

By: Senator(s) England, Simmons (13th),
Blackmon, Simmons (12th), Brumfield, Norwood,
Younger

To: Elections

SENATE BILL NO. 2654

1 AN ACT TO CREATE THE "IN-PERSON EARLY VOTING ACT"; TO PROVIDE
2 DEFINITIONS; TO PROVIDE THAT THE IN-PERSON EARLY VOTING PERIOD
3 SHALL BEGIN 15 DAYS BEFORE THE ELECTION AND CONTINUE UNTIL 12:00
4 P.M. ON THE SATURDAY IMMEDIATELY PRECEDING THE ELECTION; TO
5 PROVIDE THAT IN-PERSON EARLY VOTING SHALL BE FOR EACH PRIMARY,
6 GENERAL, RUNOFF, SPECIAL AND MUNICIPAL ELECTION FOR PUBLIC OFFICE;
7 TO PROVIDE THE HOURS FOR IN-PERSON EARLY VOTING IN THE REGISTRAR'S
8 OFFICE DURING REGULAR BUSINESS HOURS; TO PROVIDE EXTENDED HOURS TO
9 VOTE DURING THE LAST FULL WEEK PRECEDING AN ELECTION; TO PROVIDE
10 THAT NOTICE OF IN-PERSON EARLY VOTING SHALL BE PROVIDED IN THREE
11 PUBLIC PLACES EIGHT DAYS BEFORE THE VOTING BEGINS; TO PROVIDE THE
12 PROCEDURES TO FOLLOW WHEN CASTING A BALLOT DURING THE IN-PERSON
13 EARLY VOTING PERIOD; TO PROVIDE THE MANNER FOR CHALLENGING THE
14 QUALIFICATIONS OF A VOTER DURING THE IN-PERSON EARLY VOTING
15 PERIOD; TO PROHIBIT VOTING VIA BALLOT HARVESTING, BALLOT DROP
16 BOXES OR WITH MAIL-IN OR ABSENTEE BALLOTS FOR REASONS OR INSTANCES
17 OTHER THAN WHAT IS ALLOWED BY THE MISSISSIPPI ELECTION CODE; TO
18 AMEND SECTIONS 23-15-625, 23-15-627, 23-15-631, 23-15-637,
19 23-15-713, 23-15-715 AND 23-15-719, MISSISSIPPI CODE OF 1972, TO
20 CONFORM; AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** Sections 1 through 6 of this act shall be known
23 and may be cited as the "In-Person Early Voting Act."

24 **SECTION 2.** For purposes of this act, these words will have
25 the following meanings, unless their context clearly suggests
26 otherwise:



27 (a) "Election" means the period of time that is
28 available for casting a final vote. References to the time of an
29 election or the duration of the election shall encompass, unless
30 the context clearly indicates otherwise, the fifteen-day period
31 that has been designed for in-person early voting.

32 (b) "Polling place" or "voting precinct" means any
33 place where a qualified elector votes during the in-person early
34 voting period and on the actual election day.

35 **SECTION 3.** (1) The in-person early voting period shall
36 begin fifteen (15) days before the date of each primary, general,
37 runoff, special and municipal election for public office and
38 continue until 12:00 p.m. on the Saturday immediately preceding
39 the election day. Any qualified elector may vote during the times
40 established for in-person early voting in this chapter only in the
41 office of the registrar in which the elector is registered to
42 vote. No other or additional location for in-person early voting
43 is permitted.

44 (2) In-person early voting shall be conducted in the office
45 of the appropriate registrar during regular business hours.
46 During the last full week preceding an election, the office of the
47 appropriate registrar may extend the office hours to accommodate
48 in-person early voters to allow voting during the lunch period and
49 until 7:00 p.m. All registrar offices shall remain open from 8:00
50 a.m. until 12:00 p.m. for the two (2) Saturdays immediately
51 preceding each election.



(3) Notice of the in-person early voting hours shall be given by the officials in charge of the election not less than eight (8) days before the in-person early voting period begins. Such 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 in-person early voting period shall appear at the office of the appropriate registrar in the county or municipality in which the elector is a resident and registered to vote and shall present an acceptable form of photo identification. Upon verification of the proper location and identity, the elector shall be marked in the Statewide Elections Management System as "VOTED IPE," sign the appropriate receipt book and cast his or her vote in the same manner that such vote would be cast on the day of the election. Except as otherwise provided in Sections 1 through 5 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 in-person early voting period.

