the requirements of subsection (2) of this section and may use such system in all or a part of the precincts within its boundaries. The provisions of this chapter shall be controlling with respect to elections in which a DRE unit is used, and shall be liberally construed so as to carry out the purpose of this chapter. The provisions of the election law relating to the conduct of elections with paper ballots, insofar as they are applicable, shall apply.

(2) No DRE unit shall be acquired or used in accordance with this chapter unless it shall:

(a) Permit the voter to verify, in a private and independent manner, the votes selected by the voter on the ballot before the ballot is cast and counted;

(b) Provide the voter with the opportunity, in a private and independent manner, to change the ballot or correct any error before the ballot is cast and counted, including, but not limited to, the opportunity to correct the error through the issuance of a replacement ballot if the voter is otherwise unable to change the ballot or correct any error;
(c) If the voter votes for more candidates for a single office than are eligible for election:

   (i) Notify the voter that he or she has selected more candidates for that office than are eligible for election;

   (ii) Notify the voter before his or her vote is cast and counted of the effect of casting multiple votes for such an office; and

   (iii) Provide the voter with the opportunity to correct the ballot before the ballot is cast and counted;

(d) Produce a permanent paper record with a manual audit capability;

(e) Have the capability to print the ballots cast by electors;

(f) Be accessible for individuals with disabilities, including, but not limited to, nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters. This requirement may be satisfied through the use of at least one DRE unit or other voting unit equipped for individuals with disabilities at each polling place;

(g) Provide alternative language accessibility pursuant to the requirements of the Voting Rights Act of 1965; and

(h) Have a residual vote rate in counting ballots attributable to the voting system and not to voter error that
complies with error rate standards established under the voting system standards issued by the Federal Election Commission in effect as of October 29, 2002.

SECTION 100. Section 23-15-531.2, Mississippi Code of 1972, is amended as follows:

23-15-531.2. ** DRE units ** shall be arranged in the polling place in such a manner as to:

(a) Ensure the privacy of the elector while voting on ** the units; **

(b) Allow monitoring of the units by the poll managers while the polls are open; and

(c) Permit the public and lawful poll watchers to observe the voting without affecting the privacy of the electors as they vote.

SECTION 101. Section 23-15-531.3, Mississippi Code of 1972, is amended as follows:

23-15-531.3. (1) The ballots for ** DRE units ** shall be of such size and arrangement as will suit the construction of the DRE screen and shall be in plain, clear type that is easily readable by persons with normal vision.

(2) (a) If the ** DRE unit ** has the capacity for color display, the names of all candidates in a particular race shall be displayed in the same color, font and size, and the political party or affiliation of candidates may be displayed in a color different from that used to display the names of the candidates,
but all political * * * parties or affiliations shall be displayed
in the same color. All political party names shall be displayed
in the same size and font.

(b) All ballot questions, local options, referenda and
constitutional amendments shall be displayed in the same color.

SECTION 102. Section 23-15-531.4, Mississippi Code of 1972,
is amended as follows:

23-15-531.4. * * *

( * * *1) The circuit clerk shall be the custodian of the
DRE units acquired by the county and shall be charged with the
proper storage, maintenance and repair of the county's DRE units.

* * *

( * * *2) * * * The municipal clerk shall be the custodian
of the DRE unit acquired by the municipality, and shall be charged
with the proper storage, maintenance and repair of the DRE unit.

* * *

(3) The custodian shall provide compensation for the safe
storage and care of the DRE units and related equipment if the
same are stored and secured by a person or entity other than the
circuit or municipal clerk.

SECTION 103. Section 23-15-531.5, Mississippi Code of 1972,
is amended as follows:

23-15-531.5. (1) The arrangement of offices, names of
candidates and ballot questions upon the DRE ballots shall conform
as nearly as practicable to the arrangement of offices, names of candidates and ballot questions on paper ballots.

(2) The officials in charge of the election of each county or municipality shall cause the creation of the database for each DRE unit that is to be used in any precinct within the county or municipality.

SECTION 104. Section 23-15-531.6, Mississippi Code of 1972, is amended as follows:

23-15-531.6. (1) For each primary or general election, the officials in charge of the election shall use at least seventy-five percent (75%) of all DRE units available to the county or municipality, as the case may be. For all other elections in which the officials in charge of the election choose to use DRE units, at least one-third (1/3) of all DRE units available to the county or municipality, as the case may be, shall be used in such elections.

(2) The officials in charge of the election shall ensure the delivery of the proper DRE units to the polling places of the respective precincts at least one (1) hour before the time for opening the polls at each election and shall cause each unit to be set up in the proper manner for use in voting.

(3) (a) On or before the second day before any election, the officials in charge of the conduct of the election shall cause each DRE unit to be tested for logic and accuracy to ascertain
that the units will correctly count the votes cast for all offices and on all questions, in a manner the Secretary of State may further prescribe by rule or regulation.

(b) Public notice of the time and place of the test shall be made at least five (5) days before the date of the test. Candidates, representatives of candidates, political parties, news media and the public shall be permitted to observe the testing of the DRE units.

(4) The officials in charge of the conduct of the election shall test all memory cards and encoders to be used in any election.

(* * *5) The officials in charge of the election shall require that each DRE unit be * * * inspected and sealed * * * before the delivery of each DRE unit to the polling place. * * *

Before opening the polls each day on which the DRE units will be used in an election, the poll manager shall break the seal on each unit, turn on each unit, certify that each unit is operating properly and is set to zero, and print a zero tape certifying that each unit is set to zero and shall keep or record such certification on each unit.

(* * *6) The officials in charge of the election, election commissioners and poll managers shall provide ample protection against molestation of and injury to the DRE units, and, for that purpose, the officials in charge of the election, election commissioners and poll managers may call upon any law enforcement
officer to furnish any assistance that may be necessary. It shall be the duty of any law enforcement officer to furnish assistance when so requested by the officials in charge of the election, election commissioner or poll manager.

The officials in charge of the election, in conjunction with the governing authorities, shall, at least one (1) hour before opening the polls:

(a) Provide sufficient lighting to enable electors to read the ballot and to enable poll managers to examine the booth and conduct their responsibilities;

(b) Provide directions for voting on the DRE units that shall be prominently posted within each voting booth and provide at least one (1) sample ballot for each primary or general election shall be prominently posted outside the enclosed space within the polling place;

(c) Ensure that each DRE unit and its tabulating mechanism is secure throughout the day; and

(d) Provide such other materials and supplies as may be necessary or required by law.

SECTION 105. Section 23-15-531.9, Mississippi Code of 1972, is amended as follows:

23-15-531.9. (1) A duly qualified elector shall cast his or her vote on a DRE unit by touching the screen or pressing the appropriate button on the DRE unit for the candidate or
ballot measure of the elector's choice. After pressing the appropriate button on the DRE unit or location on the screen to cast the ballot, the elector's vote shall be final and shall not be subsequently altered.

(2) If an elector leaves the voting booth without having pressed the appropriate button on the DRE unit or location on the screen to finally cast his or her ballot and cannot be located to return to the booth to complete the voting process, then a poll manager shall take the steps necessary to void the ballot that was not completed by the elector and an appropriate record shall be made of the event, or the DRE unit shall be allowed to time-out, thereby voiding the ballot.

SECTION 106. Section 23-15-531.10, Mississippi Code of 1972, is amended as follows:

23-15-531.10. (1) In elections in which DRE * * * units are used, the ballots shall be counted at the precinct under the direction of the officials in charge of the election. All persons who perform any duties at the precinct shall * * * take the * * * oath provided in * * * Section 268, Mississippi Constitution of 1890 * * * and only those persons * * * shall touch any ballot, container, paper or machine * * * used in the conduct of the count or be permitted * * * in the immediate area * * * where the ballots are counted.

(2) All proceedings at the precincts shall be open to the view of the public, but no person except one employed and
designated for the purpose by the officials in charge of the election shall touch any ballot, any DRE unit or the tabulating equipment.

(3) After the polls have closed and all voting in the precinct has ceased, the poll manager shall shut down the DRE units and extract the election results from each unit as follows:

(a) The poll manager shall obtain the results tape from each DRE unit and verify that the number of ballots cast as recorded on the tape matches the public count number as displayed on the DRE unit; and

(b) * * * The poll manager shall * * * extract the memory card, if applicable, from each DRE unit.

(4) (a) Upon completion of shutting down each DRE unit and extracting the election results, the poll manager shall cause to be completed and signed a ballot recap form, in sufficient counterparts, showing:

(i) The number of valid ballots;

(ii) The number of spoiled * * * ballots;

(iii) The number of affidavit ballots; * * *

(iv) The number of accepted and rejected absentee ballots;

(v) The number of challenged and rejected ballots;

and

(vi) The number of unused * * * paper ballots * * *.
(b) The poll manager shall cause to be placed in the ballot box or supply container, should the supply container be capable of being sealed and secured, one (1) copy of the recap form *, * *, affidavit ballots, absentee ballots, spoiled * * * ballots, challenged and rejected ballots and any unused paper ballots.

(5) The poll manager shall collect and retain the zero tape and the results tape for each DRE unit and place the tapes with the memory card, if any, for each unit and enclose all such items for all of the DRE units used in the precinct in * * * the memory card transport bag which shall be sealed and initialed by the poll manager so that it cannot be opened without breaking the seal. The memory card transport bag shall be placed in the ballot box.

(6) The receiving and returning poll manager shall then deliver the * * * sealed ballot box to the tabulating center for the county or municipality or to such other place designated by the officials in charge of the election and shall receive a receipt therefor. The copies of the recap forms, unused ballots, records and other materials shall be returned to the designated location and retained as provided by law.

(7) Upon receipt of the sealed * * * ballot box and memory card transport bag that contains the zero tapes, results tapes and memory cards, the officials in charge of the election shall * * * break the seal of the * * * memory card transport bag and remove its contents. The officials in charge of the election shall then
download the results stored on the memory card from each DRE unit into the election management system located at the central tabulation point of the county in order to obtain election results for certification.

SECTION 107. Section 23-15-531.12, Mississippi Code of 1972, is amended as follows:

23-15-531.12. If for any reason any DRE unit shall become inoperable, the poll managers, or the officials in charge of the election, shall direct voters to an operating DRE unit or to cast emergency paper ballots. Such paper ballots shall be administered in accordance with the laws concerning paper ballots.

SECTION 108. Section 23-15-541, Mississippi Code of 1972, is amended as follows:

23-15-541. (1) At all elections, the polls shall be opened promptly at 7:00 a.m. and be kept open until the last qualified voter, who was standing in line at the polling place at 7:00 p.m., has cast his or her ballot, or 7:00 p.m., whichever is later. One (1) hour before opening the polls, and not before, the poll managers shall designate two (2) of their number, other than the poll manager who was designated as the receiving and returning poll manager, who shall be known respectively as the initialing poll manager and the alternate initialing poll manager. The alternate initialing poll manager, in the absence of the initialing poll manager, shall
perform all of the duties and undertake all of the responsibilities of the initialing poll manager. When any person entitled to vote shall appear to vote, the poll managers shall locate the name of the voter in the pollbook, identify the voter by requiring the voter to submit acceptable photo identification as required by Section 23-15-563, and then allow the voter to sign his or her name in a receipt book or booklet provided for that purpose and to be used at that election only. After the voter has signed the receipt book or booklet, the initialing poll manager or, in his or her absence, the alternate initialing poll manager shall endorse his or her initials on the back of an official blank ballot, prepared in accordance with law, and at such place on the back of the ballot that the initials may be seen after the ballot has been marked and folded, and when so endorsed he or she shall deliver it to the voter, which ballot the voter shall mark in the manner provided by law, which when done the voter shall deliver the ballot to the initialing poll manager or, in his or her absence, to the alternate initialing poll manager, in the presence of the others, and the poll manager shall see that the ballot so delivered bears on the back thereof the genuine initials of the initialing poll manager, or alternate initialing poll manager, and if so, but not otherwise, the ballot shall be put into the ballot box; and when so done one (1) of the poll managers shall mark the pollbook "VOTED" across from the name of the voter and in the appropriate column. If the voter is
unable to write his or her name on the receipt book, a poll
manager shall note on the back of the ballot that it was
receipted for by the poll manager's assistance.

(2) A poll manager shall be authorized to allow a
physically disabled person to vote curbside during the hours in
which the polls are open as described in this section.

(a) Where the poll managers of an election, exercising
their sound discretion, determine that a physically disabled
person has arrived at the polls in a motor vehicle to vote, two
poll managers shall carry the pollbook, the receipt
book, and a ballot or voting device to the motor vehicle.

After determining the disabled person is a qualified elector
as provided by law by locating the disabled elector's name in the
pollbook, the poll managers shall identify the disabled elector by
requiring the elector to submit acceptable photo identification as
required by Section 23-15-563 and then allow the elector to sign
his or her name in the receipt book and cast his or her
ballot in secret. To ensure the secrecy of the vote of the
disabled elector, other passengers in the motor vehicle, except
the disabled elector and any other disabled persons in the motor
vehicle, shall exit the motor vehicle until the disabled elector
has completed the casting of his or her ballot. After the
disabled elector casts his or her ballot, the poll managers shall
mark "VOTED" by the elector's name in the appropriate
column in the pollbook.
(b) If the ballot that is provided to the disabled elector is a paper ballot, the initialing poll manager shall initial the ballot as provided by law, and the disabled elector, after marking his or her ballot shall fold the ballot or place it in the ballot sleeve. The initialing poll manager or alternate initialing poll manager shall determine whether the initials on the ballot are genuine, and upon a determination that the initials are genuine, mark "VOTED" by the elector's name and in the appropriate column in the pollbook. The initialing poll manager or alternate initialing poll manager shall without delay place the ballot in the ballot box.

