

By: Representative Scott

To: Apportionment and
Elections

HOUSE BILL NO. 23

1 AN ACT TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE TIME FOR THE RESOLUTION BOARD TO COUNT ABSENTEE
3 BALLOTS; TO PROVIDE A DEADLINE FOR WHEN CERTAIN ABSENTEE BALLOTS
4 MUST BE COUNTED BY; TO REQUIRE THE RESOLUTION BOARD TO POST THE
5 VOTE TOTALS OF THE ABSENTEE BALLOTS; AND FOR RELATED PURPOSES.

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

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

9 23-15-639. (1) The examination and counting of all absentee
10 ballots shall be conducted as follows:

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

18 (b) (i) For absentee ballots that were received by
19 mail, the signature on the application shall then be compared with



20 the signature in the box on the back of the envelope. A portion
21 of the elector's signature extending outside of the box shall not
22 be grounds for rejecting that elector's ballot. If it corresponds
23 and the affidavit, if one is required, is sufficient and the
24 resolution board finds that the applicant is a registered and
25 qualified voter or otherwise qualified to vote, the envelope shall
26 then be opened and the ballot removed from the envelope, without
27 its being unfolded, or permitted to be unfolded or examined.

28 (ii) For absentee ballots that were cast in person
29 in the registrar's office, the resolution board shall confirm that
30 the voter completed the application on the front of the envelope
31 and signed the elector's certificate in the box on the back of the
32 envelope. If it is signed and the resolution board finds that the
33 applicant is a registered and qualified voter or otherwise
34 qualified to vote, the envelope shall be opened and the absentee
35 ballot removed from the envelope, without its being unfolded, or
36 permitted to be unfolded or examined.

37 (c) Having observed and found the ballot to be regular
38 as far as can be observed from its official endorsement, the
39 resolution board shall deposit it in the ballot box with the other
40 ballots before counting any ballots and enter the voter's name in
41 the receipt book provided for that purpose. All absentee ballots
42 received prior to 7:00 p.m. the day before the election shall be
43 counted in the registrar's office by the resolution board when the
44 polls * * * open and then added to the votes cast in each



45 precinct. Once the resolution board has counted all of the
46 absentee ballots received before 7:00 p.m. the day before the
47 election, they shall post the vote totals of those absentee
48 ballots. All absentee ballots received after 7:00 p.m. the day
49 before the election but not later than the fifth business day
50 after the election shall be processed by the resolution board by
51 5:00 p.m. on the sixth business day after the election.

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

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

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2025.

