

By: Representative Beckett

To: Apportionment and  
Elections

HOUSE BILL NO. 1521  
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 23-15-637 AND 23-15-651, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT ABSENTEE BALLOTS RECEIVED BY MAIL  
3 MUST BE POSTMARKED BY THE DATE OF THE ELECTION AND RECEIVED BY THE  
4 REGISTRAR NO MORE THAN FIVE BUSINESS DAYS AFTER THE ELECTION; TO  
5 PRESCRIBE THE TIME FOR CASING ALL ABSENTEE BALLOTS IN PERSON IN  
6 THE OFFICE OF THE REGISTRAR TO BE DEPOSITED IN A SECURED AND  
7 SEALED BOX IN THE CIRCUIT CLERK'S OFFICE UPON RECEIPT; TO PROVIDE  
8 THAT THE BALLOT BOX USED SHALL BE SEALED AT THE CLOSE OF EACH  
9 BUSINESS DAY AND SHALL REMAIN SEALED UNTIL THE BEGINNING OF THE  
10 NEXT BUSINESS DAY; TO PROVIDE THAT ALL VOTES CAST BY ABSENTEE  
11 BALLOT SHALL BE FINAL; TO PROVIDE THAT NO PERSON WHO VOTES  
12 ABSENTEE BEFORE THE ELECTION SHALL BE ALLOWED TO VOTE IN PERSON ON  
13 ELECTION DAY; TO AUTHORIZE THE SECRETARY OF STATE TO ISSUE CERTAIN  
14 RULES RELATING TO ABSENTEE BALLOTS; TO AMEND SECTION 23-15-645,  
15 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ABSENTEE BALLOTS CAST IN  
16 THE REGISTRAR'S OFFICE SHALL BE PROCESSED ON ELECTION DAY AND  
17 ANNOUNCED SIMULTANEOUSLY WITH ALL OTHER VOTES CAST ON ELECTION  
18 DAY; TO PROVIDE FOR THE RETENTION AND DESTRUCTION OF PACKAGES OF  
19 PROTESTED, VOID AND WHOLLY BLANK BALLOTS, VOTED BALLOTS, OPEN  
20 PACKAGES OF UNUSED BALLOTS, SEALED PACKAGES OF UNUSED BALLOTS, AND  
21 ALL ABSENTEE AND MILITARY BALLOTS AND BALLOT ENVELOPES; TO AMEND  
22 SECTION 23-15-649, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR  
23 ALL ELECTIONS THE ELECTION OFFICIALS SHALL PREPARE ABSENTEE  
24 BALLOTS IN THE SAME FORM AS OFFICIAL BALLOTS OR BALLOTS WITH A  
25 HEADER OF DIFFERENT TINT; TO AMEND SECTIONS 23-15-627 AND  
26 23-15-713, MISSISSIPPI CODE OF 1972, TO EXTEND THE ELIGIBILITY FOR  
27 ABSENTEE VOTING IN PERSON OR BY MAIL TO ANY PERSON UNABLE TO  
28 APPEAR PERSONALLY AT THE POLLING PLACE OF THE ELECTION DISTRICT IN  
29 WHICH HE OR SHE IS A QUALIFIED VOTER BECAUSE OF A  
30 PHYSICIAN-IMPOSED QUARANTINE DUE TO COVID-19 DURING THE YEAR 2020  
31 OR THE VOTER IS CARING FOR A PERSON WHO MAY BE EXPOSED TO SUCH  
32 RISK; TO AMEND SECTIONS 23-15-715 AND 23-15-719, MISSISSIPPI CODE  
33 OF 1972, TO PROVIDE THAT FOR ALL ELECTIONS THE REGISTRAR SHALL  
34 MAIL TOGETHER TO THE ABSENTEE VOTER THE APPLICATION AND PROPER



35 ABSENTEE VOTER BALLOT; TO PROVIDE CERTAIN CONDITIONS ON COUNTING  
36 ABSENTEE BALLOTS BY THE RESOLUTION BOARD; TO AMEND SECTIONS  
37 23-15-625, 23-15-629, 23-15-631, 23-15-635, 23-15-639, 23-15-641,  
38 23-15-647, 23-15-699, 23-15-721, 23-15-731, 23-15-733 AND  
39 23-15-735, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS  
40 OF THIS ACT; AND FOR RELATED PURPOSES.

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

42 **SECTION 1.** Section 23-15-637, Mississippi Code of 1972, is  
43 amended as follows:

44 23-15-637. (1) (a) Absentee ballots and applications  
45 received by mail, except \* \* \* for fax or electronically  
46 transmitted ballots as otherwise provided by Section 23-15-699 for  
47 UOCAVA ballots, must be \* \* \* postmarked on or before the date of  
48 the election and received by the registrar no more than five (5)  
49 business days after the election; any received after such time  
50 shall be handled as provided in Section 23-15-647 and shall not be  
51 counted.

52 (b) All ballots cast by the absent elector appearing in  
53 person in the office of the registrar shall be cast with an  
54 absentee paper ballot and deposited into a sealed ballot box by  
55 the voter, not later than 12:00 noon, or 5:00 p.m. during the year  
56 2020 on the Saturday immediately preceding elections held on  
57 Tuesday, the Thursday immediately preceding elections held on  
58 Saturday, or the second day immediately preceding the date of  
59 elections held on other days. At the close of business each day  
60 at the office of the registrar, the ballot box used shall be  
61 sealed and not unsealed until the beginning of the next business  
62 day, and the seal number shall be recorded with the number of



63 ballots cast which shall be stored in a secure location in the  
64 registrar's office.

65 (2) The registrar shall deposit all absentee ballots which  
66 have been timely cast and received by mail in \* \* \* a secured and  
67 sealed box in a designated location in the registrar's office upon  
68 receipt. The registrar shall not send any absentee ballots to the  
69 precinct polling locations.

70 (3) The Secretary of State shall promulgate rules and  
71 regulations necessary to ensure that when a qualified elector who  
72 is qualified to vote absentee votes by absentee ballot, either by  
73 mail or in person with a regular paper ballot, that person's  
74 absentee vote is final and he or she may not vote at the polling  
75 place on election day. Notwithstanding any other provisions of  
76 law to the contrary, the Secretary of State shall promulgate rules  
77 and regulations necessary to ensure that absentee ballots shall  
78 remain in the registrar's office for counting and not be taken to  
79 the precincts on election day.

