MISSISSIPPI LEGISLATURE

By: Representatives Summers, McCarty, Owen

To: Rules

HOUSE BILL NO. 1802

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

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

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

(b) The Legislature finds that authorizing pre-election day voting for upcoming elections will help lower the risk of exposing voters to COVID-19 by limiting the number of voters who appear to vote in person at a polling place. The Legislature
further finds that the COVID-19 pandemic should not prevent a qualified elector from being able to cast his or her vote in any upcoming election. Pre-election day voting will help prevent long lines at the polling places on election day, which will help promote social distancing at the polling place, and give those qualified electors who are considered high risk or fear being exposed to COVID-19 a safe alternative to voting at the polling place on election day.

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

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

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

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

SECTION 3. (1) The pre-election day voting period shall begin twenty (20) days before the date of any election held during calendar year 2020 for public office and continue until 12:00 p.m.
on the Saturday immediately preceding the election day. Any qualified elector may vote during the times established for pre-election day voting in this act in the office of the registrar or voting precinct in which the elector is registered to vote.

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

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

**SECTION 4.** (1) A qualified elector who desires to vote during the pre-election day voting period shall appear at the office of the appropriate registrar or the voting precinct designated by the circuit clerk in the county or municipality in which the elector is registered to vote and shall present an
acceptable form of photo identification. Upon verification of the
proper location and identity, the elector shall sign the
appropriate receipt book and cast his or her vote in the same
manner that the vote would be cast on the day of the election.
Except as otherwise provided in Sections 1 through 6 of this act,
the election laws that govern the procedures for a person who
appears to vote on the day of an election shall apply when a
person appears to vote during the pre-election day voting period.

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

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

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

SECTION 6. (1) The Secretary of State shall promulgate
rules and regulations necessary to effectuate pre-election day
voting for any election that occurs during calendar year 2020.
(2) The provisions of Section 1 through 6 of this act shall be supplemental to the absentee ballot election laws already in effect, and the Secretary of State shall ensure that pre-election day and absentee voting are allowed for calendar year 2020 to help ensure that every qualified elector will able to cast his or her ballot in any up coming election in calendar year 2020.

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