

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2654: In-person early voting; allow.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

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

29 SECTION 1. Sections 1 through 7 of this act shall be known
30 and may be cited as the "In-Person Excused Voting Act."

31 SECTION 2. For purposes of this act, these words will have
32 the following meanings, unless their context clearly suggests
33 otherwise:

34 (a) "Election" means the period of time that is
35 available for casting a final vote. References to the time of an
36 election or the duration of the election shall encompass, unless
37 the context clearly indicates otherwise, the twenty-two-day period
38 that has been designed for in-person excused voting.

39 (b) "Polling place" or "voting precinct" means any
40 place where a qualified elector votes during the in-person excused
41 voting period and on the actual election day.



42 SECTION 3. (1) The in-person excused voting period shall
43 begin twenty-two (22) days before the date of each primary,
44 general, runoff, special and municipal election for public office
45 and continue until 12:00 p.m. on the Saturday immediately
46 preceding the election day. Any qualified elector with an excuse
47 may vote during the times established for in-person excused voting
48 in this chapter in the office of the registrar in which the
49 elector is registered to vote, in a government owned or leased
50 building that houses the office of the registrar or in a
51 government owned or leased building adjacent to the building that
52 houses the office of the registrar. No additional location for
53 in-person excused voting is permitted.

54 (2) If the registrar determines that the office of the
55 registrar does not allow for sufficient space to conduct in-person
56 excused voting, the registrar may submit a written request to the
57 board of supervisors for an alternate office, meeting room or
58 court room to be made available to the registrar during the
59 in-person excused voting period for the purpose of conducting
60 in-person voting, so long as the following conditions are met:

61 (a) The alternate office, meeting room or court room is
62 in a building owned or leased by a government entity;

63 (b) The building houses the office of the registrar or
64 is a building or annex adjacent to the building that houses the
65 office of the registrar; and



66 (c) The board of supervisors and the registrar have
67 requested and received a certification letter from the Secretary
68 of State verifying that the alternate office, meeting room or
69 court room is a valid and secure location for the purpose of
70 conducting in-person excused voting.

71 (3) In-person excused voting shall be conducted in the
72 office of the appropriate registrar, or alternate location, during
73 regular business hours. During the last full week preceding an
74 election, the registrar may extend the office hours to accommodate
75 in-person excused voters to allow voting during the lunch period
76 and until 7:00 p.m. All registrar offices shall remain open from
77 8:00 a.m. until 12:00 p.m. for the two (2) Saturdays immediately
78 preceding each election.

79 (4) Notice of the in-person excused voting hours and
80 location shall be given by the officials in charge of the election
81 not less than eight (8) days before the in-person excused voting
82 period begins. Such notice shall be posted in three (3) public
83 places within the county or municipality, with one (1) place being
84 the county courthouse in a county election or city hall in a
85 municipal election.

86 **SECTION 4.** (1) A qualified elector with a valid excuse who
87 desires to vote during the in-person excused voting period shall
88 appear at the office of the appropriate registrar in the county or
89 municipality in which the elector is a resident and registered to
90 vote and shall present an acceptable form of photo identification.



91 Upon verification of the proper location, identity and reason for
92 excused voting, the elector shall be marked in the Statewide
93 Elections Management System as "VOTED IPE," with the reason for
94 voting excused, sign the appropriate receipt book and cast his or
95 her vote in the same manner that such vote would be cast on the
96 day of the election. Except as otherwise provided in Sections 1
97 through 7 of this act, the election laws that govern the
98 procedures for a person who appears to vote on the day of an
99 election shall apply when a person appears to vote during the
100 in-person excused voting period.

101 (2) A valid excuse for excused voting may be one (1) of the
102 following:

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

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

109 (c) I am a member of the Merchant Marine or the
110 American Red Cross and am a citizen of Mississippi or spouse or
111 dependent of such member.

112 (d) I am a disabled war veteran who is a patient in any
113 hospital and am a citizen of Mississippi or spouse or dependent of
114 such veteran.



115 (e) I am a civilian attached to and serving outside of
116 the United States with any branch of the Armed Forces or with the
117 Merchant Marine or American Red Cross, and am a citizen of
118 Mississippi or spouse or dependent of such civilian.