80 **SECTION 2.** Section 23-15-651, Mississippi Code of 1972, is  
81 amended as follows:

82 23-15-651. The results of the vote by absentee balloting  
83 shall be announced simultaneously with the vote cast on election  
84 day; provided that absentee ballots received after 7:00 p.m. the  
85 day before the election shall be kept in a secured and sealed  
86 ballot box, and shall be announced after the five-business-day  
87 period for receiving absentee ballots.



88           **SECTION 3.** Section 23-15-645, Mississippi Code of 1972, is  
89 amended as follows:

90           23-15-645. (1) Absentee ballots cast in the registrar's  
91 office and received by mail that are deposited into a sealed  
92 ballot box shall be processed on election day but not tallied  
93 until after closing of the polls and announced simultaneously with  
94 all other votes cast on election day.

95           (2) After the votes have been counted, the officials shall  
96 preserve all applications, envelopes and the list of absent voters  
97 along with the mailed paper and paper ballots and other election  
98 materials and return the same to the registrar.

99           (3) Notwithstanding any other provision of law to the  
100 contrary, for federal and presidential general, special or primary  
101 elections, packages of protested, void and wholly blank ballots,  
102 voted ballots, open packages of unused ballots, sealed packages of  
103 unused ballots, and all absentee and military ballots and ballot  
104 envelopes, if any, shall be preserved for twenty-two (22) months  
105 after the date of any such general, special or primary election.  
106 For all other statewide, county or municipal elections, sealed  
107 packages of unused ballots, packages of protested, void and wholly  
108 blank ballots, open packages of unused ballots and all absentee  
109 and military ballots and ballot envelopes shall be retained for  
110 four (4) months, and may then be destroyed, provided a certificate  
111 articulating the election district identifying data and numbers of  
112 such ballots is filed with the balance of ballots described in



113 this section, for the balance of the twenty-two-month retention  
114 period.

115         **SECTION 4.** Section 23-15-649, Mississippi Code of 1972, is  
116 amended as follows:

117         23-15-649. For all elections, \* \* \* the election officials  
118 shall prepare and print, as soon as the deadline for the  
119 qualification of candidates has passed or forty-five (45)  
120 days \* \* \* before the election, whichever is later, official  
121 ballots for each voting precinct to be known as absentee voter  
122 ballots, which ballots shall be prepared and printed in the same  
123 form and shall be of the same size and texture as the regular  
124 official ballot except that they shall be printed on tinted paper  
125 of a tint different from that of the regular official ballot or  
126 with a header of different tint.

127         **SECTION 5.** Section 23-15-627, Mississippi Code of 1972, is  
128 amended as follows:

129         23-15-627. Any elector described in Section 23-15-713 may  
130 request an absentee ballot application and vote in person at the  
131 office of the registrar in the county in which he or she resides.

132 The registrar shall be responsible for furnishing an absentee  
133 ballot application form to any elector authorized to receive an  
134 absentee ballot. Except as otherwise provided in Section  
135 23-15-625, absentee ballot applications shall be furnished to a  
136 person only upon the oral or written request of the elector who  
137 seeks to vote by absentee ballot; however, the parent, child,



138 spouse, sibling, legal guardian, those empowered with a power of  
139 attorney for that elector's affairs or agent of the elector, who  
140 is designated in writing and witnessed by a resident of this state  
141 who shall write his or her physical address on such designation,  
142 may orally request an absentee ballot application on behalf of the  
143 elector. The written designation shall be valid for one (1) year  
144 after the date of the designation. An absentee ballot application  
145 must have the seal of the circuit or municipal clerk affixed to it  
146 and be initialed by the registrar or his or her deputy in order to  
147 be \* \* \* used to obtain an absentee ballot. A reproduction of an  
148 absentee ballot application shall not be valid unless it is a  
149 reproduction provided by the office of the registrar of the  
150 jurisdiction in which the election is being held and which  
151 contains the seal and initials required by this section. Such  
152 application shall be substantially in the following form:

153 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

154 I, \_\_\_\_\_, duly qualified and registered in the \_\_\_\_ Precinct  
155 of the County of \_\_\_\_\_, and State of Mississippi, coming within  
156 the purview of the definition 'ABSENT ELECTOR' will be absent from  
157 the county of my residence on election day, or unable to vote in  
158 person because (check appropriate reason):

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



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

165           ( ) I am a member of the Merchant Marine or the American Red  
166 Cross and am a citizen of Mississippi or spouse or dependent of  
167 such member.

168           ( ) I am a disabled war veteran who is a patient in any  
169 hospital and am a citizen of Mississippi or spouse or dependent of  
170 such veteran.

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

175           ( ) I am a citizen of Mississippi temporarily residing  
176 outside the territorial limits of the United States and the  
177 District of Columbia.

178           ( ) I am a student, teacher or administrator at a college,  
179 university, junior or community college, high, junior high,  
180 elementary or grade school, whose studies or employment at such  
181 institution necessitates my absence from the county of my voting  
182 residence or spouse or dependent of such student, teacher or  
183 administrator who maintains a common domicile outside the county  
184 of my voting residence with such student, teacher or  
185 administrator.

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



187           ( ) I have a temporary or permanent physical disability,  
188 which may include, but is not limited to, a physician-imposed  
189 quarantine due to COVID-19 during the year 2020. Or, I am caring  
190 for a dependent that is under a physician-imposed quarantine due  
191 to COVID-19 beginning with the effective date of this act and the  
192 same being repealed on December 31, 2020.

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

194           ( ) I am the parent, spouse or dependent of a person with a  
195 temporary or permanent physical disability who is hospitalized  
196 outside his or her county of residence or more than fifty (50)  
197 miles away from his or her residence, and I will be with such  
198 person on election day.

199           ( ) I am a member of the congressional delegation, or spouse  
200 or dependent of a member of the congressional delegation.

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

203           I hereby make application for an official ballot, or ballots,  
204 to be voted by me at the election to be held in \_\_\_\_\_, on \_\_\_\_\_.

205           Mail 'Absent Elector's Ballot' to me at the following address

206 \_\_\_\_\_ \* \* \*.

