

**Lost  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2654**

**BY: Senator(s) Tate**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

39           **SECTION 1.** Section 23-15-627, Mississippi Code of 1972, is  
40 amended as follows:  
41           23-15-627. (1) Any elector described in Section 23-15-713  
42 may request an absentee ballot application and vote in person at  
43 the office of the registrar in the county in which he or she  
44 resides. The registrar shall be responsible for furnishing an  
45 absentee ballot application form to any elector authorized to  
46 receive an absentee ballot. \* \* \* Except as otherwise provided in  
47 Section 23-15-625, absentee ballot applications shall be furnished  
48 to a person only upon the oral or written request of the elector



49 who seeks to vote by absentee ballot; however, the parent, child,  
50 spouse, sibling, legal guardian, those empowered with a power of  
51 attorney for that elector's affairs or agent of the elector, who  
52 is designated in writing and witnessed by a resident of this state  
53 who shall write his or her physical address on such designation,  
54 may orally request an absentee ballot application on behalf of the  
55 elector. The written designation shall be valid for one (1) year  
56 after the date of the designation. An absentee ballot application  
57 must have the seal of the circuit or municipal clerk affixed to it  
58 and be initialed by the registrar or his or her deputy in order to  
59 be used to obtain an absentee ballot. A reproduction of an  
60 absentee ballot application shall not be valid unless it is a  
61 reproduction provided by the office of the registrar of the  
62 jurisdiction in which the election is being held and which  
63 contains the seal and initials required by this section.

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

66 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

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



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

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

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

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

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

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

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



97 of my voting residence with such student, teacher or  
98 administrator.

99 ( ) I will be outside the county on election day.

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

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

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

107 ( ) I am a member of the congressional delegation, or spouse  
108 or dependent of a member of the congressional delegation.

109 ( ) I am required to be at work on election day during the  
110 times when the polls will be open or I am required to be on-call  
111 on election day during the times when the polls will be open.

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

115 I hereby make application for an official ballot, or ballots,  
116 to be voted by me at the election to be held in \_\_\_\_\_, on \_\_\_\_\_.

117 Mail 'Absent Elector's Ballot' to me at the following address  
118 \_\_\_\_\_.

119 ( ) I wish to receive an absentee ballot for the runoff  
120 election \_\_\_\_\_.



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

123 Phone number: \_\_\_\_\_

124 Email address: \_\_\_\_\_

125 Mailing address: \_\_\_\_\_

126 I realize that I can be fined up to Five Thousand Dollars  
127 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary  
128 for making a false statement in this application and for selling  
129 my vote and violating the Mississippi Absentee Voter Law. (This  
130 sentence is to be in bold print.)

131 If you are temporarily or permanently disabled, you are not  
132 required to have this application notarized or signed by an  
133 official authorized to administer oaths for absentee balloting.  
134 You are required to sign this application in the proper place and  
135 have a person eighteen (18) years of age or older witness your  
136 signature and sign this application in the proper place.

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

139 IN WITNESS WHEREOF I have hereunto set my hand and seal this  
140 the \_\_\_\_ day of \_\_\_\_\_, 2\_\_.

141 \_\_\_\_\_

142 (Signature of absent elector)

143 SWORN TO AND SUBSCRIBED before me this the \_\_\_\_ day of \_\_\_\_\_,  
144 2\_\_.

145 \_\_\_\_\_



(Official authorized to administer oaths  
for absentee balloting.)

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

I HEREBY CERTIFY that this application for an absent  
elector's ballot was signed by the above-named 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)"

(3) The application printed \* \* \* 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



171 the purview of the definition 'ABSENT ELECTOR' will be absent from  
172 the county of my residence on election day, or unable to vote in  
173 person because (check appropriate reason):

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

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

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

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

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

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

193       ( ) I am a student, teacher or administrator at a college,  
194 university, junior or community college, high, junior high,  
195 elementary or grade school, whose studies or employment at such



196 institution necessitates my absence from the county of my voting  
197 residence or spouse or dependent of such student, teacher or  
198 administrator who maintains a common domicile outside the county  
199 of my voting residence with such student, teacher or  
200 administrator.

201       ( ) I will be outside the county on election day.

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

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

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

209       ( ) I am a member of the congressional delegation, or spouse  
210 or dependent of a member of the congressional delegation.

211       ( ) I am required to be at work on election day during the  
212 times when the polls will be open or I am required to be on-call  
213 on election day during the times when the polls will be open.

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

217       I hereby make application for an official ballot, or ballots,  
218 to be voted by me at the election to be held in \_\_\_\_\_, on \_\_\_\_\_.

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





221 Phone number: \_\_\_\_\_

222 Email address: \_\_\_\_\_

223 Mailing address: \_\_\_\_\_

224 I realize that I can be fined up to Five Thousand Dollars  
225 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary  
226 for making a false statement in this application and for selling  
227 my vote and violating the Mississippi Absentee Voter Law. (This  
228 sentence is to be in bold print.)"

229 **SECTION 2.** Section 23-15-633, Mississippi Code of 1972, is  
230 amended as follows:

231 23-15-633. \* \* \* On any \* \* \* document where the elector's  
232 signature and the signature of the attesting witness are required,  
233 the signature lines and the signatures shall be in the boxes  
234 across the flap of the envelope to ensure the integrity of the  
235 ballot and the following shall be printed on the \* \* \* document in  
236 bold print and in a distinguishing color: **"YOUR VOTE WILL BE  
237 REJECTED AND NOT COUNTED IF THIS \* \* \* DOCUMENT IS NOT SIGNED BY  
238 YOU AND AN ATTESTING WITNESS IN THE BOXES \* \* \* DESIGNATED WITHIN  
239 THE DOCUMENT."**

240 A portion of the elector's signature extending outside of the  
241 box shall not be grounds for rejecting that elector's ballot.