119 (f) I am a citizen of Mississippi temporarily residing
120 outside the territorial limits of the United States and the
121 District of Columbia.

122 (g) I am a student, teacher or administrator at a
123 college, university, junior or community college, high, junior
124 high, elementary or grade school, whose studies or employment at
125 such institution necessitates my absence from the county of my
126 voting residence or spouse or dependent of such student, teacher
127 or administrator who maintains a common domicile outside the
128 county of my voting residence with such student, teacher or
129 administrator.

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

131 (i) I have a temporary or permanent physical
132 disability.

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

134 (k) I am the parent, spouse or dependent of a person
135 with a temporary or permanent physical disability who is
136 hospitalized outside his or her county of residence or more than
137 fifty (50) miles away from his or her residence, and I will be
138 with such person on election day.



139 (l) I am a member of the congressional delegation, or
140 spouse or dependent of a member of the congressional delegation.

141 (m) I anticipate being at work on election day during
142 the times when the polls will be open or I anticipate being
143 on-call on election day during the times when the polls will be
144 open.

145 (n) I am incarcerated in prison or jail in the county
146 where I am registered to vote and have not been convicted of a
147 disenfranchising crime.

148 (o) I am the caretaker, parent and/or guardian of a
149 disabled person, an elderly person(s), or a minor child or
150 children and expect to be unable to vote on election day due to my
151 responsibilities of caring for that person.

152 (3) All votes cast during the in-person excused voting
153 period shall be final.

154 (4) The votes cast during the in-person excused voting
155 period shall be tabulated and announced simultaneously with all
156 other votes cast on election day after the polls close at 7:00
157 p.m., and not before that time.

158 **SECTION 5.** The board of supervisors may, in its discretion,
159 and upon written request from the registrar, assign one or more
160 election commissioners to assist the registrar with the in-person
161 excused voting process during the times the registrar's office is
162 open for in-person excused voting. Each election commissioner
163 that assists with in-person excused voting shall be paid at the



164 same per diem rate as on election day, per Section 23-15-153, for
165 each day worked during the in-person excused voting period.

166 **SECTION 6.** Each political party, candidate or any
167 representative of a political party or candidate pursuant to
168 Section 23-15-577 shall have the right to be present at the office
169 of the appropriate registrar when it is open for in-person excused
170 voting and to challenge the qualifications of any person offering
171 to vote in the same manner as provided by law for challenging
172 qualifications at the polling place on election day.

173 **SECTION 7.** (1) The Secretary of State shall promulgate
174 rules and regulations necessary to effectuate in-person excused
175 voting.

176 (2) The Secretary of State shall promulgate specific
177 instructions for the security and integrity of the voting systems
178 during the in-person excused voting period. All voting systems
179 used under this section shall be maintained and locked in a secure
180 location at the registrar's office, in a government owned or
181 leased building that houses the office of the registrar or in a
182 government owned or leased building adjacent to the building that
183 houses the office of the registrar, each day after the close of
184 in-person excused voting hours.

185 **SECTION 8.** Section 23-15-625, Mississippi Code of 1972, is
186 amended as follows:

187 23-15-625. (1) The registrar shall be responsible for
188 providing applications for absentee voting as provided in this



189 section. At least sixty (60) days before any election in which
190 absentee voting is provided for by law, the registrar shall
191 provide a sufficient number of applications. In the event a
192 special election is called and set at a date which makes it
193 impractical or impossible to prepare applications for absent
194 elector's ballot sixty (60) days before the election, the
195 registrar shall provide applications as soon as practicable after
196 the election is called. The registrar shall fill in the date of
197 the particular election on the application for which the
198 application will be used. * * *

199 (2) The registrar shall be authorized to disburse
200 applications for absentee ballots to any qualified elector within
201 the county where he or she serves. Any person who presents to the
202 registrar an oral or written request for an absentee ballot
203 application for a voter entitled to vote absentee by mail, other
204 than the elector who seeks to vote by absentee ballot, shall, in
205 the presence of the registrar, sign the application and print on
206 the application his or her name and address and the name of the
207 elector for whom the application is being requested in the place
208 provided for on the application for that purpose. However, if for
209 any reason such person is unable to write the information
210 required, then the registrar shall write the information on a
211 printed form which has been prescribed by the Secretary of State.
212 The form shall provide a place for such person to place his or her
213 mark after the form has been filled out by the registrar.