(c) If, while a voter is voting by curbside, there are less than three (3) poll managers immediately present within the polling place conducting an election ***, all voting at the polls shall stop until the poll managers conducting the curbside voting *** return to the polls so that there are at least three (3) poll managers immediately present within the polling place to conduct the election ***, and until a minimum of three (3) poll managers are present, the remaining poll manager or poll managers shall ensure the security of the ballot box, the voting devices, and any ballots and election materials.

(3) Nothing in this section shall prevent a voter from requesting voter assistance as provided in Section 23-15-549.

SECTION 109. Section 23-15-543, Mississippi Code of 1972, is amended as follows:
23-15-543. The receipt booklet, mentioned in Section 23-15-541, shall not be taken out of the polling place at any time until finally ** enclosed in the ballot box, except in case of any adjournment, when the receipt ** book shall be ** sealed in the ballot box.

SECTION 110. Section 23-15-547, Mississippi Code of 1972, is amended as follows:

23-15-547. ** Instead of placing the signatures of voters in a paper receipt book, the signatures of voters may be electronically captured in the polling place and a paper version of the signatures of voters may be generated after the close of the polling place, which shall be sealed in the ballot box.

SECTION 111. Section 23-15-551, Mississippi Code of 1972, is amended as follows:

23-15-551. On receiving his or her ballot, the voter shall ** go without undue delay into one (1) of the voting compartments ** and shall there prepare his or her ballot by marking with ink or indelible pencil on the appropriate margin or place a cross (X) opposite the name of the candidate of his or her choice for each office ** or by ** writing in the name of ** a candidate ** in the blank space provided **, and marking a cross (X) opposite thereto, and likewise a cross (X) opposite the answer he or she desires to give in case of an election on a constitutional amendment, local option election, referenda or any other question or matter. As an alternative
method, a voter may, at his or her option, prepare a ballot by marking with ink or indelible pencil in the appropriate margin or place a check, in the form of and similar to a "V", opposite the name of the candidate of his or her choice for each office or by writing in the name of a candidate in the blank space provided and marking a check in the form of and similar to a "V", opposite thereto, and likewise a check, in the form of and similar to a "V", opposite the answer he or she desires to give in case of an election on a constitutional amendment, local option election, referendum or other question or matter, either of which methods of marking, whether by a cross (X) or by a check in the form of and similar to a "V", is authorized. Before leaving the voting compartment, the voter shall fold his or her ballot without displaying its markings, but so that the words "OFFICIAL BALLOT," followed by the designation of the voting precinct and the date of the election, shall be visible to the poll managers, then deposit his or her ballot directly into the ballot box. This shall be done without undue delay, and as soon as the voter has voted he or she shall promptly exit the polling place. A voter shall not be allowed to occupy a voting compartment already occupied by another voter, nor any compartment longer than ten (10) minutes, if other voters are not waiting, nor longer than five (5) minutes if other voters
are waiting. A person shall not be allowed in the room in which
the ballot boxes, compartments, tables and shelves are, except the
officers of the election, and those appointed by them to assist
therein, and those authorized by Section 23-15-577.

SECTION 112. Section 23-15-553, Mississippi Code of 1972, is
amended as follows:

23-15-553. A person shall not take or remove any ballot from
the polling place before the close of the polls. If any voter
spoils a ballot he or she may obtain others, one (1) at a time,
not exceeding three (3) in all, upon returning each spoiled
ballot. The word "SPOILED" shall be written across the face of
the ballot and each ballot shall be deposited into the sealed
ballot box. When the polls have closed upon the casting of the
last ballot or 7:00 p.m., whichever is later, and the poll
managers break the seal on the ballot box to begin closing
procedures, those ballots marked as "SPOILED" shall be bundled
together and placed in a separate strong envelope provided for
spoiled ballots. The envelope containing all spoiled ballots
shall be sealed in the ballot box once the poll managers have
completed the closing procedures and returned the materials to the
officials in charge of the election.

SECTION 113. Section 23-15-563, Mississippi Code of 1972, is
amended as follows:

23-15-563. (1) Each person who ** appears to vote in
person at a polling place or the registrar's office shall be
required to identify himself or herself to * * * a poll manager or
the registrar by presenting current and valid photo identification
before such person shall be allowed to vote.

(2) The identification required by subsection (1) of this
section shall include, but not be limited to, the following:

(a) A current and valid Mississippi driver's license;
(b) A current and valid identification card issued by a
branch, department, agency or entity of the State of Mississippi;
(c) A current and valid United States passport;
(d) A current and valid employee identification card
containing a photograph of the elector and issued by any branch,
department, agency or entity of the United States government, the
State of Mississippi, or any county, municipality, board,
authority or other entity of this state;
(e) A current and valid Mississippi license to carry a
pistol or revolver;
(f) A valid tribal identification card containing a
photograph of the elector;
(g) A current and valid United States military
identification card;
(h) A current and valid student identification card,
containing a photograph of the elector, issued by any accredited
college, university or community or junior college in the State of
Mississippi; and
(i) An official Mississippi voter identification card containing a photograph of the elector.

(3) (a) A person who appears to vote in person at a polling place and does not have identification as required by this section may vote by affidavit ballot. The affidavit ballot shall then be counted if the person shall present acceptable photo identification to the registrar within five (5) days.

(b) An elector who has a religious objection to being photographed may vote by affidavit ballot, and the elector, within five (5) days after the election, shall execute an affidavit in the registrar's office affirming that the exemption applies.

* * *

( * * * ) The intentional failure of an election official to require a voter to present identification as required by this section shall be considered corrupt conduct under Section 97-13-19 and shall be reported to the Secretary of State and the Attorney General.

SECTION 114. Section 23-15-571, Mississippi Code of 1972, is amended as follows:

23-15-571. (1) The following persons shall be designated as authorized challengers and shall be allowed to challenge the qualifications of any person offering to vote:

(a) Any candidate whose name is on the ballot in the precinct in which the challenge is made;
(b) Any official poll watcher of a candidate whose name is on the ballot in the precinct in which the challenge is made;

(c) Any official poll watcher of a political party for the precinct in which the challenge is made;

(d) Any qualified elector from the precinct in which the challenge is made; or

(e) Any poll manager or poll worker in the polling place where the person whose qualifications are challenged is offering to vote.

(2) The challenge of any authorized challenger shall be considered and acted upon by the poll managers of the election.

(3) A person offering to vote may be challenged upon the following grounds:

(a) That the voter is not a registered voter in the precinct;

(b) That the voter is not the registered voter under whose name the voter has applied to vote;

(c) That the voter has already voted in the election;

(d) That the voter is not a resident in the precinct where the voter is registered;

(e) That the voter has illegally registered to vote;

(f) That the voter has removed his or her ballot from the polling place; or
(g) That the voter is otherwise disqualified by law.

**SECTION 115.** Section 23-15-573, Mississippi Code of 1972, is amended as follows:

23-15-573. (1) If any person declares that he or she is a registered voter in the jurisdiction in which he or she offers to vote and that he or she is eligible to vote in the election, but his or her name does not appear upon the pollbooks, or that he or she is not able to cast a regular election day ballot under a provision of state or federal law but is otherwise qualified to vote, or that he or she has been illegally denied registration, or that he or she is unable to present an acceptable form of photo identification:

(a) A poll manager shall notify the person that he or she may cast an affidavit ballot at the election.

(b) The person shall be permitted to cast an affidavit ballot at the polling place upon execution of a written affidavit before one (1) of the poll managers stating that the individual:

(i) Believes he or she is a registered voter in the jurisdiction in which he or she desires to vote and is eligible to vote in the election; or

(ii) Is not able to cast a regular election day ballot under a provision of state or federal law but is otherwise qualified to vote; or
(iii) Believes that he or she has been illegally denied registration; or

(iv) Is unable to present an acceptable form of photo identification.

(c) The poll manager shall allow the individual to mark a paper ballot properly endorsed by the initialing poll manager or alternate initialing poll manager in accordance with Section 23-15-541, which shall be delivered by him or her to the proper election official who shall enclose it in an affidavit ballot envelope, with the written and signed affidavit of the voter affixed to the envelope, seal the envelope and mark plainly upon it the name of the person offering to vote.

(2) The affidavit ballot envelope shall include:

(a) The complete name of the voter;

(b) A present and previous physical and mailing address of the voter;

(c) Telephone numbers where the voter may be contacted;

(d) A statement that the affiant believes he or she is registered to vote in the jurisdiction in which he or she offers to vote;

(e) The signature of the affiant; and

(f) The signature of the poll manager at the polling place at which the affiant offers to vote.
(3) (a) A separate receipt book shall be maintained for affidavit voters and the affidavit voters shall sign the receipt book upon completing the affidavit ballot.

(b) If the affidavit voter is casting an affidavit ballot because the voter is unable to present an acceptable form of photo identification and the voter's name appears in the pollbook, then the poll manager shall write "NO ID" across from the voter's name and in the appropriate column in the pollbook.

(c) In canvassing the returns of the election, the executive committee in primary elections, or the election commissioners in other elections, shall examine the records and allow the ballot to be counted, or not counted as it appears legal.

(d) An affidavit ballot of a voter who was unable to present an acceptable form of photo identification shall not be rejected for this reason if the voter does either of the following:

(i) Returns to the circuit clerk's office within five (5) business days after the date of the election and presents an acceptable form of photo identification;

(ii) Returns to the circuit clerk's office within five (5) business days after the date of the election to obtain the Mississippi Voter Identification Card; or
(iii) Returns to the circuit clerk's office within five (5) business days after the date of the election to execute a separate Affidavit of Religious Objection.

(4) When a person is offered the opportunity to vote by affidavit ballot, he or she shall be provided with written information that informs the person how to ascertain whether his or her affidavit ballot was counted and, if the vote was not counted, the reasons the vote was not counted.

(5) The officials in charge of the election shall process all affidavit ballots by using the Statewide Elections Management System. The officials in charge of the election shall account for all affidavit ballots cast in each election, categorizing the affidavit ballots cast by reason and recording the total number of affidavit ballots counted and not counted in each such category in the Statewide Elections Management System.

(***6) The Secretary of State shall, by rule duly adopted, establish a uniform *** affidavit ballot envelope *** that shall be used in all elections in this state. The Secretary of State shall print and distribute a sufficient number of *** affidavit ballot envelopes to the registrar of each county for use in elections. The registrar shall distribute the *** affidavit ballot envelopes to municipal and county executive committees for use in primary elections and to municipal and county election commissioners for use in all other elections.
County registrars and municipal registrars shall maintain a secure free access system that complies with the Help America Vote Act of 2002, by which persons who vote by affidavit ballot may determine if their ballots were counted, and if not, the reasons the ballot was not counted.

Any person who votes in any election as a result of a federal or state court order or other order extending the time established by law for closing the polls on an election day may only vote by affidavit ballot. Any affidavit ballot cast under this subsection shall be separated and kept apart from other affidavit ballots cast by voters not affected by the order.

SECTION 116. Section 23-15-575, Mississippi Code of 1972, is amended as follows:

23-15-575. ** No person shall vote or attempt to vote in the primary election of one (1) party when he or she has voted on the same date in the primary election of another party. No person shall vote or attempt to vote in the second primary election of one (1) party when he or she has voted in the first primary election of another party.

SECTION 117. Section 23-15-577, Mississippi Code of 1972, is amended as follows:

23-15-577. (1) Each candidate on the ballot shall have the right, either in person or by a ** credentialed poll watcher, to be present at the polling place **. In general and special elections, each political party that has a candidate on the ballot
shall have the right to be represented at the polling place by two credentialed poll watchers.

(2) A credentialed poll watcher means a poll watcher of good conduct and behavior, authorized in writing to act as the representative of a candidate on the ballot or political party that has a candidate on the ballot. The written authorization of the candidate or political party must be presented to a poll manager by the certified poll watcher upon arrival at the polling place.

(3) Poll managers shall provide candidates and credentialed poll watchers with a suitable position from which they may be able to clearly see and hear the manner in which the election is held. Candidates and credentialed poll watchers shall be authorized to bring their own pollbooks, whether in a print or electronic form, to the polling place during each general and special election.

(4) Candidates and credentialed poll watchers shall be allowed to challenge the qualifications of any person offering to vote, and their challenge shall be considered and acted upon by the poll managers. However, candidates and credentialed poll watchers shall not be allowed to interfere in the election process, which shall include, but not be limited to, the following:

   (a) Communicating with any voter;
(b) Physically touching or handling any ballot, absentee ballot envelope, absentee ballot application or affidavit ballot envelope;

(c) Viewing or photographing the pollbooks while at the polling place; or

(d) Photographing the receipt books while at the polling place.

SECTION 118. Section 23-15-579, Mississippi Code of 1972, is amended as follows:

23-15-579. (1) All votes, which shall be challenged at the polls, whether the question be raised by a poll manager or another authorized challenger, shall be considered by the poll managers at that time.

(2) When it so clearly appears in the unanimous opinion of the poll managers, either by the admissions or statements of the person challenged or from documentary or oral evidence then presented to the poll managers, that the challenge is well taken, the vote shall be rejected entirely and shall not be counted. In such case, the challenged voter shall mark his or her choices and cast his or her vote by paper ballot. After the ballot has been marked by the challenged voter, it shall be marked by the poll manager on the back "REJECTED" and the name of the voter and the reason the ballot of the challenged voter was rejected shall also be written on the back of the ballot.

All rejected ballots shall be placed in the ballot box until the
close of the polls at which time, upon the opening of the ballot box, all rejected ballots shall be placed in a separate strong envelope and returned to the box.

