

By: Senator(s) Tate

To: Elections

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2592

1 AN ACT TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE APPLICATION FOR AN ABSENTEE ELECTOR'S BALLOT; TO
3 AMEND SECTION 23-15-713, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
4 ELECTORS TO VOTE ABSENTEE DUE TO A CONCERN OF EXPOSURE TO COVID-19
5 PANDEMIC; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 23-15-627, Mississippi Code of 1972, is
8 amended as follows:

9 23-15-627. Any elector described in Section 23-15-713 may
10 request an absentee ballot application and vote in person at the
11 office of the registrar in the county in which he or she resides.
12 The registrar shall be responsible for furnishing an absentee
13 ballot application form to any elector authorized to receive an
14 absentee ballot. Except as otherwise provided in Section
15 23-15-625, absentee ballot applications shall be furnished to a
16 person only upon the oral or written request of the elector who
17 seeks to vote by absentee ballot; however, the parent, child,
18 spouse, sibling, legal guardian, those empowered with a power of
19 attorney for that elector's affairs or agent of the elector, who



is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section. Such application shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENTEE ELECTOR'S BALLOT

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

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

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



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

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

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

() I am a trained or certified emergency response provider deployed during any state of emergency declared by the President of the United States or Governor of any state within the United States and am a citizen of Mississippi or a spouse or dependent of such an emergency response provider.

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

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



69 of my voting residence with such student, teacher or
70 administrator.

71 () I will be outside the county on election.

72 () I have a temporary or permanent physical disability,
73 which may include, but is not limited to, * * * a concern with
74 exposure to COVID-19 during the year 2020 or 2021. Or, I am
75 caring for a dependent * * * and am concerned with exposing that
76 dependent to COVID-19 beginning with July 8, 2020, and the same
77 being repealed on December 31, * * * 2021.

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

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

84 () I am a member of the congressional delegation, or a
85 spouse or dependent of a member of the congressional delegation.

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

88 I hereby make application for an official ballot, or ballots,
89 to be voted by me at the election to be held _____ in, County
90 _____, * * * for the _____ election.

91 Mail 'Absentee Elector's Ballot' to me at the following
92 address: _____ (if eligible to vote
93 by mail).



94 () Mailed ballots only: I wish to receive an absentee
95 ballot for the runoff election _____.

96 I realize that I can be fined up to Five Thousand Dollars
97 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
98 for making a false statement in this application and for selling
99 my vote and violating the Mississippi Absentee Voter Law. (This
100 sentence is to be in bold print.)

101 If you are temporarily or permanently disabled, you are not
102 required to have this application notarized or signed by an
103 official authorized to administer oaths for absentee balloting.
104 You are required to sign this application in the proper place and
105 have a person eighteen (18) years of age or older witness your
106 signature and sign this application in the proper place.

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

109 IN WITNESS WHEREOF I have hereunto set my hand and seal this
110 the ____ day of _____, 2____.

111 _____
112 (Signature of absentee elector)

113 SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
114 2____.

115 _____
116 (Official authorized to administer oaths
117 for absentee balloting.)



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

I HEREBY CERTIFY that this application for an absentee
elector's ballot was signed by the above-named disabled elector in
my presence and that I am at least eighteen (18) years of age,
this the _____ day of _____, 2____.

(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that _____ (print name of voter)
has requested that I, _____ (print name of person
delivering application), deliver to the voter this absentee ballot
application.

(Signature of person delivering application)

(Address of person delivering application)"

SECTION 2. Section 23-15-713, Mississippi Code of 1972, is
amended as follows:

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

(a) Any qualified elector who is a bona fide student,
teacher or administrator at any college, university, junior
college, high, junior high, or elementary grade school whose



143 studies or employment at such institution necessitates his or her
144 absence from the county of his or her voting residence on the date
145 of any primary, general or special election, or the spouse and
146 dependents of that student, teacher or administrator if such
147 spouse or dependent(s) maintain a common domicile, outside of the
148 county of his or her voting residence, with such student, teacher
149 or administrator.

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

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

158 (d) Any person who has a temporary or permanent
159 physical disability and who, because of such disability, is unable
160 to vote in person without substantial hardship to himself, herself
161 or others, or whose attendance at the voting place could
162 reasonably cause danger to himself, herself or others. For
163 purposes of this paragraph (d), "temporary physical disability"
164 shall include any qualified elector who is under a
165 physician-imposed quarantine due to COVID-19 during the year 2020
166 or 2021 or is caring for a dependent who is under a



physician-imposed quarantine due to COVID-19 beginning with July 8, 2020, and the same being repealed on December 31, * * * 2021.

(e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his or her county of residence or more than fifty (50) miles distant from his or her residence, if the parent, spouse or dependent will be with such person on election day. For purposes of this paragraph (e), "temporary physical disability" shall include any qualified elector who is * * * concerned with exposure to COVID-19 during the year 2020 or 2021 or is caring for a dependent * * * and is * * * concerned with exposing a dependent to COVID-19 beginning with July 8, 2020, and the same being repealed on December 31, * * * 2021.

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

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

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

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

