

By: Representative Reeves

To: Apportionment and
Elections

HOUSE BILL NO. 120

1 AN ACT TO AMEND SECTION 23-15-541, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT NO STATE COURT SHALL HAVE THE AUTHORITY TO EXTEND
3 VOTING HOURS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-541, Mississippi Code of 1972, is
6 amended as follows:

7 **[Until Laws, 1993, Chapter 528, is effectuated under Section**
8 **5 of the Voting Rights Act of 1965, this section reads as**
9 **follows:]**

10 23-15-541. At all elections, the polls shall be opened at
11 seven o'clock in the morning and be kept open until seven o'clock
12 in the evening and no longer. No state court shall have the
13 authority to extend the hours that the polls shall be open. Upon
14 the opening of the polls, and not before, the managers of the
15 election shall designate two (2) of their number, other than the
16 manager theretofore designated to receive the blank ballots, who
17 shall thereupon be known respectively as the initialing manager
18 and the alternate initialing manager. The alternate initialing
19 manager, in the absence of the initialing manager, shall perform
20 all of the duties and undertake all of the responsibilities of the
21 initialing manager. When any person entitled to vote shall appear
22 to vote, he shall first sign his name in a receipt book or booklet
23 provided for that purpose and to be used at that election only and
24 said receipt book or booklet shall be used in lieu of the list of
25 voters who have voted formerly made by the managers or clerks;
26 whereupon and not before, the initialing manager or, in his
27 absence, the alternate initialing manager shall indorse his



28 initials on the back of an official blank ballot, prepared in
29 accordance with law, and at such place on the back of the ballot
30 that the initials may be seen after the ballot has been marked and
31 folded, and when so indorsed he shall deliver it to the voter,
32 which ballot the voter shall mark in the manner provided by law,
33 which when done the voter shall deliver the same to the initialing
34 manager or, in his absence, to the alternate initialing manager,
35 in the presence of the others, and the manager shall see that the
36 ballot so delivered bears on the back thereof the genuine initials
37 of the initialing manager, or alternate initialing manager, and if
38 so, but not otherwise, the ballot shall be put into the ballot
39 box; and when so done one (1) of the managers or a duly appointed
40 clerk shall make the proper entry on the pollbook. If the voter
41 is unable to write his name on the receipt book, a manager or
42 clerk shall note on the back of the ballot that it was receipted
43 for by his assistance.

44 **[From and after such time as Laws, 1993, Chapter 528, is**
45 **effectuated under Section 5 of the Voting Rights Act of 1965, this**
46 **section reads as follows:]**

47 23-15-541. At all elections, the polls shall be opened at
48 seven o'clock in the morning and be kept open until seven o'clock
49 in the evening and no longer. No state court shall have the
50 authority to extend the hours that the polls shall be open. Upon
51 the opening of the polls, and not before, the managers of the
52 election shall designate two (2) of their number, other than the
53 manager theretofore designated to receive the blank ballots, who
54 shall thereupon be known respectively as the initialing manager
55 and the alternate initialing manager. The alternate initialing
56 manager, in the absence of the initialing manager, shall perform
57 all of the duties and undertake all of the responsibilities of the
58 initialing manager. When any person entitled to vote shall appear
59 to vote, the managers shall identify the voter, in the presence
60 and view of the bystanders, by requiring the voter to submit a



61 valid Mississippi driver's license, identification card issued by
62 the Department of Public Safety, voter registration card, Medicaid
63 or Medicare card, health insurance card, tax receipt or other
64 identification card or by comparison with the descriptive
65 information on the pollbook or have a person from the precinct
66 vouch for such person's identification; and then such person shall
67 sign his name in a receipt book or booklet provided for that
68 purpose and to be used at that election only and said receipt book
69 or booklet shall be used in lieu of the list of voters who have
70 voted formerly made by the managers or clerks; whereupon and not
71 before, the initialing manager or, in his absence, the alternate
72 initialing manager shall indorse his initials on the back of an
73 official blank ballot, prepared in accordance with law, and at
74 such place on the back of the ballot that the initials may be seen
75 after the ballot has been marked and folded, and when so indorsed
76 he shall deliver it to the voter, which ballot the voter shall
77 mark in the manner provided by law, which when done the voter
78 shall deliver the same to the initialing manager or, in his
79 absence, to the alternate initialing manager, in the presence of
80 the others, and the manager shall see that the ballot so delivered
81 bears on the back thereof the genuine initials of the initialing
82 manager, or alternate initialing manager, and if so, but not
83 otherwise, the ballot shall be put into the ballot box; and when
84 so done one (1) of the managers or a duly appointed clerk shall
85 make the proper entry on the pollbook. If the voter is unable to
86 write his name on the receipt book, a manager or clerk shall note
87 on the back of the ballot that it was receipted for by his
88 assistance.

89 **SECTION 2.** The Attorney General of the State of Mississippi
90 shall submit this act, immediately upon approval by the Governor,
91 or upon approval by the Legislature subsequent to a veto, to the
92 Attorney General of the United States or to the United States
93 District Court for the District of Columbia in accordance with the



94 provisions of the Voting Rights Act of 1965, as amended and
95 extended.

96 **SECTION 3.** This act shall take effect and be in force from
97 and after the date it is effectuated under Section 5 of the Voting
98 Rights Act of 1965, as amended and extended.