(3) When it so clearly appears in the unanimous opinion of the poll managers, either by the admissions or statements of the person challenged or from documentary or oral evidence then presented to the poll managers, that the challenge is frivolous and not made in good faith, the poll managers shall disregard the challenge and the voter shall cast his or her vote as other voters in the polling place as though not challenged.

(4) When it does not so clearly appear whether the challenge is well taken or frivolous and no unanimous decision can be made by the poll managers, the challenged voter shall mark his or her choices and cast his or her vote by paper ballot. After the ballot has been marked by the challenged voter, it shall be marked by the poll managers on the back "CHALLENGED," and the name of the voter and the reason the challenge of the voter was made shall also be written on the back of the ballot. All challenged ballots shall be placed in the ballot box until the close of the polls at which time, upon the opening of the ballot box, all challenged ballots shall be removed therefrom and separately counted, tallied and totaled with a separate return made of the challenged votes. Challenged ballots shall be placed in a separate strong envelope, and returned to the ballot box.
SECTION 119. Section 23-15-581, Mississippi Code of 1972, is amended as follows:

23-15-581. When the last qualified voter, who was standing in line at the polling place at 7:00 p.m., has cast his or her ballot, or 7:00 p.m., whichever is later, the poll managers shall proclaim that the polls are closed and publicly break the seal and open the ballot box to immediately proceed to count the ballots, at the same time reading aloud the names of the persons voted for, which shall be taken down. During the holding of the election and the counting of the ballots, the whole proceedings shall be in fair and full view of the voting public, candidates or their duly authorized representatives and other authorized poll watchers, without unnecessary interference, delay or encroachment upon the good order of the duties and proceedings of the poll managers and other officers of the election.

There shall be no unnecessary delay and no adjournment except as provided by law.

SECTION 120. Section 23-15-591, Mississippi Code of 1972, is amended as follows:

23-15-591. When the votes have been completely and correctly counted and tallied by the poll managers they shall publicly proclaim the result of the election at their box and shall certify in duplicate a statement of the result, the certificate to be signed by the poll managers, one (1) of the certificates to be enclosed in the ballot box, and the
other to be delivered to and to be kept by one (1) of the poll managers and to be inspected at any time by any voter who so requests. When the count of the votes and the tally * * * of the votes have been completed, the poll managers shall lock and seal the ballot box, having first placed therein all ballots voted, all spoiled ballots and all unused ballots. There shall * * * also be enclosed one (1) of the duplicate receipts given by the poll manager who received the blank ballots received for that box; and the total ballots voted, and the spoiled ballots, and the unused ballots must correspond in total with the * * * duplicate receipt or else the failure thereof must be perfectly accounted for by a written statement, under oath of the poll managers, which statement must be * * * enclosed in the ballot box. There shall * * * also * * * be enclosed in * * * the box the tally list, the receipt * * * book containing the signed names of the voters who voted; and the number of ballots voted must correspond with the number of names signed in * * * the receipt * * * book.

SECTION 121. Section 23-15-593, Mississippi Code of 1972, is amended as follows:

23-15-593. When the ballot box is opened and examined by the county executive committee in the case of a primary election, or county election commissioners in the case of other elections, and it is found that there have been failures in material particulars to comply with the requirements of Section 23-15-591 and Section 23-15-895 to such an extent that it is impossible to arrive at the
will of the voters at such precinct, the entire box may be thrown out unless it be made to appear with reasonable certainty that the irregularities were not deliberately permitted or engaged in by the poll managers at that box, or by one (1) of them responsible for the wrong or wrongs, for the purpose of electing or defeating a certain candidate or candidates by manipulating the election or the returns thereof at that box in such manner as to have it thrown out; in which latter case the county executive committee, or the county election commission, as appropriate, shall conduct such hearing and make such determination in respect to the box as may appear lawfully just, subject to a judicial review of the matter as elsewhere provided by this chapter. Or the executive committee, or the election commission, or the court upon review, may order another election to be held at that box appointing new poll managers to hold the same.

SECTION 122. Section 23-15-595, Mississippi Code of 1972, is amended as follows:

23-15-595. The box containing the ballots and other records required by this chapter shall, immediately after the ballots have been counted, be delivered by one (1) of the poll managers to the clerk of the circuit court of the county and the clerk shall, in the presence of the poll manager making delivery of the box, place upon the lock of such box a tamper-evident seal. The seals shall be numbered consecutively to the number of ballot boxes used in the
election in the county, and the clerk shall keep in a place separate from such boxes a record of the number of the seal of each separate box in the county. The board of supervisors of the county shall pay the cost of providing the seals. Upon demand of the chair of the county executive committee in the case of primary elections, or the county election commissioner in the case of other elections, the boxes and their contents shall be delivered to the county executive committee, or the county election commission, as appropriate, and after such committee or commission, as appropriate, has finished the work of tabulating returns and counting ballots as required by law, the committee or commission, as appropriate, shall return all papers and ballots to the box of the precinct where the election was held, and it shall make redelivery of the boxes and their contents to the circuit clerk who shall reseal the boxes. Upon every occasion the boxes shall be reopened and each resealing shall be done as provided in this chapter.

SECTION 123. Section 23-15-597, Mississippi Code of 1972, is amended as follows:

23-15-597. (1) The county executive committee shall meet no later than one week from the day following each primary election to receive and canvass the returns that must be made within the time fixed by law for returns of general elections and declare the result, and announce the name of the nominees for county and county district offices.
and the names of those candidates to be submitted to the second primary. The vote for state, state district offices and legislative offices shall be tabulated by precincts and certified to and returned to the State Executive Committee, such returns to be mailed by registered letter or any safe mode of transmission within thirty-six (36) hours after the returns are canvassed and the result ascertained. The State Executive Committee shall meet * * * one (1) week from the day following the first primary election held for state, state district offices and legislative offices, and shall proceed to canvass the returns and to declare the result, and announce the names of those nominated for the different offices in the first primary and the names of those candidates whose names are to be submitted to the second primary election. The State Executive Committee shall also meet * * * one (1) week from the day on which the second primary election was held and receive and canvass the returns for state and district offices, if any, and legislative offices, if any, voted on in * * * the second primary. An exact and full duplicate of all tabulations by precincts as certified under this section shall be filed with the circuit clerk of the county who shall safely preserve the same in his or her office.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any
of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the county executive committee and the circuit clerk or the chair of the county election commission, as appropriate. The county executive committee shall notify the State Executive Committee and the Secretary of State of the existence of the agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the municipal executive committee and the municipal clerk or the chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the State Executive Committee and the Secretary of State of the existence of the agreement.

SECTION 124. Section 23-15-601, Mississippi Code of 1972, is amended as follows:

23-15-601. (1) When the result of the election shall have been ascertained by the poll managers they, or one (1) of their number, or some fit person designated by them, shall, on the night of the election, deliver to the election
commissioners, at the courthouse, a statement of the whole number of votes given for each person and for what office; and the election commissioners shall canvass the returns, ascertain and declare the result, and, within ten (10) days after the day of the election, shall deliver a certificate of the election to the person having the greatest number of votes for representative in the Legislature of districts composed of one (1) county or less, or other county office, board of supervisors, justice court judge and constable. If it appears that two (2) or more candidates for Representative of the county, or part of the county, or for any county office, board of supervisors, justice court judge or constable standing highest on the list, and not elected, have an equal number of votes, the interested candidates shall appear before the election commissioners within two (2) days after the canvass and the tie shall be determined by a toss of a coin or by lot fairly and publicly drawn, and a certificate of election shall be given accordingly. The foregoing provisions shall apply to Senators, if the county be a senatorial district.

(2) The election commissioners shall transmit to the Secretary of State, on such forms and by such methods as may be required by rules and regulations promulgated by the Secretary of State, a statement of the total number of votes cast in the county for each candidate for each office and the total number of votes...
cast for such candidates in each precinct in the district in which
the candidate ran.

**SECTION 125.** Section 23-15-603, Mississippi Code of 1972, is
amended as follows:

23-15-603. (1) The election commissioners * * * shall, within ten (10) days after the general election, transmit to the Secretary of State, to be filed in his or her office, a statement of the whole number of votes given in their county and the whole number of votes given in each precinct in their county, for each candidate for any office at the election; but the returns of every election for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Insurance and other state officers, shall each be made out separately, sealed up together and transmitted to the seat of government, directed to the Secretary of State, and endorsed the "VOTE FOR STATE OFFICERS," to be delivered by the Secretary of State to the Speaker of the House of Representatives at the next ensuing session of the Legislature. In addition to the other information required pursuant to this subsection, the returns for state officers shall contain a statement of the whole number of votes given in each House of Representative district or portion thereof for each candidate for state office at the election.

(2) Constitutional amendments shall be voted for at the time fixed by the concurrent resolution. The election, whether held
separately or with other elections, shall be conducted, in all respects, as required for elections generally. The election commissioners shall, within ten (10) days after the election, transmit to the Secretary of State a statement of the whole number of votes given in their county and the whole number of votes given in each precinct in their county for or against constitutional amendments.

(3) The statements certified by the election commissioners and transmitted to the Secretary of State, as required by this section, shall be tabulated by the Secretary of State and submitted to each branch of the Legislature, at the session next ensuing. Certified county vote totals shall represent the final results of the election.

(4) The statements required by this section shall contain a certification, signed and dated by a majority of the election commissioners, which shall read as follows:

"We, the undersigned election commissioners, do hereby certify that this statement of the whole number of votes contains the official vote for the election reflected therein."

(5) The statements required by this section shall be transmitted to the Secretary of State on such forms and by such methods as may be required by rules and regulations promulgated by the Secretary of State.
SECTION 126. Section 23-15-605, Mississippi Code of 1972, is amended as follows:

23-15-605. The Secretary of State, immediately after receiving the returns of an election, not longer than thirty (30) days after the election, shall sum up the whole number of votes given for each candidate other than candidates for state offices, legislative offices composed of one (1) county or less, county offices and county district offices, according to the statements of the votes certified to him or her and ascertain the person or persons having the largest number of votes for each office, and declare such person or persons to be duly elected; and thereupon all persons chosen to any office at the election shall be commissioned by the Governor; but if it appears that two (2) or more candidates for any district office where the district is composed of two (2) or more counties, standing highest on the list, and not elected, have an equal number of votes, the election shall be * * * decided between the candidates having an equal number of votes by * * * each candidate individually drawing one (1) of the two (2) sealed containers from an opaque bag, under the direction of the Governor and Secretary of State. The containers shall consist of a straw of conspicuous length, and the candidate drawing the container with the longer of the two (2) straws shall be declared the winner.

SECTION 127. Section 23-15-607, Mississippi Code of 1972, is amended as follows:
23-15-607. (1) The election commissioners shall, within ten (10) days after an election for judges of the Supreme Court or Court of Appeals, transmit to the Secretary of State, to be filed in his or her office, a statement of the whole number of votes given in their county, and the whole number of votes given in each precinct in their county, for each candidate for the Office of Judge of the Supreme Court or Court of Appeals, and the Secretary of State shall immediately notify each member of the State Board of Election Commissioners in writing to assemble at his or her office on a day to be fixed by him or her, to be within ten (10) days after the receipt by him or her of such statement, and when assembled pursuant to such notice the State Board of Election Commissioners shall sum up the whole number of votes given for each candidate for judge of the Supreme Court or Court of Appeals according to the total number of votes in each county for each candidate as certified to the Secretary of State, ascertain the person or persons to be elected; and thereupon all persons chosen to such office at the election shall be commissioned by the Governor; but if it appears that two (2) or more candidates for judge of the Supreme Court or Court of Appeals standing highest on the list, and not elected, have an equal number of votes, the election shall be decided between the candidates having an equal number of votes by each candidate individually drawing one (1) of the two (2) sealed containers from an opaque bag, under the direction of the Governor and Secretary.
of State. The containers shall consist of a straw of conspicuous
length, and the candidate drawing the container with the longer of
the two (2) straws shall be declared the winner.

(2) The statements required by this section shall contain a
certification, signed and dated by a majority of the election
commissioners * * *, which shall read as follows:

"We, the undersigned election commissioners * * *, do
hereby certify that this statement of the whole number of
votes contain the official vote for the election reflected
therein."

(3) The statements required by this section shall be
transmitted to the Secretary of State on such forms and by such
methods as may be required by rules and regulations promulgated by
the Secretary of State.

SECTION 128. Section 23-15-609, Mississippi Code of 1972, is
amended as follows:

23-15-609. When a city or part of a county is entitled to
separate representation in the Legislature, the election
commissioners * * * shall prepare for the election, and shall
receive and canvass the returns, declare the result, and transmit
it to the Secretary of State, and act in all respects as in other
elections.

SECTION 129. Section 23-15-611, Mississippi Code of 1972, is
amended as follows:
23-15-611. (1) In municipal elections, poll managers shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in each voting precinct for each of the candidates or ballot measures and make a return thereof to the municipal election commissioners. On the day following the election, the election commissioners shall canvass the returns so received from all voting precincts and shall, within six (6) days after the election, deliver to each person receiving the highest number of votes a certificate of election. If it shall appear that any two (2) or more of the candidates receiving the highest number of votes shall have received an equal number of votes, the election shall be decided by a toss of a coin or by lot fairly and publicly drawn under the direction of the election commissioners.

(2) (a) Within six (6) days after any election, the municipal election commissioners shall transmit a statement to the Secretary of State certifying the name or names of the person or persons elected, and such person or persons shall be issued commissions by the Governor. The statement shall also include vote totals for each candidate for each office and vote totals for and against ballot measures, if any, including the vote totals for each candidate and ballot measure in each precinct in the municipality.
(b) The statements required by this subsection (2) shall contain a certification, signed and dated by a majority of the municipal election commissioners, which shall read as follows: "We, the undersigned municipal election commissioners, do hereby certify that this statement contains the official vote for the election reflected therein."

