

By: Senator(s) Blount

To: Elections

SENATE BILL NO. 2047

1 AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO ESTABLISH A
2 SECURE WEBSITE TO ENABLE STUDENT VOTERS TO SUBMIT ELECTRONIC
3 ABSENTEE BALLOT APPLICATIONS; TO ESTABLISH THE DOCUMENTS WHICH
4 MUST BE SUBMITTED BY THE STUDENT TO APPROVE SUCH APPLICATIONS; TO
5 PROVIDE THAT UPON APPROVAL, STUDENT ABSENTEE VOTERS MAY BE
6 AUTOMATICALLY MAILED ABSENTEE BALLOTS FOR ALL ELECTIONS THAT OCCUR
7 FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTIONS 23-15-627,
8 23-15-631, 23-15-715 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO
9 CONFORM; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) For purposes of this article, "student
12 absentee voter" or "student absentee elector" means an individual
13 who is a registered elector and who is enrolled in any institution
14 of higher education whose studies at the institution require the
15 individual's absence from the municipality or county of his or her
16 voting residence on the date of any primary, general or special
17 election.

18 (2) A student absentee elector may submit an electronic
19 absentee ballot application using the following procedures:

20 (a) The student absentee elector must print and
21 complete the application for absentee electors as described in



22 Section 2 of this act. The application must be signed and stamped
23 by the registrar or a registrar's deputy for the institution in
24 which the student is enrolled;

25 (b) The student must copy his or her student
26 identification card issued by the institution of higher education
27 in which he or she is enrolled; and

28 (c) The student must upload the application, copy of
29 the student identification card and enter any other information as
30 may be required into the secure internet website established by
31 the Secretary of State.

32 (3) If approved, a student's application to receive absentee
33 ballots by mail is valid from the date of approval until the
34 following June 30.

35 **SECTION 2.** (1) The Secretary of State shall establish a
36 secure internet website to permit student absentee electors to
37 submit an electronic absentee ballot application. The software
38 used by the Secretary of State for accepting and processing
39 applications must be capable of the following:

40 (a) Uploading a copy of the elector's student
41 identification card issued by the institution in which the student
42 is enrolled; and

43 (b) Accepting an electronic absentee ballot application
44 for student voters, as described in this section.

45 (2) The electronic absentee ballot application for student
46 voters shall be substantially similar to the following form:



"OFFICIAL ELECTRONIC APPLICATION FOR ABSENT ELECTOR'S BALLOT

STUDENT ABSENTEE ELECTORS

I, _____, duly qualified and registered in the ____ Precinct
of the County of _____, and State of Mississippi, coming within
the purview of the definition 'STUDENT ABSENTEE ELECTOR' will be
absent from the county or municipality of my residence on election
day (check all that apply):

() I am a student at a college, university, junior college,
community college or other institution of higher education whose
studies at such institution necessitate my absence from the county
of my voting residence.

() I am a student at a college, university, junior college,
community college or other institution of higher education whose
studies at such institution necessitate my absence from the
municipality of my voting residence.

I hereby assert that I am a student at
_____ (name of institute of higher
education of enrollment).

I hereby make application for an official ballot, or ballots,
to be voted by me for any election in which I am entitled to vote
to be held on any day between July 1, _____ and June 30, _____.

My permanent physical address is _____.

Mail 'Absent Elector's Ballot' to me at the following address

_____.



71 I realize that if approved, my application to receive ballots
72 by mail will expire on June 30, _____, and that I must submit a
73 new electronic application for absent elector's ballots.

74 I realize that I can be fined up to Five Thousand Dollars
75 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
76 for making a false statement in this application and for selling
77 my vote and violating the Mississippi Absentee Voter Law. (This
78 sentence is to be in bold print.)

79 As a student absentee elector, you are not required to have
80 this application notarized or signed by an official authorized to
81 administer oaths for absentee balloting. You are required to sign
82 this application in the proper place and have the registrar of the
83 institution of higher education in which you are enrolled, or a
84 deputy of such registrar to witness your signature and sign this
85 application in the proper place.

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

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

90 _____
91 (Signature of absent student elector)

92 TO BE SIGNED AND SEALED BY WITNESS FOR STUDENT ABSENTEE
93 ELECTOR:

94 I HEREBY CERTIFY that this application for an absent
95 elector's ballot was signed by the above-named student elector in



96 my presence, that I am the registrar of the institution of higher
97 education in which the above-named student elector is enrolled or
98 a deputy of such registrar, and that I have verified the
99 above-named student's enrollment in such institution, this the
100 ____ day of _____, 2__.

