

By: Representative Scott

To: Apportionment and  
Elections; Workforce  
Development

HOUSE BILL NO. 499

1 AN ACT TO REQUIRE EMPLOYERS TO ALLOW THEIR EMPLOYEES TO TAKE  
2 TWO HOURS OF TIME OFF IN CERTAIN SITUATIONS IN ORDER TO VOTE IN  
3 ANY MUNICIPAL, COUNTY, STATE OR FEDERAL POLITICAL PARTY PRIMARY,  
4 GENERAL OR SPECIAL ELECTION; TO PROVIDE THE NOTICE THAT EMPLOYEES  
5 MUST GIVE EMPLOYERS IN ORDER TO TAKE TIME OFF TO VOTE; TO ALLOW  
6 EMPLOYERS TO SPECIFY WHEN EMPLOYEES MAY TAKE TIME OFF TO VOTE; TO  
7 PROVIDE THAT EMPLOYEES MUST NOT BE PENALIZED FOR TAKING THE  
8 PROVIDED TIME OFF TO VOTE; TO ESTABLISH THE PENALTIES FOR ANY  
9 EMPLOYER WHO VIOLATES THE PROVISIONS OF THIS ACT; AND FOR RELATED  
10 PURPOSES.

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

12 **SECTION 1.** (a) Each employee in this state, who is a  
13 qualified elector of the state, shall be permitted by his or her  
14 employer to take two (2) hours of paid time off from his or her  
15 employment or service to vote in any municipal, county, state or  
16 federal political party primary, general or special election on  
17 the day on which the election is held unless the required hours of  
18 work for the employee begin at least two (2) hours after the polls  
19 open or end at least two (2) hours before the polls close.

20 (b) The employee shall give at least one-day notice to  
21 his or her employer if that employee wishes to take time off to



22 vote, and the employer may specify the hours during which the  
23 employee may absent himself or herself to vote.

24 (c) Each employee who is employed and paid by the hour  
25 shall receive his or her regular hourly wage for the period of his  
26 or her absence necessitated by voting, not to exceed two (2)  
27 hours. No time shall be deducted from an employee's usual salary  
28 or wages, and an employee shall not be penalized in any way,  
29 including discharge from service or employment, for exercising his  
30 or her right to vote under the provisions of this section.

31 (d) Refusal to allow an employee time off to vote under  
32 the provisions of this section is a violation of the law. Any  
33 employer who commits such violation shall be required to  
34 immediately forfeit any tax exemption, tax credit or other tax  
35 incentive, grant or other monetary benefit that has been afforded  
36 the employer by any municipality, county, government agency, the  
37 State of Mississippi or any other public or private entity. The  
38 employer shall be unable to participate in or receive any new tax  
39 exemption, tax credit or other tax incentive, grant or other  
40 monetary benefit that it otherwise would be eligible to  
41 participate in or receive for a period of five (5) years. During  
42 the five-year period, the Secretary of State's office shall  
43 monitor the employer to ensure the employer's compliance with the  
44 provisions of this section.

45 **SECTION 2.** Section 1 of this act shall be codified as a new  
46 section in Chapter 15, Title 23, Mississippi Code of 1972.



47           **SECTION 3.** This act shall take effect and be in force from  
48 and after July 1, 2018.

