

By: Representatives Summers, McCarty, Owen

To: Rules

HOUSE BILL NO. 1802

1 AN ACT TO CREATE THE PRE-ELECTION DAY VOTING ACT FOR THOSE
 2 ELECTIONS THAT OCCUR IN CALENDAR YEAR 2020; TO PROVIDE THAT THE
 3 LEGISLATURE FINDS THAT AUTHORIZING PRE-ELECTION DAY VOTING FOR THE
 4 UPCOMING 2020 ELECTIONS WILL HELP LOWER THE RISK OF EXPOSING
 5 VOTERS TO COVID-19; TO PROVIDE DEFINITIONS; TO PROVIDE THAT THE
 6 PRE-ELECTION DAY VOTING PERIOD FOR CALENDAR YEAR 2020 SHALL BEGIN
 7 TWENTY DAYS BEFORE THE ELECTION AND CONTINUE UNTIL NOON ON THE
 8 SATURDAY IMMEDIATELY PRECEDING THE ELECTION; TO PROVIDE THE HOURS
 9 FOR PRE-ELECTION DAY VOTING IN THE REGISTRAR'S OFFICE OR VOTING
 10 PRECINCT AS DESIGNATED BY THE CIRCUIT CLERK DURING REGULAR
 11 BUSINESS HOURS; TO PROVIDE EXTENDED HOURS TO VOTE DURING THE LAST
 12 FULL WEEK PRECEDING AN ELECTION; TO PROVIDE THAT NOTICE OF
 13 PRE-ELECTION DAY VOTING SHALL BE PROVIDED IN THREE PUBLIC PLACES
 14 EIGHT DAYS BEFORE THE VOTING BEGINS; TO PROVIDE THE PROCEDURES TO
 15 FOLLOW WHEN CASTING A BALLOT DURING THE PRE-ELECTION DAY VOTING
 16 PERIOD; TO PROVIDE THE MANNER FOR CHALLENGING THE QUALIFICATIONS
 17 OF A VOTER DURING THE PRE-ELECTION DAY VOTING PERIOD; AND FOR
 18 RELATED PURPOSES.

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

20 **SECTION 1.** (a) The title of Sections 1 through 6 of this
 21 chapter shall be known and may be cited as the "Pre-election Day
 22 Voting Act."

23 (b) The Legislature finds that authorizing pre-election
 24 day voting for upcoming elections will help lower the risk of
 25 exposing voters to COVID-19 by limiting the number of voters who
 26 appear to vote in person at a polling place. The Legislature



27 further finds that the COVID-19 pandemic should not prevent a
28 qualified elector from being able to cast his or her vote in any
29 upcoming election. Pre-election day voting will help prevent long
30 lines at the polling places on election day, which will help
31 promote social distancing at the polling place, and give those
32 qualified electors who are considered high risk or fear being
33 exposed to COVID-19 a safe alternative to voting at the polling
34 place on election day.

35 (c) The provisions of this act shall only apply to the
36 elections that occur in calendar year 2020.

37 **SECTION 2.** For purposes of this act, these words shall have
38 the following meanings, unless their context clearly suggests
39 otherwise:

40 (a) "Election" means the period of time that is
41 available for casting a final vote. References to the time of an
42 election or the duration of the election shall encompass, unless
43 the context clearly indicates otherwise, the twenty-day period
44 that has been designed for pre-election day voting.

45 (b) "Polling place" or "voting precinct" means any
46 place that has been designated as such by the circuit clerk and
47 that a qualified elector votes during the pre-election day voting
48 period and on the actual election day.

49 **SECTION 3.** (1) The pre-election day voting period shall
50 begin twenty (20) days before the date of any election held during
51 calendar year 2020 for public office and continue until 12:00 p.m.



52 on the Saturday immediately preceding the election day. Any
53 qualified elector may vote during the times established for
54 pre-election day voting in this act in the office of the registrar
55 or voting precinct in which the elector is registered to vote.

56 (2) Pre-election day voting shall be conducted in the office
57 of the appropriate registrar or a voting precinct designated by
58 the circuit clerk during regular business hours. During the last
59 full week preceding an election, the office of the appropriate
60 registrar may extend the office hours to accommodate pre-election
61 day voters to allow voting during the lunch period and until 7:00
62 p.m. All registrar offices shall remain open from 8:00 a.m. until
63 12:00 p.m. for the two (2) Saturdays immediately preceding each
64 election.

65 (3) Notice of the pre-election day voting hours shall be
66 given by the officials in charge of the election not less than
67 eight (8) days before the day pre-election day voting period
68 begins. The notice shall be posted in three (3) public places
69 within the county or municipality, with one (1) place being the
70 county courthouse in a county election or city hall in a municipal
71 election.

72 **SECTION 4.** (1) A qualified elector who desires to vote
73 during the pre-election day voting period shall appear at the
74 office of the appropriate registrar or the voting precinct
75 designated by the circuit clerk in the county or municipality in
76 which the elector is registered to vote and shall present an



77 acceptable form of photo identification. Upon verification of the
78 proper location and identity, the elector shall sign the
79 appropriate receipt book and cast his or her vote in the same
80 manner that the vote would be cast on the day of the election.
81 Except as otherwise provided in Sections 1 through 6 of this act,
82 the election laws that govern the procedures for a person who
83 appears to vote on the day of an election shall apply when a
84 person appears to vote during the pre-election day voting period.

85 (2) All votes cast during the pre-election day voting period
86 shall be final.

87 (3) The votes cast during the pre-election day voting period
88 shall be announced simultaneously with all other votes cast on
89 election day.

90 **SECTION 5.** Each political party, candidate or any
91 representative of a political party or candidate pursuant to
92 Section 23-15-577 shall have the right to be present at the office
93 of the appropriate registrar or the voting precinct designated by
94 the circuit clerk when it is open for pre-election day voting and
95 to challenge the qualifications of any person offering to vote in
96 the same manner as provided by law for challenging qualifications
97 at the polling place on election day.

98 **SECTION 6.** (1) The Secretary of State shall promulgate
99 rules and regulations necessary to effectuate pre-election day
100 voting for any election that occurs during calendar year 2020.



101 (2) The provisions of Section 1 through 6 of this act shall
102 be supplemental to the absentee ballot election laws already in
103 effect, and the Secretary of State shall ensure that pre-election
104 day and absentee voting are allowed for calendar year 2020 to help
105 ensure that every qualified elector will able to cast his or her
106 ballot in any up coming election in calendar year 2020.

107 **SECTION 7.** This act shall take effect and be in force from
108 and after its passage.