207           ( ) I wish to receive an absentee ballot for the runoff  
208 election\_\_\_\_\_.

209           I realize that I can be fined up to Five Thousand Dollars  
210 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary  
211 for making a false statement in this application and for selling





212 my vote and violating the Mississippi Absentee Voter Law. (This  
213 sentence is to be in bold print.)

214 If you are temporarily or permanently disabled, you are not  
215 required to have this application notarized or signed by an  
216 official authorized to administer oaths for absentee balloting.  
217 You are required to sign this application in the proper place and  
218 have a person eighteen (18) years of age or older witness your  
219 signature and sign this application in the proper place.

220 DO NOT SIGN WITHOUT READING. (This sentence is to be in bold  
221 print.)

222 IN WITNESS WHEREOF I have hereunto set my hand and seal this  
223 the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

224 \_\_\_\_\_  
225 (Signature of absent elector)

226 SWORN TO AND SUBSCRIBED before me this the \_\_\_\_ day of \_\_\_\_\_,  
227 2\_\_\_\_.

228 \_\_\_\_\_  
229 (Official authorized to administer oaths  
230 for absentee balloting.)

231 TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY  
232 DISABLED:

233 I HEREBY CERTIFY that this application for an absent  
234 elector's ballot was signed by the above-named \* \* \* elector in my  
235 presence and that I am at least eighteen (18) years of age, this  
236 the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.



237

\_\_\_\_\_  
(Signature of witness)

238

239 CERTIFICATE OF DELIVERY

240 I hereby certify that \_\_\_\_\_ (print name of voter)

241 has requested that I, \_\_\_\_\_ (print name of person

242 delivering application), deliver to the voter this absentee ballot

243 application.

244

\_\_\_\_\_  
(Signature of person delivering application)

245

246

\_\_\_\_\_  
(Address of person delivering application)"

247

248 **SECTION 6.** Section 23-15-713, Mississippi Code of 1972, is  
249 amended as follows:

250 23-15-713. For the purpose of this subarticle, any duly  
251 qualified elector may vote as provided in this subarticle if \* \* \*  
252 the elector falls within at least one (1) of the following  
253 categories:

254 (a) Any qualified elector who is a bona fide student,  
255 teacher or administrator at any college, university, junior  
256 college, high, junior high, or elementary grade school whose  
257 studies or employment at such institution necessitates his or her  
258 absence from the county of his or her voting residence on the date  
259 of any primary, general or special election, or the spouse and  
260 dependents of \* \* \* that student, teacher or administrator if such  
261 spouse or dependent(s) maintain a common domicile, outside of the



262 county of his or her voting residence, with such student, teacher  
263 or administrator.

264 (b) Any qualified elector who is required to be away  
265 from his or her place of residence on any election day due to his  
266 or her employment as an employee of a member of the Mississippi  
267 congressional delegation and the spouse and dependents of such  
268 person if he or she shall be residing with such absentee voter  
269 away from the county of the spouse's voting residence.

270 (c) Any qualified elector who is away from his or her  
271 county of residence on election day for any reason.

272 (d) Any person who has a temporary or permanent  
273 physical disability and who, because of such disability, is unable  
274 to vote in person without substantial hardship to himself, herself  
275 or others, or whose attendance at the voting place could  
276 reasonably cause danger to himself, herself or others. For  
277 purposes of this paragraph (d), "temporary physical disability"  
278 shall include any qualified elector who is under a  
279 physician-imposed quarantine due to COVID-19 during the year 2020  
280 or is caring for a dependent who is under a physician-imposed  
281 quarantine due to COVID-19 beginning with the effective date of  
282 this act and the same being repealed on December 31, 2020.

283 (e) The parent, spouse or dependent of a person with a  
284 temporary or permanent physical disability who is hospitalized  
285 outside of his or her county of residence or more than fifty (50)  
286 miles distant from his or her residence, if the parent, spouse or



287 dependent will be with such person on election day. For purposes  
288 of this paragraph (e), "temporary physical disability" shall  
289 include any qualified elector who is under a physician-imposed  
290 quarantine due to COVID-19 during the year 2020 or is caring for a  
291 dependent who is under a physician-imposed quarantine due to  
292 COVID-19 beginning with the effective date of this act and the  
293 same being repealed on December 31, 2020.

294 (f) Any person who is sixty-five (65) years of age or  
295 older.

296 (g) Any member of the Mississippi congressional  
297 delegation absent from Mississippi on election day, and the spouse  
298 and dependents of such member of the congressional delegation.

299 (h) Any qualified elector who will be unable to vote in  
300 person because he or she is required to be at work on election day  
301 during the times at which the polls will be open.

302 **SECTION 7.** Section 23-15-715, Mississippi Code of 1972, is  
303 amended as follows:

304 23-15-715. Any elector desiring an absentee ballot as  
305 provided in this subarticle may secure same if:

306 (a) Not more than forty-five (45) days nor later than  
307 12:00 noon, or 5:00 p.m. during the year 2020, on the Saturday  
308 immediately preceding elections held on Tuesday, the Thursday  
309 immediately preceding elections held on Saturday, or the second  
310 day immediately preceding the date of elections held on other  
311 days, he shall appear in person before the registrar of the county



312 in which he resides, or for municipal elections he shall appear in  
313 person before the city clerk of the municipality in which he  
314 resides and, when the elector so appears, he shall execute and  
315 file an application as provided in Section 23-15-627 and vote by  
316 absentee ballot, except that if the ballot has not been printed by  
317 forty-five (45) days preceding the election, the elector may  
318 appear and file an application anytime before the election. Then  
319 the absentee ballot shall be mailed by the circuit clerk to the  
320 elector as soon as the ballot has been printed.