(c) The statements required by this subsection (2) shall be transmitted to the Secretary of State on such forms and by such methods as may be required by rules and regulations promulgated by the Secretary of State.

(d) If the statement certifying the names of the persons elected is not transmitted to the Secretary of State as required by this subsection (2), the Secretary of State may issue a show cause order directing the municipal election commissioners to provide to the Secretary of State written response containing the reasons for their failure to transmit the statement. The municipal election commissioners shall file their response to the show cause order with the Secretary of State within five (5) working days after the issuance of the show cause order. If the statement certifying the names of the persons elected is not transmitted to the Secretary of State within five (5) working days after the issuance of the show cause order, the Secretary of State may petition a court of competent jurisdiction to compel the municipal election commissioners to comply with this subsection (2). If the statement certifying the names of the persons elected
is received by the Secretary of State within five (5) days after
the issuance of the show cause order, a response to the show cause
order shall not be required.

SECTION 130. Section 23-15-613, Mississippi Code of 1972, is
amended as follows:

23-15-613. (1) As used in this section "residual votes"
means overvotes, undervotes and any other vote not counted for any
reason.

(2) For every election, election commissions and county and
municipal executive committees shall report to the Secretary of
State residual vote information; however, if the voting devices
utilized in the election do not produce a ballot, other
information shall be reported as required in this section.

(3) For every election, election commissions and county and
municipal executive committees responsible for the conduct of
elections in which ballots are generated that are counted by hand
or by OMR equipment or the tabulating mechanism of a DRE
shall report to the Secretary of State all residual votes for
all candidates and ballot measures in the elections for which they
are responsible for conducting. The residual vote reports
shall:

(a) Be received by the Secretary of State no later than
December 15 of the year in which the election is held;

(b) Include any suggested explanation or suspected
cause of the residual votes;
(c) Include a copy of a voided official ballot for the election as such ballot appeared to voters at the election and copies of voided affidavit and absentee ballots if they are different from the official ballot;

(d) Include the total voter turnout for each election to be determined by totaling the number of persons signing the receipt book at each precinct, absentee voters and persons who voted by affidavit ballot and persons whose ballots were challenged and rejected; and

(e) Include a copy of any printed voting instructions given or visible to voters in the election and a description of any verbal instructions and any other evidence of voter education that was *** used in the election.

(4) For every election, election commissions and county and municipal executive committees responsible for the conduct of election in which voting devices are used that do not generate ballots that are counted by hand or by *** OMR equipment or the tabulating mechanism of a DRE unit, shall file a report with the Secretary of State which shall:

(a) Be received by the Secretary of State no later than December 15 of the year in which the election is held;

(b) Include the total voter turnout for each election to be determined by totaling the number of persons signing the receipt book at each precinct, absentee voters and persons who
voted by affidavit ballot and persons whose ballots were challenged and rejected;

(c) Include in the report any anecdotal information obtained concerning voter problems with the voting equipment or ballot layout;

(d) Include in the report any suggested explanation or suspected cause of any difference in the amount of total voter turnout and the number of counted votes for candidates for various offices; and

(e) Include a copy of any printed voting instructions given or visible to voters in the election and a description of any verbal instructions and any other evidence of voter education that was used in the election.

(5) Not later than January 31 of the year following the election, the Secretary of State shall submit a report to the Governor, Lieutenant Governor and Speaker of the House of Representatives analyzing the reports required to be filed pursuant to this section. The analysis shall include the following:

(a) The performance of each voting device type used in the election;

(b) Any problems with voter or poll worker instructions or ballot design and layout that have been identified as a result of analyzing the reports received;
(c) Recommendations for reducing the number of residual votes reported; and

(d) Such other information as the Secretary of State deems beneficial.

(6) The reports required pursuant to this section shall be in such form as may be required by rules and regulations promulgated by the Secretary of State.

SECTION 131. The following shall be codified as Section 23-15-819, Mississippi Code of 1972:

23-15-819. (1) It shall be unlawful for a foreign national, directly or through any other person, to make any contribution or any expenditure of money or other thing of value, or to promise expressly or impliedly to make any such contribution or expenditure, in connection with an election to any political office or in connection with any primary election, convention or caucus held to select candidates for any political office.

(2) No person shall solicit, accept or receive any such contribution from a foreign national.

(3) The term "foreign national" means:

(a) A foreign national as defined in 22 USCS 611(b), except that the terms "foreign national" does not include any individual who is a citizen of the United States; or

(b) An individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence.
SECTION 132. Section 23-15-831, Mississippi Code of 1972, is amended as follows:

23-15-831. When a vacancy other than in the Legislature * * * occurs * * * by death, resignation or otherwise, in any state or state district elected office, * * * and there is no special provision of law for * * * filling * * * the vacancy, the same shall be filled for the unexpired term by appointment by the Governor.

SECTION 133. Section 23-15-833, Mississippi Code of 1972, is amended as follows:

23-15-833. Except as otherwise provided by law, the first Tuesday after the first Monday in November of each year shall be designated the regular special election day, and on that day an election shall be held to fill any vacancy in county, county district, and district attorney elective offices, and any vacancy in the office of circuit judge or chancellor.

All special elections, or elections to fill vacancies, shall in all respects be held, conducted and returned in the same manner as general elections, except that where no candidate receives a majority of the votes cast in * * * the election, * * * a runoff election shall be held three (3) weeks after * * * the election * * *.

The two (2) candidates who receive the highest popular votes for * * * the office shall have their names submitted as * * * the candidates to the * * * runoff and the candidate who leads in * * * the runoff election shall be elected...
to the office. When there is a tie in the first election of those receiving the next highest vote, these two (2) and the one receiving the highest vote, none having received a majority, shall go into the runoff election and whoever leads in the runoff election shall be entitled to the office.

In those years when the regular special election day shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot, but shall be clearly distinguished as general election candidates or special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot, but shall be clearly distinguished as special election candidates or primary election candidates.

SECTION 134. Section 23-15-835, Mississippi Code of 1972, is amended as follows:

23-15-835. The election commissioners of the several counties to whom the writ of election may be directed shall, immediately upon receipt of the writ, give notice of the special election to fill a vacancy in such county or county district office by posting notices at the courthouse and in each supervisor's district in the county for ninety (90) days before the election; and the election shall be prepared for and held as in case of a general election.
SECTION 135. Section 23-15-837, Mississippi Code of 1972, is amended as follows:

23-15-837. (1) When a special election is called to fill any state district office or legislative office and where only one (1) person has duly qualified with the State Board of Election Commissioners to be a candidate in the special election within the time prescribed by law for qualifying as a candidate, the State Board of Election Commissioners shall make a finding and determination of that fact, which shall be duly entered upon its official minutes.

(2) A finding and determination and certification to office by the State Board of Election Commissioners, as herein provided, shall dispense with the holding of the special election.

(3) A certified copy of the finding and determination of the State Board of Election Commissioners shall be filed with the Governor, and the Governor shall appoint the candidate so certified to fill the unexpired term.

SECTION 136. Section 23-15-839, Mississippi Code of 1972, is amended as follows:

23-15-839. (1) When a vacancy occurs in any county or county district office, the same shall be filled by appointment by the board of supervisors of the county, by order entered upon its minutes, where the vacancy occurs, or by appointment of the president of the board of supervisors, by and with the consent of the majority of the board of supervisors, if such vacancy occurs
when the board is not in session, and the clerk of the board shall certify to the Secretary of State the appointment, and the appointed person shall be commissioned by the Governor; and if the unexpired term be longer than six (6) months, such appointee shall serve until a successor is elected as hereinafter provided, unless the regular special election day on which the vacancy should be filled occurs in a year in which an election would normally be held for that office as provided by law, in which case the person so appointed shall serve the unexpired portion of the term. Such vacancies shall be filled for the unexpired term by the qualified electors at the next regular special election day occurring more than ninety (90) days after the vacancy occurs. The board of supervisors of the county shall, within ten (10) days after the vacancy occurs, make an order, in writing, directed to the election commissioners, commanding an election to be held on the next regular special election day to fill the vacancy. The election commissioners shall require each candidate to qualify at least sixty (60) days before the date of the election, and shall give a certificate of election to the person elected, and shall return to the Secretary of State a copy of the order of holding the election, showing the election results, certified by the clerk of the board of supervisors. The person elected shall be commissioned by the Governor to take office once the election is certified.
(2) In any election ordered pursuant to this section where only one (1) person qualifies with the election commissioners to be a candidate within the time provided by law, the election commissioners shall certify to the board of supervisors that there is only one (1) candidate. Thereupon, the board of supervisors shall dispense with the election and appoint the certified candidate to fill the unexpired term. The clerk of the board shall certify the appointed candidate to the Secretary of State and the candidate shall be commissioned by the Governor. In the event no person qualifies by 5:00 p.m. sixty (60) days before the date of the election, the election commissioners shall certify that fact to the board of supervisors who shall dispense with the election and fill the vacancy by appointment. The clerk of the board of supervisors shall certify the appointment to the Secretary of State, and the appointed person shall be commissioned by the Governor.

SECTION 137. Section 23-15-843, Mississippi Code of 1972, is amended as follows:

23-15-843. In case of death, resignation or vacancy from any cause in the office of district attorney, the unexpired term of which shall exceed six (6) months, the Governor shall within ten (10) days after the vacancy occurs issue a proclamation calling an election to fill a vacancy in the office of district attorney to be held on the next regular special
election day in the district where the vacancy occurred unless the vacancy occurs in a year in which a general election would normally be held for that office as provided by law, in which case the appointed person shall serve the unexpired portion of the term. Candidates in such a special election shall qualify in the same manner and be subject to the same time limitations as set forth in Section 23-15-839. Pending the holding of a special election, the Governor shall make an emergency appointment to fill the vacancy until the same shall be filled by election.

SECTION 138. Section 23-15-849, Mississippi Code of 1972, is amended as follows:

23-15-849. (1) Vacancies in the office of circuit judge or chancellor shall be filled for the unexpired term by the qualified electors at the next regular special election occurring more than nine (9) months after the vacancy to be filled occurred, and the term of office of the person elected to fill a vacancy shall commence on the first Monday in January following the election. Upon the occurrence of a vacancy, the Governor shall appoint a qualified person from the district in which the vacancy exists to hold the office and discharge the duties thereof until the vacancy is filled by election as provided in this subsection.

(2) (a) If half or more than half of the term remains, vacancies in the office of justice of the Supreme Court or
judge of the Court of Appeals shall be filled for the unexpired term by the qualified electors at the next regular election for state officers or for representatives in Congress occurring more than nine (9) months after the vacancy to be filled occurred, and the term of office of the person elected to fill a vacancy shall commence on the first Monday in January following the election. If less than half of the term remains, vacancies in the office of justice of the Supreme Court or judge of the Court of Appeals shall be filled for the remaining unexpired term solely by appointment as provided in this subsection.

(b) Upon occurrence of a vacancy, the Governor shall appoint a qualified person from the district in which the vacancy exists to hold the office and discharge the duties thereof as follows:

(i) If less than half of the term remains, the appointee shall serve until expiration of the term;

(ii) If half or more than half of the term remains, the appointee shall serve until the vacancy is filled by election as provided in subsection (1) of this section for judges of the circuit and chancery courts. Elections to fill vacancies in the office of justice of the Supreme Court or judge of the Court of Appeals shall be held, conducted, returned and the persons elected commissioned in accordance with the law governing regular elections for justices of the Supreme Court.
Court or judges of the Court of Appeals to the extent applicable.

SEC 139. Section 23-15-851, Mississippi Code of 1972, is amended as follows:

23-15-851. (1) Except as otherwise provided in subsection (2) of this section, within thirty (30) days after vacancies occur in either house of the Legislature, the Governor shall issue writs of election to fill the vacancies on a day specified in the writ of election. At least sixty (60) days' notice shall be given of the election in each county or part of a county in which the election shall be held. The qualifying deadline for the election shall be fifty (50) days before the election. Notice of the election shall be posted at the courthouse and in each supervisors district in the county or part of county in which such election shall be held for as near sixty (60) days as may be practicable. The election shall be prepared for and held as in the case of a general election.

(2) If a vacancy occurs in a calendar year in which the general election for state officers is held, the Governor may elect not to issue a writ of election to fill the vacancy.

SEC 140. Section 23-15-853, Mississippi Code of 1972, is amended as follows:

23-15-853. (1) If a vacancy occurs in the representation in Congress, the vacancy shall be filled for the
unexpired term by a special election, to be ordered by the Governor, within sixty (60) days after the vacancy occurs, and held at a time fixed by his order, and which time shall be not less than sixty (60) days after the issuance of the order of the Governor, which shall be directed to the election commissioners of the several counties of the district, who shall, immediately on the receipt of the order, give notice of the election by publishing the same in a newspaper having a general circulation in the county and by posting the notice at the front door of the courthouse. The order shall also be directed to the State Board of Election Commissioners. The election shall be prepared for and conducted, and returns shall be made, in all respects as provided for a special election to fill vacancies.

(2) Candidates for the office in such an election must qualify with the Secretary of State by 5:00 p.m. not less than fifty (50) days before the date of the election. If the fiftieth day to qualify before an election falls on a Sunday or legal holiday, the qualification submitted on the business day immediately following the Sunday or legal holiday shall be accepted. The election commissioners shall have printed on the ballot in such special election the name of any candidate who shall have been requested to be a candidate for the office by a petition filed with the Secretary of State and personally signed by not less than one thousand (1,000) qualified
electors of the district. The petition shall be filed by 5:00 p.m. not less than *** fifty (50) days *** before the date of the election. If the fiftieth day to file the petition before an election falls on a Sunday or legal holiday, the petition filed on the business day immediately following the Sunday or legal holiday shall be accepted.