101 _____
102 (Signature of registrar or deputy
103 registrar)

104 _____
105 (Print name of institute of higher
106 education)

107 _____
108 (Affix official imprint, stamp or seal
109 of institute of higher education)."

110 (3) The Secretary of State shall verify the student
111 elector's electronic absentee ballot application. If any of the
112 information within the application does not match or the
113 information does not match that on file with the elector's
114 registration record, the ballot application shall be denied. The
115 student absentee elector shall be notified of the reason for
116 denial.

117 (4) The Secretary of State shall forward approved absentee
118 ballot applications to the circuit and municipal clerks of the
119 student absentee voter's residence. Upon receipt, the circuit and



municipal clerks shall affix their seals to the applications and initial them.

(5) An approved request for an absentee ballot to be mailed to a student voter shall remain valid until June 30 of each year. No less than thirty (30) days before the expiration of a designation to receive absentee ballots under this section, the Secretary of State shall send an announcement through electronic mail or postal mail to approved student absentee voters explaining that they must submit a new electronic absentee ballot application.

(6) The Secretary of State is authorized to promulgate additional rules and regulations as may be necessary to effectuate the intent of Sections 1 and 2 of this act.

SECTION 3. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. (1) Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Such form shall be printed on the absentee ballot envelope as provided in Section 23-15-659. Except as otherwise provided in Sections 1 and 2 of this act and Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who



seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. Except as provided in Sections 1 and 2 of this act, a reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section.

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

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

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



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

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

175 () I am a member of the Merchant Marine or the American Red
176 Cross and am a citizen of Mississippi or spouse or dependent of
177 such member.

178 () I am a disabled war veteran who is a patient in any
179 hospital and am a citizen of Mississippi or spouse or dependent of
180 such veteran.

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

185 () I am a citizen of Mississippi temporarily residing
186 outside the territorial limits of the United States and the
187 District of Columbia.

188 () I am a student, teacher or administrator at a college,
189 university, junior or community college, high, junior high,
190 elementary or grade school, whose studies or employment at such
191 institution necessitates my absence from the county of my voting
192 residence or spouse or dependent of such student, teacher or
193 administrator who maintains a common domicile outside the county



194 of my voting residence with such student, teacher or
195 administrator.

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

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

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

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

204 () I am a member of the congressional delegation, or spouse
205 or dependent of a member of the congressional delegation.

206 () I am required to be at work on election day during the
207 times when the polls will be open or I am required to be on-call
208 on election day during the times when the polls will be open.

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

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

214 Mail 'Absent Elector's Ballot' to me at the following address
215 _____.

216 () I wish to receive an absentee ballot for the runoff
217 election _____.



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

220 Phone number: _____

221 Email address: _____

222 Mailing address: _____

223 I realize that I can be fined up to Five Thousand Dollars
224 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
225 for making a false statement in this application and for selling
226 my vote and violating the Mississippi Absentee Voter Law. (This
227 sentence is to be in bold print.)

228 If you are temporarily or permanently disabled, you are not
229 required to have this application notarized or signed by an
230 official authorized to administer oaths for absentee balloting.
231 You are required to sign this application in the proper place and
232 have a person eighteen (18) years of age or older witness your
233 signature and sign this application in the proper place.

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

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

238 _____

239 (Signature of absent elector)

240 SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
241 2____.

242 _____



(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 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)"

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

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ____ Precinct
of the County of _____, and State of Mississippi, coming within



268 the purview of the definition 'ABSENT ELECTOR' will be absent from
269 the county of my residence on election day, or unable to vote in
270 person because (check appropriate reason):

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

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

277 () I am a member of the Merchant Marine or the American Red
278 Cross and am a citizen of Mississippi or spouse or dependent of
279 such member.

280 () I am a disabled war veteran who is a patient in any
281 hospital and am a citizen of Mississippi or spouse or dependent of
282 such veteran.

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

287 () I am a citizen of Mississippi temporarily residing
288 outside the territorial limits of the United States and the
289 District of Columbia.

290 () I am a student, teacher or administrator at a college,
291 university, junior or community college, high, junior high,
292 elementary or grade school, whose studies or employment at such



293 institution necessitates my absence from the county of my voting
294 residence or spouse or dependent of such student, teacher or
295 administrator who maintains a common domicile outside the county
296 of my voting residence with such student, teacher or
297 administrator.

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

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

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

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

306 () I am a member of the congressional delegation, or spouse
307 or dependent of a member of the congressional delegation.