214 (3) It shall be unlawful for any person to solicit absentee
215 ballot applications or absentee ballots for persons staying in any
216 skilled nursing facility as defined in Section 41-7-173 unless the
217 person soliciting the absentee ballot applications or absentee
218 ballots is:

219 (a) A family member of the person staying in the
220 skilled nursing facility; or

221 (b) A person designated by the person for whom the
222 absentee ballot application or absentee ballot is sought, the
223 registrar or the deputy registrar.

224 As used in this subsection, "family member" means a spouse,
225 parent, grandparent, sibling, adult child, grandchild or legal
226 guardian.

227 (4) The registrar in the county wherein a voter is qualified
228 to vote upon receiving by mail the envelope containing the
229 absentee ballots shall keep an accurate list of all persons
230 preparing such ballots. The list shall be kept in a conspicuous
231 place accessible to the public near the entrance to the
232 registrar's office. The registrar shall also furnish to
233 each * * * poll manager a list of the names of all persons in each
234 respective precinct voting absentee by mail and during in-person
235 excused voting to be posted in a conspicuous place at the polling
236 place for public notice. The application on file with the
237 registrar and the envelopes containing the ballots that voters
238 mailed to the registrar shall be kept by the registrar in his or



239 her office in a secure location. At the time such boxes are
240 delivered to the election commissioners or poll managers, the
241 registrar shall also turn over a list of all such persons who have
242 voted during in-person excused voting and whose mailed ballots are
243 in the registrar's office.

244 (5) The registrar shall also be authorized to mail one (1)
245 application to any qualified elector of the county, who is
246 eligible to vote by absentee ballot, for use in a particular
247 election.

248 (6) The registrar shall process all applications for
249 absentee ballots by using the Statewide Election Management
250 System. The registrar shall account for all absentee ballots
251 delivered to and received by mail as well as those who voted * * *
252 excused in-person from qualified voters by processing such ballots
253 using the Statewide Election Management System.

254 **SECTION 9.** Section 23-15-627, Mississippi Code of 1972, is
255 amended as follows:

256 23-15-627. (1) Any elector described in Section 23-15-713
257 may request an absentee ballot application and * * * have the
258 application and absentee ballot mailed to the elector. The
259 registrar shall be responsible for furnishing an absentee ballot
260 application form to any elector authorized to receive an absentee
261 ballot. Such form shall be printed on the absentee ballot
262 envelope as provided in Section 23-15-659. Except as otherwise
263 provided in Section 23-15-625, absentee ballot applications shall



264 be furnished to a person only upon the oral or written request of
265 the elector who seeks to vote by absentee ballot; however, the
266 parent, child, spouse, sibling, legal guardian, those empowered
267 with a power of attorney for that elector's affairs or agent of
268 the elector, who is designated in writing and witnessed by a
269 resident of this state who shall write his or her physical address
270 on such designation, may orally request an absentee ballot
271 application on behalf of the elector. The written designation
272 shall be valid for one (1) year after the date of the designation.
273 An absentee ballot application must have the seal of the circuit
274 or municipal clerk affixed to it and be initialed by the registrar
275 or his or her deputy in order to be used to obtain an absentee
276 ballot. A reproduction of an absentee ballot application shall
277 not be valid unless it is a reproduction provided by the office of
278 the registrar of the jurisdiction in which the election is being
279 held and which contains the seal and initials required by this
280 section.

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

283 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

284 I, _____, duly qualified and registered in the ____ Precinct
285 of the County of _____, and State of Mississippi, coming within
286 the purview of the definition 'ABSENT ELECTOR' will be absent from
287 the county of my residence on election day, or unable to vote in
288 person because (check appropriate reason):



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

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

295 () I am a member of the Merchant Marine or the American Red
296 Cross and am a citizen of Mississippi or spouse or dependent of
297 such member.