(2) All votes cast during the in-person early voting period shall be final.

(3) The votes cast during the in-person early voting period shall be tabulated and announced simultaneously with all other



votes cast on election day after the polls close at 7:00 p.m., and not before that time.

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 when it is open for in-person early 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 in-person early voting.

(2) The Secretary of State shall promulgate specific instructions for the security and integrity of the voting systems during the in-person early voting period. All voting systems used under this section shall be maintained and locked in a secure location at the registrar's office or building each day after the close of in-person early voting hours.

SECTION 7. (1) As used in this section, the following words shall have the following meanings, unless the context clearly provides otherwise:

(a) "Ballot harvesting" means a person who knowingly collects and transmits a ballot belonging to another person outside of the exceptions provided in Section 23-15-907.



(b) "Ballot drop boxes" means an unsupervised receptacle where voters can return absentee or mail ballots in sealed and signed envelopes. Ballot drop boxes shall also include supervised drop-box locations that are not voting locations authorized by state law.

(2) Voting via ballot harvesting, ballot drop boxes, or by mail-in or absentee ballots other than for reasons or instances allowed by the Mississippi Election Code, shall be prohibited.

SECTION 8. Section 23-15-625, Mississippi Code of 1972, is amended as follows:

23-15-625. (1) The registrar shall be responsible for providing applications for absentee voting as provided in this section. At least sixty (60) days before any election in which absentee voting is provided for by law, the registrar shall provide a sufficient number of applications. In the event a special election is called and set at a date which makes it impractical or impossible to prepare applications for absent elector's ballot sixty (60) days before the election, the registrar shall provide applications as soon as practicable after the election is called. The registrar shall fill in the date of the particular election on the application for which the application will be used. For voters appearing in person to cast an absentee vote, the application and elector certificate shall be printed on the absentee ballot envelope as provided in Section 23-15-659.



126 (2) The registrar shall be authorized to disburse
127 applications for absentee ballots to any qualified elector within
128 the county where he or she serves. Any person who presents to the
129 registrar an oral or written request for an absentee ballot
130 application for a voter entitled to vote absentee by mail, other
131 than the elector who seeks to vote by absentee ballot, shall, in
132 the presence of the registrar, sign the application and print on
133 the application his or her name and address and the name of the
134 elector for whom the application is being requested in the place
135 provided for on the application for that purpose. However, if for
136 any reason such person is unable to write the information
137 required, then the registrar shall write the information on a
138 printed form which has been prescribed by the Secretary of State.
139 The form shall provide a place for such person to place his or her
140 mark after the form has been filled out by the registrar.

141 (3) It shall be unlawful for any person to solicit absentee
142 ballot applications or absentee ballots for persons staying in any
143 skilled nursing facility as defined in Section 41-7-173 unless the
144 person soliciting the absentee ballot applications or absentee
145 ballots is:

146 (a) A family member of the person staying in the
147 skilled nursing facility; or

148 (b) A person designated by the person for whom the
149 absentee ballot application or absentee ballot is sought, the
150 registrar or the deputy registrar.



As used in this subsection, "family member" means a spouse, parent, grandparent, sibling, adult child, grandchild or legal guardian.

(4) The registrar in the county wherein a voter is qualified to vote upon receiving by mail the envelope containing the absentee ballots shall keep an accurate list of all persons preparing such ballots. The list shall be kept in a conspicuous place accessible to the public near the entrance to the registrar's office. The registrar shall also furnish to each * * * poll manager a list of the names of all persons in each respective precinct voting absentee by mail and during in-person early voting to be posted in a conspicuous place at the polling place for public notice. The application on file with the registrar and the envelopes containing the ballots that voters mailed to the registrar shall be kept by the registrar in his or her office in a secure location. At the time such boxes are delivered to the election commissioners or poll managers, the registrar shall also turn over a list of all such persons who have voted during in-person early voting and whose mailed ballots are in the registrar's office.

(5) The registrar shall also be authorized to mail one (1) application to any qualified elector of the county, who is eligible to vote by absentee ballot, for use in a particular election.



(6) The registrar shall process all applications for absentee ballots by using the Statewide Election Management System. The registrar shall account for all absentee ballots delivered to and received by mail as well as those who voted absentee in person from qualified voters by processing such ballots using the Statewide Election Management System.