321 (b) Within forty-five (45) days next prior to any  
322 election, any elector who cannot comply with paragraph (a) of this  
323 section by reason of temporarily residing outside the county, or  
324 any person who has a temporary or permanent physical disability,  
325 persons who are sixty-five (65) years of age or older, or any  
326 person who is the parent, spouse or dependent of a temporarily or  
327 permanently physically disabled person who is hospitalized outside  
328 of his county of residence or more than fifty (50) miles away from  
329 his residence and such parent, spouse or dependent will be with  
330 such person on election day, may make application for an absentee  
331 ballot by mailing the appropriate application to the registrar.  
332 Only persons temporarily residing out of the county of their  
333 residence, persons having a temporary or permanent physical  
334 disability, persons who are sixty-five (65) years of age or older,  
335 or any person who is the parent, spouse or dependent of a  
336 temporarily or permanently physically disabled person who is



337 hospitalized outside of his county of residence or more than fifty  
338 (50) miles away from his residence, and such parent, spouse or  
339 dependent will be with such person on election day, may obtain  
340 absentee ballots by mail under the provisions of this subsection  
341 and as provided by Section 23-15-713. Applications of persons  
342 temporarily residing outside the county shall be sworn to and  
343 subscribed before an official who is authorized to administer  
344 oaths or other official authorized to witness absentee balloting  
345 as provided in this chapter, said application to be accompanied by  
346 such verifying affidavits as required by this chapter. The  
347 applications of persons having a temporary or permanent physical  
348 disability shall not be required to be accompanied by an affidavit  
349 but shall be witnessed and signed by a person eighteen (18) years  
350 of age or older. The registrar shall send to such absent voter a  
351 proper absentee voter ballot within twenty-four (24) hours, or as  
352 soon thereafter as the ballots are available, containing the names  
353 of all candidates who qualify or the proposition to be voted on in  
354 such election, and with such ballot there shall be sent an  
355 official envelope containing upon it in printed form the recitals  
356 and data hereinafter required.

357 (c) Except when the voter has requested a runoff ballot  
358 on the initial absentee ballot application, upon request for a  
359 runoff ballot pursuant to Section 23-15-719, the registrar shall  
360 mail together the absentee ballot application and the absentee  
361 ballot to the absent voter for the runoff election.



362           **SECTION 8.** Section 23-15-719, Mississippi Code of 1972, is  
363 amended as follows:

364           23-15-719. (1) \* \* \* Except where the registrar has already  
365 mailed a ballot with an application, upon receipt of a properly  
366 completed application form by an elector qualified to vote  
367 absentee as provided in this article, the registrar shall mail the  
368 absent voter an absentee ballot within one (1) business day, or as  
369 soon as the absentee ballot is prepared and available, containing  
370 the names of all the candidates and propositions, if any, to be  
371 voted on in the election. The registrar shall include with the  
372 absentee ballot an official envelope that complies with the  
373 provisions of this article, as well as information to comply with  
374 Section 23-15-641(3) related to the status of the elector's  
375 ballot. The registrar shall identify the applicant by requiring  
376 him to present identification as required by Section 23-15-563,  
377 and shall then deliver the ballots to the applicant by mail or to  
378 the applicant in the registrar's office. The registrar shall not  
379 personally hand deliver ballots to voters \* \* \*. After the  
380 applicant has properly marked the ballot and properly folded it,  
381 he shall deposit it in the envelope furnished him by the  
382 registrar.

383           After \* \* \* the absentee voter has sealed the envelope, he or  
384 she shall subscribe and swear to an affidavit and mail the ballot  
385 to the address provided on the absentee ballot official envelope.  
386 The affidavit shall be in the following form, which shall be



387 printed on the back of the envelope containing the applicant's  
388 ballot:

389 "STATE OF MISSISSIPPI  
390 COUNTY OF \_\_\_\_\_

391 I, \_\_\_\_\_, do solemnly swear that this envelope contains  
392 the ballot marked by me indicating my choice of the candidates or  
393 propositions to be submitted at the election to be held on the \_\_\_  
394 day of \_\_\_\_\_, 2\_\_\_, and I hereby authorize the registrar to  
395 place this envelope in the ballot box on my behalf, and I further  
396 authorize the election managers to open this envelope and place my  
397 ballot among the other ballots cast before such ballots are  
398 counted, and record my name on the poll list as if I were present  
399 in person and voted.

400 I further swear that I marked the enclosed ballot in secret.

401 \_\_\_\_\_  
402 (Signature of voter)

403 SWORN TO AND SUBSCRIBED before me, \_\_\_\_\_, this the \_\_\_  
404 day of \_\_\_\_\_, 2\_\_\_.

405 (Registrar) \_\_\_\_\_  
406 (Registrar)"

407 After the completion of the requirements of this section, the  
408 elector shall deliver the envelope containing the ballot to the  
409 registrar.

410 (2) If the voter has received assistance in marking his  
411 ballot, the person providing the assistance shall complete the





412 following form which shall be printed on the back of the envelope  
413 containing the applicant's ballot:

414 "CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

415 (To be completed only if the voter has received assistance in  
416 marking the enclosed ballot.) I hereby certify that the  
417 above-named voter declared to me that he or she is blind,  
418 temporarily or permanently physically disabled, or cannot read or  
419 write, and that the voter requested that I assist the voter in  
420 marking the enclosed absentee ballot. I hereby certify that the  
421 ballot preferences on the enclosed ballot are those communicated  
422 by the voter to me, and that I have marked the enclosed ballot in  
423 accordance with the voter's instructions.

424 \_\_\_\_\_

425 Signature of person providing assistance

426 \_\_\_\_\_

427 Printed name of person providing assistance

428 \_\_\_\_\_

429 Address of person providing assistance

430 \_\_\_\_\_

431 Date and time assistance provided

432 \_\_\_\_\_

433 Family relationship to voter (if any)"

434 (3) The envelope used pursuant to this section shall not  
435 contain the form prescribed by Section 23-15-635 and shall have  
436 printed on the flap on the back of the envelope in bold print and



437 in a distinguishing color, the following: **"YOUR VOTE WILL BE**  
438 **REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED ACROSS THE**  
439 **FLAP OF THIS ENVELOPE BY YOU AND AN ATTESTING WITNESS."**

440 **SECTION 9.** Section 23-15-625, Mississippi Code of 1972, is  
441 amended as follows:

442 23-15-625. (1) The registrar shall be responsible for  
443 providing applications for absentee voting as provided in this  
444 section. At least sixty (60) days \* \* \* before any election in  
445 which absentee voting is provided for by law, the registrar shall  
446 provide a sufficient number of applications. In the event a  
447 special election is called and set at a date which makes it  
448 impractical or impossible to prepare applications for absent  
449 elector's ballot sixty (60) days \* \* \* before the election, the  
450 registrar shall provide applications as soon as practicable after  
451 the election is called. The registrar shall fill in the date of  
452 the particular election on the application for which the  
453 application will be used.