242 \* \* \*

243 **SECTION 3.** Section 23-15-637, Mississippi Code of 1972, is  
244 amended as follows:



245           23-15-637. (1) (a) Absentee ballots and applications  
246 received by mail, except for fax or electronically transmitted  
247 ballots as otherwise provided by Section 23-15-699 for UOCAVA  
248 ballots, or common carrier, such as United Parcel Service or FedEx  
249 Corporation, must be postmarked on or before the date of the  
250 election and received by the registrar no more than five (5)  
251 business days after the election; any received after such time  
252 shall be handled as provided in Section 23-15-647 and shall not be  
253 counted.

254           (b) All ballots cast by the absent elector appearing in  
255 person in the office of the registrar shall be cast with an  
256 absentee paper ballot and deposited into a sealed ballot box by  
257 the voter in accordance with Section 1 of this act, not later than  
258 12:00 noon on the Saturday immediately preceding elections held on  
259 Tuesday, the Thursday immediately preceding elections held on  
260 Saturday, or the second day immediately preceding the date of  
261 elections held on other days. At the close of business each day  
262 at the office of the registrar, the ballot box used shall be  
263 sealed and not unsealed until the beginning of the next business  
264 day, and the seal number shall be recorded with the number of  
265 ballots cast which shall be stored in a secure location in the  
266 registrar's office.

267           (2) The registrar shall deposit all absentee ballots which  
268 have been timely cast and received by mail in a secured and sealed  
269 box in a designated location in the registrar's office upon



270 receipt. The registrar shall not send any absentee ballots to the  
271 precinct polling locations.

272 (3) The Secretary of State shall promulgate rules and  
273 regulations necessary to ensure that when a qualified elector who  
274 is qualified to vote absentee votes by absentee ballot, either by  
275 mail or in person with a regular paper ballot, that person's  
276 absentee vote is final and he or she may not vote at the polling  
277 place on election day. Notwithstanding any other provisions of  
278 law to the contrary, the Secretary of State shall promulgate rules  
279 and regulations necessary to ensure that absentee ballots shall  
280 remain in the registrar's office for counting and not be taken to  
281 the precincts on election day.

282 **SECTION 4.** Section 23-15-639, Mississippi Code of 1972, is  
283 amended as follows:

284 23-15-639. (1) The examination and counting of all absentee  
285 ballots shall be conducted as follows:

286 (a) At the opening of the regular balloting and at the  
287 opening of the polls, the resolution board established under  
288 Section 23-15-523 and trained in the process of canvassing  
289 absentee ballots shall first \* \* \* count the in-person absentee  
290 ballots in accordance with Section 1 of this act.

291 (b) \* \* \* For absentee ballots that were received by  
292 mail, the signature on the application shall then be compared with  
293 the signature in the box on the back of the envelope. A portion  
294 of the elector's signature extending outside of the box shall not



295 be grounds for rejecting that elector's ballot. If it corresponds  
296 and the affidavit, if one is required, is sufficient and the  
297 resolution board finds that the applicant is a registered and  
298 qualified voter or otherwise qualified to vote, the envelope shall  
299 then be opened and the ballot removed from the envelope, without  
300 its being unfolded, or permitted to be unfolded or examined.

301 \* \* \*

302 (c) Having observed and found the mail-in ballots to be  
303 regular as far as can be observed from its official endorsement,  
304 the resolution board shall deposit it in the ballot box with the  
305 other ballots before counting any ballots and enter the voter's  
306 name in the receipt book provided for that purpose. All absentee  
307 ballots received prior to 7:00 p.m. the day before the election  
308 shall be counted in the registrar's office by the resolution board  
309 when the polls close and then added to the votes cast in each  
310 precinct. All absentee ballots received after 7:00 p.m. the day  
311 before the election but not later than the fifth business day  
312 after the election shall be processed by the resolution board.

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

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

318 **SECTION 5.** Section 23-15-659, Mississippi Code of 1972, is  
319 amended as follows:



320 23-15-659. For the purpose of this article, for all absentee  
321 ballots that are cast in person at the office of the registrar,  
322 the absentee ballot application and the required elector  
323 certificates shall be printed on \* \* \* an absentee ballot \* \* \*  
324 form. \* \* \* Once a voter has completed the application, he or she  
325 shall proceed to cast his or her absentee ballot and then place  
326 the ballot in the \* \* \* ballot box as otherwise provided by law.  
327 After the ballot is \* \* \* cast, the elector shall complete the  
328 elector's certificate. A signature mismatch shall not be grounds  
329 for rejecting an absentee ballot that was cast in person in the  
330 registrar's office.

331 **SECTION 6.** This act shall take effect and be in force from  
332 and after July 1, 2025.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND IN-PERSON ABSENTEE VOTING PROCEDURES TO ALLOW  
2 QUALIFIED INDIVIDUALS TO CAST THEIR BALLOTS AS THEY WOULD ON  
3 ELECTION DAY; TO REQUIRE THAT IN-PERSON ABSENTEE VOTES BE COUNTED  
4 AND ANNOUNCED WITH VOTES CAST ON ELECTION DAY; TO PROVIDE THAT THE  
5 SECRETARY OF STATE SHALL PROMULGATE RULES TO ENSURE THE SECURITY  
6 OF BALLOTS CAST IN-PERSON ABSENTEE; TO AMEND SECTIONS 23-15-627,  
7 23-15-633, 23-15-637, 23-15-639 AND 23-15-659, MISSISSIPPI CODE OF  
8 1972, TO CONFORM; AND FOR RELATED PURPOSES.

