

By: Senator(s) Blount

To: Elections;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2223

1 AN ACT AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE PERSONS ELIGIBLE TO VOTE IN THIS STATE TO SUBMIT VOTER
3 REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE
4 ESTABLISHED BY THE SECRETARY OF STATE; TO PROVIDE THAT THE
5 SECRETARY OF STATE SHALL FORWARD THE APPLICATION AND ANY
6 ADDITIONAL INFORMATION RECEIVED TO THE REGISTRAR OF THE COUNTY IN
7 WHICH THE APPLICANT CURRENTLY RESIDES; TO PROVIDE PROCEDURES BY
8 WHICH THE COUNTY REGISTRAR SHALL PROCESS SUCH APPLICATIONS; TO
9 AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR
10 LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT
11 PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO
12 REQUIRE A PERSON WHO DESIRES TO VOTE EARLY TO APPEAR AT THE
13 REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT
14 BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S
15 OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON
16 THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT
17 GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF
18 ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE
19 PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST
20 DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO
21 PROVIDE THAT THE VOTES CAST DURING EARLY VOTING SHALL BE ANNOUNCED
22 SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT
23 EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE
24 REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY
25 PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED
26 BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE
27 THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS
28 NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION
29 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO
30 AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE
31 CATEGORIES OF VOTERS WHO MAY CAST AN ABSENTEE BALLOT; TO AMEND
32 SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL
33 ABSENTEE BALLOTS MUST BE RECEIVED BY THE REGISTRAR BY A CERTAIN
34 TIME ON THE DAY BEFORE THE ELECTION; AND FOR RELATED PURPOSES.



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

36 **SECTION 1.** Section 23-15-49, Mississippi Code of 1972, is
37 amended as follows:

38 23-15-49. (1) * * * The Secretary of State shall, with the
39 support of the Mississippi Department of Public Safety, establish
40 a secure Internet website to permit:

41 (a) Applicants qualified under Section 23-15-11 to
42 submit voter registration applications. The instructions and the
43 online voter registration shall be in a form established by rule
44 duly adopted by the Secretary of State; and

45 (b) Registered electors to change their name, address
46 or other information set forth in the * * * existing voter
47 registration record.

48 (* * *2) * * * The Secretary of State * * * shall ensure
49 that the secure website * * * uses software that is capable of:

50 (a) Verifying that:

51 (i) The applicant or elector has a current and
52 valid Mississippi driver's license or photo identification card
53 issued by the Mississippi Department of Public Safety and the
54 number for that driver's license or photo identification card
55 provided by the applicant or elector matches the number for the
56 applicant's or elector's driver's license or photo identification
57 card that is on file with the Mississippi Department of Public
58 Safety;



59 (ii) The name and date of birth provided by
60 the * * * applicant or elector matches the name and date of birth
61 that is on file with the Mississippi Department of Public Safety;
62 and

63 (iii) The information provided by the applicant or
64 elector matches the information on file with the Mississippi
65 Department of Public Safety.

66 (b) Rejecting voter registration applications or
67 requested changes if any of the information does not match that on
68 file with the Mississippi Department of Public Safety * * * or for
69 other reasons provided by law.

70 (3) The voter registration application shall be reviewed by
71 the county registrar of the applicant's county of residence. The
72 application shall be rejected if any of the items listed in
73 subsection (2) of this section do not match or for any of the
74 reasons set forth in Section 23-15-47(2) (d).

75 (* * *4) Any person who attempts to register to vote by
76 electronic registration or attempts to change registration
77 information under this section shall be subject to the penalties
78 for false registration provided for in Section 97-13-25.

79 (* * *5) The Secretary of State and the Department of
80 Public Safety shall enter into a memorandum of understanding
81 providing for the sharing of information required to facilitate
82 the requirements of this section.



83 **SECTION 2.** Sections 2 through 6 of this act shall be known
84 and may be cited as the "Preelection Day Voting Act."

85 **SECTION 3.** (1) The preelection day voting period shall
86 begin twenty-one (21) days before the date of each election and
87 end at 12:00 p.m. on the Saturday immediately before election day.
88 Any qualified elector may vote in the registrar's office in the
89 county in which the elector is registered to vote during the times
90 established for preelection day voting in this section.

91 (2) Preelection day voting shall be conducted in the office
92 of the registrar during weekdays from 8:00 a.m. until 5:00 p.m.
93 During the last full week before an election, the office of the
94 register may remain open for preelection voting on weekdays during
95 the lunch hour and from 5:00 p.m. until 7:00 p.m.