298 () I am a disabled war veteran who is a patient in any
299 hospital and am a citizen of Mississippi or spouse or dependent of
300 such veteran.

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

305 () I am a citizen of Mississippi temporarily residing
306 outside the territorial limits of the United States and the
307 District of Columbia.

308 * * *

309 () I am a citizen of Mississippi temporarily residing
310 outside of the county of my residence during the in-person excused
311 voting period and on election day.

312 () I am an emergency response provider, deployed due to a
313 state of emergency declared by the President of the United States



314 or the governor of any state within the United States during the
315 time period provided by state law for in-person excused voting and
316 election day.

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

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

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

324 () I am a member of the congressional delegation, or spouse
325 or dependent of a member of the congressional delegation.

326 * * *

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

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

332 Mail 'Absent Elector's Ballot' to me at the following address
333 _____.

334 () I wish to receive an absentee ballot for the runoff
335 election _____.

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

338 Phone number: _____



339 Email address: _____

340 Mailing address: _____

341 I realize that I can be fined up to Five Thousand Dollars
342 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
343 for making a false statement in this application and for selling
344 my vote and violating the Mississippi Absentee Voter Law. (This
345 sentence is to be in bold print.)

346 If you are temporarily or permanently disabled, you are not
347 required to have this application notarized or signed by an
348 official authorized to administer oaths for absentee balloting.
349 You are required to sign this application in the proper place and
350 have a person eighteen (18) years of age or older witness your
351 signature and sign this application in the proper place.

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

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

356 _____

357 (Signature of absent elector)

358 SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
359 2__.

360 _____

361 (Official authorized to administer oaths
362 for absentee balloting.)



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

365 I HEREBY CERTIFY that this application for an absent
366 elector's ballot was signed by the above-named elector in my
367 presence and that I am at least eighteen (18) years of age, this
368 the ____ day of _____, 2__.

369 _____
370 (Signature of witness)

371 CERTIFICATE OF DELIVERY

372 I hereby certify that _____ (print name of voter)
373 has requested that I, _____ (print name of person
374 delivering application), deliver to the voter this absentee ballot
375 application.

376 _____
377 (Signature of person delivering application)

378 _____
379 (Address of person delivering application)"

380 (3) The application printed on the front of the absentee
381 ballot envelope for absentee voters appearing before the registrar
382 shall be substantially in the following form:

383 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

384 I, _____, duly qualified and registered in the ____ Precinct
385 of the County of _____, and State of Mississippi, coming within
386 the purview of the definition 'ABSENT ELECTOR' will be absent from



387 the county of my residence on election day, or unable to vote in
388 person because (check appropriate reason):

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

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

395 () I am a member of the Merchant Marine or the American Red
396 Cross and am a citizen of Mississippi or spouse or dependent of
397 such member.

398 () I am a disabled war veteran who is a patient in any
399 hospital and am a citizen of Mississippi or spouse or dependent of
400 such veteran.

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

405 () I am a citizen of Mississippi temporarily residing
406 outside the territorial limits of the United States and the
407 District of Columbia.

408 * * *

409 () I am a citizen of Mississippi temporarily residing
410 outside of the county of my residence during the in-person excused
411 voting period and on election day.



412 () I am an emergency first response provider, deployed due
413 to a state of emergency declared by the President of the United
414 States or the Governor of any state within the United States
415 during the time period provided by law for in-person excused
416 voting and election day.

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

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

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

424 () I am a member of the congressional delegation, or spouse
425 or dependent of a member of the congressional delegation.

426 * * *

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

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

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

434 Phone number: _____

435 Email address: _____

436 Mailing address: _____



437 I realize that I can be fined up to Five Thousand Dollars
438 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
439 for making a false statement in this application and for selling
440 my vote and violating the Mississippi Absentee Voter Law. (This
441 sentence is to be in bold print.)"