454 (2) The registrar shall be authorized to disburse  
455 applications for absentee ballots to any qualified elector within  
456 the county where he or she serves. Any person who presents to the  
457 registrar an oral or written request for an absentee ballot  
458 application for a voter entitled to vote absentee by mail, other  
459 than the elector who seeks to vote by absentee ballot, shall, in  
460 the presence of the registrar, sign the application and print on  
461 the application his or her name and address and the name of the



462 elector for whom the application is being requested in the place  
463 provided for on the application for that purpose. However, if for  
464 any reason such person is unable to write the information  
465 required, then the registrar shall write the information on a  
466 printed form which has been prescribed by the Secretary of State.  
467 The form shall provide a place for such person to place his or her  
468 mark after the form has been filled out by the registrar.

469 (3) It shall be unlawful for any person to solicit absentee  
470 ballot applications or absentee ballots for persons staying in any  
471 skilled nursing facility as defined in Section 41-7-173 \* \* \*  
472 unless the person soliciting the absentee ballot applications or  
473 absentee ballots is:

474 (a) A family member of the person staying in the  
475 skilled nursing facility; or

476 (b) A person designated by the person for whom the  
477 absentee ballot application or absentee ballot is sought, the  
478 registrar or the deputy registrar.

479 As used in this subsection, "family member" means a spouse,  
480 parent, grandparent, sibling, adult child, grandchild or legal  
481 guardian.

482 (4) The registrar in the county wherein a voter is qualified  
483 to vote upon receiving by mail the envelope containing the  
484 absentee ballots shall keep an accurate list of all persons  
485 preparing such ballots \* \* \*. The list shall be kept in a  
486 conspicuous place accessible to the public near the entrance



487 to \* \* \* the registrar's office. The registrar shall also furnish  
488 to each precinct manager a list of the names of all persons in  
489 each respective precinct voting absentee \* \* \* by mail and in  
490 person to be posted in a conspicuous place at the polling place  
491 for public notice. The application on file with the registrar and  
492 the envelopes containing the ballots that voters mailed to the  
493 registrar shall be kept by the registrar \* \* \* in his or her  
494 office in a secure location. At the time such boxes are delivered  
495 to the election commissioners or managers, the registrar shall  
496 also turn over a list of all such persons who have voted and whose  
497 mailed ballots are in \* \* \* the registrar's office.

498 (5) The registrar shall also be authorized to mail one (1)  
499 application to any qualified elector of the county, who is  
500 eligible to vote by absentee ballot, for use in a particular  
501 election.

502 (6) The registrar shall process all applications for  
503 absentee ballots by using the Statewide Election Management  
504 System. The registrar shall account for all absentee ballots  
505 delivered to and received by mail as well as those who voted  
506 absentee in person from qualified voters by processing such  
507 ballots using the Statewide Election Management System.

508 **SECTION 10.** Section 23-15-629, Mississippi Code of 1972, is  
509 amended as follows:

510 23-15-629. (1) The application for an absentee ballot of a  
511 person who is permanently physically disabled shall be accompanied



512 by a statement signed by such person's physician, or nurse  
513 practitioner, which statement must show that the person signing  
514 the statement is a licensed, practicing medical doctor or nurse  
515 practitioner and must indicate that the person applying for the  
516 absentee ballot is permanently physically disabled to such a  
517 degree that it is difficult for him or her to vote in person.

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

523 (3) The registrar of each county shall keep an accurate list  
524 of the names and addresses of all persons whose applications for  
525 absentee ballot are accompanied by the statement set forth in  
526 subsection (1) of this section. Sixty (60) days \* \* \* before each  
527 election, the registrar shall deliver such list to the election  
528 commissioners \* \* \* who shall examine the list and delete from it  
529 the names of all persons listed who are no longer qualified  
530 electors of the county. Upon completion of such examination, the  
531 election commissioners \* \* \* shall return the list to the  
532 registrar by no later than forty-five (45) days \* \* \* before the  
533 election.

534 (4) The registrar shall \* \* \* mail a ballot to all persons  
535 who are determined by the election commissioners \* \* \* to be



536 qualified electors pursuant to subsection (3) of this section by  
537 no later than forty (40) days \* \* \* before the election.

538 **SECTION 11.** Section 23-15-631, Mississippi Code of 1972, is  
539 amended as follows:

540 23-15-631. (1) The registrar shall enclose with each  
541 ballot \* \* \* mailed to an absent elector separate printed  
542 instructions furnished by the registrar containing the following:

543 (a) All absentee voters, excepting those with temporary  
544 or permanent physical disabilities or those who are sixty-five  
545 (65) years of age or older, who mark their ballots in the county  
546 of the residence shall use the registrar of that county as the  
547 witness. The absentee voter shall come to the office of the  
548 registrar and neither the registrar nor his or her deputy shall be  
549 required to go out of the registrar's office to serve as an  
550 attesting witness.

551 (b) Upon receipt of the enclosed ballot, you will not  
552 mark the ballot except in view or sight of the attesting witness.  
553 In the sight or view of the attesting witness, mark the ballot  
554 according to instructions.

555 (c) After marking the ballot, fill out and sign the  
556 "ELECTOR'S CERTIFICATE" on the back of the envelope so that the  
557 signature is across the flap of the envelope to ensure the  
558 integrity of the ballot. All absent electors shall have the  
559 attesting witness sign the "ATTESTING WITNESS CERTIFICATE" across  
560 the flap on the back of the envelope. Place the necessary postage



561 on the envelope and deposit it in the post office or some  
562 government receptacle provided for deposit of mail so that the  
563 absent elector's ballot \* \* \* will \* \* \* be postmarked on or  
564 before the date of the election and received by the registrar no  
565 more than five (5) business days after the election.