96 **SECTION 4.** (1) An elector who desires to vote early shall
97 appear at the office of the registrar in the county in which he is
98 registered to vote and shall present an acceptable form of photo
99 identification. After signing the appropriate receipt book, the
100 elector shall cast his ballot in the same manner as he would at
101 his voting precinct on the day of the election. Except as may be
102 otherwise provided by Sections 2 through 6 of this act, the
103 election laws that govern procedures for a person who appears to
104 vote on the day of election shall apply when a person appears to
105 vote during the preelection day voting period.

106 (2) All votes cast at a preelection day voting location
107 shall be final.



108 (3) The votes cast during preelection voting shall be
109 announced simultaneously with the vote cast on election day.

110 **SECTION 5.** Each candidate or his representatives shall have
111 the right to be present at the office of the registrar when it is
112 open for preelection day voting and to challenge the
113 qualifications of any person offering to vote in the same manner
114 as provided by law at the polling place on election day.

115 **SECTION 6.** The Secretary of State shall promulgate rules and
116 regulations necessary to effectuate early voting.

117 **SECTION 7.** Section 23-15-195, Mississippi Code of 1972, is
118 amended as follows:

119 23-15-195. All elections by the people shall be by
120 ballot * * *.

121 **SECTION 8.** Section 23-15-627, Mississippi Code of 1972, is
122 amended as follows:

123 23-15-627. The registrar shall be responsible for furnishing
124 an absentee ballot application form to any elector authorized to
125 receive an absentee ballot. Except as otherwise provided in
126 Section 23-15-625, absentee ballot applications shall be furnished
127 to a person only upon the oral or written request of the elector
128 who seeks to vote by absentee ballot; however, the parent, child,
129 spouse, sibling, legal guardian, those empowered with a power of
130 attorney for that elector's affairs or agent of the elector, who
131 is designated in writing and witnessed by a resident of this state
132 who shall write his or her physical address on such designation,



133 may orally request an absentee ballot application on behalf of the
134 elector. The written designation shall be valid for one (1) year
135 after the date of the designation. An absentee ballot application
136 must have the seal of the circuit or municipal clerk affixed to it
137 and be initialed by the registrar or his deputy in order to be
138 utilized to obtain an absentee ballot. A reproduction of an
139 absentee ballot application shall not be valid unless it is a
140 reproduction provided by the office of the registrar of the
141 jurisdiction in which the election is being held and which
142 contains the seal and initials required by this section. Such
143 application shall be substantially in the following form:

144 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

145 I, _____, duly qualified and registered in the ____ Precinct
146 of the County of _____, and State of Mississippi, coming within
147 the purview of the definition 'ABSENT ELECTOR' will be * * *
148 unable to vote in person because (check appropriate reason):

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

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

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



158 () I am a disabled war veteran who is a patient in any
159 hospital and am a citizen of Mississippi or spouse or dependent of
160 such veteran.

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

165 () I am a citizen of Mississippi temporarily residing
166 outside the territorial limits of the United States and the
167 District of Columbia.

168 * * *

169 () I am a citizen of Mississippi temporarily residing
170 outside the county of my residence, or spouse or dependent of such
171 citizen.

172 () I am a trained or certified emergency response provider
173 who is deployed during the time period authorized by law for
174 absentee voting, on election day, or during any state of emergency
175 declared by the President of the United States or any Governor of
176 any state within the United States, or spouse or dependent of such
177 emergency response provider.

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

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

180 () I am the parent, spouse or dependent of a person with a
181 temporary or permanent physical disability who is hospitalized
182 outside his county of residence or more than fifty (50) miles away



183 from his residence, and I will be with such person on election
184 day.

185 () I am a member of the congressional delegation, or spouse
186 or dependent of a member of the congressional delegation.

187 * * *

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

190 Mail 'Absent Elector's Ballot' to me at the following
191 address _____ * * *.

192 I realize that I can be fined up to Five Thousand Dollars
193 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
194 for making a false statement in this application and for selling
195 my vote and violating the Mississippi Absentee Voter Law. (This
196 sentence is to be in bold print.)

197 If you are temporarily or permanently disabled, you are not
198 required to have this application notarized or signed by an
199 official authorized to administer oaths for absentee balloting.
200 You are required to sign this application in the proper place and
201 have a person eighteen (18) years of age or older witness your
202 signature and sign this application in the proper place.

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

205 IN WITNESS WHEREOF I have hereunto set my hand and seal this
206 the ____ day of _____, 2____.

207 _____



(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
2____.

(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 disabled 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)"

SECTION 9. Section 23-15-637, Mississippi Code of 1972, is
amended as follows:



233 23-15-637. Absentee ballots * * * must be received by the
234 registrar by 5:00 p.m. on the date preceding the election; any
235 received after such time shall be handled as provided in Section
236 23-15-647 and shall not be counted. * * * The registrar shall
237 deposit all absentee ballots which have been timely cast in the
238 ballot boxes upon receipt.

239 **SECTION 10.** This act shall take effect and be in force from
240 and after July 1, 2017.