442 **SECTION 10.** Section 23-15-631, Mississippi Code of 1972, is
443 amended as follows:

444 23-15-631. (1) The registrar shall enclose with each ballot
445 mailed to an absent elector separate printed instructions
446 furnished by the registrar containing the following:

447 * * *

448 (* * *a) Upon receipt of the enclosed ballot, you will
449 not mark the ballot except in view or sight of the attesting
450 witness. In the sight or view of the attesting witness, mark the
451 ballot according to instructions.

452 (* * *b) After marking the ballot, fill out and sign
453 the "ELECTOR'S CERTIFICATE" in the box on the back of the envelope
454 so that the signature is across the flap of the envelope to ensure
455 the integrity of the ballot. All absent electors shall have the
456 attesting witness sign the "ATTESTING WITNESS CERTIFICATE" in the
457 box across the flap on the back of the envelope. A portion of the
458 elector's signature extending outside of the box shall not be
459 grounds for rejecting that elector's ballot. Place the necessary
460 postage on the envelope and deposit it in the post office or some
461 government receptacle provided for the deposit of mail so that the



462 absent elector's ballot will be * * * received by the
463 registrar * * * not later than 7:00 p.m. on the day of the
464 election. The ballot may only be transmitted by the United States
465 Postal Service or other common carriers, including, but not
466 limited to, United Parcel Service or FedEx Corporation.

467 Any notary public, United States postmaster, assistant United
468 States postmaster, United States postal supervisor, clerk in
469 charge of a contract postal station, or other officer having
470 authority to administer an oath or take an acknowledgment may be
471 an attesting witness; provided, however, that in the case of an
472 absent elector who is temporarily or permanently physically
473 disabled, the attesting witness may be any person eighteen (18)
474 years of age or older and such person is not required to have the
475 authority to administer an oath. If a postmaster, assistant
476 postmaster, postal supervisor, or clerk in charge of a contract
477 postal station acts as an attesting witness, his or her signature
478 in a box on the elector's certificate must be authenticated by the
479 cancellation stamp of their respective post offices. If an
480 officer having authority to administer an oath or take an
481 acknowledgment acts as an attesting witness, his or her signature
482 in a box on the elector's certificate, together with his or her
483 title and address, but no seal, shall be required. A portion of
484 the elector's signature extending outside of the box shall not be
485 grounds for rejecting that elector's ballot. Any affidavits made
486 by an absent elector who is in the Armed Forces may be executed



487 before a commissioned officer, warrant officer, or noncommissioned
488 officer not lower in grade than sergeant rating or any person
489 authorized to administer oaths.

490 (* * *c) When the application accompanies the ballot
491 it shall not be returned in the same envelope as the ballot but
492 shall be returned in a separate pre-addressed envelope provided by
493 the registrar.

494 (* * *d) A candidate for public office, or the spouse,
495 parent or child of a candidate for public office, may not be an
496 attesting witness for any absentee ballot upon which the
497 candidate's name appears, unless the voter is related within the
498 first degree to the candidate or the spouse, parent or child of
499 the candidate.

500 (* * *e) Any voter casting an absentee ballot who
501 declares that he or she requires assistance to vote by reason of
502 blindness, temporary or permanent physical disability or inability
503 to read or write, shall be entitled to receive assistance in the
504 marking of his or her absentee ballot and in completing the
505 affidavit on the absentee ballot envelope. The voter may be given
506 assistance by anyone of the voter's choice other than a candidate
507 whose name appears on the absentee ballot being marked, the
508 spouse, parent or child of a candidate whose name appears on the
509 absentee ballot being marked or the voter's employer, an agent of
510 that employer or a union representative; however, a candidate
511 whose name is on the ballot or the spouse, parent or child of such



512 candidate may provide assistance upon request to any voter who is
513 related within the first degree. In order to ensure the integrity
514 of the ballot, any person who provides assistance to an absentee
515 voter shall be required to sign and complete the "Certificate of
516 Person Providing Voter Assistance" on the absentee ballot
517 envelope.

518 (2) The foregoing instructions required to be provided by
519 the registrar to the elector shall also constitute the substantive
520 law pertaining to the handling of absentee ballots by the elector
521 and registrar.

522 (3) The Secretary of State shall prepare instructions on how
523 absent voters may comply with the identification requirements of
524 Section 23-15-563.

