

By: Representative Scott

To: Apportionment and
Elections

HOUSE BILL NO. 22

1 AN ACT TO AUTHORIZE A QUALIFIED ELECTOR WHO WISHES TO
2 REGISTER TO VOTE TO REGISTER ON THE DAY OF THE ELECTION AND THEN
3 PROCEED TO CAST HIS OR HER VOTE AT THE PROPER POLLING PLACE; TO
4 PROVIDE THE LOCATION TO CONDUCT THE REGISTRATION ON ELECTION DAY;
5 TO PROVIDE THE IDENTIFICATION REQUIRED TO BE PRESENTED IN ORDER TO
6 REGISTER TO VOTE ON ELECTION DAY; TO PROVIDE THE PROCEDURES THAT
7 POLL MANAGERS MUST IMPLEMENT WHEN A PERSON REGISTERS TO VOTE ON
8 ELECTION DAY; TO PROVIDE THAT ELECTION DAY REGISTRATION BALLOTS
9 MUST BE TREATED THE SAME AS ABSENTEE BALLOTS FOR CERTAIN PURPOSES;
10 TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE THE NECESSARY
11 RULES AND REGULATIONS TO EFFECTUATE SAME DAY VOTER REGISTRATION;
12 TO AMEND SECTIONS 23-15-11, 23-15-13, 23-15-35, 23-15-37,
13 23-15-39, 23-15-41 AND 23-15-125, MISSISSIPPI CODE OF 1972, TO
14 CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

15 WHEREAS, according to the National Conference of State
16 Legislatures (NCSL), as of 2024, a total of twenty-three (23)
17 states and the District of Columbia have enacted same day voter
18 registration, which allows any qualified resident of the state to
19 go to register to vote and cast a ballot all in that same day; and

20 WHEREAS, based on research from the NCSL, there is strong
21 evidence that same day voter registration increases voter turnout,
22 and same day voter registration states tend to outperform other
23 states in terms of turnout percentages; and



24 WHEREAS, according to NCSL, all states that implement same
25 day voter registration employ various measures to ensure the
26 security of same day voter registration in order to uphold the
27 integrity of the election; NOW, THEREFORE,

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

29 **SECTION 1.** (1) Notwithstanding any other provision of law
30 to the contrary, a qualified elector who wishes to register to
31 vote may register on the day of the election and then proceed to
32 cast his or her vote at the proper polling place.

33 (2) The election commissioners of each county may designate
34 a location for the completion and processing of election day
35 registration applications through the Statewide Elections
36 Management System. The election commissioners may appoint one or
37 more additional poll managers to serve at the designated location
38 and accept and process registration applications. The election
39 commissioners shall supervise the poll managers and train them as
40 necessary for the registration of voters as otherwise provided by
41 law. The additional poll managers must be compensated as provided
42 by law.

43 (3) (a) A person applying to register on election day under
44 this section must appear in person at a location designated by the
45 election commissioners for election day registration and declare
46 under oath that the person has not voted previously in the
47 election.



48 (b) An applicant shall present the photo identification
49 required in Section 23-15-563 to the poll managers at the
50 location. If this identification does not include proof of the
51 applicant's residential address, the applicant also must submit
52 identification that shows the applicant's bona fide residence
53 address, including, but not limited to, a utility bill that has
54 the applicant's name and current address and that has a due date
55 that is not later than thirty (30) days after the election.

56 (c) If the poll managers determine that an applicant
57 has satisfied all of the provisions of this section and Section
58 23-15-11, the election commissioners shall check the Statewide
59 Elections Management System before entering the applicant as an
60 elector.

61 (d) If the poll managers determine that the applicant
62 has satisfied all of the provisions of this section and Section
63 23-15-11, and the applicant is not registered already as an
64 elector as determined by the Statewide Elections Management
65 System, the poll managers must admit the applicant as a qualified
66 elector, and all of the privileges of a qualified elector will
67 attach immediately.

68 (e) (i) If a qualified elector registers to vote on
69 election day as provided in this section, the poll managers must
70 provide the elector an election day registration ballot and an
71 election day registration envelope and make a record of the
72 issuance. The ballot must be marked clearly that it is an



73 election day registration ballot and be in the same form as other
74 ballots for the election. The back of the election day
75 registration envelope must be imprinted with an affirmation that
76 the elector must declare under oath that he or she has not voted
77 previously in the election. The affirmation must be in the form
78 substantially as follows and signed by the elector:

79 "AFFIRMATION

80 I, the undersigned, do hereby state, under penalty of false
81 statement (perjury), that:

82 1. I am the person admitted here as an elector in the
83 precinct indicated.

84 2. I am eligible to vote in the election indicated for
85 today in the precinct indicated.