308 () I am required to be at work on election day during the
309 times when the polls will be open or I am required to be on-call
310 on election day during the times when the polls will be open.

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

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

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



318 Phone number: _____

319 Email address: _____

320 Mailing address: _____

321 I realize that I can be fined up to Five Thousand Dollars
322 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
323 for making a false statement in this application and for selling
324 my vote and violating the Mississippi Absentee Voter Law. (This
325 sentence is to be in bold print.)"

326 **SECTION 4.** Section 23-15-631, Mississippi Code of 1972, is
327 amended as follows:

328 23-15-631. (1) The registrar shall enclose with each ballot
329 mailed to an absent elector separate printed instructions
330 furnished by the registrar containing the following:

331 (a) All absentee voters, excepting those with temporary
332 or permanent physical disabilities * * *, those who are sixty-five
333 (65) years of age or older, or those who are student absentee
334 voters as defined by Section 1 of this act, who mark their ballots
335 in the county of the residence shall use the registrar of that
336 county as the witness. The absentee voter shall come to the
337 office of the registrar and neither the registrar nor his or her
338 deputy shall be required to go out of the registrar's office to
339 serve as an attesting witness.

340 (b) Upon receipt of the enclosed ballot, you will not
341 mark the ballot except in view or sight of the attesting witness.



In the sight or view of the attesting witness, mark the ballot according to instructions.

(c) After marking the ballot, fill out and sign the "ELECTOR'S CERTIFICATE" in the box on the back of the envelope so that the signature is across the flap of the envelope to ensure the integrity of the ballot. All absent electors shall have the attesting witness sign the "ATTESTING WITNESS CERTIFICATE" in the box across the flap on the back of the envelope. A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot. Place the necessary postage on the envelope and deposit it in the post office or some government receptacle provided for the deposit of mail so that the absent elector's ballot will be postmarked on or before the date of the election and received by the registrar no more than five (5) business days after the election. The ballot may only be transmitted by the United States Postal Service or other common carriers, including, but not limited to, United Parcel Service or FedEx Corporation.

Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled or who is a student absentee voter as defined in Section



367 1 of this act, the attesting witness may be any person eighteen
368 (18) years of age or older and such person is not required to have
369 the authority to administer an oath. If a postmaster, assistant
370 postmaster, postal supervisor, or clerk in charge of a contract
371 postal station acts as an attesting witness, his or her signature
372 in a box on the elector's certificate must be authenticated by the
373 cancellation stamp of their respective post offices. If an
374 officer having authority to administer an oath or take an
375 acknowledgment acts as attesting witness, his or her signature in
376 a box on the elector's certificate, together with his or her title
377 and address, but no seal, shall be required. A portion of the
378 elector's signature extending outside of the box shall not be
379 grounds for rejecting that elector's ballot. Any affidavits made
380 by an absent elector who is in the Armed Forces may be executed
381 before a commissioned officer, warrant officer, or noncommissioned
382 officer not lower in grade than sergeant rating or any person
383 authorized to administer oaths.

384 (d) When the application accompanies the ballot it
385 shall not be returned in the same envelope as the ballot but shall
386 be returned in a separate pre-addressed envelope provided by the
387 registrar.

388 (e) A candidate for public office, or the spouse,
389 parent or child of a candidate for public office, may not be an
390 attesting witness for any absentee ballot upon which the
391 candidate's name appears, unless the voter is related within the



first degree to the candidate or the spouse, parent or child of the candidate.

(f) Any voter casting an absentee ballot who declares that he or she requires assistance to vote by reason of blindness, temporary or permanent physical disability or inability to read or write, shall be entitled to receive assistance in the marking of his or her absentee ballot and in completing the affidavit on the absentee ballot envelope. The voter may be given assistance by anyone of the voter's choice other than a candidate whose name appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of Person Providing Voter Assistance" on the absentee ballot envelope.

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



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

SECTION 5. Section 23-15-715, Mississippi Code of 1972, is amended as follows:

23-15-715. Any elector desiring an absentee ballot as provided in this subarticle may secure same if:

(a) Not more than forty-five (45) days nor later than 12:00 noon, on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days, he or she shall appear in person before the registrar of the county in which he resides, or for municipal elections he or she shall appear in person before the city clerk of the municipality in which he or she resides and, when the elector so appears, he or she shall execute and file an application as provided in Section 23-15-627 and vote by absentee ballot. If the absentee ballot has not been printed by forty-five (45) days preceding the election, the elector may appear and file an application anytime before the election. Then the absentee ballot shall be mailed by the registrar to the elector as soon as the ballot has been printed.