566 Any notary public, United States postmaster, assistant United  
567 States postmaster, United States postal supervisor, clerk in  
568 charge of a contract postal station, or other officer having  
569 authority to administer an oath or take an acknowledgment may be  
570 an attesting witness; provided, however, that in the case of an  
571 absent elector who is temporarily or permanently physically  
572 disabled, the attesting witness may be any person eighteen (18)  
573 years of age or older and such person is not required to have the  
574 authority to administer an oath. If a postmaster, assistant  
575 postmaster, postal supervisor, or clerk in charge of a contract  
576 postal station acts as an attesting witness, his or her signature  
577 on the elector's certificate must be authenticated by the  
578 cancellation stamp of their respective post offices. If an  
579 officer having authority to administer an oath or take an  
580 acknowledgement acts as attesting witness, his or her signature on  
581 the elector's certificate, together with his or her title and  
582 address, but no seal, shall be required. Any affidavits made by  
583 an absent elector who is in the Armed Forces may be executed  
584 before a commissioned officer, warrant officer, or noncommissioned



585 officer not lower in grade than sergeant rating or any person  
586 authorized to administer oaths.

587 (d) When the application accompanies the ballot it  
588 shall not be returned in the same envelope as the ballot but shall  
589 be returned in a separate preaddressed envelope provided by the  
590 registrar.

591 (e) A candidate for public office, or the spouse,  
592 parent or child of a candidate for public office, may not be an  
593 attesting witness for any absentee ballot upon which the  
594 candidate's name appears, unless the voter is related within the  
595 first degree to the candidate or the spouse, parent or child of  
596 the candidate.

597 (f) Any voter casting an absentee ballot who declares  
598 that he or she requires assistance to vote by reason of blindness,  
599 temporary or permanent physical disability or inability to read or  
600 write, shall be entitled to receive assistance in the marking of  
601 his or her absentee ballot and in completing the affidavit on the  
602 absentee ballot envelope. The voter may be given assistance by  
603 anyone of the voter's choice other than a candidate whose name  
604 appears on the absentee ballot being marked, the spouse, parent or  
605 child of a candidate whose name appears on the absentee ballot  
606 being marked or the voter's employer, an agent of that employer or  
607 a union representative; however, a candidate whose name is on the  
608 ballot or the spouse, parent or child of such candidate may  
609 provide assistance upon request to any voter who is related within





610 the first degree. In order to ensure the integrity of the ballot,  
611 any person who provides assistance to an absentee voter shall be  
612 required to sign and complete the "Certificate of Person Providing  
613 Voter Assistance" on the absentee ballot envelope.

614 (2) The foregoing instructions required to be provided by  
615 the registrar to the elector shall also constitute the substantive  
616 law pertaining to the handling of absentee ballots by the elector  
617 and registrar.

618 (3) The Secretary of State shall prepare instructions on how  
619 absent voters may comply with the identification requirements of  
620 Section 23-15-563.

621 **SECTION 12.** Section 23-15-635, Mississippi Code of 1972, is  
622 amended as follows:

623 23-15-635. (1) The form of the elector's certificate,  
624 attesting witness certification and certificate of person  
625 providing voter assistance on the back of the envelope used by  
626 absentee voters \* \* \* who are not absent voters as defined in  
627 Section 23-15-673, shall be as follows:

628 "ELECTOR'S CERTIFICATE

629 STATE OF \_\_\_\_\_

630 COUNTY \* \* \* OF \_\_\_\_\_

631 I, \_\_\_\_\_, under penalty of perjury do solemnly swear  
632 that this envelope contains the ballot marked by me indicating my  
633 choice of the candidates or propositions to be submitted at the  
634 election to be held on the \_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, and I



635 hereby authorize the registrar to place this envelope in the  
636 ballot box on my behalf, and I further authorize the election  
637 managers to open this envelope and place my ballot among the other  
638 ballots cast before such ballots are counted, and record my name  
639 on the poll list as if I were present in person and voted.

640 I further swear that I marked the enclosed ballot in secret.  
641 **Penalties for vote fraud are up to five (5) years in prison and a**  
642 **fine of up to Five Thousand Dollars (\$5,000.00). (Miss. Code.**  
643 **Ann. Section 23-15-753.) Penalties for voter intimidation are up**  
644 **to one (1) year in jail and a fine of up to One Thousand Dollars**  
645 **(\$1,000.00). (Miss. Code. Ann. Section 97-13-37.)**

646 \_\_\_\_\_  
647 (Signature of voter)

648 CERTIFICATE OF ATTESTING WITNESS

649 Under penalty of perjury I affirm that the above named voter  
650 personally appeared before me, on this the \_\_\_ day of \_\_\_\_\_,  
651 2\_\_\_\_, and is known by me to be the person named, and who, after  
652 being duly sworn or having affirmed, subscribed the foregoing oath  
653 or affirmation. That the voter exhibited to me his or her blank  
654 ballot; that the ballot was not marked or voted before the voter  
655 exhibited the ballot to me; that the voter was not solicited or  
656 advised by me to vote for any candidate, question or issue, and  
657 that the voter, after marking his or her ballot, placed it in the  
658 envelope, closed and sealed the envelope in my presence, and  
659 signed and swore or affirmed the above certificate.



660 \_\_\_\_\_  
661 (Attesting witness) (Address)  
662 \_\_\_\_\_  
663 (Official title) (City and State)

664 CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

665 (To be completed only if the voter has received assistance in  
666 marking the enclosed ballot.) I, under penalty of perjury, hereby  
667 certify that the above-named voter declared to me that he or she  
668 is blind, temporarily or permanently physically disabled, or  
669 cannot read or write, and that the voter requested that I assist  
670 the voter in marking the enclosed absentee ballot. I hereby  
671 certify that the ballot preferences on the enclosed ballot are  
672 those communicated by the voter to me, and that I have marked the  
673 enclosed ballot in accordance with the voter's instructions.