525 **SECTION 11.** Section 23-15-637, Mississippi Code of 1972, is
526 amended as follows:

527 23-15-637. (1) * * * Absentee ballots and applications
528 received by mail * * * or common carrier, such as United Parcel
529 Service or FedEx Corporation, must be * * * received by the
530 registrar * * * not later than 7:00 p.m. the day of the election;
531 any received after such time shall be handled as provided in
532 Section 23-15-647 and shall not be counted.

533 * * *

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



537 receipt. The registrar shall not send any absentee ballots to the
538 precinct polling locations.

539 (3) The Secretary of State shall promulgate rules and
540 regulations necessary to ensure that when a qualified elector who
541 is qualified to vote absentee votes by absentee mail-in
542 ballot, * * * that person's absentee vote is final and he or she
543 may not vote at the polling place on election day.

544 Notwithstanding any other provisions of law to the contrary, the
545 Secretary of State shall promulgate rules and regulations
546 necessary to ensure that absentee ballots shall remain in the
547 registrar's office for counting and not be taken to the precincts
548 on election day.

549 **SECTION 12.** Section 23-15-713, Mississippi Code of 1972, is
550 amended as follows:

551 23-15-713. For the purpose of this subarticle, any duly
552 qualified elector may vote as provided in this subarticle if the
553 elector falls within at least one (1) of the following categories:

554 * * *

555 (* * *a) Any qualified elector who is required to be
556 away from his or her place of residence on any election day due to
557 his or her employment as an employee of a member of the
558 Mississippi congressional delegation and the spouse and dependents
559 of such person if he or she shall be residing with such absentee
560 voter away from the county of the spouse's voting residence.

561 * * *



562 (* * *b) Any person who has a temporary or permanent
563 physical disability and who, because of such disability, is unable
564 to vote in person without substantial hardship to himself, herself
565 or others, or whose attendance at the voting place could
566 reasonably cause danger to himself, herself or others.

567 (* * *c) The parent, spouse or dependent of a person
568 with a temporary or permanent physical disability who is
569 hospitalized outside of his or her county of residence or more
570 than fifty (50) miles distant from his or her residence, if the
571 parent, spouse or dependent will be with such person on election
572 day.

573 (* * *d) Any person who is sixty-five (65) years of
574 age or older.

575 (* * *e) Any member of the Mississippi congressional
576 delegation absent from Mississippi on election day, and the spouse
577 and dependents of such member of the congressional delegation.

578 (* * *f) Any qualified elector who * * * is
579 temporarily residing outside of their county of residence during
580 the in-person excused voting period and on election day during the
581 times when the polls will be open.

582 (g) An emergency response provider, deployed due to a
583 state of emergency declared by the President of the United States
584 or the governor of any state within the United States during the
585 time period provided by state law for in-person excused voting and
586 election day.



587 (* * *h) Any qualified elector who is incarcerated in
588 prison or jail in the county where he or she is registered to vote
589 and has not been convicted of a disenfranchising crime.

590 **SECTION 13.** Section 23-15-715, Mississippi Code of 1972, is
591 amended as follows:

592 23-15-715. Any elector described in Section 23-15-713 and
593 desiring an absentee ballot as provided in this subarticle may
594 secure same if * * * within forty-five (45) days * * * before any
595 election, but not less than seven (7) days before the election,
596 such elector applies for an absentee ballot as provided in the
597 provisions of this act. * * * All applications, other than those
598 of persons having a temporary or permanent physical disability,
599 shall * * * be sworn to and subscribed before an official who is
600 authorized to administer oaths or another official authorized to
601 witness absentee balloting as provided in this chapter. The
602 applications of persons having a temporary or permanent physical
603 disability are not required to be accompanied by an affidavit but
604 shall be witnessed and signed by a person eighteen (18) years of
605 age or older. The registrar shall send to such absent voter a
606 proper absentee voter ballot within twenty-four (24) hours, or as
607 soon thereafter as the ballots are available, containing the names
608 of all candidates who qualify or the proposition to be voted on in
609 such election, and with such ballot there shall be sent an
610 official envelope containing upon it in printed form the recitals
611 and data hereinafter required.



