

By: Representatives Gunn, Staples,
Fillingane, Beckett, Carlton, Aldridge,
Mayhall, Barnett, Turner, Martinson, Stevens,
Lott

To: Apportionment and
Elections

HOUSE BILL NO. 926

1 AN ACT TO AMEND SECTION 23-15-541, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT IF A BALLOT DOES NOT HAVE THE INITIALS OF THE
3 INITIALING MANAGER OR ALTERNATE INITIALING MANAGER ON THE BALLOT,
4 THAT THE BALLOT MUST BE CONSIDERED IRREGULAR AND DISPOSED OF AS
5 PROVIDED BY LAW; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF
6 1972, TO PROVIDE PENALTIES FOR THIS NEW FORM OF VOTE FRAUD; AND
7 FOR RELATED PURPOSES.

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

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

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

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

46 **SECTION 2.** The Attorney General of the State of Mississippi
47 shall submit this act, immediately upon approval by the Governor,
48 or upon approval by the Legislature subsequent to a veto, to the
49 Attorney General of the United States or to the United States
50 District Court for the District of Columbia in accordance with the
51 provisions of the Voting Rights Act of 1965, as amended and
52 extended.

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