86 3. The information I have presented as identification
87 is correct and complete.

88 4. I reside at the address that I have given to the
89 poll managers.

90 5. If previously registered at another location, I have
91 provided that address to the poll managers and hereby request
92 cancellation of that prior registration.

93 6. I have not voted in person or by absentee ballot,
94 and I will not vote otherwise than by this ballot at this
95 election.



7. I completed an application for an election day registration ballot and received an election day registration ballot.

(Signature of voter)"

(ii) After the elector has marked the election day registration ballot as other paper ballots are marked as provided in this chapter, the elector must place the election day registration ballot in the election day registration envelope provided and deposit the envelope in a secured election day registration ballot box. At the time of the close of the polls, the election day registration ballot box must be transported as provided in this chapter for other ballot boxes. The election day registration ballots must be counted as provided by this chapter for the counting of absentee ballots on election day.

(4) The provisions of this chapter and provisions concerning procedures relating to the custody, control and counting of absentee ballots apply, as nearly as possible, to the custody, control and counting of election day registration ballots under subsections (a) through (e) of this subsection.

(5) After the acceptance of an election day registration, the election commissioners shall send a registration confirmation notice to the residential address of each applicant who is admitted as an elector on election day under subsections (a) through (e) of this subsection. The confirmation must be sent by



first class mail with instructions on the envelope that it be returned if not deliverable at the address shown on the envelope.

(6) Notwithstanding the provisions of any laws or parts of laws in conflict with this section, the provisions of this section are controlling to the extent of the conflict.

(7) The Secretary of State shall promulgate rules and regulations necessary to effectuate same day voter registration, including measures to inform the public about the availability of same day voter registration.

SECTION 2. Section 23-15-11, Mississippi Code of 1972, is amended as follows:

23-15-11. Every inhabitant of this state, except persons adjudicated to be non compos mentis, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he or she seeks to vote, and for thirty (30) days in the incorporated municipality in which he or she seeks to vote, and who has been duly registered as an elector under Section 23-15-33, and who has never been convicted of vote fraud or of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his or her residence, and shall be entitled to vote at any election upon compliance with Section 23-15-563. * * * Except as otherwise provided in Section 1 of this act, any person who will be eighteen (18) years of age



or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days before the primary election associated with the general election, may vote in the primary election even though the person has not reached his or her eighteenth birthday at the time that the person seeks to vote at the primary election. Except as otherwise provided in Section 1 of this act, no others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

SECTION 3. Section 23-15-13, Mississippi Code of 1972, is amended as follows:

23-15-13. (1) An elector who moves from one (1) ward or voting precinct to another ward within the same municipality or voting precinct within the same county shall not be disqualified to vote, but he or she shall be entitled to have his or her registration transferred to his or her new ward or voting precinct upon making a written request therefor at any time up to * * * the day of the election at which he or she offers to vote * * *.

(2) If an elector requests a change in his or her address under Section 23-15-49 and the address is located in a precinct in the county or municipality that differs from the precinct as reflected in the then current registration records, the request shall be treated in the same manner as a written request to transfer the elector's registration under subsection (1) of this section.



170 **SECTION 4.** Section 23-15-35, Mississippi Code of 1972, is
171 amended as follows:

172 23-15-35. (1) The clerk of the municipality shall be the
173 registrar of voters of the municipality, and shall take the oath
174 of office prescribed by Section 268 of the Constitution. The
175 municipal registration shall conform to the county registration
176 which shall be a part of the official record of registered voters
177 as contained in the Statewide Elections Management System. The
178 municipal clerk shall comply with all the provisions of law
179 regarding the registration of voters, including the use of the
180 voter registration applications used by county registrars and
181 prescribed by the Secretary of State under Sections 23-15-39 and
182 23-15-47 and Section 1 of this act.

183 (2) The municipal clerk shall be authorized to register
184 applicants as county electors. The municipal clerk shall forward
185 notice of registration, a copy of the application for
186 registration, and any changes to the registration when they occur,
187 either by certified mail to the county registrar or by personal
188 delivery to the county registrar provided that a numbered receipt
189 is signed by the county registrar in return for the described
190 documents. Upon receipt of the copy of the application for
191 registration or changes to the registration, and if a review of
192 the application indicates that the applicant meets all the
193 criteria necessary to qualify as a county elector, then the county
194 registrar shall make a determination of the county voting precinct



195 in which the person making the application shall be required to
196 vote. The county registrar shall send this county voting precinct
197 information by United States first-class mail, postage prepaid, to
198 the person at the address provided on the application. Any
199 mailing costs incurred by the municipal clerk or the county
200 registrar in effectuating this subsection (2) shall be paid by the
201 county board of supervisors. If a review of the copy of the
202 application for registration or changes to the registration
203 indicates that the applicant is not qualified to vote in the
204 county, the county registrar shall challenge the application. The
205 county election commissioners shall review any challenge or
206 disqualification, after having notified the applicant by certified
207 mail of the challenge or disqualification.