SECTION 9. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. (1) Any elector described in Section 23-15-713 may request an absentee ballot application and * * * have the application and absentee ballot mailed to the elector. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Such form shall be printed on the absentee ballot envelope as provided in Section 23-15-659. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of 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.

(2) Such application shall be substantially in the following form for applications mailed to absentee electors:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ____ Precinct of the County of _____, and 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 spouse or dependent of such member.

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



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

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

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

235 * * *

236 () I am a citizen of Mississippi temporarily residing
237 outside of the county of my residence during the in-person early
238 voting period or on election day.

239 () I am an emergency response provider, deployed due to a
240 state of emergency declared by the President of the United States
241 or the governor of any state within the United States during the
242 time period provided by state law for in-person early voting and
243 election day.

244 * * *

245 () I have a temporary or permanent physical disability.

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

247 () I am the parent, spouse or dependent of a person with a
248 temporary or permanent physical disability who is hospitalized
249 outside his or her county of residence or more than fifty (50)



250 miles away from his or her residence, and I will be with such
251 person on election day.

252 () I am a member of the congressional delegation, or spouse
253 or dependent of a member of the congressional delegation.

254 * * *

255 () I am incarcerated in prison or jail in the county where
256 I am registered to vote and have not been convicted of a
257 disenfranchising crime.

258 I hereby make application for an official ballot, or ballots,
259 to be voted by me at the election to be held in _____, on _____.

260 Mail 'Absent Elector's Ballot' to me at the following address
261 _____.

262 () I wish to receive an absentee ballot for the runoff
263 election _____.

264 Notify me of a problem with my 'Absent Elector's Ballot' at
265 the following:

266 Phone number: _____

267 Email address: _____

268 Mailing address: _____

269 I realize that I can be fined up to Five Thousand Dollars
270 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
271 for making a false statement in this application and for selling
272 my vote and violating the Mississippi Absentee Voter Law. (This
273 sentence is to be in bold print.)



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)"

(3) The application printed on the front of the absentee
ballot envelope for absentee voters appearing before the registrar
shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ____ Precinct
of the County of _____, and 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 spouse or dependent of such member.



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

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

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

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

336 * * *

337 () I am a citizen of Mississippi temporarily residing
338 outside of the county of my residence during the in-person early
339 voting period or on election day.

340 () I am an emergency first response provider, deployed due
341 to a state of emergency declared by the President of the United
342 States or the Governor of any state within the United States
343 during the time period provided by law for in-person early voting
344 and election day.

345 * * *

346 () I have a temporary or permanent physical disability.

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



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

353 () I am a member of the congressional delegation, or spouse
354 or dependent of a member of the congressional delegation.

355 * * *

356 () I am incarcerated in prison or jail in the county where
357 I am registered to vote and have not been convicted of a
358 disenfranchising crime.

359 I hereby make application for an official ballot, or ballots,
360 to be voted by me at the election to be held in _____, on _____.

361 Notify me of a problem with my 'Absent Elector's Ballot' at
362 the following:

363 Phone number: _____

364 Email address: _____

365 Mailing address: _____

366 I realize that I can be fined up to Five Thousand Dollars
367 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
368 for making a false statement in this application and for selling
369 my vote and violating the Mississippi Absentee Voter Law. (This
370 sentence is to be in bold print.)"

371 **SECTION 10.** Section 23-15-631, Mississippi Code of 1972, is
372 amended as follows:



373 23-15-631. (1) The registrar shall enclose with each ballot
374 mailed to an absent elector separate printed instructions
375 furnished by the registrar containing the following:

376 * * *

377 (* * *a) Upon receipt of the enclosed ballot, you will
378 not mark the ballot except in view or sight of the attesting
379 witness. In the sight or view of the attesting witness, mark the
380 ballot according to instructions.

381 (* * *b) After marking the ballot, fill out and sign
382 the "ELECTOR'S CERTIFICATE" in the box on the back of the envelope
383 so that the signature is across the flap of the envelope to ensure
384 the integrity of the ballot. All absent electors shall have the
385 attesting witness sign the "ATTESTING WITNESS CERTIFICATE" in the
386 box across the flap on the back of the envelope. A portion of the
387 elector's signature extending outside of the box shall not be
388 grounds for rejecting that elector's ballot. Place the necessary
389 postage on the envelope and deposit it in the post office or some
390 government receptacle provided for the deposit of mail so that the
391 absent elector's ballot will be postmarked on or before the date
392 of the election and received by the registrar no more than five
393 (5) business days after the election. The ballot may only be
394 transmitted by the United States Postal Service or other common
395 carriers, including, but not limited to, United Parcel Service or
396 FedEx Corporation.



Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled, the attesting witness may be any person eighteen (18) years of age or older and such person is not required to have the authority to administer an oath. If a postmaster, assistant postmaster, postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his or her signature in a box on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If an officer having authority to administer an oath or take an acknowledgment acts as an attesting witness, his or her signature in a box on the elector's certificate, together with his or her title and address, but no seal, shall be required. A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot. Any affidavits made by an absent elector who is in the Armed Forces may be executed before a commissioned officer, warrant officer, or noncommissioned officer not lower in grade than sergeant rating or any person authorized to administer oaths.

(* * *c) When the application accompanies the ballot it shall not be returned in the same envelope as the ballot but



shall be returned in a separate pre-addressed envelope provided by the registrar.

(* * *d) A candidate for public office, or the spouse, parent or child of a candidate for public office, may not be an attesting witness for any absentee ballot upon which the candidate's name appears, unless the voter is related within the first degree to the candidate or the spouse, parent or child of the candidate.

(* * *e) Any voter casting an absentee ballot who declares that he or she requires assistance to vote by reason of blindness, temporary or permanent physical disability or inability to read or write, shall be entitled to receive assistance in the marking of his or her absentee ballot and in completing the affidavit on the absentee ballot envelope. The voter may be given assistance by anyone of the voter's choice other than a candidate whose name appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of



Person Providing Voter Assistance" on the absentee ballot envelope.

(2) The foregoing instructions required to be provided by the registrar to the elector shall also constitute the substantive law pertaining to the handling of absentee ballots by the elector and registrar.

(3) The Secretary of State shall prepare instructions on how absent voters may comply with the identification requirements of Section 23-15-563.

SECTION 11. Section 23-15-637, Mississippi Code of 1972, is amended as follows:

23-15-637. (1) * * * Absentee ballots and applications received by mail, except for fax or electronically transmitted ballots as otherwise provided by Section 23-15-699 for UOCAVA ballots, or common carrier, such as United Parcel Service or FedEx Corporation, must be * * * received by the registrar no more than five (5) business days after the election; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

* * *

(2) The registrar shall deposit all absentee ballots which have been timely cast and received by mail in a secured and sealed box in a designated location in the registrar's office upon receipt. The registrar shall not send any absentee ballots to the precinct polling locations.



471 (3) The Secretary of State shall promulgate rules and
472 regulations necessary to ensure that when a qualified elector who
473 is qualified to vote absentee votes by absentee mail-in
474 ballot, * * * that person's absentee vote is final and he or she
475 may not vote at the polling place on election day.
476 Notwithstanding any other provisions of law to the contrary, the
477 Secretary of State shall promulgate rules and regulations
478 necessary to ensure that absentee ballots shall remain in the
479 registrar's office for counting and not be taken to the precincts
480 on election day.

481 **SECTION 12.** Section 23-15-713, Mississippi Code of 1972, is
482 amended as follows:

483 23-15-713. For the purpose of this subarticle, any duly
484 qualified elector may vote as provided in this subarticle if the
485 elector falls within at least one (1) of the following categories:

486 * * *

487 (* * * a) Any qualified elector who is required to be
488 away from his or her place of residence on any election day due to
489 his or her employment as an employee of a member of the
490 Mississippi congressional delegation and the spouse and dependents
491 of such person if he or she shall be residing with such absentee
492 voter away from the county of the spouse's voting residence.

493 * * *

494 (* * * b) Any person who has a temporary or permanent
495 physical disability and who, because of such disability, is unable



to vote in person without substantial hardship to himself, herself or others, or whose attendance at the voting place could reasonably cause danger to himself, herself or others.

(* * * c) 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.

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

(* * * e) 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.

(* * * f) Any qualified elector who * * * is temporarily residing outside of their county of residence during the in-person early voting period and on election day during the times when the polls will be open.

(g) I am an emergency response provider, deployed due to a state of emergency declared by the President of the United States or the governor of any state within the United States during the time period provided by state law for in-person early voting and election day.



(* * *h) Any qualified elector who is incarcerated in prison or jail in the county where he or she is registered to vote and has not been convicted of a disenfranchising crime.