There shall be attached to each petition above provided for, upon the time of filing with *** the Secretary of State, a certificate from the appropriate registrar or registrars showing the number of qualified electors appearing upon each *** petition which the registrar shall furnish to the petitioner upon request.

SECTION 141. Section 23-15-855, Mississippi Code of 1972, is amended as follows:

23-15-855. (1) If a vacancy shall occur in the office of United States Senator from Mississippi by death, resignation or otherwise, the Governor shall, within ten (10) days after receiving official notice of *** the vacancy, issue *** a proclamation for an election to be held in the state to elect a Senator to fill *** the remaining unexpired term ****, provided the unexpired term is more than twelve (12) months and the election shall be held within ninety (90) days from the time the proclamation is issued and the returns of such election shall be certified to the Governor in the manner set out above for regular elections, unless the vacancy *** occurs in a year *** in
which a general state or congressional election is held, in which event the Governor's proclamation shall designate the general election day as the time for electing a Senator, and the vacancy shall be filled by appointment as hereinafter provided.

(2) In case of a vacancy in the office of United States Senator, the Governor may appoint a Senator to fill the vacancy temporarily, and if the United States Senate be in session at the time the vacancy occurs the Governor shall appoint a Senator within ten (10) days after receiving official notice thereof, and the appointed Senator shall serve until a successor is elected and commissioned as provided for in subsection (1) of this section, provided that such unexpired term as he or she may be appointed to fill shall be for a longer time than one (1) year, but if for a shorter time than one (1) year, he or she shall serve for the full time of the unexpired term and no special election shall be called by the Governor but a successor shall be elected at the regular election.

SECTION 142. Section 23-15-857, Mississippi Code of 1972, is amended as follows:

23-15-857. (1) When there is a vacancy in an elective office in a city, town or village, the unexpired term of which shall not exceed six (6) months, the same shall be filled by appointment by the governing authority or remainder of the governing authority of the city, town or village. The municipal clerk shall certify the appointment to the Secretary of
State *** and the appointed person or persons *** shall be commissioned by the Governor.

(2) When *** there is *** a vacancy in an elective office in a city, town or village, the unexpired term of which shall exceed six (6) months, the governing authority or remainder of the governing authority of *** the city, town or village shall make and enter on the minutes an order for an election to be held in *** the city, town or village to fill the vacancy and fix a date upon which *** the election shall be held. *** The order shall be made and entered upon the minutes at the next regular meeting of the governing authority after *** the vacancy *** occurs, or at a special meeting to be held not later than ten (10) days after the vacancy *** occurs, Saturdays, Sundays and legal holidays excluded, whichever shall occur first. *** The election shall be held on a date not less than thirty (30) days nor more than forty-five (45) days after the date upon which the order is adopted.

Notice of *** the election shall be given by the municipal clerk by notice published in a newspaper published in the municipality. *** The notice shall be published once each week for three (3) successive weeks preceding the date of *** the election. The first notice *** shall be published at least thirty (30) days before the date of *** the election. Notice shall also be given by posting a copy of *** the notice at three (3) public places in *** the municipality not less than
twenty-one (21) days * * * before the date of * * * the election. 

One (1) of * * * the notices shall be posted at the city, town or village hall. In the event that there is no newspaper published in the municipality, * * * such notice shall be published as provided for above in a newspaper * * * that has a general circulation within the municipality and by posting as provided for above. * * * Additionally, the governing authority may publish * * * the notice in * * * that newspaper for * * * as many additional times as may be deemed necessary by the governing authority.

Each candidate shall qualify by petition filed with the municipal clerk by 5:00 p.m. at least twenty (20) days before the date of the election * * *. If the twentieth day to file the petition before the election falls on a Sunday or legal holiday, the petition filed on the business day immediately following the Sunday or legal holiday shall be accepted. The petition shall be signed by not less than the following number of qualified electors:

(a) For an office of a city, town * * *, village or municipal district having a population of one thousand (1,000) or more, not less than fifty (50) qualified electors.

(b) For an office of a city, town * * *, village or municipal district having a population of less than one thousand (1,000), not less than fifteen (15) qualified electors.
No qualifying fee shall be required of any candidate, and the election * * * shall be held as far as practicable in the same manner as municipal general elections.

The candidate receiving a majority of the votes cast in * * * the election shall be elected. If no candidate * * * receives a majority vote at the election, the two (2) candidates receiving the highest number of votes shall have their names placed on the ballot for the election to be held * * * three (3) weeks thereafter. The candidate receiving a majority of the votes cast in * * * the election shall be elected. However, if no candidate * * * receives a majority and there is a tie in the election of those receiving the next highest vote, those receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the election to be held * * * three (3) weeks thereafter, and whoever receives the most votes cast in * * * the election shall be elected.

Should the election * * * held * * * three (3) weeks thereafter result in a tie vote, the prevailing candidate * * * shall be decided by a toss of a coin or by lot * * * fairly and publicly drawn under the supervision * * * of the election commission * * *.

The clerk of the election commission shall then give a certificate of election to the person elected, and * * * return to the Secretary of State a copy of the order of holding the election and runoff election * * * results * * *, certified by the clerk of
the governing authority. The person elected shall be commissioned
by the Governor.

However, if nineteen (19) days * * * before the date of the
election only one (1) person shall have qualified as a candidate,
the governing authority, or remainder of the governing authority,
shall dispense with the election and appoint that one (1)
candidate in lieu of an election. In the event no person shall
have qualified by 5:00 p.m. at least twenty (20) days * * * before
the date of the election, the governing authority or remainder of
the governing authority shall dispense with the election and fill
the vacancy by appointment. The clerk of the governing authority
shall certify the appointment to the Secretary of State * * *, and
the appointed person * * * shall be commissioned by the Governor.

SECTION 143. Section 23-15-859, Mississippi Code of 1972, is
amended as follows:

23-15-859. Whenever under any statute a special election is
required or authorized to be held in any municipality, and the
statute authorizing or requiring * * * the election does not
specify the time within which * * * the election shall be called,
or the notice which shall be given * * *, the governing
authorities of the municipality shall, by resolution, fix a date
upon which * * * the election shall be held. * * * The date shall
not be less than twenty-one (21) nor more than thirty (30) days
after the date upon which such resolution is adopted, and not less
than three (3) weeks' notice of * * * the election shall be given
by the clerk by a notice published in a newspaper published in the
municipality once each week for three (3) weeks next preceding the
date of * * * the election, and by posting a copy of * * * the
notice at three (3) public places in * * * the municipality.
Nothing herein, however, shall be applicable to elections on the
question of the issuance of the bonds of a municipality or to
general or primary elections for the election of municipal
officers.

The provisions of this section shall be applicable to all
municipalities of this state, whether operating under a code
charter, special charter or the commission form of government,
except in cases of conflicts between the provisions of the section
and the provisions of the special charter of a municipality, or
the law governing the commission form of government, in which
cases of conflict the provisions of the special charter or the
statutes relative to the commission form of government shall
apply.

SECTION 144. Section 23-15-873, Mississippi Code of 1972, is
amended as follows:

23-15-873. (1) No person, whether an officer or not, shall,
in order to promote his or her own candidacy, or that of any other
person, to be a candidate for public office in this state,
directly or indirectly, himself, or herself or through another
person, promise to appoint, or promise to secure or assist in
securing the appointment, nomination or election of another person
to any public position or employment, or to secure or assist in
securing any public contract or the employment of any person under
any public contractor, or to secure or assist in securing the
expenditure of any public funds in the personal behalf of any
particular person or group of persons, except that the candidate
may publicly announce what is his or her choice or purpose in
relation to an election in which he or she may be called on to
take part if elected.

(2) It shall be unlawful for any person to directly or
indirectly solicit or receive any promise by this section
prohibited * * *, but this does not apply to * * any person when
it comes to their office force.

(3) Any violation of this section shall constitute a
violation of Section 97-13-37 and shall be referred to the
district attorney for prosecution.

SECTION 145. Section 23-15-874, Mississippi Code of 1972, is
amended as follows:

23-15-874. A candidate for judicial office shall not use
court administrators, deputy court administrators, court
reporters, deputy court reporters, judges' secretaries or law
clerks as workers in his or her campaign activities. Violations
of this section shall be referred to the Commission on Judicial
Performance.

SECTION 146. Section 23-15-875, Mississippi Code of 1972, is
amended as follows:
23-15-875. No person, including a candidate, shall publicly or privately make, in a campaign then in progress, any charge or charges reflecting upon the honesty, integrity or moral character of any candidate, so far as his or her private life is concerned, unless the charge be in fact true and actually capable of proof; and any person who makes any such charge shall have the burden of proof to show the truth thereof when called to account therefor under any affidavit or indictment against him or her for a violation of this section. Any language deliberately uttered or published which, when fairly and reasonably construed and as commonly understood, would clearly and unmistakably imply any such charge, shall be deemed and held to be the equivalent of a direct charge. 

* * *

* * *

SECTION 147. Section 23-15-881, Mississippi Code of 1972, is amended as follows:

23-15-881. It shall be unlawful for the * * * Mississippi Transportation Commission or any member of the * * * Mississippi Transportation Commission, or the board of supervisors of any county or any member of the board of supervisors of such county, to employ, during the months of May, June, July and August of any year in which a general primary election is held for the nomination and election of members of the * * * Mississippi Transportation Commission and members of the boards of supervisors, a greater number of persons to work and maintain the
state highways, in any highway district, or the public roads, in
any supervisors district of the county, as the case may be, than
the average number of persons employed for similar purposes in
such highway district or supervisors district, as the case may be,
during the months of May, June, July and August of the three (3)
years immediately preceding the year in which such general primary
election is held. It shall be unlawful for the * * * Mississippi
Transportation Commission, or the board of supervisors of any
county, to expend out of the state highway funds, or the road
funds of the county or any supervisors district thereof, as the
case may be, in the payment of wages or other compensation for
labor performed in working and maintaining the highways of any
highway district, or the public roads of any supervisors district
of the county, as the case may be, during the months of May, June,
July and August of such election year, a total amount in excess of
the average total amount expended for such labor, in such highway
district or supervisors district, as the case may be, during the

It shall be the duty of the * * * Mississippi Transportation
Commission and the board of supervisors of each county,
respectively, to keep sufficient records of the numbers of
employees and expenditures made for labor on the state highways of
each highway district, and the public roads of each supervisors
district, for the months of May, June, July and August of each
year, to show the number of persons employed for such work in each
highway district and each supervisors district, as the case may
be, during said four * * *-month period, and the total amount
expended in the payment of salaries and other compensation to such
employees, so that it may be ascertained, from an examination of
such records, whether or not the provisions of this chapter have
been violated.

* * *

SECTION 148. Section 23-15-891, Mississippi Code of 1972, is
amended as follows:

23-15-891. No common carrier, * * * Internet service
provider or telephone company shall give to any candidate, or to
any member of any political committee, or to any person to be used
to aid or promote the success or defeat of any candidate for
election for any public office, free transportation or * * *
Internet service or telephone service, as the case may be, or any
reduction thereof that is not made alike to all other persons.
All persons required by the provisions of this chapter to make and
file statements shall make oath that they have not received or
made use of, directly or indirectly, in connection with any
candidacy for nomination to any public office, free transportation
or * * * Internet or telephone service.

SECTION 149. Section 23-15-895, Mississippi Code of 1972, is
amended as follows:
23-15-895.  ★ ★ ★ No candidate for an elective office, or any representative of such candidate, ★ ★ ★ and no proponent or opponent of any constitutional amendment, local issue or other measure printed on the ballot ★ ★ ★ may post or distribute cards, posters or other campaign literature within one hundred fifty (150) feet of any entrance of the building wherein any election is being held.  ★ ★ ★ No candidate or a representative named by him or her in writing ★ ★ ★ may appear at any polling place while armed or uniformed, ★ ★ ★ or display any badge or credentials except as may be issued by the manager of the polling place.  As used in this section, the term "local issue" shall have the meaning ascribed to such term in Section 23-15-375.  This section shall be enforced by election officials and law enforcement officials.

SECTION 150.  Section 23-15-897, Mississippi Code of 1972, is amended as follows:

23-15-897.  ★ ★ ★

(1) The following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Campaign materials" include any materials designed to influence voters for or against any candidate, party or measure to be voted on at any election, or containing information about any candidate, party or measure paid for by a candidate, political
committee, or independent expenditure which requires disclosure under campaign finance laws.

(b) "Publish" means the act or instance of making campaign material available to the public, or to a list of subscribers, by mail, telephone, electronic communications platforms, Internet, software applications, printed materials or any other means of distribution.

(c) "Printed material" shall include, but not be limited to, any notice, placard, bill, poster, dodger, pamphlet, advertisement, sign or any other form of printed publication, except notices, posters and the like, which simply announce a speaking date and invite attendance thereon.

(2) No candidate, political committee or other person shall publish, or knowingly cause to be published, any campaign materials unless it contains the following information:

(a) The name of the candidate along with a statement that the message is approved by the candidate; or

(b) If the message has not been approved by a specific candidate, the name of the person, political committee or organization paying for the publication of the message; or

(c) If the message has not been approved by the candidate and no person, political committee or organization is identified as having paid for the publication, the entity producing the campaign materials must be identified.
(3) Publication of campaign materials through an electronic platform shall be deemed to comply with the requirements of this section if the home page of the candidate or political committee provides the information required by subsection (2), and each electronic publication provides a link to that home page.