208 (3) The municipal clerk shall issue to the person making the
209 application a copy of the application and the county registrar
210 shall process the application in accordance with the law regarding
211 the handling of voter registration applications.

212 (4) The receipt of a copy of the application for
213 registration sent pursuant to Section 23-15-39(3) shall be
214 sufficient to allow the applicant to be registered as an elector
215 in the municipality, provided that such application is not
216 challenged as provided for therein.

217 (5) The municipal clerk of each municipality shall provide
218 the county registrar in which the municipality is located the
219 information necessary to conform the municipal registration to the



220 county registration which shall be a part of the official record
221 of registered voters as contained in the Statewide Elections
222 Management System. If any changes to the information occur as a
223 result of redistricting, annexation or other reason, it shall be
224 the responsibility of the municipal clerk to timely provide the
225 changes to the county registrar. The location of a polling place
226 shall not be altered within sixty (60) days of any primary,
227 general, runoff or special election unless exigent circumstances
228 exist. If the governing authorities find that exigent
229 circumstances exist where a polling place needs to be altered
230 within sixty (60) days of an election, then their reasons for
231 making that decision shall be spread upon the minutes at their
232 next scheduled meeting. When the location of a polling place is
233 altered within sixty (60) days of an election, public notice of
234 the change shall be posted at city hall, the courthouse, the
235 registrar's office, the previous polling place location if it is a
236 public building, and for three (3) consecutive weeks, or each week
237 before the election if the alteration happens within three (3)
238 weeks of the election, in a newspaper that is circulated in the
239 area.

240 **SECTION 5.** Section 23-15-37, Mississippi Code of 1972, is
241 amended as follows:

242 23-15-37. (1) The registrar shall register the electors of
243 his or her county at any time during regular office hours and on
244 election day as provided in Section 1 of this act.



(2) The county registrar may keep his or her office open to register voters from 8:00 a.m. until 7:00 p.m., including the noon hour, for the five (5) business days immediately preceding the thirtieth day before any regularly scheduled primary or general election. The county registrar shall also keep his or her office open from 8:00 a.m. until 12:00 noon on the Saturday immediately preceding the thirtieth day before any regularly scheduled primary or general election, unless that Saturday falls on a legal holiday, in which case registration applications submitted on the Monday immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling such voters to vote in the next primary or general election. Qualified electors must be allowed to register to vote and cast a ballot on election day as provided in Section 1 of this act.

(3) The registrar, or any deputy registrar duly appointed by law, may visit and spend such time as he or she may deem necessary at any location in his or her county, selected by the registrar not less than thirty (30) days before an election, for the purpose of registering voters.

(4) A person who is physically disabled and unable to visit the office of the registrar to register to vote due to such disability may contact the registrar and request that the registrar or the registrar's deputy visit him or her for the purpose of registering such person to vote. The registrar or the



270 registrar's deputy shall visit that person as soon as possible
271 after such request and provide the person with an application for
272 registration, if necessary. The completed application for
273 registration shall be executed in the presence of the registrar or
274 the registrar's deputy.

275 (5) (a) In the fall and spring of each year the registrar
276 of each county shall furnish all public schools with mail-in voter
277 registration applications. The applications shall be provided in
278 a reasonable time to enable those students who will be eighteen
279 (18) years of age before a general election to be able to vote in
280 the primary and general elections.

281 (b) Each public school district shall permit access to
282 all public schools of this state for the county registrar or the
283 county registrar's deputy to register persons who are eligible to
284 vote and to provide voter education.

285 **SECTION 6.** Section 23-15-39, Mississippi Code of 1972, is
286 amended as follows:

287 23-15-39. (1) (a) Applications for registration as
288 electors of this state, which are sworn to and subscribed before
289 the registrar or deputy registrar authorized by law and which are
290 not made by mail, shall be made upon a form established by rule
291 duly adopted by the Secretary of State.

292 (b) Applications for registration on election day as
293 provided in Section 1 of this act must be made upon a form



294 established by rules duly adopted by the Secretary of State, as
295 required in Section 1 of this act.

296 (2) The boards of supervisors shall make proper allowances
297 for office supplies reasonably necessitated by the registration of
298 county electors.

299 (3) If the applicant indicates on the application that he or
300 she resides within the city limits of a city or town in the county
301 of registration, the county registrar shall process the
302 application for registration or changes to the registration as
303 provided by law.