SECTION 13. Section 23-15-715, Mississippi Code of 1972, is amended as follows:

23-15-715. Any elector described in Section 23-15-713 and desiring an absentee ballot as provided in this subarticle may secure same if * * * within forty-five (45) days * * * before any election, but not less than seven (7) days before the election, such elector applies for an absentee ballot as provided in the provisions of this act. * * * All applications, other than those of persons having a temporary or permanent physical disability, shall * * * be sworn to and subscribed before an official who is authorized to administer oaths or another official authorized to witness absentee balloting as provided in this chapter. The applications of persons having a temporary or permanent physical disability are not required to be accompanied by an affidavit but shall be witnessed and signed by a person eighteen (18) years of age or older. The registrar shall send to such absent voter a proper absentee voter ballot within twenty-four (24) hours, or as soon thereafter as the ballots are available, containing the names of all candidates who qualify or the proposition to be voted on in such election, and with such ballot there shall be sent an official envelope containing upon it in printed form the recitals and data hereinafter required.



* * * Except when the voter has requested a runoff ballot on the initial absentee ballot application, upon request for a runoff ballot pursuant to Section 23-15-719, the registrar shall mail together the absentee ballot application and the absentee ballot to the absent voter for the runoff election.

SECTION 14. Section 23-15-719, Mississippi Code of 1972, is amended as follows:

23-15-719. (1) Except where the registrar has already mailed a ballot with an application, upon receipt of a properly completed application form by an elector qualified to vote absentee as provided in this article, the registrar shall mail the absent voter an absentee ballot within one (1) business day, or as soon as the absentee ballot is prepared and available, containing the names of all the candidates and propositions, if any, to be voted on in the election. The registrar shall include with the absentee ballot an official envelope that complies with the provisions of Section 23-15-635, as well as information to comply with Section 23-15-641(3) related to the status of the elector's ballot.

(2) When an absentee voter appears before the registrar to vote, the registrar shall identify the applicant by requiring him or her to present identification as required by Section 23-15-563, and shall then deliver the ballot to the applicant in the registrar's office. After the applicant has properly marked the



568 ballot and properly folded it, he or she shall deposit it in the
569 envelope furnished to him or her by the registrar.

570 After the absentee voter has sealed the envelope as provided
571 in Section 23-15-635, he or she shall ensure the absentee
572 application on the front of the envelope is complete and shall
573 subscribe and swear to an affidavit. The affidavit shall be in
574 the following form, which shall be printed on the back of the
575 envelope containing the applicant's ballot:

576 "STATE OF MISSISSIPPI

577 COUNTY OF _____

578 I, _____, do solemnly swear that this envelope contains
579 the ballot marked by me indicating my choice of the candidates or
580 propositions to be submitted at the election to be held on the ____
581 day of _____, 2____, and I hereby authorize the registrar to
582 place this envelope in the ballot box on my behalf, and I further
583 authorize the resolution board to open this envelope and place my
584 ballot among the other ballots cast before such ballots are
585 counted, and record my name on the poll list as if I were present
586 in person and voted.

587 I further swear that I marked the enclosed ballot in secret.

588 _____

589 (Signature of voter)

590 SWORN TO AND SUBSCRIBED before me, _____, this the ____

591 day of _____, 2____.

592 (Registrar) _____



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(Registrar) "

After the completion of the requirements of this section, the elector shall deliver the envelope containing the ballot to the registrar.

(3) If the voter has received assistance in marking his or her ballot, the person providing the assistance shall complete the following form which shall be printed on the back of the envelope containing the applicant's ballot:

"CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

Signature of person providing assistance

Printed name of person providing assistance

Address of person providing assistance



618 Date and time assistance provided

619

620 Family relationship to voter (if any)"

621 (4) The envelope used pursuant to this section shall not
622 contain the form prescribed by Section 23-15-635 and shall have
623 printed on the flap on the back of the envelope in bold print and
624 in a distinguishing color, the following: **"YOUR VOTE WILL BE
625 REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND
626 AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS
627 ENVELOPE."**

628 A portion of the voter's signature extending outside of the
629 box shall not be grounds for rejecting that voter's ballot.

630 (5) The registrar shall not personally hand deliver ballots
631 to voters, except to those who personally appear in the
632 registrar's office to absentee vote.

633 (6) Ballots requested under Section 23-15-713(f) shall be
634 mailed to the voter's address outside of the county in which he or
635 she is registered.

636 **SECTION 15.** This act shall take effect and be in force from
637 and after January 1, 2026.