SECTION 151. Section 23-15-903, Mississippi Code of 1972, is amended as follows:

23-15-903. In addition to any other procedure provided by law, any person who has reason to believe that any election law has been violated may file a written complaint with the election commissioners of the county in which the alleged violation occurred. If the election commissioners determine the allegations in the complaint, if true, would be a violation of this chapter or Section 97-13-1, et seq., the election commissioners shall refer the complaint to the district attorney for prosecution.

SECTION 152. Section 23-15-905, Mississippi Code of 1972, is amended as follows:

23-15-905. (1) No person may qualify as a candidate for more than one (1) office if the election for those offices occurs on the same day. If a person takes the steps necessary to qualify for more than one (1) office, the appropriate executive committee or election commissioner shall determine the last office for which the person qualified and the person shall be considered to be qualified as a candidate for that office only and the person...
shall be notified of this determination. The provisions of this subsection shall not apply to elections for municipal office.

(2) No person may qualify as a candidate for more than one (1) municipal office if the election for those offices occurs on the same day. If a person takes the steps necessary to qualify for more than one (1) office, the appropriate executive committee or election commissioner shall determine the last office for which the person qualified and the person shall be considered to be qualified as a candidate for that office only and the person shall be notified of this determination.

SECTION 153. Section 23-15-911, Mississippi Code of 1972, is amended as follows:

23-15-911. (1) (a) When the returns for a box and the contents of the ballot box and the conduct of the election have been canvassed and reviewed by the county election commission in the case of general elections or the county executive committee in the case of primary elections, all the contents of the box required to be placed and sealed in the ballot box by the polling managers shall be replaced therein by the election commission or executive committee, as the case may be, and the box shall be forthwith resealed and delivered to the circuit clerk, who shall safely keep and secure the same against any tampering. At any time within twelve (12) days after the canvass and examination of the box and its contents by the election commission or executive committee, as the case may be, any candidate or his or
her representative authorized in writing by him or her shall have
the right of full examination of the box and its contents
upon three (3) days' notice of his or her application therefor
served upon the opposing candidates. The service of notice
shall be provided to each opposing candidate by delivering a copy
personally to each candidate, or by performing two (2) of the
following:

(i) By leaving a copy at each candidate's usual
place of residence with a family member, who shall be no less than
sixteen (16) years of age and, who resides in the candidate's
residence;

(ii) By email or other electronic means, with
receipt deemed upon transmission; or

(iii) By mailing a copy of the notice by
registered or certified mail that is addressed to each opposing
candidate at that candidate's residence with receipt deemed
mailing.

(b) If service of notice cannot be made to any opposing
candidate, then notice may be posted on the door of each
candidate's usual place of abode. If any candidate's usual place
of residence is a multi-family dwelling, a copy of the notice must
be mailed to the candidate or candidates by United States
first-class mail, postage prepaid, return receipt requested.
Proof of service of notice upon any opposing candidate shall be
made to the circuit clerk within three (3) days before a full examination of the ballot box may be conducted.

(c) The examination shall be conducted in the presence of the circuit clerk or his or her deputy who shall be charged with the duty to see that none of the contents of the box are removed from the presence of the clerk or in any way tampered with. Upon the completion of the examination the box shall be resealed with all its original contents. And if any contest or complaint before the court shall arise over the box, it shall be kept intact and sealed until the court hearing and another ballot box, if necessary, shall be furnished for the precinct involved.

(2) The provisions of this section allowing the examination of ballot boxes shall apply in the case of an election contest regarding the seat of a member of the state Legislature. In such a case, the results of the examination shall be reported by the applicable circuit clerk to the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be.

SECTION 154. Section 23-15-913, Mississippi Code of 1972, is amended as follows:

23-15-913. The judges listed and selected to hear election disputes, as provided in Section 23-15-951, shall be available on election day to immediately hear and resolve any election day disputes. The rules for filing pleadings shall be relaxed to
carry out the purposes of this section. The judges selected shall perform no other judicial duties on election day. The Supreme Court shall make judges available to hear disputes in the county in which the disputes occur but no judge shall hear disputes in the district or county in which he or she was elected nor shall any judge hear any dispute in which any potential conflict may arise. Each judge shall be fair and impartial and shall be assigned on that basis.

SECTION 155. Section 23-15-939, Mississippi Code of 1972, is amended as follows:

23-15-939. The reasonable traveling expenses of the judge or chancellor shall be paid by order of the board of supervisors of the county or counties in which a contest or complaint is heard, upon an itemized certificate thereof by the judge or chancellor. The election commissioners shall be compensated for their services rendered under this section as is provided in Section 23-15-227.

SECTION 156. Section 23-15-977, Mississippi Code of 1972, is amended as follows:

23-15-977. (1) Except as otherwise provided in this section, all candidates for judicial office as defined in Section 23-15-975 of this subarticle shall file their intent to be a candidate with the proper officials not later than 5:00 p.m. on the first Friday after the first Monday in May before the general election for judicial office and shall pay to the proper officials the following amounts:
(a) Candidates for Supreme Court judge and Court of Appeals, the sum of Two Hundred Dollars ($200.00).

(b) Candidates for circuit judge and chancellor, the sum of One Hundred Dollars ($100.00).

(c) Candidates for county judge and family court judge, the sum of Fifteen Dollars ($15.00).

Candidates for judicial office may not file their intent to be a candidate and pay the proper assessment before January 1 of the year in which the election for the judicial office is held.

(2) Candidates for judicial offices listed in paragraphs (a) and (b) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the State Board of Election Commissioners.

(3) Candidates for judicial offices listed in paragraph (c) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the circuit clerk of the proper county. The circuit clerk shall notify the county election commissioners of all persons who have filed their intent to be a candidate with, and paid the proper assessment to, such clerk. The notification shall occur within two (2) business days and shall contain all necessary information.

(4) If only one (1) person files his or her intent to be a candidate for a judicial office and that person later dies,
resigns or is otherwise disqualified from holding the judicial office after the deadline provided for in subsection (1) of this section but more than seventy (70) days before the date of the general election, the Governor, upon notification of the death, resignation or disqualification of the person, shall issue a proclamation authorizing candidates to file their intent to be a candidate for that judicial office for a period of not less than seven (7) nor more than ten (10) days from the date of the proclamation.

(5) If only one (1) person qualifies as a candidate for a judicial office and that person later dies, resigns or is otherwise disqualified from holding the judicial office within seventy (70) days before the date of the general election, the judicial office shall be considered vacant for the new term and the vacancy shall be filled as provided in by law.

SECTION 157. The following shall be codified as Section 23-15-994, Mississippi Code of 1972:

23-15-994. Elections for the office of judge of the Court of Appeals shall be as prescribed in Section 9-4-1, et seq.

SECTION 158. Section 23-15-1031, Mississippi Code of 1972, is amended as follows:

23-15-1031. Except as provided by Section 23-15-1081, the first primary election for Congressmen shall be held on the first Tuesday in June of the years in which congressmen are elected, and if necessary, shall be
held three (3) weeks thereafter. Each year in which a
presidential election is held, the congressional primary shall be
held as provided in Section 23-15-1081. The election shall be
held in all districts of the state on the same day. Candidates
for United States Senator shall be nominated at the congressional
primary next preceding the general election at which a senator is
to be elected and in the same manner that congressmen are
nominated. The chair and secretary of the state executive
committee shall certify the vote for United States Senator to the
Secretary of State in the same manner that county executive
committees certify the returns of counties in general state and
county primary elections.

SECTION 159. Section 23-15-1033, Mississippi Code of 1972,
is amended as follows:

23-15-1033. Representatives in the Congress of the United
States shall be chosen by districts on the first Tuesday after the
first Monday of November in the year 1986, and every two (2) years
thereafter. The laws regulating general elections shall
apply to and govern elections for representatives in
Congress; and the Governor shall issue a commission to the person
elected in each district.

SECTION 160. Section 23-15-1039, Mississippi Code of 1972,
is amended as follows:

23-15-1039. Should an election of representatives in
Congress occur after the number of representatives to which the
state is entitled * * * changes, and before the districts * * *
have * * * changed to conform to the new apportionment,
representatives shall be chosen as follows: * * * If the number
of representatives * * * is * * * increased, then one (1) member
shall be chosen in each district as organized, and the additional
member or members shall be chosen by the electors of the state at
large; and if the number of representatives * * * is decreased,
then the whole number shall be chosen by the electors of the state
at large.

SECTION 161. Section 23-15-1041, Mississippi Code of 1972,
is amended as follows:

23-15-1041. There shall be elected, by the qualified
electors of Mississippi, * * * one (1) United States Senator at
the same time and in the same manner that members of the lower
house of Congress are elected in 1988, and every six (6) years
thereafter; and in the same manner there shall be one (1) United
States Senator elected at the congressional election in 1990, and
every six (6) years thereafter; and the person elected shall be
commissioned by the Governor.

SECTION 162. Section 23-15-1051, Mississippi Code of 1972,
is amended as follows:

23-15-1051. All duties in regard to senatorial or other
districts of more than one (1) county shall be performed by the
State Executive Committee * * *. All candidates for any such
office *** shall qualify with the State Executive Committee *** in the time and manner established by law.

**SECTION 163.** Section 23-15-1053, Mississippi Code of 1972, is amended as follows:

23-15-1053. Subject to federal law and national party rules, the State Executive Committee of each political party shall determine the method and procedures *** for the selection of county executive committees and the State Executive Committees ***. The State Executive Committee of the political party shall establish *** procedures for the selection of county and State Executive Committees at least ninety (90) days *** before the implementation *** of the procedures ***. A copy of any rule or regulation adopted by the State Executive Committee shall be sent to the Secretary of State within seven (7) days after its adoption to become a public record.

**SECTION 164.** Section 23-15-1054, Mississippi Code of 1972, is amended as follows:

23-15-1054. (1) If there be any political party *** or parties *** in any county *** without a party executive committee ***, such political party *** or parties *** shall select qualified electors of that county and of that party's political faith to serve on a temporary county executive committee until members of a county executive committee are elected at the next regular election for executive committees. The selection of qualified electors to serve on the temporary county executive
committee shall occur thirty (30) days before the date for which a
candidate for a county office is required to qualify. The
temporary county executive committee shall be selected in the
following manner: Upon petition of five (5) or more members
of that political faith, the chair of the State Executive
Committee desiring to select a temporary county executive
committee shall call a mass meeting of the qualified
electors of their political faith who reside in the county
to meet at some convenient place within the county, at a
time to be designated in the call. At the mass convention,
the members of that political faith shall select a temporary
county executive committee. The temporary county executive
committee shall serve until members of a county executive
committee are elected at the next regular election for executive
committees. The public shall be given notice of the mass
meeting as provided in subsection (4) of this section. The chair of the State Executive Committee shall authorize the call
within five (5) calendar days of receipt of the petition. If
the chair of the State Executive Committee is either
incapacitated, unavailable or nonresponsive and does not authorize
the mass call within five (5) calendar days of receipt of the
petition, any elected officer of the State Executive Committee may
authorize the call within five (5) calendar days. If no elected
officer of the State Executive Committee acts to approve such
petition after an additional five (5) calendar days the
petitioners shall be authorized to produce the call.

(2) If no county executive committee is selected or
otherwise formed before an election, the State Executive Committee
may serve as the temporary county executive committee and exercise
all of the duties of the county executive committee for the county
election. After a State Executive Committee has fulfilled its
duties as the temporary county executive committee, it shall
select a county executive committee before the next county
election.

(3) A person convicted of a felony in a court of this
state, any other state, or of the United States shall
be barred from serving as a member of a county executive
committee.

(4) The State Executive Committee shall publish a copy of
its call for a meeting in some newspaper published in the affected county for three (3) weeks before the date set for
the mass convention. If no newspaper is published in the
county, then a copy of the call shall be published in a newspaper having general circulation in the county and by posting
notices in three (3) public places in the county, one of which
shall be the county courthouse or the location where the county
board of supervisors meets to conduct business. The publication
shall occur not less than three (3) weeks before the date for the
SECTION 165. Section 23-15-1057, Mississippi Code of 1972, is amended as follows:

23-15-1057. *(1)* In the event sufficient cause should arise, and a majority of the membership of the State Executive Committee deems it necessary for the best interest of the political party and the state, the State Executive Committee is authorized to reconvene the state convention that selected them as members of the state executive committee at any time after the adjournment of the convention, but not later than the last day of the year in which the convention was held.

*(2)* The delegates chosen from the respective counties to a state convention in accordance with Section 23-15-1055 shall continue to be delegates from the county to the convention for a period not later than the last day of the year in which the convention was held.

*(3)* A convention may be reconvened upon the call of the chair of the State Executive Committee only with the approval of a majority of the State Executive Committee. At least ten (10) days notice shall be given by the chair of the State Executive Committee of the reconvening of the state convention. The notice shall be given by publication of the call of the chair in any newspaper or newspapers having general circulation throughout the state.
In the event a state convention is reconvened as provided in this section, the state convention may exercise all the power and authority conferred upon the convention by Section 23-15-1055, and may revise or rescind any action taken at its previous regular session.

SECTION 166. Section 23-15-1059, Mississippi Code of 1972, is amended as follows:

23-15-1059. (1) The chair or secretary of the State Executive Committee of each political party chosen as provided in Section 23-15-1053 shall register the name of the political party it represents, and the names of all organizations officially sanctioned by the political party, with the Secretary of State within thirty (30) days after the political party is organized. Thereafter, no political party shall use or register any name that is the same as or deceptively similar to the name of a political party or officially sanctioned organization that has already been registered with the Secretary of State by any other political party. No political party or officially sanctioned organization shall use any name in any campaign literature listing or describing its candidates that does not correspond with the name of the political party or officially sanctioned organization registered with the Secretary of State.