(b) Within forty-five (45) days next prior to any election, any elector who cannot comply with paragraph (a) of this section by reason of temporarily residing outside the county, or



any person who has a temporary or permanent physical disability,
persons who are sixty-five (65) years of age or older, any person
who is incarcerated in prison or jail in the county where the
person is registered to vote and has not been convicted of a
disenfranchising crime, or any person who is the parent, spouse or
dependent of a temporarily or permanently physically disabled
person who is hospitalized outside of his or her county of
residence or more than fifty (50) miles away from his or her
residence and such parent, spouse or dependent will be with such
person on election day, may make application for an absentee
ballot by mailing the appropriate application to the registrar.
Only persons temporarily residing out of the county of their
residence, persons having a temporary or permanent physical
disability, persons who are sixty-five (65) years of age or older,
any person who is incarcerated in prison or jail in the county
where the person is registered to vote and has not been convicted
of a disenfranchising crime, or any person who is the parent,
spouse or dependent of a temporarily or permanently physically
disabled person who is hospitalized outside of his or her county
of residence or more than fifty (50) miles away from his or her
residence, and such parent, spouse or dependent will be with such
person on election day, may obtain absentee ballots by mail under
the provisions of this * * * paragraph and as provided by Section
23-15-713. Applications of persons temporarily residing outside
the county shall be sworn to and subscribed before an official who



is authorized to administer oaths or other official authorized to witness absentee balloting as provided in this chapter, said application to be accompanied by such verifying affidavits as required by this chapter. The applications of persons having a temporary or permanent physical disability shall not be required to be accompanied by an affidavit but shall be witnessed and signed by a person eighteen (18) years of age or older. The registrar shall send to such absent voter a proper absentee voter ballot within twenty-four (24) hours, or as soon thereafter as the ballots are available, containing the names of all candidates who qualify or the proposition to be voted on in such election, and with such ballot there shall be sent an official envelope containing upon it in printed form the recitals and data hereinafter required.

(c) Except when the voter has requested a runoff ballot on the initial absentee ballot application, upon request for a runoff ballot pursuant to Section 23-15-719, the registrar shall mail together the absentee ballot application and the absentee ballot to the absent voter for the runoff election.

(d) Within fourteen (14) days prior to any election, any student absentee voter, as defined in Section 1 of this act, may make application for an absentee ballot by submitting the appropriate electronic application to the Secretary of State. Applications of student absentee voters shall be sworn to and subscribed before the registrar or deputy registrar of the



institution of higher education in which the student is enrolled.
The application shall be submitted with the verifying documents as
required by Sections 1 and 2 of this act. Only student absentee
voters, as defined in Section 1 of this act, may obtain absentee
ballots by mail under the provisions of this paragraph. The
registrar shall send to the student absentee voter a proper
absentee voter ballot within twenty-four (24) hours, or as soon
thereafter as the ballots are available, containing the names of
all candidates who qualify or the proposition to be voted on in
such election, and with the ballot an official envelope containing
upon it in printed form the recitals and data hereinafter required
shall be sent.

SECTION 6. Section 23-15-721, Mississippi Code of 1972, is amended as follows:

23-15-721. (1) Absentee ballots requested under the provisions of Section 23-15-715 for electors temporarily residing outside the county of residence shall be mailed to the elector's address outside of the county in which he or she is registered, and such electors shall appear before any official authorized to administer oaths or other official authorized to witness absentee balloting as provided in this article. The elector shall exhibit to such official his or her absentee ballot unmarked and thereupon proceed in secret to fill in the ballot. After the elector has properly marked the ballot and properly folded it, he or she shall deposit it in the envelope furnished to him or her. After the



elector has sealed the envelope he or she shall deliver it to the official before whom he or she is appearing and shall subscribe and swear to the elector's certificate provided for in Section 23-15-635, which affidavit shall be printed on the back of the envelope as provided for in Section 23-15-635 containing the elector's ballot.

(2) Electors who are temporarily or permanently physically disabled or who are student absentee electors receiving a ballot under Section 23-15-715(d) shall sign the elector's certificate and the certificate of attesting witness shall be signed by any person eighteen (18) years of age or older.

(3) After the completion of the requirements of this section, the elector shall mail the envelope containing the ballot to the registrar in the county wherein the elector is qualified to vote. The ballots must be postmarked by the date of the election and received by the registrar no more than five (5) business days after the election to be counted; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

SECTION 7. This act shall take effect and be in force from and after July 1, 2026.

