

By: Senator(s) Tate, England

To: Elections

SENATE BILL NO. 2424

1 AN ACT TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972,
2 TO ALLOW ABSENTEE BALLOT VOTERS TO CURE BALLOTS DECLARED DEFECTIVE
3 DUE TO SIGNATURE ISSUES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-639, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-639. (1) The examination and counting of all absentee
8 ballots shall be conducted as follows:

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

17 (b) (i) The signature on the application shall then be
18 compared with the signature on the back of the envelope. If it



19 corresponds and the affidavit, if one is required, is sufficient
20 and the resolution board finds that the applicant is a registered
21 and qualified voter or otherwise qualified to vote, the envelope
22 shall then be opened and the ballot removed from the envelope,
23 without * * * it being unfolded, or permitted to be unfolded or
24 examined.

25 (ii) When a voter's absentee ballot is rejected
26 for the signatures not corresponding on the absentee application
27 and absentee ballot envelope, the voter will have the opportunity
28 to cure that defect if it is the sole reason for rejection of the
29 ballot. The Secretary of State shall promulgate rules setting
30 forth the procedure in which a voter can cure his or her ballot
31 before certification of the election.

32 (c) Having observed and found the ballot to be regular
33 as far as can be observed from its official endorsement, the
34 resolution board shall deposit it in the ballot box with the other
35 ballots before counting any ballots and enter the voter's name in
36 the receipt book provided for that purpose. All absentee ballots
37 received prior to 7:00 p.m. the day before the election shall be
38 counted in the registrar's office by the resolution board when the
39 polls close and then added to the votes cast in each precinct.
40 All absentee ballots received after 7:00 p.m. the day before the
41 election but not later than the fifth business day after the
42 election shall be processed by the resolution board.



43 (2) The resolution board shall also take such action as may
44 be prescribed by the Secretary of State to ensure compliance with
45 the identification requirements of Section 23-15-563.

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

48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2024.