(2) The chair or secretary of the State Executive Committee of a political party shall update the
registration of the name of the political party it represents and the names of all organizations officially sanctioned by the political party with the Secretary of State on an annual basis, disclosing any revisions or additions to the information to be provided by affidavit in accordance with Section 25-15-1061.

SECTION 167. Section 23-15-1061, Mississippi Code of 1972, is amended as follows:

23-15-1061. (1) The application for registration of the political party and any officially sanctioned organizations named to be presented to the Secretary of State shall be accompanied by an affidavit of the chair or secretary of the political party seeking the registration. The affidavit shall contain a list of the names of the members of the State Executive Committee, showing the chair and secretary, the names of the national committeeman and committeewoman, and the officers of the party, setting forth that the executive committee and other officers of the party have been elected in accordance with the provisions of Section 23-15-1053, or any laws supplementary or amendatory thereof.

* * * The Secretary of State is authorized to require further proof as to the compliance with the provisions of Section 23-15-1053 when it is reasonable to do so.

(2) The chair or secretary of the district and county executive committees of each political party, chosen as provided in Section 23-15-1053, shall register the name of the
political party it represents with the * * * chair or secretary of the State Executive Committee of * * * that political party within thirty (30) days after * * * December 31, 2017. * * * The application for registration shall be accompanied by an affidavit of the * * * chair or secretary of the party seeking such registration listing the names of the members of the district executive committee and of the State Executive Committee, * * * showing the * * * chair and secretary and other officers of * * * the party, * * * setting forth that * * * the executive committee of * * * the party has been elected in accordance with the provisions of Section 23-15-1053, or any laws supplementary or amendatory thereof * * *. * * * The * * * chair or the secretary of the State Executive Committee is authorized to require further proof * * * of compliance with the provisions of * * * Section 23-15-1053 when * * * it is reasonable to do so. Thereafter, no political party shall use or register any name * * * that is the same as or deceptively similar to the name of a political party or officially sanctioned organization * * * that has already been registered with the * * * chair or secretary of the State Executive Committee by any other political party. No political party or officially sanctioned organization shall use any name in any campaign literature listing or describing its candidates * * * that does not correspond with the name of * * * the political party or officially sanctioned organization registered with the secretary or * * * chair of the State Executive Committee.
SECTION 168. Section 23-15-1063, Mississippi Code of 1972, is amended as follows:

23-15-1063. No political party in the State of Mississippi shall conduct primaries or enter candidates in any election unless *** the party *** has been duly organized under the provisions of this chapter, and the name of *** the party *** has been registered as provided in this chapter.

SECTION 169. Section 23-15-1065, Mississippi Code of 1972, is amended as follows:

23-15-1065. *** A person shall be barred from participating in any primary election held by a political party if that person claims *** or represents himself or herself in any manner to be a member of any state, district or county executive committee of any political party in this state, or claims to be the national committeeman or national committeewoman or any other officer or representative of *** the political party without having been lawfully elected or chosen as such in the manner provided by the laws of this state, or by *** the political party in the manner provided by the laws of this state, or *** claims to be the nominee of any political party authorized by the laws of this state to hold primary elections and choose party nominees, when in fact such person has not been declared the nominee of such political party for such office by such political party operating under the laws of this state ***. Any person or persons who *** violate the provisions of this section, in
addition to other measures or penalties provided by law, may be
enjoined therefrom upon application to the courts by any person or
persons, or any political party, official or representative
of the political party aggrieved.

SECTION 170. Section 23-15-1067, Mississippi Code of 1972,
is amended as follows:

23-15-1067. It shall be unlawful for any person or group of
persons to set up or establish any political party in this state
except in the manner provided by the laws of this state, and it
shall be unlawful for any person or group of persons not lawful
members of a political party to use, attempt to use or
to operate under the name of any other political party
lawfully existing and operating under the laws of this
state. Any person or persons violating this section,
in addition to such other measures or penalties provided by law,
may be enjoined therefrom upon application to the courts by any
person, or persons, or any political party, official or
representative of the political party aggrieved.

SECTION 171. Section 23-15-11, Mississippi Code of 1972, is
amended as follows:

23-15-11. Every inhabitant of this state, except persons
adjudicated to be non compos mentis, who is a citizen of the
United States of America, eighteen (18) years old and upwards, who
has resided in this state for thirty (30) days and for thirty (30)
days in the county in which he or she seeks to vote, and for
thirty (30) days in the incorporated municipality in which he or she seeks to vote, and who has been duly registered as an elector under Section 23-15-33, and who has never been convicted of vote fraud or of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his or her residence, and shall be entitled to vote at any election upon compliance with Section 23-15-563. If the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days before the primary election associated with the general election, may vote in the primary election even though the person has not reached his or her eighteenth birthday at the time that the person seeks to vote at the primary election. No others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

SECTION 172. Section 23-15-17, Mississippi Code of 1972, is amended as follows:

23-15-17. * * *
Any person who has reasonable cause to suspect that
false registration as provided in Section 97-13-25 has occurred
may notify any authorized law enforcement officer with proper
jurisdiction. Upon such notification, any law enforcement
officer shall be required to conduct an investigation into the
matter and file a report with the registrar and the appropriate
district attorney. The registrar shall, within twenty-four (24)
hours of receipt of the investigating officer's report, accept or
reject the registration. Any person who so notifies an authorized
law enforcement officer shall be presumed to be acting in good
faith and shall be immune from any liability, civil or criminal,
that might otherwise be incurred or imposed.

SECTION 173. Section 23-15-93, Mississippi Code of 1972, is
amended as follows:

23-15-93. If any election commissioner or registrar shall refuse or neglect to perform any of the duties
imposed upon him or her by this chapter regarding the registration
of electors, or shall knowingly permit any person to sign a false
affidavit or otherwise knowingly permit any person to violate any
provision of this chapter regarding the registration of electors,
or shall violate any of the provisions of this chapter regarding
the registration of electors, or if any officer taking the
affidavits as provided in this chapter regarding registration of
electors shall make any false statement in his or her certificate
thereto attached, he or she shall be deemed guilty of a crime and
shall be punished by a fine not exceeding One Thousand Dollars ($1,000.00) or by imprisonment in the penitentiary not exceeding one (1) year, and shall be removed from office.

SECTION 174. Section 23-15-285, Mississippi Code of 1972, is amended as follows:

23-15-285. The board of supervisors shall cause an entry to be made on the minutes of the board at some meeting, as early as convenient, defining the boundaries of the several supervisors districts and voting precincts in the county, and designating the voting place in each voting precinct; and as soon as practicable after any change is made in any supervisors district, voting precinct or any voting place, the board of supervisors shall cause the change to be entered on the minutes of the board in such manner as to be easily understood. The changed boundaries shall conform to visible natural or artificial boundaries such as streets, highways, railroads, rivers, lakes, bayous or other obvious lines of demarcation, with the exception of county lines and municipal corporate limits.

No voting precinct shall have more than five hundred (500) qualified electors residing in its boundaries. Subject to the provisions of this section, each board of supervisors of the various counties of this state shall as soon as practical after January 1, 1987, alter or change the boundaries of the various voting precincts to comply herewith and shall from time to time make such changes in the boundaries of voting precincts so that
there shall never be more than five hundred (500) qualified
electors within the boundaries of the various voting precincts of
this state; provided further, this limitation shall not apply to
voting precincts that are so divided, alphabetically or otherwise,
so as to have less than five hundred (500) qualified electors in
any one (1) box within a voting precinct. However, the limitation
of five hundred (500) qualified electors to the voting precinct
shall not apply to voting precincts in which voting machines are
used at all elections held in that voting precinct. No change in
any supervisors district or voting precinct shall take effect less
than thirty (30) days before the qualifying deadline for the
office of county supervisor. Any change in any boundary of a
supervisors district or voting precinct that is approved under the
Voting Rights Act of 1965 less than thirty (30) days before such
qualifying deadline shall be effective only for an election for
county supervisor held in a year following the year in which such
change is approved under the Voting Rights Act of 1965. Provided,
however, that, with the exception of county lines and municipal
corporate limits, such altered boundaries shall conform to visible
natural or artificial boundaries such as streets, highways,
railroads, rivers, lakes, bayous or other obvious lines of
demarcation.

SECTION 175. Section 23-15-295, Mississippi Code of 1972, is
amended as follows:
23-15-295. When any person has qualified in the manner provided by law as a candidate for party nomination in any primary election, such person shall have the right to withdraw his or her name as a candidate by giving notice of his or her withdrawal in writing to the secretary of the proper executive committee at any time **before** the printing of the official ballots, and in the event of such withdrawal the name of **the** candidate shall not be printed on the ballot. When a candidate for party nomination for a state or district office who has qualified with the state executive committee withdraws as a candidate as is herein set forth after the sample of the official ballot has been approved and certified by the state executive committee the secretary or **chair** of the State Executive Committee shall forthwith notify the county executive committee of each county affected or involved of the fact of **the** withdrawal and such notification shall authorize **the** county executive committees to omit the name of the withdrawn candidate from the ballot if such notification is received **before** the printing of the ballot. In the case of the withdrawal of any candidate, the fee paid by **the** candidate shall be retained by the state or county executive committee, as the case may be.

SECTION 176. Section 23-15-317, Mississippi Code of 1972, is amended as follows:

23-15-317. If any person nominated for office in a primary election shall die, be removed after his or her nomination or
withdraw or resign from his or her candidacy for a legitimate nonpolitical reason as defined in this section, and the vacancy in nomination shall occur between the primary election and the ensuing general election, then the municipal, county or state executive committee with which the original nominee qualified as a candidate in the primary election shall nominate a nominee for such office. Where such a party nominee is unopposed each political party registered with the State Board of Election Commissioners shall have the privilege of nominating a candidate for the office involved. Such nominee shall be duly certified by the respective executive committee chair. Within two (2) days after such nomination is made by the appropriate executive committee, such committee shall formally notify the Secretary of State of the name of the nominee. The Secretary of State shall thereupon officially notify the appropriate officials charged with conducting the election for the office wherein the vacancy occurred of the name of the nominee. All nominations made pursuant to the provisions of this section shall have the same force and effect and shall entitle the nominees to all rights and privileges that would accrue to them as if they had been nominated in the regular primary election.

"Legitimate nonpolitical reason" as used in this section shall be limited to the following:
(a) Reasons of health, which shall include any health condition which, in the written opinion of a medical doctor, would be harmful to the health of the candidate if he or she continued.

(b) Family crises, which shall include circumstances which would substantially alter the duties and responsibilities of the candidate to the family or to a family business.

(c) Substantial business conflict, which shall include the policy of an employer prohibiting employees being candidates for public offices and an employment change which would result in the ineligibility of the candidate or which would impair his or her capability to properly carry out the functions of the office being sought.

Any candidate who withdraws based upon a "legitimate nonpolitical reason" which is not covered by the above definition shall have the strict burden of proof for his or her reason.

A candidate who wishes to withdraw for a legitimate nonpolitical reason shall submit his or her reason by sworn affidavit. Such affidavit shall be filed with the state party ** chair of the nominee's party and the State Board of Election Commissioners. No substitution of candidates shall be authorized, except for death or disqualification, unless the State Board of Election Commissioners approves the affidavit as constituting a "legitimate nonpolitical reason" for the candidate's resignation within five (5) days of the date the affidavit is submitted to the board.
Immediately upon approval or disapproval of such affidavit, the State Board of Election Commissioners shall notify the respective executive committee of same.

SECTION 177. Section 23-15-335, Mississippi Code of 1972, is amended as follows:

23-15-335. (1) The county executive committee shall designate a person whose duty it shall be to distribute all necessary ballots for use in a primary election, and shall designate one (1) among the poll managers at each polling place to receive and receipt for the blank ballots to be used at that place. When the blank ballots are delivered to a local poll manager, the distributor shall take from the local poll manager a receipt therefor signed in duplicate by both the distributor and the poll manager, one (1) of which receipts the distributor shall deliver to the circuit clerk and the other shall be retained by the local poll manager and the last mentioned duplicate receipt shall be enclosed in the ballot box with the voted ballots when the polls have been closed and the votes have been counted.

The printer of the ballots shall take a receipt from the distributor of the ballots for the total number of the blank ballots delivered to the distributor. The printer shall secure all ballots printed by him in such a safe manner that no person can procure them or any of them, and he shall deliver no blank ballot or ballots to any person except the distributor above mentioned, and then only upon his receipt
therefor as above specified. The distributor of the blank ballots shall so securely hold the same that no person can obtain any of them, and he or she shall not deliver any of them to any person other than to the authorized local poll managers and upon their respective receipts therefor. The executive committee shall see to it that the total blank ballots delivered to the distributor, shall correspond with the total of the receipts executed by the local poll managers.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the * * * chair of the county executive committee and the circuit clerk or the * * * chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement
entered into pursuant to this subsection shall be signed by the *chair* of the municipal executive committee and the municipal clerk or the *chair* of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

(3) Any person charged with any of the duties prescribed in this section who shall willfully or with culpable carelessness violate the same shall be guilty of a misdemeanor.

**SECTION 178.** Section 23-15-545, Mississippi Code of 1972, is amended as follows:

23-15-545. At each election, at least one (1) poll manager shall be charged with writing in the pollbook the word "VOTED," in the column having at its head the date of the election, opposite the name of each elector upon return of a marked paper ballot by the elector with the initials of the initialing poll manager or alternate initialing poll manager affixed thereon. When a DRE unit is used in the polling place, the word "VOTED" shall be marked by at least one (1) poll manager in the pollbook in the column having at its head the date of the election, opposite the name of the elector.