304 (4) If the applicant indicates on the application that he or
305 she has previously registered to vote in another county of this
306 state or another state, notice to the voter's previous county of
307 registration in this state shall be provided by the Statewide
308 Elections Management System. If the voter's previous place of
309 registration was in another state, notice shall be provided to the
310 voter's previous state of residence if the Statewide Elections
311 Management System has that capability.

312 (5) The county registrar shall provide to the person making
313 the application a copy of the application upon which has been
314 written the county voting precinct and municipal voting precinct,
315 if any, in which the person shall vote. Upon entry of the voter
316 registration information into the Statewide Elections Management
317 System, the system shall assign a voter registration number to the
318 person, and the county registrar shall mail the applicant a voter



319 registration card to the mailing address provided on the
320 application.

321 (6) Any person desiring an application for registration may
322 secure an application from the registrar of the county of which he
323 or she is a resident and may take the application with him or her
324 and secure assistance in completing the application from any
325 person of the applicant's choice. It shall be the duty of all
326 registrars to furnish applications for registration to all persons
327 requesting them, and it shall likewise be the registrar's duty to
328 furnish aid and assistance in the completing of the application
329 when requested by an applicant. The application for registration
330 shall be sworn to and subscribed before the registrar or deputy
331 registrar at the municipal clerk's office, the county registrar's
332 office or any other location where the applicant is allowed to
333 register to vote. The registrar shall not charge a fee or cost to
334 the applicant for accepting the application or administering the
335 oath or for any other duty imposed by law regarding the
336 registration of electors.

337 (7) If the person making the application is unable to read
338 or write, for reason of disability or otherwise, he or she shall
339 not be required to personally complete the application in writing
340 and execute the oath. In such cases, the registrar or deputy
341 registrar shall read the application and oath to the person and
342 the person's answers thereto shall be recorded by the registrar or
343 the registrar's deputy. The person shall be registered as an



elector if he or she otherwise meets the requirements to be registered as an elector. The registrar shall record the responses of the person and the recorded responses shall be retained permanently by the registrar. The county registrar shall enter the voter registration information into the Statewide Elections Management System and designate the entry as an assisted filing.

(8) The receipt of a copy of the application for registration sent pursuant to Section 23-15-35(2) shall be sufficient to allow the applicant to be registered as an elector of this state, if the application is not challenged.

(9) In any case in which the corporate boundaries of a municipality change, whether by annexation or redistricting, the municipal clerk shall, within ten (10) days after approval of the change in corporate boundaries, provide to the county registrar conforming geographic data that is compatible with the Statewide Elections Management System. The data shall be developed by the municipality's use of a standardized format specified by the Statewide Elections Management System. The county registrar, county election commissioner or other county official, who has completed an annual training seminar sponsored by the Secretary of State pertaining to the implementation of new boundary lines in the Statewide Elections Management System and received certification for that training, shall update the municipal boundary information into the Statewide Elections Management



369 System. The Statewide Elections Management System updates the
370 municipal voter registration records and assigns electors to their
371 municipal voting precincts. The county registrar shall forward to
372 the municipal clerk written notification of the additions and
373 changes, and the municipal clerk shall forward to the affected
374 municipal electors written notification of the additions and
375 changes.

376 **SECTION 7.** Section 23-15-41, Mississippi Code of 1972, is
377 amended as follows:

378 23-15-41. (1) When an applicant to register to vote has
379 completed the application form as prescribed by administrative
380 rule, the county registrar shall enter the applicant's information
381 into the Statewide Elections Management System where the
382 applicant's status will be marked as "ACTIVE," "PENDING" or
383 "REJECTED," and the applicant shall be entitled to register upon
384 his or her request for registration made in person to the
385 registrar, or deputy registrar if a deputy registrar has been
386 appointed. Except as otherwise provided in Section 1 of this act,
387 no person other than the registrar, or a deputy registrar, shall
388 register any applicant.

389 (2) If an applicant is not qualified to register to vote,
390 then the registrar shall enter the applicant's information into
391 the Statewide Elections Management System and mark the applicant's
392 status as "PENDING" or "REJECTED," with the specific reason or



reasons for that status noted. The registrar shall notify the election commission of those applicants rejected.

SECTION 8. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All qualified applicants who register with the registrar shall be entered in the Statewide Elections Management System. * * * When county election commissioners determine that any elector is disqualified from voting, by reason of death, conviction of a disenfranchising crime, removal from the jurisdiction, failure to comply with the provisions of Section 23-15-152, or other legal cause, that fact shall be noted in the Statewide Elections Management System and the voter's name shall be purged from the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Nothing in this section shall preclude the use of electronic pollbooks.

SECTION 9. Section 1 of this act shall be codified as a new section in Article 3, Chapter 15, Title 23, Mississippi Code of 1972.



417 **SECTION 10.** This act shall take effect and be in force from
418 and after July 1, 2026.