612 * * * Except when the voter has requested a runoff ballot on
613 the initial absentee ballot application, upon request for a runoff
614 ballot pursuant to Section 23-15-719, the registrar shall mail
615 together the absentee ballot application and the absentee ballot
616 to the absent voter for the runoff election.

617 **SECTION 14.** Section 23-15-719, Mississippi Code of 1972, is
618 amended as follows:

619 23-15-719. (1) Except where the registrar has already
620 mailed a ballot with an application, upon receipt of a properly
621 completed application form by an elector qualified to vote
622 absentee as provided in this article, the registrar shall mail the
623 absent voter an absentee ballot within one (1) business day, or as
624 soon as the absentee ballot is prepared and available, containing
625 the names of all the candidates and propositions, if any, to be
626 voted on in the election. The registrar shall include with the
627 absentee ballot an official envelope that complies with the
628 provisions of Section 23-15-635, as well as information to comply
629 with Section 23-15-641(3) related to the status of the elector's
630 ballot.

631 (2) * * * Ballots requested under Section 23-15-713(f) shall
632 be mailed to the voter's address outside of the county in which he
633 or she is registered.

634 * * *

635 **SECTION 15.** Section 23-15-639, Mississippi Code of 1972, is
636 amended as follows:



637 23-15-639. (1) The examination and counting of all absentee
638 ballots shall be conducted as follows:

639 (a) At the opening of the regular balloting and at the
640 opening of the polls, the resolution board established under
641 Section 23-15-523 and trained in the process of canvassing
642 absentee ballots shall first take the envelopes containing the
643 absentee ballots of such electors from the secure location at the
644 registrar's office, and the name, address and precinct inscribed
645 on each envelope shall be announced by the resolution board.

646 (b) * * * For mail-in absentee ballots * * *, the
647 signature on the application shall then be compared with the
648 signature in the box on the back of the envelope. A portion of
649 the elector's signature extending outside of the box shall not be
650 grounds for rejecting that elector's ballot. If it corresponds
651 and the affidavit, if one (1) is required, and is sufficient and
652 the resolution board finds that the applicant is a registered and
653 qualified voter or otherwise qualified to vote, the envelope shall
654 then be opened and the ballot removed from the envelope, without
655 its being unfolded, or permitted to be unfolded or examined.

656 * * *

657 (c) Having observed and found the ballot to be regular
658 as far as can be observed from its official endorsement, the
659 resolution board shall deposit it in the ballot box with the other
660 ballots before counting any ballots and enter the voter's name in
661 the receipt book provided for that purpose. All absentee ballots



662 received prior to 7:00 p.m. the day * * * of the election shall be
663 counted in the registrar's office by the resolution board when the
664 polls close and then added to the votes cast in each
665 precinct. * * *

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

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

671 **SECTION 16.** Section 23-15-651, Mississippi Code of 1972, is
672 amended as follows:

673 23-15-651. The results of the vote by absentee balloting
674 shall be announced simultaneously with the vote cast on election
675 day * * *.

676 **SECTION 17.** Section 23-15-697, Mississippi Code of 1972, is
677 brought forward as follows:

678 23-15-697. When the absentee ballot has been voted and the
679 envelope sealed, signed and certified to as provided above, the
680 absentee voter shall mail the envelope containing the ballot to
681 the registrar.

682 Hand-delivery of ballots to a voter or from a voter shall be
683 prohibited, and the use of drop boxes or other mechanisms to
684 submit a completed absentee ballot other than by mail or common
685 carrier, shall be prohibited.



686 **SECTION 18.** Section 23-15-721, Mississippi Code of 1972, is
687 amended as follows:

688 23-15-721. (1) Absentee ballots requested under the
689 provisions of Section 23-15-715 for electors temporarily residing
690 outside the county of residence shall be mailed to the elector's
691 address outside of the county in which he or she is registered,
692 and such electors shall appear before any official authorized to
693 administer oaths or other official authorized to witness absentee
694 balloting as provided in this article. The elector shall exhibit
695 to such official his or her absentee ballot unmarked and thereupon
696 proceed in secret to fill in the ballot. After the elector has
697 properly marked the ballot and properly folded it, he or she shall
698 deposit it in the envelope furnished to him or her. After the
699 elector has sealed the envelope he or she shall deliver it to the
700 official before whom he or she is appearing and shall subscribe
701 and swear to the elector's certificate provided for in Section
702 23-15-635, which affidavit shall be printed on the back of the
703 envelope as provided for in Section 23-15-635 containing the
704 elector's ballot.