674 **Penalties for vote fraud are up to five (5) years in prison and a**  
675 **fine of up to Five Thousand Dollars (\$5,000.00). (Miss. Code.**  
676 **Ann. Section 23-15-753.) Penalties for voter intimidation are up**  
677 **to one (1) year in jail and a fine of up to One Thousand Dollars**  
678 **(\$1,000.00). (Miss. Code. Ann. Section 97-13-37.)**

679 \_\_\_\_\_  
680 Signature of person providing assistance  
681 \_\_\_\_\_  
682 Printed name of person providing assistance  
683 \_\_\_\_\_  
684 Address of person providing assistance



685

\_\_\_\_\_  
Date and time assistance provided

687

\_\_\_\_\_  
Family relationship to voter (if any)"

689

(2) The envelope \* \* \* shall have printed on the flap on the  
back of the envelope in bold print and in a distinguishing color,  
the following: **"YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF  
THIS ENVELOPE IS NOT SIGNED ACROSS THE FLAP OF THIS ENVELOPE BY  
YOU AND AN ATTESTING WITNESS."**

694

**SECTION 13.** Section 23-15-639, Mississippi Code of 1972, is  
amended as follows:

696

23-15-639. (1) \* \* \* The examination and counting of all  
absentee ballots shall be conducted as follows:

698

(a) At the \* \* \* opening of the regular balloting and  
at the \* \* \* opening of the polls, the \* \* \* resolution board  
established under Section 23-15-523 and trained in the process of  
canvassing absentee ballots shall first take the envelopes  
containing the absentee ballots of such electors from the \* \* \*  
secure location at the circuit clerk's office, and the name,  
address and precinct inscribed on each envelope shall be announced  
by the election managers.

706

(b) The signature on the application shall then be  
compared with the signature on the back of the envelope. If it  
corresponds and the affidavit, if one is required, is sufficient  
and the \* \* \* resolution board find that the applicant is a



710 registered and qualified voter or otherwise qualified to  
711 vote, \* \* \* the envelope shall then be opened and the ballot  
712 removed from the envelope, without its being unfolded, or  
713 permitted to be unfolded or examined.

714 (c) Having observed and found the ballot to be regular  
715 as far as can be observed from its official endorsement, the \* \* \*  
716 resolution board shall deposit it in the ballot box with the other  
717 ballots before counting any ballots and enter the voter's name in  
718 the receipt book provided for that purpose. \* \* \* All absentee  
719 ballots received prior to 7:00 p.m. the day before the election  
720 shall be counted in the registrar's office by the resolution board  
721 when the polls close and then added to the votes cast in each  
722 precinct. All absentee ballots received after 7:00 p.m. the day  
723 before the election but not later than the fifth business day  
724 after the election shall be processed by the resolution board.

725 \* \* \*

726 ( \* \* \*2) The \* \* \* resolution board shall also take such  
727 action as may be prescribed by the Secretary of State to ensure  
728 compliance with the identification requirements of Section  
729 23-15-563.

730 (3) The resolution board shall process the absentee ballots  
731 using the procedure provided in subsection (1) of this section.

732 **SECTION 14.** Section 23-15-641, Mississippi Code of 1972, is  
733 amended as follows:



734           23-15-641. (1) For all absentee votes received by mail, if  
735 an affidavit or the certificate of the officer before whom the  
736 affidavit is taken is required and such affidavit or certificate  
737 is found to be insufficient, or if it is found that the signatures  
738 do not correspond, or that the applicant is not a duly qualified  
739 elector in the precinct, or otherwise qualified to vote, or that  
740 the ballot envelope is open or has been opened and resealed, or  
741 the voter is not eligible to vote absentee \* \* \*, the previously  
742 cast vote shall not be allowed. Without opening the voter's  
743 envelope the \* \* \* resolution board shall mark across its face  
744 "REJECTED", with the reason therefor.

745           (2) For all absentee votes received by mail, if the ballot  
746 envelope contains more than one (1) ballot of any kind, the ballot  
747 shall not be counted but shall be marked "REJECTED", with the  
748 reason therefor, and the registrar shall promptly notify the voter  
749 of such rejection. The voter's envelopes and affidavits, and the  
750 voter's envelope with its contents unopened, when such vote is  
751 rejected, shall be retained and preserved in the same manner as  
752 other ballots at the election. Such votes may be challenged in  
753 the same manner and for the same reasons that any other vote cast  
754 in such election may be challenged.

755           (3) If an affidavit is required and the officials find that  
756 the affidavit is insufficient, or if the officials find that the  
757 absentee voter is otherwise disqualified to vote, the envelope  
758 shall not be opened and a commissioner or executive committee



759 member shall write across the face of the envelope "REJECTED"  
760 giving the reason therefor, and the registrar shall promptly  
761 notify the voter of such rejection.

762 (4) The ballots marked "REJECTED" shall be placed in a  
763 separate envelope in the secure ballot transfer case and delivered  
764 to the officials in charge of conducting the election at the  
765 central tabulation point of the county.

766 (5) All electors voting absentee shall be provided with  
767 written information to inform the person how to ascertain whether  
768 his or her ballot was counted and, if rejected, the reason  
769 therefor.

770 **SECTION 15.** Section 23-15-647, Mississippi Code of 1972, is  
771 amended as follows:

772 23-15-647. The registrar shall keep safely and unopened all  
773 official absentee ballots which are received \* \* \* by mail after  
774 the applicable cutoff period establishing its validity. Upon  
775 receipt of such ballot, the registrar shall write the day and hour  
776 of the receipt of the ballot on its envelope. All such absentee  
777 ballots returned to the registrar after the cutoff time shall be  
778 safely kept unopened by the registrar for the period of time  
779 required for the preservation of ballots used in the election, and  
780 shall then, without being opened, be destroyed in like manner as  
781 the used ballots of the election.

782 **SECTION 16.** Section 23-15-699, Mississippi Code of 1972, is  
783 amended as follows:



784           23-15-699. (1) Absent voters who have requested to receive  
785 absentee ballots and balloting materials may choose to receive  
786 such ballots and balloting materials by mail, facsimile device  
787 (FAX) or electronic mail delivery (e-mail). The Secretary of  
788 State shall establish procedures that allow an absent voter to  
789 make the choice authorized by this subsection.

790           (2) Consistent with the choice that the absent voter  
791 exercises pursuant to subsection (1) of this section, the  
792 registrar shall, in addition to mail, be authorized to use  
793 electronic facsimile (FAX) devices and electronic mail delivery  
794 (e-mail) to transmit balloting materials and absentee ballots. If  
795 the absent voter does not indicate a preference, delivery of such  
796 information shall be by mail.

797           (3) The registrar is authorized to receive by electronic  
798 facsimile (FAX) devices and electronic mail delivery (e-mail):

799                   (a) Voted absentee ballots;

800                   (b) Completed federal postcard applications as  
801 described in Section 23-15-677, which shall serve to request  
802 absentee ballots or to register to vote or to do both  
803 simultaneously; and

804                   (c) Completed Federal Write-In-Absentee Ballots as  
805 described in Section 23-15-692.

