

By: Representatives Gunn, Ellington,  
Fillingane, Hamilton (6th), Staples

To: Apportionment and  
Elections

HOUSE BILL NO. 1600

1 AN ACT TO AMEND SECTIONS 23-15-405 AND 23-15-423, MISSISSIPPI  
2 CODE OF 1972, TO REQUIRE THAT THE NUMBER OF VOTING MACHINES USED  
3 IN A VOTING PRECINCT BE IN DIRECT PROPORTION TO THE NUMBER OF  
4 REGISTERED VOTERS IN THE PRECINCT, WITH A GREATER NUMBER OF VOTING  
5 MACHINES BE USED IN PRECINCTS WITH A GREATER NUMBER OF REGISTERED  
6 VOTERS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 23-15-405, Mississippi Code of 1972, is  
9 amended as follows:

10 23-15-405. Whenever the board of supervisors of any county  
11 or the governing authorities of any municipality shall purchase or  
12 rent voting machines that meet the requirements of this article,  
13 such voting machines may be used at all elections held in such  
14 county or municipality, or in any part thereof, for voting,  
15 registering and counting votes cast at such elections. In  
16 providing voting machines, the board of supervisors is hereby  
17 empowered to purchase or rent voting machines for each voting  
18 precinct in the entire county, including those located within the  
19 municipality, and the board shall purchase or rent machines in  
20 direct proportion to the number of voters in each precinct. The  
21 board of supervisors of any county and the governing authorities  
22 of any municipality may jointly purchase or rent voting machines  
23 for all of the voting precincts in the entire county. Whenever  
24 voting machines have been purchased or rented by either the board  
25 of supervisors or the governing authorities of a municipality, for  
26 use at voting precincts within the county or within the  
27 municipality, said voting machines may be used at said voting  
28 precincts in all elections, and the officials in charge of the  
29 election to be held shall cause the voting machines to be prepared

30 and used at such election as provided for herein. The number of  
31 voting machines to be used in each voting precinct must be in  
32 direct proportion to the number of voters registered in the  
33 precinct, with a greater number of voting machines to be used in  
34 voting precincts in which a greater number of voters are  
35 registered. Guidelines for the number of machines to be used for  
36 a specific designated number of voters within each precinct shall  
37 be provided by the Secretary of State. Voting machines of  
38 different kinds may be adopted for different counties within the  
39 state.

40 Voting machines may be used in combination with paper ballots  
41 in any election at the discretion of and under rules and  
42 regulations set up by the officials in charge of the election.

43 **SECTION 2.** Section 23-15-423, Mississippi Code of 1972, is  
44 amended as follows:

45 23-15-423. Voting precincts in which voting machines are to  
46 be used shall be altered, divided or combined so as to provide  
47 that each voting precinct in which the machine or machines to be  
48 used shall contain the number of voters specified by the Secretary  
49 of State. The number of voting machines to be used in each voting  
50 precinct must be in direct proportion to the number of voters  
51 registered in the precinct, with a greater number of voting  
52 machines to be used in voting precincts in which a greater number  
53 of voters are registered. Guidelines for the number of machines  
54 to be used for a specific designated number of voters within each  
55 precinct shall be provided by the Secretary of State.

56 **SECTION 3.** The Attorney General of the State of Mississippi  
57 shall submit this act, immediately upon approval by the Governor,  
58 or upon approval by the Legislature subsequent to a veto, to the  
59 Attorney General of the United States or to the United States  
60 District Court for the District of Columbia in accordance with the  
61 provisions of the Voting Rights Act of 1965, as amended and  
62 extended.

63           **SECTION 4.** This act shall take effect and be in force from  
64 and after the date it is effectuated under Section 5 of the Voting  
65 Rights Act of 1965, as amended and extended.