705 (2) Electors who are temporarily or permanently physically
706 disabled shall sign the elector's certificate and the certificate
707 of attesting witness shall be signed by any person eighteen (18)
708 years of age or older.

709 (3) After the completion of the requirements of this
710 section, the elector shall mail the envelope containing the ballot



711 to the registrar in the county wherein the elector is qualified to
712 vote. * * * Absentee ballots must be * * * received by the
713 registrar * * * not later than 7:00 p.m. on the day of the
714 election * * *.

715 **SECTION 19.** This act shall take effect and be in force from
716 and after January 1, 2026.

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

1 AN ACT TO CREATE THE "IN-PERSON EXCUSED VOTING ACT"; TO
2 PROVIDE DEFINITIONS; TO PROVIDE THAT THE IN-PERSON EXCUSED VOTING
3 PERIOD SHALL BEGIN 22 DAYS BEFORE THE ELECTION AND CONTINUE UNTIL
4 12:00 P.M. ON THE SATURDAY IMMEDIATELY PRECEDING THE ELECTION; TO
5 PROVIDE THAT IN-PERSON EXCUSED VOTING SHALL BE FOR EACH PRIMARY,
6 GENERAL, RUNOFF, SPECIAL AND MUNICIPAL ELECTION FOR PUBLIC OFFICE;
7 TO PROVIDE THE HOURS FOR IN-PERSON EXCUSED VOTING IN THE
8 REGISTRAR'S OFFICE DURING REGULAR BUSINESS HOURS; TO PROVIDE
9 EXTENDED HOURS TO VOTE DURING THE LAST FULL WEEK PRECEDING AN
10 ELECTION; TO PROVIDE THE APPROPRIATE LOCATIONS FOR IN-PERSON
11 EXCUSED VOTING TO TAKE PLACE; TO PROVIDE THAT NOTICE OF IN-PERSON
12 EXCUSED VOTING SHALL BE PROVIDED IN THREE PUBLIC PLACES EIGHT DAYS
13 BEFORE THE VOTING BEGINS; TO PROVIDE THE PROCEDURES TO FOLLOW WHEN
14 CASTING A BALLOT DURING THE IN-PERSON EXCUSED VOTING PERIOD; TO
15 ALLOW REGISTRARS TO ASSIGN ELECTIONS COMMISSIONERS TO ASSIST WITH
16 IN-PERSON EXCUSED VOTING; TO PROVIDE THE MANNER FOR CHALLENGING
17 THE QUALIFICATIONS OF A VOTER DURING THE IN-PERSON EXCUSED VOTING
18 PERIOD; TO AMEND SECTION 23-15-631, MISSISSIPPI CODE OF 1972, TO
19 REQUIRE MAIL-IN BALLOTS BE RECEIVED BY MAIL OR COMMON CARRIER NO
20 LATER THAN 7:00 P.M. ON THE DAY OF THE ELECTION; TO AMEND SECTION
21 23-15-639, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT MAIL-IN
22 BALLOTS BE ANNOUNCED BY THE RESOLUTION BOARD; TO BRING FORWARD
23 SECTION 23-15-697, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF
24 POSSIBLE AMENDMENT; TO AMEND SECTIONS 23-15-625, 23-15-627,
25 23-15-713, 23-15-715, 23-15-637, 23-15-651, 23-15-721 AND
26 23-15-719, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED
27 PURPOSES.



CONFEREES FOR THE SENATE

X (SIGNED)
England

X (SIGNED)
Blackwell

X (SIGNED)
Chassaniol

CONFEREES FOR THE HOUSE

X (SIGNED)
Sanford

X (SIGNED)
Tullos

X (SIGNED)
Owen