806           (4) Once the registrar has received a voted absentee ballot  
807 pursuant to this section, he shall place the ballot in an absentee  
808 ballot envelope designated for absentee ballots under this





809 subarticle and fill out the required information on the envelope.  
810 The registrar shall then notate on the envelope that the ballot  
811 was received under this section and a signature across the flap of  
812 the envelope shall not be required. Except as provided in this  
813 section, absentee ballots received under this subsection shall be  
814 treated in the same manner as other absentee ballots received  
815 under this subarticle.

816 (5) Access to voted absentee ballots before they are placed  
817 in an absentee ballot envelope shall be strictly limited to  
818 election officials who must process the ballot and any election  
819 official who views the ballots before they are placed in the  
820 envelope shall have the duty to protect the secrecy of the ballot  
821 choices; however, the failure of an election official to comply  
822 with this subsection shall not invalidate the ballot.

823 (6) Each circuit clerk shall furnish a suitable electronic  
824 mail delivery (e-mail) address that can be used to allow absent  
825 voters to comply with the provisions of this subarticle. Absentee  
826 ballots returned by mail by any absent voter as defined in Section  
827 23-15-673 must be received by the registrar by \* \* \* the deadline  
828 for receipt of mail absentee ballots provided for in Section  
829 23-15-637.

830 **SECTION 17.** Section 23-15-721, Mississippi Code of 1972, is  
831 amended as follows:

832 23-15-721. (1) Absentee ballots requested under the  
833 provisions of Section 23-15-715 for electors temporarily residing



834 outside the county \* \* \* of residence shall be mailed to the  
835 elector's address outside of the county in which he or she is  
836 registered, and such electors shall appear before any official  
837 authorized to administer oaths or other official authorized to  
838 witness absentee balloting as provided in this \* \* \* article. The  
839 elector shall exhibit to such official his or her absentee ballot  
840 unmarked and thereupon proceed in secret to fill in \* \* \* the  
841 ballot. After the elector has properly marked the ballot and  
842 properly folded it, he or she shall deposit it in the envelope  
843 furnished him or her. After \* \* \* the elector has sealed the  
844 envelope he or she shall deliver it to the official before whom he  
845 or she is appearing and shall subscribe and swear to the elector's  
846 certificate provided for in Section 23-15-635, which affidavit  
847 shall be printed on the back of the envelope as provided for in  
848 Section 23-15-635 containing the elector's ballot.

849 (2) Electors who are temporarily or permanently physically  
850 disabled shall sign the elector's certificate and the certificate  
851 of attesting witness shall be signed by any person eighteen (18)  
852 years of age or older.

853 (3) After the completion of the requirements of this  
854 section, the elector shall mail the envelope containing the ballot  
855 to the registrar in the county wherein \* \* \* the elector is  
856 qualified to vote. \* \* \* The ballots must be \* \* \* postmarked by  
857 the date of the election and received by the registrar no more  
858 than five (5) business days after the election to be counted; any



859 received after such time shall be handled as provided in Section  
860 23-15-647 and shall not be counted.

861 **SECTION 18.** Section 23-15-731, Mississippi Code of 1972, is  
862 amended as follows:

863 23-15-731. Any presidential absentee ballots received in the  
864 mail by the registrar \* \* \* after the delivery of ballot boxes to  
865 the election managers and \* \* \* before the deadline for receipt of  
866 absentee ballots provided for in Section 23-15-637 shall be  
867 retained by the registrar and shall be delivered, together with  
868 the applications of the qualified absentee elector to an election  
869 official designated to receive them. The registrar shall receive  
870 a receipt from the designated election official for all such  
871 ballots and applications delivered. The designated election  
872 officials shall, upon the canvassing of the returns, count such  
873 ballots as if delivered to the proper precincts and such ballots  
874 shall be considered valid for all purposes as if they had been  
875 actually deposited in the proper precinct ballot boxes. The  
876 appropriate election officials shall examine the affidavit of each  
877 envelope. If the officials are satisfied that the affidavit is  
878 sufficient and that the absentee voter is otherwise qualified to  
879 vote, an official shall announce the name of the voter and shall  
880 give any person present an opportunity to challenge in like manner  
881 and for the same cause as the voter could have been challenged had  
882 he or she presented himself or herself personally in such precinct  
883 to vote. The ineligibility of the voter to vote by absentee



884 ballot shall be a ground for a challenge. The officials shall  
885 consider any absentee voter challenged when a person has  
886 previously filed a written challenge of such voter's right to  
887 vote. The election officials shall handle any such challenge in  
888 the same manner as other challenged ballots are handled, and if  
889 the challenge is not affirmed, the officials shall then open the  
890 envelope. The officials shall then open the envelope in such  
891 manner as not to destroy the affidavit printed thereon and shall  
892 deposit the ballot marked "OFFICIAL ABSENTEE BALLOT," in a ballot  
893 box reserved for absentee ballots. The commissioners shall  
894 endorse on their pollbooks a proper notation to indicate that the  
895 absentee voter has voted in such election by absentee ballot.

896 **SECTION 19.** Section 23-15-733, Mississippi Code of 1972, is  
897 amended as follows:

898 23-15-733. The registrar shall keep safely and unopened all  
899 official presidential absentee ballots which are received  
900 subsequent to the \* \* \* deadline for receipt of mail absentee  
901 ballots provided for in Section 23-15-637. Upon receipt of such  
902 ballot, the registrar shall write the day and hour of the receipt  
903 of the ballot on its envelope. All such absentee ballots returned  
904 to the registrar shall be safely kept unopened by the registrar  
905 for the period of time required for the preservation of ballots  
906 used in the election, and shall then, without being opened, be  
907 destroyed in like manner as the used ballots of the election.



908 Such information shall be processed through the Statewide Election  
909 Management System.

910 **SECTION 20.** Section 23-15-735, Mississippi Code of 1972, is  
911 amended as follows:

912 23-15-735. Except for ballots voted in person at the office  
913 of the registrar, absentee ballots shall not be delivered in  
914 person to an absentee voter or to any other person \* \* \*.

915 **SECTION 21.** This act shall take effect and be in force from  
916 and after its passage.