**SECTION 179.** Section 23-15-549, Mississippi Code of 1972, is amended as follows:

23-15-549. Any voter who declares to the poll managers of the election that he or she requires assistance to vote by reason
of blindness, disability or inability to read or write may be
given assistance by a person of the voter's choice ***, except
that voter assistance shall not be provided by a candidate whose
name is on the ballot, or by a spouse, parent, sibling or child of
a candidate whose name is on the ballot, or by a poll watcher who
is observing the polling place on election day, or the voter's
employer, or agent of that employer, or officer or agent of the
voter's union; however, a candidate for public office or the
spouse, parent or child of a candidate may provide assistance upon
request of any voter who is related within the first degree.

SECTION 180. Section 23-15-871, Mississippi Code of 1972, is
amended as follows:

23-15-871. *** (1) No corporation or any officer or
employee thereof, or any member of a firm, or trustee or any
member of any association, or any other employer, *** may direct
or coerce, directly or indirectly, any employee to vote or not to
vote for any particular person or group of persons in any
election, or to discharge or to threaten to discharge any such
employee, or to increase or decrease the salary or wages of an
employee, or otherwise promote or demote *** the employee,
because of his or her vote or failure to vote for any particular
candidate or group of candidates ***.

(2) No employer, or employee having the authority to employ
or discharge other employees, *** may make any statement public
or private, or *** give out or circulate any report or
statement, calculated to intimidate or coerce or otherwise
influence any * * * vote of an employee, and when any such
statement has * * * been circulated, it shall be the duty of * * *
the employer to publicly repudiate it * * * or the employer shall
be deemed by way of ratification to have made it himself or
herself. * * *

(3) No employee may be requested, directed or permitted to
canvass for or against any candidate or render any other services
for or against any candidate or group of candidates, during any of
the hours within which the salary of * * * the employee as an
employee is being paid or agreed to be paid * * *. No employee
may be allowed any vacation or leave of absence at the expense of
the employer to render any service or services for or against any
candidate or group of candidates, or to take any active part in
any election campaign whatsoever * * *, except the necessary time
to cast his or her vote.

(4) The prohibitions of this section shall apply to all
state, state district, county and county district officers, and to
any board or commission and the members thereof by whatever name
designated and whether elective or appointive, and to each * * *
one of those employed by them or any of them. * * *

(5) No state, state district, county or county district
officer, or any employee * * * who directly or indirectly has the
control, * * * or who asserts * * * that he or she has such power,
over the expenditure of any public funds in this state * * * shall
state, suggest or intimate, publicly or privately, or in any manner or form, that any such expenditure shall depend upon or be influenced by the vote of any person, group of persons, or community or group of communities, whether for or against any candidate or group of candidates at any election.

(6) This section and every part of it shall apply also to all federal officers, agents, employees, boards and commissions as to any interference contrary to the provisions of this chapter, in the elections of this state.

(7) Any violation of this section shall be a violation of Section 97-13-37 and shall be referred to a district attorney for prosecution.

SECTION 181. Section 23-15-883, Mississippi Code of 1972, is amended as follows:

23-15-883. The restriction imposed upon the Mississippi Transportation Commission and the boards of supervisors of the several counties in the employment of labor to work and maintain the state highways and the public roads of the several supervisors' districts of the county, as provided in Section 23-15-881, shall not apply to road contractors or bridge contractors engaged in the construction or maintenance of state highways or county roads under contracts awarded by the Mississippi Transportation Commission, or the board of supervisors, as the case may be, where such contracts shall have been awarded to the lowest responsible bidder, after legal...
advertisement, as provided by law; nor shall the restriction
imposed in Section 23-15-881 apply to the labor employed by such
road contractors or bridge contractors in carrying out such
contracts. Nor shall the provisions of this chapter apply to the
employment by the * * * Mississippi Transportation Commission, or
the board of supervisors, as the case may be, of extra labor
employed to make repairs upon the state highways or highway
bridges, or upon the county roads or bridges, in cases where such
state highways or highway bridges, or such county roads or
bridges, have been damaged or destroyed by severe storms, floods
or other unforeseen disasters.

SECTION 182. Section 23-15-887, Mississippi Code of 1972, is
amended as follows:

23-15-887. If any member of the * * * Mississippi
Transportation Commission, and any member of the board of
supervisors, or the mayor or any member of the board of aldermen
or other governing authority of any municipality, shall violate
the provisions of this article, he or she shall be guilty of a
misdemeanor, and upon conviction thereof, shall be punished by a
fine of not less than One Hundred Dollars ($100.00) nor more than
Five Hundred Dollars ($500.00), or by imprisonment in the county
jail for a term not to exceed six (6) months, or by both such fine
and imprisonment.

SECTION 183. Section 23-15-889, Mississippi Code of 1972, is
amended as follows:
23-15-889. It shall be unlawful for any person to sell or offer to sell his or her vote and it shall be likewise unlawful for any person to offer money or anything of substantial value to anyone for his vote. Anyone violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than Fifty Dollars ($50.00) nor more than Five Hundred Dollars ($500.00), or imprisoned not more than six (6) months, or both.

SECTION 184. Section 21-9-19, Mississippi Code of 1972, is amended as follows:

21-9-19. At all elections held to choose a mayor and councilmen, or any of them, the choice of the person or persons voting shall be indicated and the ballots shall be marked in like manner as is provided by law for general state and county elections. * * *

The poll managers * * * at all special and general elections for mayor and councilmen, or any of them, shall immediately, upon the closing of the polls, count the ballots and ascertain the number of votes cast in each voting precinct for each of the candidates and make return thereof to the municipal election commissioners. On the day following any special or general election, the * * * municipal election commissioners shall canvass * * * the returns so received from all the voting precincts, and shall within * * * six (6) business days after such special or general election, deliver to each person receiving the
highest number of votes a certificate of election. If it shall appear by the returns that any two (2) candidates for mayor or councilmen, have received an equal number of votes, the election shall be decided by a toss of a coin or by lot, fairly and publicly drawn * * * under the direction of the election commissioners, with the aid of a friend of each such candidates, and a certificate of election shall be given accordingly.

The election commissioners shall, within * * * ten (10) business days after any special or general election, certify to the Secretary of State the name or names of the person or persons elected at such special or general election, and the Secretary of State shall, immediately upon receiving such certificates, deliver the same to the Governor, who shall immediately issue commissions to the persons mentioned in certificate.

SECTION 185. Section 37-65-123, Mississippi Code of 1972, is amended as follows:

37-65-123. The words "qualified elector" or "qualified electors" for the purposes of this article, shall in addition to the provisions of the first paragraph of Section 37-65-119, mean:

A person, who on the day he or she signs any petition provided for in * * * the section, is properly registered and qualified to vote in a county wide election of the county if such were then held, according to the * * * voter roll as electronically maintained in the Statewide Elections Management System in the office of the circuit clerk and registrar of the
county, in which all or any part of the school district is
located, and who is a resident of the school district in which one
or more schools have been closed, and who (a) is qualified to vote
in an election of a trustee of that school district, if any be
elective and (b) if the school district be a municipal separate
school district or a special municipal separate school district
and such person lives within the corporate limits of the
municipality then such person must be qualified to vote in a city
wide election if such were held on the day he or she signs any
petition herein provided for.

SECTION 186. Section 37-7-229, Mississippi Code of 1972, is
amended as follows:

37-7-229. For the purpose of holding such election, it shall
be the duty of the county election commissioners to prepare from
the records in the office of the county registrar a list of the
qualified electors of the school district in which such election
is to be held who are eligible to participate in * * * the
election. * * * The list shall be furnished to the * * * poll
managers in each precinct, together with the ballots and other
election supplies.

In the event that any election precinct embraces parts of two
(2) or more school districts it shall be the duty of the county
election commissioners to prepare from the records in the office
of the county registrar separate lists of the qualified electors
of each school district who reside in * * * the precinct and who
are eligible to participate in * * * the election. * * * The election commissioners shall furnish to the * * * poll managers in * * * the precinct separate ballots and separate ballot boxes and separate voting lists for each school district.

For each day spent in carrying out the provisions of Sections 37-7-225 through 37-7-229 the county election commissioners shall be paid at the rate prescribed by law.

SECTION 187. Section 23-15-631, Mississippi Code of 1972, is amended as follows:

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

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

(b) Upon receipt of the enclosed ballot, you will not mark the ballot except in view or sight of the attesting witness. In the sight or view of the attesting witness, mark the ballot according to instructions.
(c) After marking the ballot, fill out and sign the "ELECTOR'S CERTIFICATE" on the back of the envelope so that the signature * * * is across the flap of the envelope * * * to * * * ensure the integrity of the ballot. All absent electors shall have the attesting witness sign the "ATTESTING WITNESS CERTIFICATE" across the flap on the back of the envelope. Place the necessary postage on the envelope and deposit it in the post office or some government receptacle provided for deposit of mail so that the absent elector's ballot, excepting presidential absentee ballots, will reach the registrar in which your precinct is located not later than 5:00 p.m. on the day preceding the date of the election.

Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or * * * other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled, the attesting witness may be any person eighteen (18) years of age or older and such person is not required to have the authority to administer an oath. If a postmaster, assistant postmaster, postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his or her signature on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If * * * an
officer having authority to administer an oath or take an
acknowledgement acts as attesting witness, his or her signature on
the elector's certificate, together with his or her title and
address, but no seal, shall be required. Any affidavits made by
an absent elector who is in the Armed Forces may be executed
before a commissioned officer, warrant officer, or noncommissioned
officer not lower in grade than sergeant rating or any person
authorized to administer oaths.

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

(e) A * * * candidate for public office, or the spouse,
parent or child of a candidate for public office, may not be an
attesting witness for any absentee ballot upon which the * * *
candidate's name appears, unless the voter is related within the
first degree to the candidate or the spouse, parent or child of
the candidate.

(f) Any voter casting an absentee ballot who declares
that he or she requires assistance to vote by reason of blindness,
temporary or permanent physical disability or inability to read or
write, shall be entitled to receive assistance in the marking of
his or her absentee ballot and in completing the affidavit on the
absentee ballot envelope. The voter may be given assistance by
anyone of the voter's choice other than a candidate whose name
appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of Person Providing Voter Assistance" on the absentee ballot envelope.

(2) The foregoing instructions required to be provided by the registrar to the elector shall also constitute the substantive law pertaining to the handling of absentee ballots by the elector and registrar.

(3) The Secretary of State shall prepare instructions on how absent voters may comply with the identification requirements of Section 23-15-563.

SECTION 188. Section 23-15-13, Mississippi Code of 1972, is amended as follows:

23-15-13. (1) An elector who moves from one ward or voting precinct to another ward within the same municipality or voting precinct within the same county shall not be disqualified to vote, but he or she shall be entitled to have his or her registration transferred to his or her new ward or voting precinct
upon making written request therefor at any time up to thirty (30) days **before** the election at which he or she offers to vote, and if the removal occurs within thirty (30) days of such election he or she shall be entitled to vote in his or her new ward or voting precinct by affidavit ballot as provided in Section 23-15-573. **If the thirtieth day to transfer the elector's registration before an election falls on a Sunday or legal holiday, the transfer of the elector's registration submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered into the Statewide Elections Management System for the purpose of enabling voters to vote in the next election.**

(2) If an elector requests a change in his or her address under Section 23-15-49 and the address is located in a precinct in the county or municipality that differs from the precinct as reflected in the then current registration records, the request shall be treated in the same manner as a written request to transfer the elector's registration under subsection (1) of this section.

SECTION 190. Section 23-15-167, Mississippi Code of 1972, which provides for the funding to purchase computer hardware or software for the Centralized Statewide Voter System, is repealed.

SECTION 191. Section 23-15-169.6, Mississippi Code of 1972, which created a task force to study voting systems that comply with the Help America Vote Act of 2002 and their suitability for use in elections in Mississippi, is repealed.

SECTION 192. Section 23-15-212, Mississippi Code of 1972, which created a study committee to conduct a study to determine how registrars, election commissioners, executive committee members and poll workers can be better trained in the conduct of elections, is repealed.

SECTION 193. Section 23-15-269, Mississippi Code of 1972, which provides the penalties for an election commissioner, or any other officer or person acting as such, or performing election duty, who willfully refuse or knowingly fail to perform any duty required of him or her by the election laws, is repealed.


SECTION 196. Section 23-15-509, Mississippi Code of 1972, which provides when and where OMR equipment may be used, is repealed.

SECTION 197. Section 23-15-531.7, Mississippi Code of 1972, which provides for the demonstration of DRE units, is repealed.

SECTION 198. Section 23-15-531.8, Mississippi Code of 1972, which provides for the storage and security of DRE units, is repealed.

SECTION 199. Section 23-15-531.11, Mississippi Code of 1972, which provides for the coding of challenged ballots on DRE units, is repealed.

SECTION 200. Section 23-15-559, Mississippi Code of 1972, which provides the times for holding primary and general election for municipalities that operate under a special or private charter, is repealed.

SECTION 201. Section 23-15-841, Mississippi Code of 1972, which provides for the holding of a primary election in special elections for county and county district seats, is repealed.
SECTION 202. Section 23-15-893, Mississippi Code of 1972, which provides the penalty for being intoxicated in or about a polling place during an election, is repealed.

SECTION 203. Section 23-15-899, Mississippi Code of 1972, which provides for identifying information to be posted on campaign materials, is repealed.

SECTION 204. Section 97-13-18, Mississippi code of 1972, which prohibits foreign nationals from making contributions or expenditures to or on behalf of political parties or candidates, is repealed.

SECTION 205. This act shall take effect and be in force from and after July 1, 2017, except for Sections 3, 9, 13, 14, 15, 18, 19, 21, 24, 31, 70, 108, 115, 116, 117, 118, 119, 184 and 188, which shall take effect and be in force from and after passage.